



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
August 6, 2024

REGULAR SESSION

- 1. CALL TO ORDER:** Mayor Tim Rosener called the meeting to order at 7:03 pm.
- 2. COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Taylor Giles, Renee Brouse, Dan Standke, and Doug Scott. Councilor Keith Mays was absent.
- 3. STAFF PRESENT:** City Manager Pro Tem Craig Sheldon, Assistant City Manager Kristen Switzer, Interim City Attorney Sebastian Tapia, Community Development Director Eric Rutledge, Public Works Utility Manager Rich Sattler, HR Director Lydia McEvoy, Finance Director David Bodway, Senior Planner Joy Chang, Planning Manager Sean Conrad, Police Chief Ty Hanlon, and City Recorder Sylvia Murphy.

4. APPROVAL OF AGENDA:

MOTION: FROM COUNCIL PRESIDENT YOUNG TO APPROVE THE AGENDA. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 6:0; ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR MAYS WAS ABSENT).

Mayor Rosener addressed the next agenda item.

5. CONSENT AGENDA:

- A. Approval of July 16, 2024, City Council Meeting Minutes**
- B. Resolution 2024-056, Reappoint Amanda Bryan to Sherwood Library Advisory Board**
- C. Resolution 2024-057, Reappoint Elizabeth “Fritz” Kaliszewski to the Sherwood Library Advisory Board**
- D. Resolution 2024-058, Reappoint Zana Mays to the Sherwood Senior Advisory Board**
- E. Resolution 2024-059, Authorizing the City Manager to Enter into an Intergovernmental Agreement with the Oregon Department of Consumer and Business Services for ePermit System and Services**
- F. Resolution 2024-061, Approving an Employment Agreement with Craig Sheldon to Serve as City Manager**

MOTION: FROM COUNCILOR BROUSE TO APPROVE THE CONSENT AGENDA. SECONDED BY COUNCIL PRESIDENT YOUNG. MOTION PASSED 6:0; ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR MAYS WAS ABSENT).

Mayor Rosener addressed the next agenda item.

6. CITIZEN COMMENT:

There were no citizen comments and Mayor Rosener addressed the next agenda item.

7. PRESENTATIONS:

A. Recognition of Eagle Scout Award Recipient

Mayor Rosener recognized Jonathan Leroux for his achievement of attaining the rank of Eagle Scout. Mayor Rosener addressed the next agenda item.

8. NEW BUSINESS:

A. Resolution 2024-054, Approving Ballot Title and Explanatory Statement and Submitting to the Voters a Proposed Charter Amendment regarding Council Compensation for Expenses Incurred while Conducting the City's Business

Interim City Attorney Sebastian Tapia explained that this resolution was in response to the Charter Review Committee's recommendation concerning Council compensation in Section 37 of the Charter. He stated that currently, Section 37 was more restrictive than city employee policies. He recapped that staff had presented the proposed resolution at the July 16th City Council meeting and Council asked that it be edited to make the intent of the proposed Charter amendment clearer to voters. Mr. Tapia outlined that the resolution title had been changed from the previous meeting to focus more on participation in the rewards program and if Council wished to move forward, they would need to adopt the amended version of the proposed resolution. Council President Young thanked staff for revising the wording to make the intent of the Charter amendment clearer to voters. Councilor Giles explained that Councilors were unable to use a personal credit card to pay for things like a hotel room if that card had a rewards program associated with it. He explained that it was difficult to find a credit card that did not have a rewards program associated with it and commented that it was sometimes more expensive to pay cash for travel expenses. He outlined that city employees were able to keep rewards incurred by using their personal credit card while conducting city business, and this would bring Council into alignment with that standard. Mayor Rosener added that Councilors received zero compensation as Council was a volunteer position. He explained this Charter amendment would clean up the language in Section 37 and would bring Council into alignment with state and local standards. Interim City Attorney Tapia clarified that the Oregon Government Ethics Commission had asserted that this sort of program was permitted as a part of a compensation package.

MOTION: FROM COUNCIL PRESIDENT YOUNG TO ADOPT RESOLUTION 2024-054 AS AMENDED AND NOW TITLED, APPROVING BALLOT TITLE AND EXPLANATORY STATEMENT AND SUBMITTING TO THE VOTERS A PROPOSED CHARTER AMENDMENT REGARDING COUNCIL COMPENSATION FOR EXPENSES INCURRED WHILE CONDUCTING THE CITY'S BUSINESS INCLUDING EXHIBITS 1 AND 2 AS AMENDED. SECONDED BY COUNCILOR SCOTT. MOTION PASSED 6:0; ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR MAYS WAS ABSENT).

Mayor Rosener addressed the next agenda item.

