



**MINUTES**  
**City Council Meeting**  
**Monday, January 4, 2021 7:00 PM**

**COUNCIL PRESENT:** Stan Pulliam, Mayor, Jeremy Pietzold, Council President, Laurie Smallwood, Councilor, Richard Sheldon, Councilor, Kathleen Walker, Councilor, Carl Exner, Councilor, and Don Hokanson, Councilor

**COUNCIL ABSENT:**

**STAFF PRESENT:** Jordan Wheeler, City Manager, Jeff Aprati, City Recorder, Mike Walker, Public Works Director, Greg Brewster, IT/SandyNet Director, David Doughman, City Attorney, Sarah Richardson, Community Services, Andi Howell, Transit Director, Ernie Roberts, Police Chief, and Tyler Deems, Deputy City Manager / Finance Director

**MEDIA PRESENT:** Sandy Post

**1. MEETING FORMAT NOTE**

The City Council conducted this meeting electronically using the Zoom video conference platform. A video recording of the meeting is available on the City's YouTube channel: <https://www.youtube.com/watch?v=vsDzUkthis0>

**2. CITY COUNCIL REGULAR MEETING - 7:00 PM**

**3. Pledge of Allegiance**

**4. OATHS OF OFFICE**

**4.1. Oaths of Office**

Staff Report - 0356

The **City Recorder** administered oaths of office to **Mayor Pulliam, Councilor Sheldon, Councilor Walker, and Councilor Hokanson.**

All four Council members delivered remarks following the completion of their oaths:

**Councilor Hokanson** stated that the City must work within the legal limits and processes provided by federal and state law. He stated that while businesses are critical to the community, the welfare of local residents is of primary

importance for the City. He pledged to make decisions focused primarily on quality of life. He stated that he looks forward to working with all Council members. He expressed appreciation for the beauty of the community and for the efforts of past leaders of Sandy, and urged a recognition of the unique attributes that make Sandy a desirable place to live.

**Councilor Sheldon** thanked the community for their support, and urged the public to provide input for the Council as decisions are considered. He stated that local government is the foundation of our democracy. He stated that he looks forward to working with all Council members, even in cases where there may be disagreement, for the betterment of the community.

**Councilor Walker** expressed thanks for the welcome she has received and stated that she looks forward to working together to protect the qualities that make Sandy special. She stated that she believes in law and order, and that established rules and laws must be respected. She expressed a desire to continue the City's efforts to expand transparency and citizen participation in decision making. She acknowledged that community growth is inevitable, but stressed that growth should be responsible and resident-friendly. She thanked the community for their support.

**Mayor Pulliam** expressed appreciation for everyone in the City organization and stated his belief that everyone is committed to working for the betterment of the community. He outlined the challenges and opportunities facing Sandy, including COVID-19, managing growth, wastewater improvements, public safety, homelessness, infrastructure needs and planning, recreation opportunities, and planning for the Community Campus. He noted the city's history of innovation and self-reliance, citing the examples of SandyNet and SAM. He referred to opportunities to incorporate wetlands into the city's wastewater system. He expressed confidence in the city's ability to tackle the challenge of homelessness. He expressed individual praise for and confidence in each Council member. He expressed love for the community and optimism about the future.

**5. Roll Call**

**6. Changes to the Agenda**

**6.1. Addition of COVID-19 Discussion**

**Councilor Walker** moved to add a discussion to the agenda regarding establishing an official Council position on the COVID-19 restrictions issued by the Governor.

The **City Attorney** suggested it could be prudent to have an initial discussion at this meeting, provide time to gather information and consider language, and take official action at a subsequent meeting.

**Councilor Exner** advocated for holding the discussion at a subsequent meeting.

**Councilor Walker** stressed the importance of moving quickly on the issue, and mentioned the language in the oaths of office regarding supporting the laws of Oregon.

**Councilor Exner** advocated for holding the discussion at a subsequent meeting, allowing time for further information gathering and consideration of the issue.

**Councilor Smallwood** concurred with **Councilor Exner**, and stated that the COVID-19 restrictions do not constitute laws.

**Councilor Sheldon** indicated his desire to second **Councilor Walker's** motion, and stressed the importance of the Council grappling with the issue.

**Council President Pietzold** sought clarification on whether an actual Council position on the issue would be established at this meeting. **Councilor Walker** indicated her desire to take a position at this meeting, and to discuss other ways to support the local community at a subsequent meeting.

The **City Attorney** indicated that regardless of whether a decision is ultimately taken at this meeting, the issue currently at hand is whether to add an agenda item to discuss the topic.

