



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
June 18, 2024

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 5:33 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Taylor Giles, Renee Brouse, and Doug Scott. Councilor Dan Standke attended via phone.
3. **STAFF PRESENT:** Interim City Attorney Sebastian Tapia, City Manager Pro Tem Craig Sheldon attended during (ORS 192.660(2)(e) only), Assistant City Manager Kristen Switzer attended during (ORS 192.660(2)(e) only), and Community Development Director Eric Rutledge attended during (ORS 192.660(2)(e) only).
3. **TOPICS:**
 - A. **ORS 192.660(2)(i), Performance Evaluation**
 - B. **ORS 192.660(2)(e), Real Property Transactions**
4. **ADJOURN:**

Mayor Rosener adjourned the executive session at 6:09 pm and convened a work session.

WORK SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 6:12 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Taylor Giles, Renee Brouse, and Doug Scott. Councilor Dan Standke attended remotely.
4. **STAFF PRESENT:** City Manager Pro Tem Craig Sheldon, Assistant City Manager Kristen Switzer, City Attorney Ryan Adams, Interim City Attorney Sebastian Tapia, Public Works Utility Manager Rich Sattler, Community Development Director Eric Rutledge, IT Director Brad Crawford, Finance Director David Bodway, HR Director Lydia McEvoy, Records Technician Katie Corgan, and City Recorder Sylvia Murphy.
3. **TOPICS:**
 - A. **City Manager Next Steps**

Mayor Rosener recapped that City Manager Pro Tem Craig Sheldon had taken on the role of interim City Manager in November/December 2023. He outlined that Council had discussed going out for recruitment for the City Manager role in early 2024 and Council had decided to wait until after the budget season since they had been pleased with Mr. Sheldon's performance thus far. Mayor Rosener asked if Council felt that Mr. Sheldon had done a good job in his role as the City Manager Pro Tem and did they wish to offer him the role permanently. He continued that if the answer was yes, did Council want to utilize a recruitment process for finalizing that decision or "do a hiring." Council President Young stated that she felt Mr. Sheldon had done a "fantastic job" and she felt that a process was unnecessary. Councilor Scott stated he was in favor of offering the job to Mr. Sheldon without engaging in a recruitment process. He commented that Mr. Sheldon had had a "seven-month interview" and he was happy with his performance and spoke on the favorable aspects of hiring an in-house candidate. Mayor Rosener asked City Manager Pro Tem Sheldon if he was interested in permanently stepping into the role of City Manager. Mr. Sheldon replied that he was interested in taking on the role and commented that there were several upcoming city projects he wished to oversee. Councilor Mays spoke on his experience as a Councilor with different City Managers and said that the best City Managers he had worked with had been internal candidates. He stated that he was excited about the prospect of hiring another internal candidate as City Manager. Councilor Brouse stated that she supported offering Mr. Sheldon the position and said Mr. Sheldon brought stability and "a type of leadership this city needs" and stated she did not want to utilize a recruitment process. Councilor Standke stated he supported offering Mr. Sheldon the role of City Manager and that he did not feel it was necessary to engage in a recruitment process. Councilor Giles stated he supported offering Mr. Sheldon the position permanently and did not feel that a recruitment process was necessary. Interim City Attorney Sebastian Tapia explained that available processes included holding an executive session and outlined that doing so came with statutory requirements. Council determined that they did not wish to utilize an executive session for the hiring process. Mayor Rosener stated that he supported offering Mr. Sheldon the role of City Manager and expressed his satisfaction with the work Mr. Sheldon had done as City Manager Pro Tem. He recapped next steps and asked that a contract negotiation subcommittee be formed with the final contract coming back for discussion at a future work session. Discussion occurred and Council determined that Councilor Brouse and Mayor Rosener would serve on the subcommittee. Councilor Mays offered if needed. City Manager Pro Tem Sheldon thanked Council and city staff for their teamwork over the past six months. He stated that teamwork was very important to him and the city would continue to get work done.