A. Resolution 2024-060, Declaring the need to regulate and preserve on-street parking in response to state mandated Climate Friendly and Equitable Community Regulations

Planning Manager Sean Conrad presented the “Preserving On-Street Parking in Response to Climate Friendly & Equitable Community Regulations” PowerPoint presentation (see record, Exhibit A). He recapped that the city had been required to reduce and, in some cases, remove off-street parking regulations for certain areas of the city to comply with the state’s CFEC regulations. He stated that the city reserved the right to create and enforce on-street parking restrictions on city streets, including those immediately adjacent to properties subject to reduced parking regulations and noted that Sherwood Municipal Code Section 10.08.070(C) allowed the city to establish parking districts if necessary. Mr. Conrad stated that the Sherwood community had different expectations for parking supply than what was required by the CFEC standards and recapped that for areas of the city with reduced parking regulations due to CFEC, the parking standards in Exhibit 1 of the proposed resolution were recommended for all new development types. He noted that Exhibit 1 may be periodically updated by staff to reflect community expectations for off-street parking. Planning Manager Conrad explained that the standards cited in Exhibit 1 reflected the minimum parking standards already in the Sherwood Municipal Code. He stated that staff recommended that Council adopt the proposed resolution, declaring the need to regulate and preserve on-street parking in response to state-mandated CFEC regulations. He noted that if Council passed the proposed resolution, it was likely that staff would come back at a future Council meeting to update the proposed changes to the parking district standards. With no questions of staff or council discussion, the following motion was stated.

MOTION: FROM COUNCILOR BROUSE TO ADOPT RESOLUTION 2024-060, DECLARING THE NEED TO REGULATE AND PRESERVE ON-STREET PARKING IN RESPONSE TO STATE MANDATED CLIMATE FRIENDLY AND EQUITABLE COMMUNITY REGULATIONS. SECONDED BY COUNCIL PRESIDENT YOUNG. MOTION PASSED 6:0; ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR MAYS WAS ABSENT).

Mayor Rosener addressed the next agenda item and the City Recorder read aloud the public hearings statement.

9. PUBLIC HEARINGS:

A. Ordinance 2024-002, Amending sections of the Sherwood Zoning and Community Development Code, and adopting Chapters 3.40 and 5.36 of the Sherwood Municipal Code for Climate-Friendly and Equitable Communities rules (*Second Reading*)

Senior Planner Joy Chang presented the “Climate-Friendly and Equitable Communities” PowerPoint presentation (see record, Exhibit B). She provided background information and stated that Executive Order 20-04 directed state agencies to reduce climate pollution. In July 2022, the Oregon Land Conservation and Development Commission (LCDC) adopted the Climate-Friendly and Equitable Communities (CFEC) rules to help meet state goals to reduce climate pollution, especially from transportation. She stated that the rules applied to urban metropolitan areas throughout Oregon and the City of Sherwood was mandated to apply the CFEC regulations. She reported that the city had implemented the least impactful standards of all of the CFEC alternatives. Ms. Chang outlined that the city, along with 12 other jurisdictions including Tualatin, Hillsboro, Happy Valley, and Oregon City have sued over the new rules and stated that the issue was whether the LCDC exercised authority it did not have when codifying and mandating the rules. On March 6, 2024, the Oregon Court of Appeals affirmed the overall validity of the rules adopted by the LCDC. She reported that the city and co-petitioners were seeking review of this decision by the Oregon Supreme Court, and if

successful, the CFEC rules could be found invalid. Ms. Chang outlined that the draft ordinance contained language that would automatically repeal it with immediate effect under specific circumstances. She provided an overview of the CFEC rules on page 3 of the presentation and reported that the City of Sherwood was granted an alternative date of implementation of September 14, 2024. She recapped that at the previous Council meeting, there had been a question regarding requiring single-family homes to have EV charging conduits in garages. She reported that staff had spoken with the city's Building Official and a Washington County electrical inspector and explained that the conduit was not required under the CFEC or state EV statutes but many developers within Sherwood were voluntarily putting EV conduits in their designs and offering them as options. Ms. Chang referred to previous Council discussions regarding regulating and preserving on-street parking in response to state mandated CFEC rules and explained that this had been addressed via Resolution 2024-060. She provided an overview of the applicable criteria for a plan amendment on page 5 of the presentation and reported the criteria had been met. Senior Planner Chang reported that staff received written correspondence from Phyllis Nasta and in-person testimony from Mark Long at the July 16th City Council meeting. She stated that based on the findings and applicable code criteria, staff recommended that Council approve the proposed text amendments for Climate-Friendly and Equitable Communities under Ordinance 2024-002. Councilor Giles referred to requirements for EV conduit and stated that staff at the State had told him that they planned to require 220-volt 50-amp outlets to be written into the model code for implementation in 2026. Councilor Standke asked how the adoption of this ordinance would affect applications currently in process. Senior Planner Chang replied that if the ordinance was adopted, it would go into effect 30 days after it was adopted, and that any application submitted after that date would have the regulations applied to them. Council President Young thanked staff for their quick work drafting Resolution 2024-060. Mayor Rosener opened the public hearing and asked for public comment on the proposed ordinance. Hearing none, Mayor Rosener closed the public hearing and asked for questions or a motion from Council. Councilor Scott referred to his previous comments regarding the state's CFEC mandates and explained that he was voting in favor of this ordinance because the alternative was worse. Mayor Rosener commented that Council and staff sought solutions to ensure that the city was being climate friendly. He referred to the state-mandated CFEC regulations and stated that the mandates preempted local control, particularly around parking. He recapped that Sherwood needed parking and stated that Sherwood did not have multimodal transportation options available, and it did not make sense for the state to impose a one-size-fits-all mandate across the state. He thanked staff for their work on the proposed ordinance and Resolution 2024-060. With no further comments, the following motion was stated.

