



SHERWOOD CITY COUNCIL MEETING MINUTES

22560 SW Pine St., Sherwood, Or

Pursuant to House Bill 4212 (2020), this meeting will be conducted electronically and will be live streamed at
<https://www.youtube.com/user/CityofSherwood>

June 15, 2021

REGULAR SESSION

- 1. CALL TO ORDER:** Mayor Mays called the meeting to order at 7:11 pm.
- 2. COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Kim Young, Sean Garland, Renee Brouse, and Russell Griffin. Councilor Doug Scott was absent.
- 3. STAFF PRESENT:** City Manager Pro Tem Kristen Switzer, City Attorney Josh Soper, IT Director Brad Crawford, Community Development Director Julia Hajduk, Police Chief Jeff Groth, Finance Director David Bodway, Public Works Director Craig Sheldon, Human Resources Manager Christina Jones, City Engineer Bob Galati, Library Manager Adrienne Doman Calkins, Police Captain Ty Hanlon, and City Recorder Sylvia Murphy.

4. APPROVAL OF AGENDA:

MOTION: FROM COUNCILOR YOUNG TO APPROVE THE AGENDA. SECONDED BY COUNCILOR GRIFFIN. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR SCOTT WAS ABSENT).

Mayor Mays addressed the next agenda item.

5. CONSENT AGENDA:

- A. Approval of May 27, 2021 City Council Meeting Minutes**
- B. Approval of June 1, 2021 City Council Meeting Minutes**
- C. Resolution 2021-032 Approving the City Investment Policy and Authorizing Investments**
- D. Resolution 2021-033 Authorizing the City Manager Pro Tem to enter into a Public Improvement Contract with Moore Excavation, Inc. for Construction of the Rock Creek Sanitary Sewer Trunk Line Upsizing Phase 1**
- E. Resolution 2021-034 Authorizing City Manager Pro Tem to purchase a Vermeer Directional Drill and Trailer for Sherwood Broadband**
- F. Resolution 2021-035 Authorizing the City Manager Pro Tem to sign a five-year Intergovernmental Agreement with Metro for the Solid Waste Community Enhancement Program**

- G. Resolution 2021-036 Certifying the Provision of Certain Municipal Services in Order to Qualify the City to Receive State Revenues**
- H. Resolution 2021-038 Approving hiring in certain positions by the City Manager Pro Tem**

MOTION: FROM COUNCILOR GRIFFIN TO ADOPT THE CONSENT AGENDA. SECONDED BY COUNCILOR YOUNG. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR SCOTT WAS ABSENT).

Mayor Mays addressed the next agenda item.

6. CITIZEN COMMENTS:

No citizen comments had been submitted and Mayor Mays addressed the next agenda item.

7. NEW BUSINESS:

A. Resolution 2021-037 Adopting the Capital Improvement Plan (CIP) for FY2021-22

Community Development Director Julia Hajduk explained that this resolution was a team effort between Community Development, Public Works, and Finance. She explained that the one-year CIP projects list were the projects that would be funded next year, pending budget approval. The five-year CIP list identified what city projects the city wanted to accomplish in the next five years. She stated that the proposed resolution included both the one-year CIP project list as well as the five-year CIP project list and included the projects that were incorporated into the city's various master plans. Mayor Mays stated that Council had reviewed the CIP multiple times every year. Mayor Mays asked for discussion or questions from Council on the proposed resolution. With no comments, the following motion was stated.

MOTION: FROM COUNCILOR YOUNG TO ADOPT RESOLUTION 2021-037 ADOPTING THE CAPITAL IMPROVEMENT PLAN (CIP) FOR FY2021-22. SECONDED BY COUNCILOR GRIFFIN. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR SCOTT WAS ABSENT).

Mayor Mays addressed the next agenda item. The City Recorder read the public hearing statement for all five public hearings. The City Recorder reported that no public testimony had been received for any of the public hearing items.

8. PUBLIC HEARINGS:

A. Resolution 2021-039 Adopting hiring standards, criteria, and policy directives for the City Manager position

City Attorney Josh Soper recapped that the city was currently in the process of recruiting a new city manager, and under Oregon law, in order to be able to conduct parts of the recruitment process in executive sessions (e.g. interviewing candidates or discussing council preferences regarding candidates they had interviewed or received applications from), it was necessary for Council to first adopt hiring standards criteria and policy directives for the hiring process. He explained that the standards criteria and policy directives were largely taken from the position profile that was developed by the City's recruiter and had already been advertised. He reported that there had been the addition of authorizing the City Manager

Pro Tem to be able to reimburse candidates for expenses for traveling to an interview. Mayor Mays asked for discussion or questions from Council. With no comments, the following motion was stated.