4. ADJOURN:

Mayor Rosener adjourned the work session at 6:23 pm and convened a Community Enhancement Program (CEP) meeting. See CEP meeting records. The City Council's regular meeting started after the CEP meeting.

REGULAR SESSION

- 1. CALL TO ORDER:** Mayor Tim Rosener called the meeting to order at 7:02 pm.
- 2. COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Keith Mays, Taylor Giles, Renee Brouse, and Doug Scott. Councilor Dan Standke attended remotely.
- 3. STAFF PRESENT:** City Manager Pro Tem Craig Sheldon, Assistant City Manager Kristen Switzer, City Attorney Ryan Adams, Interim City Attorney Sebastian Tapia, Community Development Director Eric Rutledge, Public Works Utility Manager Rich Sattler, Police Chief Ty Hanlon, IT Director Brad Crawford, Finance Director David Bodway, HR Director Lydia McEvoy, 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 BROUSE. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

5. CONSENT AGENDA:

- A. Approval of June 4, 2024, City Council Meeting Minutes**
- B. Resolution 2024-038, Reappointing Michelle Nedwek to the Sherwood Cultural Arts Commission**
- C. Resolution 2024-039, Approving the City Investment Policy and Authorizing Investments**
- D. Resolution 2024-040, Certifying the Provision of Certain Municipal Services in Order to Qualify the City to Receive State Revenues**
- E. Resolution 2024-041, Authorizing the City Manager Pro Tem to execute a construction contract for the Downtown Streetscapes Phase 1 Furnishing Repainting Project**
- F. Resolution 2024-042, Adopting the City of Sherwood Employee Handbook 2024**
- G. Resolution 2024-043, Authorizing City Manager Pro Tem to sign an MOU with American Federation of State, County and Municipal Employees (AFSCME) Local 1777 regarding Workers Compensation**
- H. Resolution 2024-044, Authorizing the City Manager Pro Tem to sign an MOU with Sherwood Police Officers Association (SPOA) Regarding Workers Compensation**

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

Mayor Rosener addressed the next agenda item.

6. CITIZEN COMMENT:

Sherwood resident Jim Claus came forward and stated he was starting the procedure on exhausting administrative remedies and reaching finality. He spoke on correspondence with state agencies, the Secretary of State's office, and waste, fraud, and abuse of public money. He referred to Cedar Brook Way and spoke on Constitutional Amendments and the Sherwood City Attorney. He referred to Walmart, Langers, and Councilor Mays. He spoke on his family's contributions to the city over the years, property rights, ODOT, and the Oregon State Constitution.

Sherwood resident Susan Claus came forward and stated she wished to comment on the agenda item under New Business, adopting the Capital Improvement Plan (CIP). She referred to Cedar Brook Way improvements, Council goals, outside funding, and the URA. She commented that she believed that the URA would be funding the Cedar Brook Way improvements, and the project would be completed relatively soon. She continued that according to the CIP, the project timeline was now 20 years out and stated she would be impacted by this project. She stated that she wanted clarification on what the Cedar Brook Way improvements entailed and asked for more information.

Mayor Rosener addressed the next agenda item.

