



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>

November 16, 2021

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Mays called the meeting to order at 7:00 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 Keith D. Campbell, IT Director Brad Crawford, Community Development Director Julia Hajduk, Public Works Director Craig Sheldon, Finance Director David Bodway, Police Chief Jeff Groth, Police Captain Ty Hanlon, Legal Counsel Spencer Parsons, Planning Manager Erika Palmer, Senior Planner Joy Chang, and City Recorder Sylvia Murphy.

Others Present: Consultant Anais Mathez.

4. APPROVAL OF AGENDA:

MOTION: FROM COUNCILOR YOUNG TO APPROVE THE AGENDA. SECONDED BY COUNCILOR GRIFFIN. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Mays addressed the next agenda item.

5. CONSENT AGENDA:

A. Approval of November 2, 2021 City Council Meeting Minutes

MOTION: FROM COUNCILOR BROUSE TO APPROVE THE CONSENT AGENDA. SECONDED BY COUNCILOR YOUNG. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Mays addressed the next agenda item.

6. CITIZEN COMMENTS:

The City Recorder read aloud the comments submitted by Sherwood resident Jane Vankuren regarding recognizing Center for the Arts Manager Chanda Hall for her, "thoughtfulness, kindness, and support" Chanda had shown her as her supervisor in her job as the City of Sherwood on-call recreational assistant

when Ms. Vankuren underwent a medical procedure. She explained that she had two other supervisors for different part-time jobs and Chanda was the only one who responded with, "kindness and encouragement" about Ms. Vankuren's upcoming medical procedure. Ms. Vankuren requested that Council recognize Chanda for her thoughtfulness and concern she had shown her.

Mayor Mays addressed the next agenda item.

7. NEW BUSINESS:

A. Resolution 2021-096 Approving Sherwood Police Department Policy Updates November 2021

Police Captain Ty Hanlon reported that all of the recommended policy updates had been presented and approved by the Sherwood Police Advisory Board at their October 21st meeting. He recapped changes to Policy 303 "Control Devices and Techniques" and explained that the chapter pertained to riots and crowd control and chemical incapacitants and stated that those, along with sound devices, would not be used except for communication. He explained the policy stated that police would provide aid or allow EMTs to provide aid or try to accommodate individuals with disabilities when dispersing a crowd. He addressed Policy 305 "Officer-Involved Shootings and Deaths" and explained that it was a Lexipol update as a result of HB 2928 and updates included better definitions for the involved officer. Updates to Policy 306 "Firearms" included language improvements regarding department issued firearms and the Police Department's responsibility to keep ammunition in a safe, vehicle, or under the immediate control of an officer. They also changed who oversaw the firearms range from the Support Captain to a certified firearms instructor. He addressed Policy 311 "Domestic Violence" and explained it was a Lexipol update as a result of SB 183 that amended the law around foreign courts and explained that if a restraining order was entered into LEDS and it was from an out-of-state court, Sherwood Police could enforce the restraining order as long as the restraining order appeared to be reasonably true and correct. Updates to Policy 312 "Search and Seizure" included using the term "plain view" in the list of exemptions in order to conduct a warrantless search. Updates to Policy 313 "Temporary Custody of Juveniles" included language updates recommended by the Oregon Youth Development Division. He addressed Policy 323 "Standards of Conduct" and explained it was a Lexipol update to include gender identity. Updates to Policy 401 "Bias-Based Policing" included language updates to include training and compliance with OAA's best practice. He explained that updates to Policy 413 "Immigration Violations" was a result of HB 3265 and tied to temporary custody of adults and explained that updates included amending existing laws and created new laws pertaining to immigration and requiring agencies to notify individuals of certain rights after their detention. Policy 422 "Medical Marijuana" was a result of HB 3000 and included changes to the terms and definitions in the policy and was specific to the hemp industry. Updates to Policy 425 "Homeless Persons" was a Lexipol update to conform to emergency legislation regarding homelessness and added new responsibilities with respect to homeless persons and their property. Policy 429 "First Amendment Assemblies" was also the result of emergency legislation and required that officers provide either their name, badge number, or unique identifier if practical, safe, and tactically sound to do so. Changes to Policy 504 "Impaired Driving" was a Lexipol update as a result of HB 3140 and added psilocybin to the list of substances that could be tested for via a urine test. Captain Hanlon addressed Policy 600 "Investigation and Prosecution" and stated that updates were a result of SB 386 and pertained to child witness procedures for interviewing and explained that this was something that the Washington County DA's office and the MDT had set the guidelines for and Sherwood had until September 15, 2022 to have those guidelines in line. Updates to Policy 800 "Property and Evidence" included bringing the language into compliance with OAA regarding property and evidence audits. Policy 806 "Protected Information" was a Lexipol update that corrected the misidentification of a state agency.