MOTION: FROM COUNCILOR BROUSE TO ADOPT RESOLUTION 2021-039 ADOPTING HIRING STANDARDS, CRITERIA, AND POLICY DIRECTIVES FOR THE CITY MANAGER POSITION. SECONDED BY COUNCIL PRESIDENT ROSENER. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR SCOTT WAS ABSENT).

B. Resolution 2021-040 Adopting a Supplemental Budget for FY2020-21 and making appropriations

Finance Director David Bodway presented the "Supplemental Budget" PowerPoint presentation (see record, Exhibit A) and provided background on Oregon and local budget law. He stated that supplemental budgets were common and authorized by Oregon State Law to account for unforeseen financial needs or for new revenue sources. He explained that the city typically completed one mid-year adjustment and another adjustment near the end of the year. He reported that this year's adjustment amount was large enough to necessitate a public hearing. He reviewed the proposed changes to the General Fund. General Fund changes included accounting for the additional CARES money the City had received through Washington County, additional expenditures included an IGA with Washington County for the community Psyche grant program and city manager recruitment. He explained that two-thirds of the city manager recruitment expenditure would occur this fiscal year and the remaining recruitment expenditure was budgeted for the next fiscal year. He reported there were additional costs for software subscriptions, costs associated with remote work, and the creation of the new 2021 Sherwood URA. He reported that roughly \$1.1 million would go into the City's reserves for future years. The General Construction Fund included an additional \$1.4 million associated with the Cedar Creek Trail Project with funds coming from the Street Capital Fund to cover the costs. The Street Capital Fund had an additional \$110,000 transferred in from Street Operations. He explained that some of the capital projects moved more quickly than others, which required the City to use some of the reserve for future years for the projects. Council President Rosener asked if the negative \$2 million was the balance or the amount that was moved out of the fund? Mr. Bodway replied that typically in a budget there were revenues, expenditures, and reserves for future years amounts and explained that there was roughly \$5-6 million reserved for future years and the City was reducing that reserve for future years by that amount. He explained that the way Oregon budget law worked was that there were only certain funds that a city could budget for contingency and because this was a Capital Project Fund it did not allow the city to budget for any kind of contingency. He explained the City was allowed to remove that fund balance or reserve for future years. He stated an additional \$110,000 was transferred into the Street Operations Fund and that the Street Operations Fund had contingency and no reserves for future years were used. Mr. Bodway recapped the Storm Fund and explained that last year the City budgeted all of the capital projects under the Capital-side of the Storm Fund when in actuality some of the projects were a part of the Operations-side of the fund, but this year the projects were budgeted under their appropriate headings. For the Water Fund he explained that the city had completed a debt refinance transaction in February 2021 which would save the Water Fund roughly \$3 million over the remaining life of the loan. He explained that the City had to account for the first initial payment after the new debt refinance on June 1st and explained that the figure on page 6 of the presentation was the cost of principal and interest for that June 1st payment. Mayor Mays asked for discussion or questions from Council on the proposed resolution. With no comments, the following motion was stated.

MOTION: FROM COUNCILOR GRIFFIN TO ADOPT RESOLUTION 2021-040 ADOPTING A SUPPLEMENTAL BUDGET FOR FY2020-21 AND MAKING APPROPRIATIONS. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR SCOTT WAS ABSENT).

C. Resolution 2021-041 Adopting a Schedule of Fees as authorized by the city zoning and community development code, establishing fees for miscellaneous city services and establishing an effective date