7. PRESENTATIONS:

A. Patriot Award Presentation

City Attorney Ryan Adams explained that he would be deploying with the 41st Infantry Brigade Combat Team and introduced Col. Peter D. Helzer, commander, 41st Infantry Brigade Combat Team, and representatives from ESGR (Employer Support of the Guard and Reserve) Scott Witt and Monica Ocampo. City Attorney Adams explained that the ESGR had nominated Sherwood City Council and City Manager Pro Tem Craig Sheldon for the Department of Defense's Patriot Award and thanked Council for their support. Mr. Witt reported that Mayor Rosener had been awarded the Patriotic Employer Award and explained that Council had also received a statement of support. Mr. Witt explained that the ESGR supported military members and their civilian employers via community outreach events and training. He stated that the City of Sherwood had done an "exceptional job" and the ESGR wished to recognize the city's support and presented Mayor Rosener and Council with the award. Col. Peter D. Helzer reported that he was responsible for training and employing over 2,000 soldiers in Oregon, and 1,300 soldiers in Washington and New Mexico. He provided an overview of their activities and stated that working with the community was the most rewarding aspect of his job. He provided an overview of their upcoming timeline for training and deployment. He stated that the support of employers was crucial to their success and thanked Council for their support. Mayor Rosener stated that as a veteran, he understood the commitment it took to serve and the support that was needed from one's family. He stated he appreciated what they did and thanked them for their service. Council President Young thanked them for protecting the country. Councilor Giles stated that their work was incredibly important and said he looked forward to City Attorney Adams's return. Councilor Brouse thanked them and wished them a safe deployment. Councilor Scott stated that it was "no question" whether to support Mr. Adams and stated that he appreciated Mr. Adams' service and his service to the city. Councilor Mays thanked them for their service and wished them a safe deployment. Councilor Standke wished them good luck and stated he looked forward to Mr. Adams' return. Mayor Rosener read aloud a list of the City of Sherwood employees who had also served.

Mayor Rosener addressed the next agenda item.

8. NEW BUSINESS:

A. Resolution 2024-045, Adopting the Capital Improvement Plan (CIP) for FY2024-25

City Manager Pro Tem Craig Sheldon provided background information and explained that many funding sources required that a Capital Improvement Plan (CIP) be adopted before funds could be spent. He stated that having a CIP was a precursor to the expenditure of System Development Charges (SDCs) and revenue from sources outside the city. He outlined that the CIP did not obligate funds and was a list of projects that combined the input from City Council, advisory committees, and staff into one document. He reported that an annual revision of the CIP was required to adjust to changing priorities and circumstances. Mr. Sheldon explained that the financial impacts of this resolution had been considered within the City Manager's proposed 2024-25 budget, which had been approved by the Budget Committee. Councilor Scott referred to the five-year timeline of the CIP list and stated that it was his understanding that the projects listed under the current year were more concrete in their timelines than projects listed further out. He continued that the projects listed further out were placeholders in order for staff and Council to continue to work towards making them a reality, but they were not a promise. City Manager Pro Tem Sheldon replied that was correct and explained that staff updated the list as the project timelines came closer. Council President Young commented that the CIP list could change depending on Council's goals. She referred to Susan Claus'

comments regarding a more detailed CIP list and asked why the CIP document had been reduced in its detail. Mr. Sheldon explained that the 1-year and 5-year CIP list was what staff had brought forward in the last several years, but there was a much longer 20-year CIP document that staff still maintained. He commented that the 20-year CIP document could be presented to Council instead. Council President Young asked that the public have access to the 20-year CIP document.

MOTION: FROM COUNCILOR MAYS TO ADOPT RESOLUTION 2024-045, ADOPTING THE CAPITAL IMPROVEMENT PLAN (CIP) FOR FY2024-25. SECONDED BY COUNCIL PRESIDENT YOUNG.

Councilor Scott stated that the TSP (Transportation System Plan) would be updated soon, and said that citizens would be able to provide feedback on the TSP.

MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

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

9. PUBLIC HEARINGS:

A. Resolution 2024-046, Declaring the City's Election to Receive State Shared Revenues

Finance Director David Bodway presented the "State Shared Revenue" PowerPoint presentation (see record, Exhibit A) and explained that the state shared certain revenue with municipalities that chose to accept it with the condition that the municipality hold a public hearing on the use of the funds and the municipality must have levied a property tax in the preceding year. He outlined that the city had levied a property tax last year and also held a public hearing on May 23rd during the Budget Committee meeting and this hearing served as the second public hearing. Mr. Bodway provided an overview of pages 2-3 of the presentation and reported that Sherwood had a certified population of 20,868 residents as of December 15, 2023. He outlined that property taxes accounted for about 45% of the General Fund; Intergovernmental was 8%; Franchise Fees was 15%; Charges for Services was 19%; and Fines, Interest & Other was 13% for a total of \$18.8 million. He reported that the city expected to receive \$805,200 in the General Fund and \$1.7 million in the Street Fund. He stated that money that went into the General Fund was largely unrestricted with the exception of the local tax for the marijuana tax. He explained that the marijuana tax funds were used to help support police departments. He stated that the money that went into the Street Fund was restricted to street projects. Mayor Rosener opened the public hearing and asked for public comment on the proposed resolution. Hearing none, Mayor Rosener closed the public hearing and asked for discussion or a motion from Council.

MOTION: FROM COUNCIL PRESIDENT YOUNG TO ADOPT RESOLUTION 2024-046, DECLARING THE CITY'S ELECTION TO RECEIVE STATE SHARED REVENUES. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

B. Resolution 2024-047, 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

Finance Director David Bodway explained that this resolution was to adopt a schedule of fees as authorized by the city's zoning and community development code and established fees for miscellaneous city services and established an effective date. Mr. Bodway explained that each year during the budget process, Finance asked department supervisors to review the fees that they charged. He provided an overview of the changes and reported that there would be a 2% increase, as approved in Resolution 2017-008, which was the maximum amount allowed since CPI was 3.76%. He continued that there would be a 6.43% increase, as previously approved in Resolution 2018-049, for SDC and TDT fees. He reported that other changes included miscellaneous new fees and minor changes and provided a brief overview of some of the miscellaneous changes. He noted that there were some errors within the fee schedule, including incorrect column headings. He noted that on page 233 of the City Council meeting packet under item B, "Sewer SDC" the heading of "Reimbursement" should read "Reimbursement Charge" instead. The heading of "Flow Count" should read "Improvement Charge" and the final column should have a heading of "Flow Count." He noted that on page 180 of the City Council meeting packet several of the fees had not been updated under item J, "Single Production Rentals." He explained that the column should be updated to include a 5% increase, an increase to \$473 under "Partial day (5 hours or less)" instead of the listed \$450. An increase to \$630 under "Full day (up to 10 hours)" instead of the listed \$600, and an increase to \$840 under "Extended day (up to 16 hours)" instead of the listed \$800. Finance Director Bodway explained that with Council's approval, he would correct those errors after this meeting prior to posting the documents on July 1st. Council President Young asked if the "non-resident" figures would also be updated, and Assistant City Manager Kristen Switzer replied that they would be updated. Mayor Rosener asked if Council should approve the proposed resolution at this meeting with the cited adjustments and Finance Director Bodway replied that was correct. He explained that the resolution should be approved tonight with the noted adjustments so the fee schedules could go into effect on July 1st. Mayor Rosener asked if Council was clear on the noted changes and Council signaled their approval. Mayor Rosener opened the public hearing and asked for public comment on the proposed resolution.