Updates to Policy 900 “Temporary Custody of Adults” were a result of HB 3264 and pertained to immigration and required agencies to notify individuals of certain rights after their detention as well as prohibiting immigration status requirements. Policy 1000 “Recruitment and Selection” was a Lexipol update to correct grammatical and formatting errors. Changes to Policy 1017 “Employee Awards and Recognition” included changing giving out their awards to quarterly instead of annually.

MOTION: FROM COUNCILOR YOUNG TO APPROVE RESOLUTION 2021-096 APPROVING SHERWOOD POLICE DEPARTMENT POLICY UPDATES NOVEMBER 2021. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Councilor Scott thanked the Police Advisory Board and staff who worked on the Police Department policy updates and commented he was happy to see the new updates. Mayor Mays commented it was important to see the updates and have them reviewed by the advisory committee and have them adopted via resolution.

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

8. PUBLIC HEARINGS:

A. Ordinance 2021-010, Amending sections of the Sherwood Zoning and Community Development Code for Residential Design Standards (*First Reading*)

Senior Planner Joy Chang presented the “Residential Design Standards” PowerPoint presentation (see record, Exhibit A) and explained that the City was proposing to adopt clear and objective criteria for residential design standards by amending the Sherwood Zoning and Community Development Code. She explained that the proposed standards would typically apply to all residentially zoned parcels submitting a new residential building permit. She reported that through Planning Commission and Council work sessions, it was identified that additional code amendments were also necessary in order to fully implement the proposed text amendments. Ms. Chang provided background on the proposed ordinance and explained that for many years, the Sherwood Planning Commission had discussed the need for residential design standards and HB 2001 had created the avenue to do so by providing residential design standards that needed to be clear and objective. She explained that HB 2001 required that all residential housing be treated equally and there was a need to establish residential housing standards prior to implementation of the Middle Housing Choices required by HB 2001. She reported that the proposed standards ensured that housing design maintained the context, scale, and compatibility with the Sherwood community. She stated that the standards focused on: entry location and orientation, garage and off-street parking areas, window coverage, minimum landscaping requirements, and other specific detail design. She clarified that HB 2001 required that all middle housing be reviewed through the same process and against the same standards as single detached dwellings. She provided an overview of Element 1 “Entry Location and Orientation” and Element 2 “Garages and Off-Street Parking Areas” on pages 4-5 of the presentation. She addressed Element 3 “Windows and Entrance Doors” and stated that a minimum of 15% of the area of the primary building elevation adjacent to a public right-of-way must include windows or entrance doors. A minimum of 10% of area was required for side building elevations adjacent to a public right-of-way or public accessway. She stated that the percentage calculation could include window trims and shutters and first floor roof elevations were excluded from the calculations. Senior Planner Chang explained that one element from each of the three subcategories on page 7 of the presentation would also be required and included porches, entries and other offsets, roof elements, and window elements. She reported that an additional two required elements would be mandatory from the categories of garage elements and building materials. She summarized that

