



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
October 28, 2025

SPECIAL SESSION

- 1. CALL TO ORDER:** Mayor Rosener called the meeting to order at 6:05 pm.
- 2. COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young (remote), Councilors Renee Brouse (remote), Dan Standke, Keith Mays, Doug Scott and Taylor Giles.
- 3. STAFF AND LEGAL COUNSEL PRESENT:** City Attorney Ryan Adams, Community Development Director Eric Rutledge, Police Chief Ty Hanlon, IT Systems Analyst Mark Swanson, Legal Intern Keegan Sanchez, and City Recorder Sylvia Murphy. Legal Counsel Carrie Richter.

4. APPROVAL OF AGENDA:

Mayor Rosener addressed approval of the agenda and asked for a motion.

MOTION: FROM COUNCILOR BROUSE TO ADOPT THE AGENDA. SECONDED BY COUNCILOR SCOTT. MOTION PASSED 7:0, ALL PRESENT MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

5. CITIZEN COMMENTS:

No comments were received. Mayor Rosener addressed the next agenda item, and the City Recorder read the public hearing statement.

6. PUBLIC HEARINGS:

A. Resolution 2025-073, Declaring an Emergency and Calling for a Special Election to Amend the Sherwood City Charter to Protect Home Rule Authority

City Attorney Ryan Adams provided a presentation, (see record, Exhibit A) and explained that under ORS 221.230, emergency findings were required to hold an election outside of Oregon's regular election dates of March, May, August, and November. He stated a special City Council public meeting, separate from a regular meeting, was mandatory so residents could hear the evidence, ask questions, and give input before a decision. He said Council would need to make findings that showed that there was a significant hardship to the community if the election was not scheduled in January, for instance. He stated that Resolution 2025-

073 would call a special election on January 13, 2026, and provided findings stating why there was an emergency.

Mayor Rosener asked how the findings were documented. Mr. Adams said the findings were in the Resolution and if approved it would find that recent and anticipated state legislation threatened to abrogate and erode the city's home rule authority, particularly public participation in land use decisions and annexation authority, which were fundamental to Sherwood's political form and community governance. He said home rule in Oregon gave cities the ability to make decisions for themselves and had been the case since 1906 and was enshrined in Article 11 Section 2 of the Oregon Constitution. He said home rule was a fundamental basis of city governance in Oregon.

Mayor Rosener opened the public hearing. With no public testimony received Mayor Rosener closed the public hearing. Mayor Rosener asked for Council discussion.

Councilor Scott commented on why this was important and said in the past the state had set minimum standards and now the state is setting maximum standards.

Councilor Giles said he understood the state's approach to creating more affordable housing and said public input was important and does not slow down development. He stated he supported the resolution.

Council President Young agreed and said taking away public participation in land use decisions was counter to Statewide Land Use Goal 1. She stated she supported the resolution.

Councilor Mays agreed and stated there was still a 120 day rule for land use cases and Sherwood was currently staying within those guidelines, and the process was not being slowed down.

Councilor Standke said this rose to an emergency when the public engagement was being limited for land use cases.

Councilor Brouse stated she does not need to restate what had been said.

Mayor Rosener agreed that this was an emergency and said local control was important and should be enshrined in the Charter. He stated the Council held two work sessions on this topic. He said the Council should declare an emergency so the proposed Charter amendments could be considered by the voters before the next legislative session in Salem. With no further comments, the following motion was stated.

MOTION: FROM COUNCIL PRESIDENT YOUNG TO ADOPT RESOLUTION 2025-073 DECLARING AN EMERGENCY AND CALLING FOR A SPECIAL ELECTION TO AMEND THE SHERWOOD CITY CHARTER TO PROTECT HOME RULE AUTHORITY, SECONDED BY COUNCILOR SCOTT. MOTION PASSED 7:0. ALL PRESENT MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item and asked for a staff report.

B. Resolution 2025-074, Approving Ballot Title and Explanatory Statement and Submitting to the Voters a Proposed Charter Amendment Establishing City Authority Over Annexation Decisions

Mr. Adams said the resolution and the staff report included the proposed Charter amendment language that would be considered on the ballot. Mayor Rosener asked Mr. Adams to read the annexation language:

The city includes all territory within its boundaries as they now exist or are legally modified. Unless required by a public health emergency as defined by ORS 222.850 or ORS 222.855, annexation may only take effect with the approval of city voters. The city recorder will maintain as a public record an accurate and current description of the boundaries. Determining the city's jurisdictional boundaries is declared to be a matter inherent to its political form. The City shall have the exclusive authority to review, approve, or deny annexation requests subject to the procedures and standards adopted by ordinance of the City Council. These procedures shall not be preempted by state laws that modify or eliminate this authority.

