



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
May 21, 2024

WORK SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 6:32 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Taylor Giles, and Dan Standke. Councilors Renee Brouse and Doug Scott were absent.
3. **STAFF PRESENT:** City Attorney Ryan Adams, Community Development Director Eric Rutledge, IT Director Brad Crawford, Economic Development Manager Bruce Coleman, Interim City Attorney Sebastian Tapia, Police Chief Ty Hanlon, and City Recorder Sylvia Murphy.
4. **TOPICS:**

A. Charter Review Committee Recommendations

Mayor Rosener recapped that the city performed a review of the City Charter every six years. City Attorney Ryan Adams recapped that the Charter Review Committee had met three times and had created three recommendations for Council's consideration. He addressed the first recommendation and explained that this was a housekeeping item. He explained that the Oregon Government Ethics Commission (OGEC) had a rule regarding elected officials' use of credit cards and travel reimbursement. He explained that the OGEC had stipulated that elected officials could be reimbursed for travel expenses as long as it was a part of a "reasonable compensation package." He outlined that the travel policy for city staff was currently being updated in order to comply with that language and stated that the Charter Review Committee recommended that that same language be used for City Council. Mayor Rosener commented that doing so would bring the city into alignment with every other state. City Attorney Adams outlined that the Charter Review Committee had provided recommended language for the change and read aloud from the "Charter Review Committee Recommendations to City Council" memo (see record, Exhibit A). He clarified that updating the language would clean up this section of the Charter and bring it into alignment with the OGEC's rules. Council agreed to move forward with the recommended change in language. City Attorney Adams addressed the second recommendation and explained that this related to the city's fee schedule for water, surface water, sewer, and street utility fees. He outlined that Section 47 of the Sherwood City Charter prevented Council from changing those rates above 2% per year without a vote from registered voters. He explained that the Charter Review Committee recommended that a study be conducted to determine the sustainability of Sherwood's water, surface water, sewer, and street utility fees. He outlined that the 2% the city was permitted to raise rates was being outpaced by inflation and the city would not have the necessary funds to complete necessary repair or construction costs. He said the study would help determine what percentage would be sustainable and appropriate for the city to utilize. Discussion occurred and Council agreed to proceed with the study. Councilor Mays spoke on the costs associated with the city meeting its contractual obligations to Clean Water Services (CWS) as well as state and federal standards. Councilor Standke commented that the study would

be a useful tool to help illustrate to residents the need for the rate adjustment and Council President Young agreed. City Attorney Adams commented that this would likely be addressed via the master planning process and explained that the study would likely take over eight months to complete. Council President Young commented that the city could use a capital bond for the project. Councilor Mays spoke on how the current infrastructure would continue to age and would therefore need more repair work and eventual replacing. Mayor Rosener recapped that he felt that the study was a good idea to help better understand the financial situation and spoke on the Water Fund's rates being set to meet the expense of the Willamette Intake Facility upgrades and how he wanted to get the other water rates to that same level of sustainability. City Attorney Adams addressed the third recommendation and spoke on home rule in Oregon and preemption, particularly with land use. He stated that the Charter Review Committee recommended that Council review references to "state law" in the City Charter. He referred to SB 1537 in 2016 and explained that the bill took away the ability for City Councils to deny most annexations without a vote from registered voters. He outlined that the City of Corvallis had sued the state for interfering with home rule and explained that Corvallis had lost that case because their city charter had references to "state law." Mr. Adams reported that Sherwood's City Charter had similar references to "state law" and asked if Council wished to proceed with removing those references. Mayor Rosener commented that it was important not to remove provisions that granted the city authority, and it was also important to remove references that would allow for preemption by the state. Mr. Adams outlined that there were roughly 15 references to "state law" in the Charter and commented that he did not recommend removing all of them, only some of them. He provided an overview of the references to "state law" that he recommended removing. He referred to the Charter's references to "state law" and "municipal court judge" and stated that he recommended allowing Sherwood's Municipal Court Judge to provide his input. Mayor Rosener asked Council their opinion and Council agreed that they would like more information about which references to "state law" should be removed from the Charter. City Attorney Adams explained that the Charter Review Committee stood in recess until any further direction from Council was given. He referred to the Section 37 recommendations and explained that it could be placed on the November 2024 ballot, or it could be placed on a later ballot if Council chose. Discussion occurred regarding the timeline for the completion of the water rate study and the complexity of some of the recommendations. Mayor Rosener recapped that staff would conduct a water rate study and come back with recommendations. Council stated that they would like the council travel reimbursement recommendation to be placed on the November 2024 ballot.