there was a total of eight design elements that would be required for each residential building permit. Ms. Chang stated that prohibited building materials included: aluminum, vinyl, and T-111 siding. She recapped that there were also limitations on parking and housing plan variety would be required for all new residential subdivision and townhome development. She recapped that additional proposed amendments included: front-yard landscaping standards, prohibiting adjustments and variances to interior side-yard setbacks for all housing types, minimum design standards for garages to assist with functionality, amendments to the Planned Unit Development (PUD) section for clarity and to address proposed interior side yard setback, and the option for Council to review a decision by a hearings authority. She provided an overview of the applicable criteria for a plan amendment on page 11 of the presentation. She provided information on the "community need" criteria and explained that the Planning Commission had discussed the need for residential design standards and had identified the adoption of residential design standards as part of the Sherwood 2040 project, the Visual Preference Survey and Virtual Open House had reinforced the community's desire for residential design standards, and adoption of the proposed ordinance would assist in the implementation of HB 2001 Middle Housing legislation. Senior Planner Chang addressed Goal 1 - Citizen Involvement Public Engagement and reported that there had been several public engagement activities that allowed for citizen involvement and included a visual preference survey, virtual open house, and two in-person open houses. She reported that the Planning Commission acted as the Project Advisory Committee for the project and they had held 15 work sessions with opportunity for public involvement and two work sessions with the City Council. She stated that the proposed ordinance had met the notification requirements and notices were sent to DLCD, Metro and agency partners, and newspaper publication. Ms. Chang reported that they had received community comments from community members and explained that there were general concerns regarding the design guidelines and how to apply them, some felt the guidelines were too prescriptive, as well as vesting and goal-posting standards concerns. She explained that the City Attorney had reviewed the concerns and identified that all preliminary land use subdivisions that had already gone through the land use process would be vested and the residential design standards would not apply unless their residential preliminary subdivision approval expired, and commented that an expired approval would be rare because the City allowed for extensions. She voiced that additional design element choices had been included to assist the development community in complying with the proposed standards. Senior Planner Chang stated that the Planning Commission had held a public hearing on October 26th and the Commission had recommended the approval of the proposed ordinance to City Council. Councilor Scott clarified that much of the feedback that had been received by the builders and developers was received some time ago and there had been multiple work sessions and public hearings since that time which had led to changes in the final codes. Ms. Chang replied that was correct and added that all amendments and revisions to the project had been updated on the project's webpage and notices had been sent out via the City's listserv. Council President Rosener asked if the vested applications rule applied to interior design elements like usable garage space? Ms. Chang replied that City Attorney Josh Soper had determined that ORS 92.040 would apply to the proposed residential design standards and the garage functionality was included if the applicant had already received preliminary subdivision approval. Mayor Mays asked Legal Counsel Spencer Parsons if vesting would not apply to any existing development when the new middle housing law went into effect next year if developers wished to utilize the benefits of the middle housing law? Mr. Parsons replied the general rule for vested rights was that if an applicant came back for a change that required modifying the approval that was granted, that would then trigger the use of current standards as of the day the request came in. Mayor Mays asked if they would technically need a modification if they had a single family lot and they wanted to do something different than a single detached unit? Mr. Parsons replied yes, if a planned development that had benefits of density transfers where the City was granting exceptions to otherwise applicable code provisions. If it was developing a single residential unit as an outright permitted use in the facility, not necessarily. Mayor Mays asked that Mr. Parsons research his question further before the next reading and provided an example of a 50 or 100 unit project that had gone through the system and was grid-ed out and then in July of next year, the middle housing law went into effect and the developers now wanted to take the plotted lot and instead submit a house plan for a

fourplex, must the developers use the proposed new design standards? Mayor Mays closed the public hearing portion of the meeting and stated that the proposed ordinance would be back for a second hearing. Councilor Scott commented that work on residential design standards went back many years and explained that the City had design standards for commercial and industrial development for years, but never residential design standards. He stated that it had been City staff and Planning Commission's desire to have residential design standards for a long time and commented that residential design standards were a goal in the Sherwood 2040 Comprehensive Plan. He voiced that the proposed residential design standards were loosely related to HB 2001, but they were also something that could have and should have been done a long time ago, regardless of HB 2001. He explained that there had been a great deal of hours devoted to working on this including countless amounts of public outreach which had resulted in a lot of feedback and diligent and detailed conversations. He stated he was excited about the proposed ordinance and felt that it was long overdue and important for the City to have minimum design standards on everything that got built in Sherwood. Mayor Mays commented he agreed with Councilor Scott that there had been a great deal of good work and public outreach. Mayor Mays stated that the proposed ordinance would be back for a second reading on December 7th.