Mr. Adams read the ballot title for referral to amend the Sherwood City Charter with regard to establishing and protecting home rule authority in annexation decisions:

Caption: *Amends Charter: Establishes City Authority Over Annexations*

Question: *Shall the Sherwood Charter be amended granting Sherwood exclusive authority over annexation decisions, independent of state laws modifying such authority?*

Summary: *A Yes vote will amend the City Charter to make two changes to Section 3.- Boundaries relating to annexation. First, this amendment would add clarifying language that voter approved annexation is required in all cases, except with respect to health hazard abatement. Second, this amendment declares that the procedures governing review of annexation requests i.e. hearings, notices, annexation agreements are foundational components of open and democratic governance within the City. This amendment grants the City exclusive authority to review, approve, or deny annexation requests subject to procedures and standards adopted by the Sherwood City Council through ordinance. These procedures cannot be preempted by state laws that alter or constrain the City's annexation authority. The amendment ensures local control over annexation decisions and confirms home rule authority. No direct fiscal impact has been identified.*

Mayor Rosener asked for Council questions of staff.

Councilor Standke asked if this ballot measure would require a simple majority of the voters. Mr. Adams said yes.

Councilor Scott referred to the voter approved annexation language and asked if the intent was to require future annexations to go before the voters. Mr. Adams said that was a political question for the Council. Mayor Rosener said that was a future decision and noted they added clarity in the language around public health emergencies.

Land Use Attorney Carrie Richter said the intent of the language was to clarify that the state law exemption was always for the public health hazard provision, such as a city would not need to go before the voters when a septic system failed, and it was an emergency. She said the intent was to clarify the existing language in the Charter to make it clear and to provide additional information. Mayor Rosener stated the current Charter language read "voter approved annexations in accordance with state law". He said this would give us more flexibility.

Councilor Mays said he supported the language as presented and it would protect the community's rights.

Councilor Standke stated this language reinforced the city's support for voter approved annexations.

Councilor Giles asked if the term "political form" was defined. Mr. Adams said the explanatory statement defined political form as "a core part of the City's governance".

Councilor Brouse and Council President Young stated they supported the resolution.

Mayor Rosener opened the public hearing. With no public testimony received Mayor Rosener closed the public hearing. Mayor Rosener asked for Council discussion. With no discussion, the following motion was received.

MOTION: FROM COUNCILOR MAYS TO ADOPT RESOLUTION 2025-074 APPROVING BALLOT TITLE AND EXPLANATORY STATEMENT AND SUBMITTING TO THE VOTERS A PROPOSED CHARTER AMENDMENT ESTABLISHING CITY AUTHORITY OVER ANNEXATION DECISIONS, SECONDED BY COUNCIL PRESIDENT YOUNG. MOTION PASSED 7:0. ALL PRESENT MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item and asked for a staff report.

C. Resolution 2025-075, Approving Ballot Title and Explanatory Statement and Submitting to the Voters a Proposed Charter Amendment Regarding Citizen Involvement in Land Use Decisions

Mr. Adams stated this resolution would add a new "Section 49" to the Charter captioned, Citizen Involvement in Land Use Decisions. He read the proposed Charter amendment language:

"As a city that is of the people, by the people, and for the people, Sherwood is committed to hearing from the people. Sherwood is entrusted to ensure citizen involvement in land use decisions, as mandated by Statewide Land Use Goal 1. The City Council shall establish, by ordinance, procedures to ensure transparency and meaningful public participation in all phases of the land use process, including notice, hearings, and appeals. These procedures are inherent to Sherwood's political form and are rooted in Sherwood's home rule authority. These procedures shall not be preempted by state laws that limit public engagement and include: No Type III or higher land use application, as specified by adopted city ordinance, shall be decided without at least one duly noticed neighborhood meeting and one public hearing before the City Council or its delegated decision-making body. A public hearing shall also be held before deciding any appeal, using procedures set by ordinance; and Mailed notice in advance of neighborhood meetings and public hearings must be sent to all property owners within 1,000 feet of the subject property for all Type II or higher applications, using the classifications and timelines prescribed by ordinance. Additional notice methods, such as published or electronic notices may also be required."