**Moved by Kathleen Walker, seconded by Richard Sheldon**

***Add an item to the meeting agenda to discuss the Council's position regarding support for the Governor's COVID-19 restrictions.***

**CARRIED. 5-2**

Ayes: Stan Pulliam, Jeremy Pietzold, Richard Sheldon,  
Kathleen Walker, and Don Hokanson

Nays: Laurie Smallwood and Carl Exner

## 7. Public Comment

(none)

**8. Consent Agenda**

8.1. **City Council Minutes** - 21 Dec 2020

**Moved by Carl Exner, seconded by Jeremy Pietzold**

***Approve the December 21, 2020 meeting minutes***

**CARRIED. 4-0**

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood, and  
Carl Exner

Abstained: Richard Sheldon, Kathleen Walker, and Don Hokanson

8.2. **Lease Agreements for Public Works and Parks Vehicles**

Staff Report - 0357

8.3. **Certified Results of November 3, 2020 General Election**

**Moved by Jeremy Pietzold, seconded by Carl Exner**

***Approve the vehicle lease agreements and certified election results.***

**CARRIED. 7-0**

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood,  
Richard Sheldon, Kathleen Walker, Carl Exner, and Don  
Hokanson

**9. New Business**

9.1. **Election of Council President**

Staff Report - 0354

**Councilor Exner** nominated **Councilor Pietzold** to serve as Council President for the 2021-2022 biennium. The nomination was seconded by **Councilor Hokanson**. No other councilors were nominated. **Councilor Pietzold** thanked the Council for its support.

**Moved by Carl Exner, seconded by Don Hokanson**

***Elect Councilor Pietzold as Council President for the 2021-2022 biennium.***

**CARRIED. 7-0**

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood,  
Richard Sheldon, Kathleen Walker, Carl Exner, and Don  
Hokanson

9.2. **Parks & Trails Advisory Board Member Appointments**

Staff Report - 0355

The **Recreation Manager** summarized the application and interview process outlined in the staff report.

**Councilor Exner** expressed praise for the applicants.

**Councilor Smallwood** noted the breadth of life experience among the applicants, including young parents.

**Council President Pietzold** concurred.

**Councilor Walker** expressed appreciation for the new board members.

**Moved by Kathleen Walker, seconded by Carl Exner**

***Appoint Rachel Stephens, Sarah Schrodetz, David Breames, and Will Toogood to Parks and Trails Advisory Board seats 1, 2, 3, and 7, respectively.***

**CARRIED. 7-0**

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood,  
Richard Sheldon, Kathleen Walker, Carl Exner, and Don  
Hokanson

9.3. **Discussion of City Council Position Regarding Support for the COVID-19 Restrictions Issued by Governor Brown**

**Councilor Walker** stated that the City is reliant on positive working relationships with the County, State, and Federal governments; she expressed concern that expressing resistance to the Governor's COVID-19 orders could cause problems for those relationships. She expressed concern that public statements regarding resisting the orders could be perceived as the official position of the City, even if the speaker states or writes otherwise. She expressed concern that businesses that resist the orders could incur fines or other consequences from the State. She referred to the oaths of offices taken earlier in the meeting, which included a pledge to support the laws and constitution of Oregon. She asked that the Council go on record supporting

the orders, and suggested that the Council also look for additional ways to support local businesses.

**Mayor Pulliam** stated that Councilors' first oath is to the United States Constitution, and that the COVID-19 emergency orders are not statutes enacted through the normal democratic legislative process. He stated that his recent statements have included stipulations that he is speaking for himself, and not the Council as a whole. He stated that he retains rights under the First Amendment to express his personal views publicly. He stated that it is expected and appropriate for the mayor to use the bully pulpit. He emphasized the importance of local small businesses to the community. He stated that the focus of his efforts has been to support businesses that, for financial reasons, must choose between reopening and closing permanently. He highlighted his working relationships with other public officials.

**Councilor Exner** stated that this is a matter of great public interest, and that the community wants the Council to articulate where it stands on the issue. He expressed concerns about local businesses amid the COVID-19 restrictions. He also stressed the importance of adhering to the law. He stated that taking up the issue at the following Council meeting would provide time for due consideration of the issue.

**Councilor Hokanson** suggested that the Council could state that it has no position on the issue currently, and thus, the recent statements made by the **Mayor** were his own and not those of the Council. He also suggested that the Council could advocate within existing processes for changes in the COVID-19 restriction framework.

**Councilor Sheldon** suggested that the Council could elect not to take a formal stance on the issue at this point. He agreed that the **Mayor** has the right to state his personal opinion. He agreed that aspects of the COVID-19 restrictions are unfair, but he expressed concern that the **Mayor's** comments could be construed by some as the official position of the City. He stressed that the Council should recognize the authority of the mandates as established under recent case law, but that the City could also work within the law to secure changes to the restrictions.

**Mayor Pulliam** stated that he always stipulates that he is speaking for himself only during media appearances, even if such statements do not always survive the editing process. He stated that he also emphasizes that the City is not claiming to provide any legal protections for businesses that decide to reopen.

**Councilor Smallwood** stated that this conversation would be more productive in a work session setting. She suggested that many of the emails and voicemails recently sent to the Council may be from people who do not live in the community. She encouraged Council members to meet with and listen to business owners who have been impacted by the restrictions.