Mayor Mays addressed the next agenda item

B. Ordinance 2021-011, Adopting the Sherwood Economic Opportunities Analysis 2021 as a Sub-Element of the Comprehensive Plan (First Reading)

Planning Manager Erika Palmer presented the "Economic Opportunities Analysis (EOA)" PowerPoint presentation (see record, Exhibit B) and explained that the document was originally prepared in 2019 but was not adopted by Council as Council had directed staff to bring the document back when the Comprehensive Plan was near completion. She stated that the document had been updated to reflect the new planning years which was 2021-2041. She addressed State Land Use Goal 9: Economic Development and explained that Goal 9 required Sherwood to provide adequate opportunities for economic activities, which meant jobs in commercial and industrial areas. She explained that Goal 9 required that cities identify employment lands for the 20-year planning period and also review existing conditions and forecasted future conditions. She stated that the EOA informed a city's economic development goals and policies and identified any land deficits that a city may have and helped coordinate opportunities for new employment opportunities. She provided an overview of the methodology behind the Commercial and Industrial Buildable Lands Inventory (BLI) and a BLI map on pages 5-6 of the presentation. She reported that within Sherwood there was a total of 249 unconstrained buildable acres for employment areas. Ms. Palmer reported that the 2021-2041 Employment Forecast was 1.42% which equated to 2,987 jobs. She clarified that the forecast was only a prediction and the growth rate could grow faster as the City continued to support its Economic Development goals and policies for job creation. She outlined that in the 20-year planning period, the forecast showed that by 2041, Sherwood would have just over 12,000 employees, which was an increase of roughly 3,000 jobs. She stated that they estimated that the City would see more growth in its industrial land use designations. Planning Manager Palmer explained that the City was seeing more employment opportunities in the industrial land designations, which would result in more employees and would consume more land. She reported that over the 20-year planning period, the EOA projected that there would be a land deficit of 8 acres within the current City boundary for Industrial land designation and a 35 acre deficit in Office & Commercial Services land. She added that there was land available in the Tonquin Employment Area and Brookman Areas that would help with industrial and commercial needs. She addressed page 10 and reported that Sherwood had no commercial sites larger than 10 acres within the city limits, and the current EOA showed a total of 42 acres on sites between 10 and 50 acres. Ms. Palmer explained that in planning for employment uses, it was important to ensure that there were appropriate sites for employment