Sherwood resident Neil Shannon came forward and asked that Council reconsider the fees cited in Section 9 – Planning, Item B – Appeals of a Type III or Type IV action. He spoke on the fees for a Type III and Type IV action and stated that the fees did not take into consideration the status of the individual in the matter when filing the action. He stated that he was involved in a Type III hearing several years ago and stated that he felt that there were several issues brought forward that should be reviewed by the Planning Commission. He stated that he was unable to appeal the decision due to the cost. He stated that the cost of the appeal was significant and burdensome for those who were not developers and that local residents or HOAs were those most likely to oppose an application. He asked that an adjustment be made to the fee schedule to allow for local residents to appeal a decision for a subdevelopment. He suggested that the fee for the appeal by the applicant remain the same but called for a significant reduction to the fee schedule for an appeal by the opponent to the subdevelopment. He suggested a \$250 fee, the same as a Type I and Type II appeal. Mayor Rosener asked for additional questions from Council. Councilor Giles asked if the higher fees were to keep staff from being inundated with appeals and asked what the city's actual costs were for appeal hearings. Community Development Director Eric Rutledge explained that a Type III or Type IV appeal would be reviewed by an attorney, which added to the cost of the appeal. He continued that the cost also included additional staff time to allow staff to prepare for the hearing. Councilor Giles asked what options there were to lower that cost. Mr. Rutledge replied that it would really depend on the complexity of the case and reiterated that the largest portion of the appeal cost was the cost for legal review. He reported he could review the last five years of appeals that came before City Council and LUBA and determine an average appeal cost. Councilor Giles asked for a best guess and Mr. Rutledge replied that it would depend on the application type and provided an overview of the probable average cost for an appeal based on application type. Councilor Giles commented he understood but he wanted to make the process fairer for individuals who wished to file an appeal. Community Development Director Rutledge voiced that from a planning and economic

development/housing development standpoint, if the appeal barrier was set too low, it could be used to significantly slow down development; and it was important to keep that potential consequence of lowering the appeal barrier in mind. Mayor Rosener commented that he felt it was worth looking into the city's options for adjusting the process. Councilor Mays stated that he was not in favor of altering the proposed fee schedule and explained that if it were altered, it would "open up the floodgates" and would slow down development. He referred to a Type III action and stated that individuals could approach the City Manager or Council within the appeal window. Councilor Scott commented that he was sympathetic to the issue but felt lowering the fee would result in the city being inundated with appeals. He stated he supported passing the fee schedule for this year and said that a review of the process could be done between now and next year. He referred to the hearings process and stated that citizen comment was permitted during the hearings. Councilor Standke recapped that this topic had been discussed at Planning Commission meetings and stated that he supported conducting a review of the process to determine if it could be made more equitable. Councilor Brouse asked if it was possible to remove the fee from the fee schedule from voting in order to continue to discuss the topic. Council President Young replied that the fee schedule could be updated at any time and suggested that Council approve the fee schedule at this meeting and have staff come back at a later date to discuss it. Councilor Scott commented that it would be relatively easy to collect the necessary fees to appeal if there was a large consensus of one's neighbors. Councilor Giles stated that he supported the fee schedule if a work session could be scheduled to discuss a potential amendment. Mayor Rosener stated that it was important to get the fee schedule approved before July 1st and commented he was happy to hold a work session to discuss the topic. Mayor Rosener closed the public hearing and asked for a motion from Council.

MOTION: FROM COUNCILOR MAYS TO ADOPT RESOLUTION 2024-047, 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 AND CORRECTING SCRIVENER'S ERRORS AS NOTED BY STAFF. SECONDED BY COUNCIL PRESIDENT YOUNG. MOTION PASSED 6:1; MAYOR ROSENER, COUNCIL PRESIDENT YOUNG, COUNCILORS SCOTT, STANDKE, MAYS, AND GILES VOTED IN FAVOR. COUNCILOR BROUSE OPPOSED.

Mayor Rosener addressed the next agenda item.

C. Resolution 2024-048, Adopting the FY2024-25 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 outlined that the proposed resolution would adopt the 2024-2025 fiscal year budget for the City of Sherwood. He recapped that the Budget Committee received the budget message, reviewed the proposed budget, and heard public comment at their May 16th meeting. He reported that the Budget Committee approved the proposed budget at their May 23rd meeting. Notice of the approved budget had been published in accordance with Oregon local budget law and stated that this meeting was the final step of the budget process. Mayor Rosener asked for public comment, hearing none, Mayor Rosener closed the public hearing and asked for additional questions. Councilor Mays gave his kudos to Finance Director Bodway, City Manager Pro Tem Sheldon, the senior leadership team, and Budget Committee for a "great budget process." He stated he appreciated the collaborative approach and how mindful everyone was of Council's goals. Mayor Rosener stated his agreement with Councilor Mays' comments and gave his kudos to the Budget Committee.