Mayor Mays commented that he would ask that Council continue the hearing on the proposed resolution to Monday, June 21st after they received the report because of an adjustment Council needed to make on a short list of fees after Finance Director Bodway provided an overview. Finance Director David Bodway explained that each year during the budget process, Finance asked department supervisors to review the fees that they charge. He stated the proposed fees fell into four categories. He provided examples of some of the changes to the Fee Schedule such as a reduction for business license fees for new small businesses headquartered in Sherwood or manufacturing technology businesses. He reported that library fines and fees were removed. In planning and residential design there were additional fees added for residential design checklist. In the building section there was a fee increase for total valuation for single-family and two-family dwellings, manufactured dwelling installation permits, increases for the home setup and installation fees, and total valuation for commercial industrial and multi-family among others. He reported that the fees were included in the proposed FY21-22 budget and stated that there were no additional financial impacts of the proposed resolution. Councilor Young asked Mayor Mays why he wanted Council to wait to vote on this resolution? Mayor Mays explained that there was a short list of fees that were regulated by the charter, and since that charter change occurred, the annual inflation rate has exceeded that limitation, but the City had kept it to the 2% limit, and this year was the first year that it came in under that limit. He commented it was best to stick with the 2% to make up a little bit of what the City had lost or got behind on from prior years. Finance Director Bodway provided background and reported that in 2019 the CPI index was 2.8%, in 2018 and 2017 it was 3.1%. Councilor Garland asked if waiting to vote on the proposed resolution would have an impact on approving the budget at this meeting? Mayor Mays replied that delaying voting on this resolution would not impact voting on the proposed budget at this meeting as long as everything was accomplished by the end of June. The following motion was stated:

MOTION: FROM MAYOR MAYS TO CONTINUE THE PUBLIC HEARING ON RESOLUTION 2021-041 ADOPTING A SCHEDULE OF FEES AS AUTHORIZED BY THE CITY ZONING AND COMMUNITY DEVELOPMENT CODE, ESTABLISHING FEES FOR MISCELLANEOUS CITY SERVICES AND ESTABLISHING AN EFFECTIVE DATE, TO JUNE 21, 2021. SECONDED BY COUNCIL PRESIDENT ROSENER. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR SCOTT WAS ABSENT).

Mayor Mays closed the public hearing for Resolutions 2021-039 and 2021-040.

D. Resolution 2021-042 Declaring the City's Election to receive State Shared Revenues

Finance Director Bodway presented the "State Shared Revenue Public Hearing" PowerPoint presentation (see record, Exhibit B) and explained that the City was required to hold two public hearings for this resolution in order to obtain and receive State Shared Revenues per state-law. He stated that the first

hearing was held on May 27th during the final Budget Committee meeting. He explained that the State Shared Revenue Sherwood received was allocated based on Sherwood's population of 19,885 residents as of December 15, 2020. He reported that the revenue fell into the intergovernmental revenue of the General Fund and the intergovernmental revenues of the Street Operations Fund. He provided an overview of the various State Shared Revenue's on pages 3-5 of the presentation. He recapped what the State Shared Revenue funds could be used for on page 6. Councilor Young clarified that the State Shared Revenue of the marijuana funds was not restricted, only the local was restricted. Mr. Bodway replied that was correct. Mayor Mays closed the public hearing portion and asked for discussion or questions from Council. Councilor Garland asked if the amount the City received from the marijuana taxes in the first year was \$265,000? Mr. Bodway reported that he was required to combine the marijuana tax revenue with the other state Shared Revenues because there was a local operator. He explained that there was the local tax portion as well as the money the City was receiving through the state, so for the current fiscal year, Measure 110 was only supposed to affect the last quarter of this fiscal year and he was projecting in totality around \$65-70,000. He commented that the marijuana revenue would decrease significantly for the upcoming fiscal year due to Measure 110 and commented that the City was expecting roughly \$25-30,000. Councilor Garland asked if that would affect the local amount? Mr. Bodway replied that it did not affect the local amount, only the State Shared portion was capped at a specific amount. No comments from Council were received and the following motion was stated.

MOTION: FROM COUNCILOR GRIFFIN TO ADOPT RESOLUTION 2021-042 DECLARING THE CITY'S ELECTION TO RECEIVE STATE SHARED REVENUES. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR SCOTT WAS ABSENT).

E. Resolution 2021-043 Adopting the FY2021-22 budget of the City of Sherwood, making appropriations, imposing and categorizing taxes, and authorizing the City Manager to take such action necessary to carry out the adopted budget

Finance Director Bodway referred to the table on page 432 of the City Council meeting packet and explained that the final Budget Committee meeting was held on May 27th where they voted on the proposed budget. He reported that several changes had been made by the Budget Committee. The Budget Committee increased the intergovernmental revenue in the Sanitary Fund by \$1.95 million and explained that that figure was the reimbursement the City was receiving from Clean Water Services for the Rock Creek Trunk Project. He reported that in the General Fund, salaries were decreased because there were requests for positions for the library and the Budget Committee wished to see what the future of the intergovernmental agreement and library cooperative would look like, so the positions were removed from the budget. He reported there was language clean up in the Capital Improvement Plan. He explained that the budget was now ready to be voted on by the Council and formally adopted. He stated this was the final opportunity for citizens to provide public comment on the proposed budget and noted that no public comments had been submitted. Mr. Bodway thanked the Budget Committee and Finance staff for their hard work on the proposed budget. With no comments or questions, the following motion was stated.