**Council President Pietzold** agreed with the importance of following the law, and that the City should encourage doing so. He also suggested that the Council as a whole should advocate within the law for reasonable amendments to the restrictions that would assist businesses. He agreed that some of the feedback that has been received has come from outside the community.

**Councilor Walker** indicated she has patronized local businesses frequently, and that the message she has heard from local business owners is that they do not support the idea of reopening in contravention of the restrictions. She stated that it is problematic for the **Mayor** to speak only for himself while using the title 'Mayor of Sandy,' due to the impression that could be left with the public that he is speaking for the Council as a whole. She stated that the **Mayor**, and all Council members, should articulate the position of the full Council on issues, even if they do not agree personally. She expressed her desire that the **Mayor** refrain from stating his personal position on the COVID-19 reopening issue until the Council as a whole has an opportunity to take a position on the issue at the next meeting. She also sought clarification from the City Attorney on the City's legal authority vis a vis the Governor's COVID-19 restrictions. She urged the Council to take a formal position on the matter and to gathering input from the local community. She also referred to the Council Policy regarding avoiding divisive issues that are outside the purview of the City.

**Mayor Pulliam** stressed the importance of decorum and civility between Council members. **Councilor Walker** concurred.

**Councilor Smallwood** agreed with the **Mayor** that he retains his First Amendment rights to state his personal views.

The **City Attorney** emphasized the importance of discussing this issue at a work session during the next meeting, and that Council members could send suggestions to staff beforehand concerning what they might like to see in an official statement. He stated that while often councils choose to set expectations for public speech in their council rules, ultimately Council members are legally free to speak their minds in public. Regarding the COVID-

19 restrictions from the Governor, he noted that the State Supreme Court upheld the legality of her orders. He referred to the Council's previous discussion during the 'two-week freeze' regarding police enforcement. He stated that it would be unwise legally for the City to instruct police not to enforce the restrictions. He stated that he does not believe the City has legal exposure due to the **Mayor's** comments in the media, and noted that the Council currently has no official position on the matter. He suggested that the Council could choose to take an official position respecting the authority of the orders, but stating that the Council believes them to be unfair.

**Mayor Pulliam** stated that he welcomes the Council taking a formal position on the issue, though he noted that he intends to continue expressing his personal views while stipulating that they are his views only.

**Councilor Exner** suggested it is possible the Council will not be able to find a consensus position on this issue, but he urged the Council to attempt to do so after discussion at a work session on January 19th.

**Council President Pietzold** stated that the Council may be closer to consensus than may be initially apparent.

**Moved by Carl Exner, seconded by Jeremy Pietzold**

***Add a work session item to the January 19, 2021 meeting agenda to discuss the City Council's position regarding Governor Brown's COVID-19 restrictions.***

**CARRIED. 7-0**

Ayes: Stan Pulliam, Jeremy Pietzold, Laurie Smallwood,  
Richard Sheldon, Kathleen Walker, Carl Exner, and Don  
Hokanson

**10. Report from the City Manager**

The **City Manager** congratulated the newly elected Council members. He referred to the upcoming goal setting process and summarized scheduling logistics. He raised the idea of conducting a tour of City facilities for the benefit of the new Councilors; staff will conduct a scheduling poll. He stated that the next Council meeting will occur on a Tuesday because of the Martin Luther King Jr. holiday. He encouraged Council members to attend the 2021 City Day at the Capitol.

**11. Committee /Council Reports**

**Councilor Hokanson** expressed appreciation for the Council's willingness to tackle the difficult issue of COVID-19.



**Councilor Sheldon:** none

**Councilor Walker** asked when City facilities would reopen to the public. She stated that constituents had asked her this question in relation to the calls for reopening local businesses. The **City Manager** responded that the Governor's risk framework has changed since the City previously stated that reopening would occur under "Phase 2." He noted that City services have continued despite the restrictions, and that the City is prepared to reopen once it is safe to do so.

**Councilor Smallwood** a Tickle Creek Trail cleanup event will be held on Saturday.

**Councilor Exner** stated that he looks forward to working with the new Council. He noted that the tree code committee has restarted its work. He expressed his desire that the Arts Commission will resume operating soon.

**Council President Pietzold** stated he looks forward to working with the new Council, each member of which brings valuable experience to the table. He noted the Economic Development Committee meeting will be cancelled. He noted there has been substantial interest in the new covered seating grant program, and he suggested the Council look for additional ways to support local businesses. He praised the Tickle Creek Trail. He noted that the Governor has revised COVID-19 policies with respect to schools.

**Mayor Pulliam** expressed his support for opening City Hall to the public in a safe manner. He expressed support for all main street local businesses, whether or not they have chosen to reopen. He stated that elected officials should recognize and support local small businesses owners as important stakeholders in the community.

**12. Staff updates**

12.1. [Monthly Reports](#)

**13. Adjourn**



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Mayor, Stan Pulliam

A handwritten signature in black ink, appearing to read "Jeff Aprati". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

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City Recorder, Jeff Aprati