MOTION: FROM COUNCIL PRESIDENT YOUNG TO ADOPT RESOLUTION 2024-048, ADOPTING THE

FY2024-25 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 MAYS. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

Mayor Rosener addressed the next agenda item.

10. CITY MANAGER REPORT:

City Manager Pro Tem Craig Sheldon reported that the city had held a joint press conference with EPA Region 10 representatives on June 18th sharing information on the \$5 million EPA grant to clean up the tannery site. He reported city offices would be closed on June 19th in observance of the Juneteenth holiday. He thanked city staff that had worked the Crusin' Sherwood event.

Community Development Director Rutledge introduced Sean Conrad, the new Planning Manager and provided background. Mr. Conrad stated that he had been doing land use planning for 23 years in cities and counties in California, Washington, and Montana. He stated that he preferred to work with municipalities similar in size to Sherwood and expressed that he was happy to be here. Council welcomed Mr. Conrad to the city.

Police Chief Ty Hanlon reported on new Police Department reserves and stated that the city now had four reserve officers. He reported that the official swearing in ceremony would be held on June 26th. City Manager Pro Tem Sheldon reported that there would not be a City Council meeting held on July 2nd.

Mayor Rosener addressed the next agenda item.

11. COUNCIL ANNOUNCEMENTS:

Councilor Giles reported that the Library Advisory Board would not meet in June and provided an overview of upcoming library events. He reported that the Sherwood School District had held their budget meeting and he congratulated new graduates.

Councilor Brouse reported that the Senior Advisory Board did not meet, and the Housing Advisory Committee would meet next week. She thanked city staff who had worked the Cruisin' Sherwood event.

Councilor Mays reported that the WRWC had met where they heard updates on the regional water project. He encouraged any Councilors and city staff interested in receiving a tour of the new water treatment plant to reach out to City Manager Pro Tem Sheldon. He reported that the Cultural Arts Commission had met on June 17th. He reported that the Art Walk would be held on June 20th.

Councilor Scott requested new microphones for City Council meetings. He stated that the Parks and Recreation Advisory Board currently had two openings and reported that they would interview the five applicants soon. He thanked HR Director Lydia McEvoy for her work on the new employee manual.

Councilor Standke reported that the Planning Commission did not meet last week but would meet this week to hold a work session to discuss annexation policies. He congratulated 503 Uncorked on their 10th anniversary. He thanked city staff who had worked the Cruisin' Sherwood event.

Council President Young reported that KOIN news had recently highlighted city departments and spoke with

Economic Development Manager Bruce Coleman. She reported that she had attended the joint press conference with the EPA and provided a recap of the meeting.

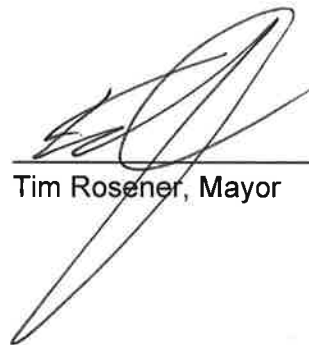
Mayor Rosener spoke on the EPA grant and his excitement for the tannery site cleanup. He reported he attended the Metro Policy Advisory Council meeting where Community Development Director Eric Rutledge and Senior Planner Joy Chang gave a presentation on Sherwood West. He reported he attended the Urban Growth Report roundtable meeting. He reported he attended the most recent WCCC meeting. He spoke on MSTIP funds the city had applied for and reported that the Board of County Commissioners would soon vote on the city's application.

12. ADJOURN:

Mayor Rosener adjourned the regular session at 8:25 pm.

Attest:


Sylvia Murphy, MMC, City Recorder


Tim Rosener, Mayor