uses, as different employment uses needed different acreages and site needs. She stated that because of this, there would likely be a shortage of appropriate sites, particularly sites in excess of 10 acres, thereby creating development opportunities in the future growth area of Sherwood West. Planning Manager Palmer provided an overview of the existing economic conditions on page 11 of the presentation and stated that Sherwood's median income was above that of comparable cities and the Portland region, Sherwood's wages were below average for the Portland region and for the nearby cities of Tigard and Tualatin, and more people commuted out of Sherwood to work. She recapped the potential growth industries in Sherwood as: manufacturing, wholesale, professional and business services, services for visitors (tourism, wine industry, hotels), and services for residents (medical, financial, retail, and personal services). She reported that since 2019, 60 acres of employment land had been developed or was in the process of development. She stated that the City needed to continue to align its economic development goals with infrastructure development to address needs, continue to identify partners and opportunities for supporting existing business within Sherwood, and provide flexibility in the development code to provide opportunities for growing and developing businesses. Ms. Palmer reported that the Planning Commission had held a public hearing on the EOA on October 26th and had forwarded a recommendation to Council with several revisions that included: updating the table of contents to include numbering and "Index B – Goals and Policies in the Thriving and Diversified Economy, adding language to the third paragraph of the Summary on page v, and adding language to the Background on page 1 that stated that COVID-19's impact on employment trends would be reviewed in the next EOA update. Ms. Palmer reported that no public comments had been received on the proposed ordinance. Mayor Mays closed the public hearing portion of the meeting. Council President Rosener clarified that the jobs within Sherwood offered a lower wage than those of comparable cities, not that residents made lower wages than comparable cities. Ms. Palmer replied that was correct as Sherwood had many service sector jobs. Council President Rosener referred to the census on the map data and stated that the data had just been updated to 2019 and Sherwood had gotten worse and it was important that the City offer employment opportunities to residents that allowed them to live and work in Sherwood. Mayor Mays asked if any changes had been made to the report in the past year? Ms. Palmer replied that the main changes to the report included the employment forecast, the table showing more expected development in the Industrial zoned lands, and the updated BLI. She added that staff would continue to monitor the BLI over the coming years because it was a great tool to help inform whether or not the City's economic development policies were working. Mayor Mays asked how frequently the report should be updated and the costs associated with doing so? Ms. Palmer replied that best practices were to update the EOA every five years and the cost would be dependent on whether or not an entirely new EOA was desired or only updating certain sections. Councilor Griffin asked regarding the deficiency of industrial land over 10 acres and asked what size acreage were developers looking for? Ms. Palmer replied that different companies had different site needs and it was always a good idea to have a variety of lot sizes. Mayor Mays commented that the EOA report was a, "prime example of the dysfunction of Metro" and he was not a fan of EOA reports. Council President Rosener added that the processes cities had to follow was very prescriptive from the state and were in general, poor predictors of what was actually happening within a community. Councilor Scott commented that he felt that the EOA reports were, "wasteful and expensive box checking exercises." Council President Rosener clarified that these were not City and staff requirements, but requirements of the state and Metro.

Mayor Mays addressed the next agenda item

C. Ordinance 2021-012, Amending the Sherwood Comprehensive Plan Ordinance 1978-689, as amended to replace in its entirety the current Comprehensive Plan with Updated Comprehensive Plan goals and policies (*First Reading*)

Planning Manager Erika Palmer recapped that this document was three years in the making and stated she wished to thank the Sherwood community who had participated in the process, a dedicated CAC and TAC team, and the 3J consultants who had helped with the project. Consultant Anaïs Mathez presented the “Sherwood 2040 Comprehensive Plan Update” PowerPoint presentation (see record, Exhibit C) and reported that there had been a series of work sessions with the Planning Commission in June 2021, a joint Planning Commission and Council work session on September 7th where the document was updated to incorporate Council feedback, and a Planning Commission public hearing on October 26th. She provided an overview of the 2040 Comprehensive Plan Update timeline on page 8 of the presentation and reported that the process had begun in July 2017 with a community-wide visioning process. She explained that the visioning process reached hundreds of community members and helped to develop a framework for the Comprehensive Plan Update and was adopted by Council on January 15, 2019. She reported that once the vision was adopted the Comprehensive Plan process began in Spring 2019 and was completed in Spring 2021 and explained that throughout both the visioning and the Comprehensive Plan, the City completed additional technical work including the HNA (Housing Needs Analysis), EOA (Economic Opportunities Analysis), and updates to the Parks and Trails Master Plan. Ms. Mathez explained in order to develop the Comprehensive Plan document, they developed an iterative, flexible and dynamic process that was grounded in the visioning statement. She explained that each of the six blocks began with the development of background information that was then presented to a CAC, TAC, and Planning Commission, with key policy questions being put out to the community for feedback. She reported that online engagement activity accompanied each outreach event, which was then brought back to the CAC and TAC who reviewed the feedback and drafted goal language and policy ideas. Draft goal language and policy ideas were then presented at joint Planning Commission and Council work sessions at the end of each development block. Ms. Mathez reported that in addition to a CAC and a TAC, a PAT was also formed which was comprised of two Planning Commission members and two City Councilors to help guide community engagement activities throughout the entire update process. She addressed the goal of Thriving and Diversified Economy on page 15 of the presentation and recapped key activities as: an updated Economic Opportunities Analysis, targeted outreach to community members that primarily focused on economic development activities, an online survey to review policy concepts, PAT, CAC, and TAC review, and review by the Planning Commission and City Council. She addressed the goal of Strong Community, Culture and Heritage on page 17 of the presentation and recapped key activities as: participation in the Sherwood Art Walk, a targeted outreach to organizations that primarily focused on public involvement, arts, and history/heritage in Sherwood, an online survey to review policy concepts, meeting with the Chamber of Commerce, City Volunteer Coordinator and Library staff, PAT, CAC and TAC review, and review by the Planning Commission and City Council. Ms. Mathez addressed the goal of Strategic and Collaborative Governance on page 19 of the presentation and recapped key activities as: a public workshop, an online survey to review policy concepts, PAT, CAC and TAC review, and review by the Planning Commission and City Council. She addressed the goal of Attractive and Attainable Housing on page 21 of the presentation and recapped key activities as: updating the Housing Needs Analysis (HNA), a CAC led targeted outreach to community members that primarily focused on housing development, access and affordability, an online “Housing Preferences” survey, completion of in-depth interviews with community members to develop a “Housing Snapshot”, an online survey to review policy, review PAT, CAC and TAC review, and review by the Planning Commission and City Council. Ms. Mathez addressed the goal of Coordinated and Connected Infrastructure on page 23 of the presentation and recapped key activities as: completing a targeted outreach to local agency partners, utility providers and City departments, an online survey to review policy concepts, review by PAT, CAC and TAC, and review by the Planning Commission and City Council. She addressed the final goal of Healthy and Valued Ecosystems on page 25 of the presentation and recapped key activities as: the completion of a targeted outreach to the Tualatin River Watershed, Oregon Department of State Lands,