MOTION: FROM COUNCIL PRESIDENT YOUNG TO READ CAPTION AND ADOPT ORDINANCE 2024-002, AMENDING SECTIONS OF THE SHERWOOD ZONING AND COMMUNITY DEVELOPMENT CODE, AND ADOPTING CHAPTERS 3.40 AND 5.36 OF THE SHERWOOD MUNICIPAL CODE FOR CLIMATE-FRIENDLY AND EQUITABLE COMMUNITIES RULES. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 6:0; ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR MAYS WAS ABSENT).

Mayor Rosener addressed the next agenda item.

10. CITY MANAGER REPORT:

City Manager Pro Tem Craig Sheldon reported that August 7th was the last Music on the Green event. He reported that Movies in the Park would start on August 9th at Stella Olsen Park. He spoke on his time serving as the City Manager Pro Tem and commented that he had had a good time working with Council. He stated he was "honored and excited" to take on the role of City Manager for Sherwood. He stated he looked forward to continuing to work with city staff and the community to "build on our successes and address the challenges ahead." He thanked Council for giving him the opportunity to serve as the City Manager and stated that he

looked forward to continuing to serve.

Police Chief Ty Hanlon thanked those who were able to attend National Night Out and spoke on the event. He thanked staff for their work supporting the event.

Councilor Giles referred to the painting of the light poles in Old Town and Mr. Sheldon replied that the project was going well and was on schedule. Councilor Giles asked for an update on the construction along Oregon Street and its impacts on commuters. City Manager Pro Tem Sheldon replied he would look into it.

Mayor Rosener said it had been “a joy” to work with Mr. Sheldon since he stepped into the role in November 2023. He stated that he appreciated the rapport he had built with Council and how Mr. Sheldon managed the city. Mayor Rosener commented that deciding who to hire as the City Manager was “probably one of the biggest decisions we make as a Council.” Mayor Rosener spoke on the support staff had shown regarding Mr. Sheldon serving in the role of City Manager.

Mayor Rosener addressed the next agenda item.

11. COUNCIL ANNOUNCEMENTS:

Councilor Scott reported that the Parks and Recreation Advisory Board met on August 5th where they discussed the updated Murdock Park Master Plan redesign. He congratulated Mr. Sheldon on his appointment to the role of City Manager and commented that deciding to hire Mr. Sheldon was an easy decision.

Councilor Brouse gave her kudos to Mr. Sheldon. She reported that the Housing Advisory Committee would host a listening session on August 7th and August 19th. She reported that the Chamber of Commerce was hosting a golf tournament on September 6th. She reported that a Chamber of Commerce breakfast would be held on September 16th at Sherwood High School.

Councilor Giles reported he attended the most recent Library Advisory Board meeting where they welcomed their new board members. He spoke on the WCCLS survey and urged Washington County residents to take the survey. He reported that a Repair Fair event would be held on August 17th. He reported that there was an upcoming Sherwood School District Board meeting. He congratulated Mr. Sheldon on his appointment to the role of City Manager and commented he had enjoyed working with him.

Councilor Standke reported that the Planning Commission had not met since the last City Council meeting. He spoke on the City of Sherwood’s partnership with the YMCA to provide food boxes to the community and stated that they were seeking volunteers to assist with the program.

Mayor Rosener reported on Metro’s urban growth process and Urban Growth Report. He reported he had served in a stakeholder group that advised Metro staff and Metro Council on the process. He recapped that the city had submitted an application to expand the city’s urban growth boundary and explained that if the application was approved, the process would take a long time to be fully implemented. He reported that the city had provided a tour of the Sherwood West area to the Governor’s office. He reported that the city had hosted a meeting with EXIM Bank.

Council President Young reported she attended a retirement event for a Sherwood Police Officer. She thanked the sponsors of National Night Out for supporting the event. She reported that she had volunteered

at a nonprofit music festival event in Stella Olsen Park. She reported she attended the city staff BBQ event and thanked staff for putting on the event.

12. ADJOURN:

Mayor Rosener adjourned the regular session at 7:48 pm and convened an executive session.

EXECUTIVE SESSION

1. CALL TO ORDER: Mayor Rosener called the meeting to order at 7:54 pm.

2. COUNCIL PRESENT: Mayor Tim Rosener, Council President Kim Young, Councilors Taylor Giles, Renee Brouse, Dan Standke, and Doug Scott. Councilor Keith Mays was absent.

3. STAFF PRESENT: Interim City Attorney Sebastian Tapia, City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, and Community Development Director Eric Rutledge.

3. TOPICS:


A. ORS 192.660(2)(e), Real Property Transactions

4. ADJOURN:

Mayor Rosener adjourned the executive session at 8:31 pm.

Attest:


Sylvia Murphy, MMC, City Recorder


Tim Rosener, Mayor