He read the ballot title for referral to amend the Sherwood City Charter with regard to citizen involvement in land use decisions:

Caption: *Amends Charter: Enshrines Citizen Involvement in Land Use Decisions*

Question: *Shall the Sherwood Charter be amended acknowledging existing neighborhood meeting, public hearing, and notice requirements for certain land use applications?*

Summary: A Yes vote will amend the City Charter committing Sherwood to citizen involvement in land use decisions, consistent with Statewide Land Use Goal 1. It directs the City Council to establish ordinances ensuring transparency and meaningful public participation throughout the land use process, including notice, hearings, and appeals. These procedures, rooted in the city's home rule authority, cannot be preempted by state laws that limit public engagement. Key requirements include: No Type III or higher land use application may be decided without at least one duly noticed neighborhood meeting and one public hearing before the City Council or delegated body. Appeals require a public hearing based on procedures set by ordinance. For Type II or higher applications, mailed notice must be sent in advance to all property owners within 1,000 feet of the subject property, using classifications and timelines set by ordinance. Additional methods, such as published or electronic notices, may also be mandated. This amendment has no direct fiscal impact identified and will not alter the City's current land use processing procedures.

Mayor Rosener asked for Council questions of staff. He asked Community Development Director Eric Rutledge to explain the types of land use applications. Mr. Rutledge said a Type II application would be a staff decision and required a mailed notice within 1,000 feet of the site. He commented on commercial and industrial applications and said the threshold for a Type II application was 15,000 sq ft or less. He stated 15,000 to 40,000 sq ft was a Type III application and over 40,000 sq ft was a Type IV. He commented on residential applications and said in terms of subdivisions Type II was 10 lots or less, Type III was approximately 10-30 lots, and above 30 lots would be a Type IV. Mayor Rosener said under SB 974 the city was not be allowed to have public hearings for Type III or lower.

Councilor Standke asked how the notice requirements changed in SB 974. Mr. Rutledge said the public notice was limited to no more than 100 feet where the current code was 1,000 feet. Mayor Rosener added that the intent of SB 974 was to speed up the land use process and noted the city already had a 120 day deadline.

Mayor Rosener opened the public hearing. With no public testimony received Mayor Rosener closed the public hearing and asked for Council discussion.

Councilor Giles said he wanted more housing, to grow responsibly, and to be treated as a partner with the state legislature. He stated builders want to build nice affordable homes. He commented on SB 974 and said limiting the public input could result in buildings that do not help the city grow.

Councilor Scott said the legislators in Salem and the Governor should be ashamed of themselves and said it was unrepresentative and despicable. He said the idea that the public interest would be better served by limiting and preventing public engagement was absurd. He stated he was embarrassed to be an Oregonian. He said he supported transparency and engagement, and SB 974 destroyed that, and Sherwood needed to take it back. He stated he supported the Charter amendment language proposed.

Mayor Rosener stated he agreed with Councilor Scott and added that Senator Neron Misslin, who represented Sherwood, had been one of the few voices standing up for local control and home rule and consistently voted against these bills.

Councilor Mays agreed with the comments and said he supported the Charter amendment proposed. He said the land use process in Oregon tried to make it straight forward for people to develop. He stated Oregon had created more flexibility lately, but the state should not eliminate the public input portion of the process.

Councilor Young stated she agreed with Councilor Scott and emphasized the importance of the public process. She said this went against Statewide Land Use Goal 1. She stated she was in favor of the proposed Charter amendment.

Councilor Brouse referred to the opening statement of the proposed Charter amendment language, "*As a city that is of the people, by the people, and for the people, Sherwood is committed to hearing from the people*" and said this gave her the most energy and drive to want to see this passed in January 2026.

Councilor Standke said public participation was essential for us to function as a city. He said he had lived in Sherwood for 13 years and was impressed and surprised by the amount of citizen engagement. He stated he was shocked that Salem would limit public participation. He said he supported the resolution.

Mayor Rosener stated he agreed with Councilor Standke about the citizen involvement level in Sherwood and said he supported the Charter amendment. With no other comments received, the following motion was stated.

MOTION: FROM COUNCILOR SCOTT TO ADOPT RESOLUTION 2025-075 APPROVING BALLOT TITLE AND EXPLANATORY STATEMENT AND SUBMITTING TO THE VOTERS A PROPOSED CHARTER AMENDMENT REGARDING CITIZEN INVOLVEMENT IN LAND USE DECISIONS, SECONDED BY COUNCILOR GILES. MOTION PASSED 7:0. ALL PRESENT MEMBERS VOTED IN FAVOR.

7. ADJOURN

Mayor Rosener adjourned the meeting at 7:02 pm.

Attest:


Sylvia Murphy, MMC, City Recorder


Kim Young, Council President