Clean Water Services, etc., review by the PAT, CAC, Parks and Recreation Advisory Board, and TAC, and a review by the Planning Commission and City Council. She reported that the Healthy and Valued Ecosystems block was greatly supported by the recently adopted Parks and Trails Master Plan. Planning Manager Erika Palmer provided an overview of the required review criteria on page 27 of the presentation and explained that each requirement was addressed in the staff report. Ms. Palmer reviewed the completed noticing activities and reported that the Comprehensive Plan had been routed to affected agencies on September 21st and the plan had been noticed in accordance with the Sherwood Zoning and Community Development Code. She reported that they had received one joint comment from the Housing Lane Advocates and Fair Housing Council of Oregon. She explained that their main concern was that the City was not considering the most direct method of meeting its housing obligations either through up-zoning or increasing densities. Ms. Palmer commented that the Comprehensive Plan was not a map amendment, it was a document that outlined future policy direction to address Sherwood's needs to help ensure the City was headed in the right direction based on the community input they had received. She clarified that staff had updated the Goal 10 findings to include that they were anticipating meeting the City's housing need through continued annexations through Brookman and the City was also anticipating a Metro UGB request in the future. Mayor Mays commented that this was a four year process and it was important work and he looked forward to adopting the document. Hearing no other questions from Council, Mayor Mays closed the public hearing. Councilor Garland thanked everyone involved for their hard work getting the Comprehensive Plan Update done and commented he was excited to adopt the updated plan. Councilor Scott reported that there were several openings on various City boards and commissions and commented that serving on a board or committee was a great opportunity to get involved and help shape the future of Sherwood and encouraged residents to apply.