5. ADJOURN:

Mayor Rosener adjourned the work session at 6:59 pm and convened a regular session.

REGULAR SESSION

- 1. CALL TO ORDER:** Mayor Rosener called the meeting to order at 7:06 pm.
- 2. COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Taylor Giles, and Dan Standke. Councilors Renee Brouse and Doug Scott were absent.
- 3. STAFF PRESENT:** City Attorney Ryan Adams, Interim City Attorney Sebastian Tapia, Community Development Director Eric Rutledge, Public Works Utility Manager Rich Sattler, Police Chief Ty Hanlon, City Engineer Jason Waters, and City Recorder Sylvia Murphy.
- 4. APPROVAL OF AGENDA:**

MOTION: FROM COUNCIL PRESIDENT YOUNG TO APPROVE THE AGENDA. SECONDED BY COUNCILOR GILES. MOTION PASSED 5:0; ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILORS BROUSE AND SCOTT WERE ABSENT).

Mayor Rosener addressed the next agenda item.

5. CONSENT AGENDA:

- A. Approval of May 7, 2024, City Council Meeting Minutes**
- B. Resolution 2024-030, Appointing Rick Vauble to the Sherwood Senior Advisory Board**
- C. Resolution 2024-031, Authorizing the City Manager Pro tem to Enter into a Contract with Blackline, Inc. for the 2024-25 Slurry Seal Program**
- D. Resolution 2024-032, Authorizing the City Manager Pro Tem to execute a construction contract for the Sunset, Meinecke and Timbrel Grind and Inlay Project**

MOTION: FROM COUNCIL PRESIDENT YOUNG TO APPROVE THE CONSENT AGENDA. SECONDED BY COUNCILOR GILES. MOTION PASSED 5:0; ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILORS BROUSE AND SCOTT WERE ABSENT).

Mayor Rosener addressed the next agenda item.

6. CITIZEN COMMENT:

Sherwood resident Dan Tatman came forward and spoke on Clean Water Services (CWS) and stated that CWS had over \$1 billion in assets in Oregon and a \$600 million budget. He stated that he was concerned that CWS had "lost some sensitivity to the plight of a few people" who did not have access to large sums of money to help pay for the Brookman sewer extension. He stated that those who were affected were at risk of losing their investments due to the state mandate that property owners within 300 feet of the pipeline had to pay to connect to the pipeline. He stated he and his neighbors were concerned about losing their properties due to the costs associated with the sewer line extension. He stated that he had been in contact with the Washington County Appraiser's Office, and they had told him that the County was not allowed to conduct an audit of CWS. He asked that the city conduct an audit since the city was paying for 20% of the project cost. He stated that the 22 residents had no control over how much they would be charged for the project.

Mayor Rosener addressed the next agenda item.

7. PRESENTATIONS:

A. Recognition of 2024 Oregon Mayor's Association, "If I Were Mayor...." local Contest Winners

Mayor Rosener introduced the 2nd place local contest winner Raegan Falconer. Raegan provided an overview of her poster and explained that her project was about improving the environment by adding more trees, creating more habitat for local animals, and an "adopt-a-block" program where people could clean up their adopted block. She explained that she focused on the environment for her project because she felt that there was a lot of trash in town and local trees were being cut down. Mayor Rosener presented Raegan with a certificate and gift prizes.

Mayor Rosener introduced the 1st place in the middle school category local contest winner Addison Selby. Addison provided an overview of her essay and explained that she wanted to create a community pool to

host local swim meets, create building design standards for Old Town, and ways to decrease shoplifting to help businesses save money. Mayor Rosener presented Addison with a certificate and gift prizes.

Mayor Rosener introduced 1st place in the elementary school category local contest winner and 1st place in the state contest winner Prakrithi Balasubramanian. Prakrithi provided an overview of her poster and explained that she wanted to create a community garden to help provide fresh food to people in need. She explained that the diversity of the food grown in the garden would provide people with the opportunity to try new foods. She explained that she also wanted to add regular STEM events at the library as well as read-to-animals events for patrons. Prakrithi stated that she also wanted to create a free park-and-ride lot to encourage public transportation usage. She stated that the city could introduce a program where kids could pick up trash around the city and exchange it for prizes. Mayor Rosener presented Prakrithi with certificates and gift prizes.