MOTION: FROM COUNCIL PRESIDENT ROSENER TO ADOPT RESOLUTION 2021-043 ADOPTING THE FY2021-22 BUDGET OF THE CITY OF SHERWOOD, MAKING APPROPRIATIONS, IMPOSING AND CATEGORIZING TAXES, AND AUTHORIZING THE CITY MANAGER TO TAKE SUCH ACTION NECESSARY TO CARRY OUT THE ADOPTED BUDGET. SECONDED BY COUNCILOR GRIFFIN.

MOTION PASSED 5:1, MAYOR MAYS, COUNCIL PRESIDENT ROSENER, COUNCILORS GARLAND, YOUNG, AND GRIFFIN VOTED IN FAVOR. COUNCILOR BROUSE OPPOSED, (COUNCILOR SCOTT WAS ABSENT).

Mayor Mays gave his kudos to City staff and the Budget Committee for their work on putting the budget together during a pandemic.

Mayor Mays addressed the next agenda item.

9. CITY MANAGER REPORT:

City Manager Pro Tem Kristen Switzer provided a status update on the city manager recruitment process and explained that the recruitment period closed on June 14th and reported that the recruiter had received 34 applications from 13 different states.

Councilor Griffin asked if the June 22nd meeting would be virtual or in-person? Mayor Mays replied that the meeting would be in-person. Councilor Brouse asked regarding the meeting start times for both upcoming meetings. City Manager Pro Tem Switzer replied both meetings would start at 6:00 pm.

Mayor Mays addressed the next agenda item.

10. COUNCIL ANNOUNCEMENTS:

Councilor Garland commented regarding his children attending Archer Glen and gave his kudos and thanks to the teachers and administration at Archer Glen.

Councilor Brouse reported that both the Senior Center and the Library Advisory Board were continuing to open their facilities safely for their clients in order to serve the community. She encouraged people to visit the new Sherwood business "Meadowlark Mercantile."

Councilor Griffin reported on his attendance at the Parks and Recreation Advisory Board meeting where they discussed pickleball in Sherwood and announced that the Parks and Recreation Advisory Board had a vacancy.

Councilor Young reported on her attendance of the Washington County CDBG Policy Advisory Board meeting and explained in January they had allocated \$200,000 of CARES spending towards a shower trailer and announced they had opened the application process and received one application. She reported that the board was currently reviewing and scoring that application. She explained the applicant proposed to purchase two-based shower stalls which will move around the county for people to use who do not have access to shower facilities. She reported that the YMCA facility had fully reopened, with no mask requirements for fully vaccinated individuals. She recapped YMCA summer programs.

Council President Rosener attended the WRWC meeting where they heard project updates. He gave his kudos to Washington County for leading the state in percentage of people who are at least partially vaccinated. He encouraged residents to get their COVID vaccines.

Mayor Mays reported that Sherwood would host the board of the League of Oregon Cities on June 18th at the Arts Center. He reported that past president of the LOC, the Mayor of Maupin, Dennis Ross had passed away. He attended the WCCC meeting where they discussed a potential future MSTIP program and a review of the bylaws.

11. ADJOURN:

Mayor Mays adjourned the regular session at 8:01 pm and convened an executive session.

EXECUTIVE SESSION

- 1. CALL TO ORDER:** Mayor Mays called the executive session to order at 8:03 pm.
- 2. COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Doug Scott, Kim Young, Sean Garland, Renee Brouse, and Russell Griffin.
- 3. STAFF PRESENT:** City Manager Pro Tem Kristen Switzer, City Attorney Josh Soper, IT Director Brad Crawford, Finance Director David Bodway, and Public Works Director Craig Sheldon.

OTHERS PRESENT: John Honker and Ross Schultz.

4. TOPICS

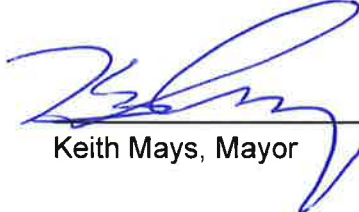
A. ORS 192.660(2)(f), Exempt Public Records

5. ADJOURN:

Mayor Mays adjourned the executive session at 9:32 pm.

Attest:


Sylvia Murphy, MMC, City Recorder


Keith Mays, Mayor