Mayor Mays addressed the next agenda item

D. Resolution 2021-097, Adjusting Solid Waste and Recycling Collection Rates

Public Works Director Craig Sheldon explained that solid waste and recycling services in Sherwood were provided by Pride Disposal, a private company that had been franchised through the Sherwood Municipal Code. He stated that Council set the rates that the franchise holder charged for services in Sherwood. He explained that most cities in Washington County aimed to set a reasonable composite rate of return of 8-12% annually for their solid waste franchises, and Sherwood had similar language in its code. He stated that Pride had submitted their 2020 financial information for the code and the City hired Bell and Associates to complete a rate review and issue a report from a third party. He reported that Pride Disposal's adjusted rate of return for 2020 ranged from 9.04-15.74% depending on the type of collection services, with a composite rate of return of 11.22%. He recapped that Council had held two work sessions on September 7th and October 5th where Bell and Associates had presented their findings and given their recommendations to Council to raise the solid waste and recycling rates by 75% of the consumer price index as outlined in the Sherwood Municipal Code. He explained that during the work sessions, a recommendation was made to raise the rate of disposal \$8.40 per ton, which was a Metro disposal cost pass through, a fee that went into effect in July 2021. He stated that the increase was for taxes assessed by Metro for all solid waste disposed within the Metro service boundary. Mr. Sheldon stated that staff recommended City Council approve the proposed resolution. Mayor Mays commented that he felt that it was fair and reasonable and commented that he felt that Pride Disposal did a great job in the Sherwood community and they were a business that was located in the community who gave back. He commented that Pride made an effort to show their efficiencies and benefits of better pricing on recyclable materials. Mayor Mays commented that the proposed fees were a fraction of the CPI and it was a pass through of all of the new taxes and fees that Metro had

imposed. Council President Rosener commented that there was very little oversight to Metro in terms of when and how they introduced tipping fee increases and taxes they passed through and commented Council had held previous work sessions with Metro asking them to not increase their rates. Councilor Young clarified that Council had held two previous work sessions on this topic and suggested that community members that were interested in how the proposed rate increases came to be review the previous work sessions.

MOTION: FROM COUNCILOR YOUNG TO APPROVE RESOLUTION 2021-097 ADJUSTING SOLID WASTE AND RECYCLING COLLECTION RATES. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Mays addressed the next agenda item

E. Resolution 2021-098, Amending the City's FY2021-22 Fee Schedule

Finance Director David Bodway recapped that in October it was discovered that commercial water rates were not raised on July 1st as they had been in previous years, and therefore staff was proposing a 3% increase on commercial water rates. He recapped that the second amendment to the fee schedule was due to the growth of Sherwood Broadband, and the Broadband Director was proposing to increase the In-Lieu of Fee for Fiber Optic Conduit Installation from \$30 to \$45 per linear foot as well as adding an In-Lieu of Fee for Vault Placement of \$700 per vault. Mr. Bodway addressed plumbing permits and explained that for plumbing permits for commercial, industrial, and multi-family the wrong fee of \$61.02 was used for water lines and, in order to be consistent with sanitary and storm lines, the fee had been corrected to read \$33.57. Councilor Young asked when the changes would go into effect? Mr. Bodway stated they would go into effect immediately and added that Public Works Director Craig Sheldon planned to provide notice to the commercial customers for the water rate changes and make those changes effective January 1, 2022. Council President Rosener asked Mr. Bodway to explain the conduit and vault fees and how those fees applied. IT Director Brad Crawford replied that those fees only applied to development that happened in town and only applied when the developer did not wish to put the conduits in on the City's behalf. He explained that there were multiple reasons why that could be, but they would therefore decide to pay a fee in lieu for not putting the infrastructure in.

MOTION: FROM COUNCILOR YOUNG TO APPROVE RESOLUTION 2021-098 AMENDING THE CITY'S FY2021-22 FEE SCHEDULE. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Mays addressed the next agenda item

9. CITY MANAGER REPORT:

Police Chief Jeff Groth reported that the Sherwood Police Department had recently had their on-site assessment for reaccreditation through the Oregon Accreditation Alliance and reported that they had passed their on-site assessment. He reported that they were first accredited in 2012 and the process requires reaccreditation every three years with new proofs and new evidence that a department was maintaining the standards that were based on best practices and laws. He stated that they were reaccredited in 2015 and 2018, and this accreditation would mark the forth reaccreditation of the Sherwood Police Department. Chief Groth reported that during its last session, the Oregon legislature took the step to begin the process of

requiring accreditation for police agencies in the State of Oregon. Chief Groth thanked Angie Hass and Captain Hanlon for their hard work getting the accreditation taken care of.