Mayor Rosener addressed the next agenda item.

B. Proclamation, Proclaiming May 19-25, 2024 as National Public Works Week

Mayor Rosener read aloud the proclamation and stated that public works services were important to the health, safety and well-being of Sherwood's citizens and these services could only be provided through dedicated public works professionals. He stated that these employees were the city's silent heroes who guaranteed that essential services were always working. He proclaimed May 19-25, 2024 as National Public Works Week in Sherwood and urged all citizens to recognize and thank public works employees for the dedicated services they provided.

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

8. PUBLIC HEARING:

A. Ordinance 2024-001, Vacating City Public Right-of-Way located on an unnamed street within the Tonquin Employment Area east of SW Tonquin Road (Second Reading)

City Engineer Jason Waters outlined that the County had informed the city that they did not have any interest in the vacation and explained that this was the last step in the process. He stated that there were no additional comments or updates since the first reading. Mayor Rosener opened the public hearing to receive testimony on the proposed ordinance. Hearing none, Mayor Rosener closed the public hearing and asked for discussion or a motion from Council.

MOTION: FROM COUNCILOR MAYS TO READ CAPTION AND ADOPT ORDINANCE 2024-001, VACATING CITY PUBLIC RIGHT-OF-WAY LOCATED ON AN UNNAMED STREET WITHIN THE TONQUIN EMPLOYMENT AREA EAST OF SW TONQUIN ROAD. SECONDED BY COUNCILOR GILES. MOTION PASSED 5:0; ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILORS BROUSE AND SCOTT WERE ABSENT).

Mayor Rosener addressed the next agenda item.

9. CITY MANAGER REPORT:

Police Chief Ty Hanlon spoke on the recent shred event held at the Police Department. He reported that the

Bowl with a Cop event was held at Langer's. He gave his kudos to Public Works staff. Mayor Rosener reported the city was awarded a \$5 million EPA grant and explained that the money would be used to help clean up the tannery site on Oregon Street. Mayor Rosener reported that the city had been awarded a \$1 million for expanding rural broadband. Police Chief Hanlon reported that Music on the Green would begin in July.

Mayor Rosener addressed the next agenda item.

10. COUNCIL ANNOUNCEMENTS:

Councilor Standke reported on the most recent Planning Commission meeting where they continued their discussion on Climate Friendly and Equitable Communities regulations and reported that Council would hear the first reading on the proposed ordinance at the July 16th City Council meeting.

Councilor Mays reported that the Charter Review Committee met for a third time last week where they asked staff to prepare a report to Council, which was discussed at the work session held prior to this meeting. He reported he attended the most recent Budget Committee meeting. He reported on his attendance at the most recent Cultural Arts Commission meeting where they discussed how to utilize the EPA grant.

Councilor Giles reported that the WCCLS had passed a preliminary budget and the Library Advisory Board had completed some visioning and planning for the upcoming year. He reported that the Sherwood School District had recently adopted new graduation requirements. He reported that the coffee with Representative Courtney Neron event would be held on June 1st at the Sherwood Senior Center. He reported that a pride celebration would be held on June 1st at Stella Olsen Park. He reported the new Sherwood School District Superintendent would be announced on May 22nd.

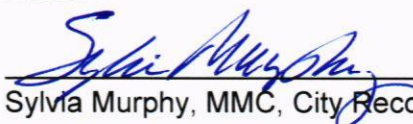
Council President Young reported that she attended the Bike and Roll Day at Middleton Elementary. She reported she attended the Wine Walk event. She reported she attended the most recent Sherwood Chamber of Commerce breakfast. She reported she attended the swearing in of Police Officer Caraway. She reported on her attendance at the LOC's General Government Committee meeting where they discussed items to put forward for the upcoming session.

Mayor Rosener reported on his attendance at the Wine Walk event. He reported on his attendance at the LOC's Telecom Committee meeting where they discussed items to put forward for the upcoming session. He reported that he would attend the Westside Economic Alliance's annual Mayors Forum. He reported he attended the presentation of the Sherwood West Concept Plan to the Metro Urban Growth Report stakeholder group. He reported the presentation would also be shown to the MPAC and the Metro Council. He reported he attended the WCCC meeting where they discussed MSTIP funding. He spoke on solid waste rates and Metro tipping fees.

11. ADJOURN:

Mayor Rosener adjourned the regular session at 8:05 pm.

Attest:


Sylvia Murphy, MMC, City Recorder


Kim Young, Council President