City Manager Keith Campbell reported that Chief Groth had announced his plans to retire, and Captain Ty Hanlon would be appointed as the Interim Police Chief and Chief Groth would move into an advisory role helping the City transition and assist on special projects as he finished his time with the City. Mr. Campbell thanked Chief Groth for his 32 years of public service, 14 of which was with the Sherwood Police Department. Mr. Campbell reported that the City was working with Prothman to complete a national search for the next Sherwood Police Chief. He reported it was expected that the search and the hiring would extend into the early part of 2022. Mayor Mays asked when specifically Chief Groth would transition into his new role? City Manager Campbell stated that it was announced to City staff this afternoon and to the public at this meeting. Mayor Mays commented that Chief Groth was respected and appreciated by Council, City staff, and the community as a whole. He stated that, "we couldn't have asked for a better Chief and we're blessed to have you as long as we did," and he wished Chief Groth the best and thanked him for his service. Mayor Mays congratulated Captain Hanlon on being appointed the Interim Police Chief.

City Manager Campbell announced the birth of City Attorney Josh Soper's daughter and reported that everyone was happy and at home and wished Mr. Soper and his family the best.

Mayor Mays addressed the next agenda item.

10. COUNCIL ANNOUNCEMENTS:

Councilor Griffin reported that the holiday festival would be held on December 4th starting at 4:00 pm and the tree lighting ceremony would start between 5:00 pm-5:15 pm.

Councilor Young reported she took a tour of the Trammel Crow development on 124th Avenue and commented that there would be really good employment opportunities there once the facilities were filled. She gave her kudos to Sherwood's economic development team for bringing Trammel Crow to Sherwood.

Councilor Brouse reported that the Library Advisory Board would meet on November 17th and the Senior Advisory Committee met the previous week. She reported that the Senior Advisory Committee was working on their SWOT analysis. She congratulated Chief Groth and Captain Hanlon on their new roles.

Council President Rosener reported that he attended the WCCC meeting on Mayor Mays's behalf where they listened to a presentation on MSTIP funding. He reported that Community Development Director Julia Hajduk was able to get Ice Age Road added to the MSTIP map for the county. He reported the Sherwood Education Foundation board was planning a Sip and Spell event for this year. He thanked Chief Groth for his service to Sherwood and commented he very much enjoyed working with him over the years. He commented he felt that the Sherwood Police Department was a model for the rest of the police departments in the state, and thanked Chief Groth for his community policing approach in Sherwood.

Mayor Mays reported he participated in the county chair meeting with other Washington County mayors where they heard an updated preview of the reports each city would receive from the County on steps that they had taken to help those that needed housing. He reported he attended the virtual National League of Cities conference.

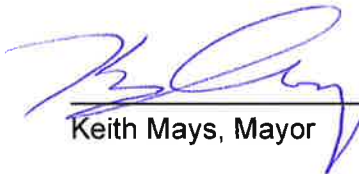
Council President Rosener asked City Manager Campbell to provide an update to the recent changes to the City's SEPA program. Community Development Director Julia Hajduk explained that they had created a subset of the SEPA program called an Outdoor Seating Permit. She explained that they did not call it an "Outdoor Dining Permit" because staff had noticed that some Old Town businesses were having patrons wait outside, and staff wanted to make the permit was available to everyone. She reported that they had sent notices to all Old Town businesses that had received notice of the original input session, and all businesses on Sherwood's business license list informing them of the program. She explained that the program provided a path to allow for use of the sidewalk and on-street parking areas for outdoor seating. She outlined that there were some criteria that needed to be met and the program was modeled after Beaverton's "Open Air" program. She reported that no businesses had put in an application as yet, but there was excitement about the program. Ms. Hajduk stated that more information on the program was available on the City's website. Mayor Mays thanked Ms. Hajduk for communicating with all of the businesses that the City had contact information for as well as with the Sherwood Chamber of Commerce.

11. ADJOURN:

Mayor Mays adjourned the regular session at 8:43 pm.

Attest:


Sylvia Murphy, MMC, City Recorder


Keith Mays, Mayor