

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE.
SEPTEMBER 13, 2007

MEMBER PRESENT:

Brad Boyd Mayor
Bill Merrill Council President
Lon Kellstrom Council
Sharlene Weed Councilor
Shawna Bell Councilor

STAFF PRESENT:

Eileen Stein City Manager
Lisa Young Finance Director
Brad Grimm Public Works Director
Steve Bryant City Attorney

ABSENT:

Kathy Nelson City Recorder
Susanna Julber Interim Planning Director

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Boyd at 7:05 p.m.

II. VISITOR COMMUNICATIONS

III. CONSENT AGENDA

A. Minutes

1. August 16, 2007 – Workshop
2. August 23, 2007 – Workshop
3. August 23, 2007 – Regular Meeting

B. Bills to Approve

1. September Accounts Payables

C. Other

1. Amendment to Personnel Handbook regarding on call duty

Councilor Kellstrom moved to accept the consent agenda. Councilor Merrill seconded the motion.

Councilor Bell asked questions about the accounts payable relating to tree removal and office furniture. **City Manager Stein** stated the tree removal expense was for the removal of two hazard trees. **Director Grimm** added that the two trees were hazard trees and were located in the public right of way. **Manager Stein** stated the office furniture expense was for furniture for the office of the new accounting analyst, to reconfigure the office of the Senior Planner, and an additional filing cabinet.

Councilor Weed asked about the SDC and contractual services expenses. **Manager Stein** replied the SDC expense was for Galardi Consulting resulting from a question about how

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE.
SEPTEMBER 13, 2007

lawn sprinkler heads would be figured into the new water and sewer methodology for plumbing fixture units. She stated the contractual services expense was for Eric Porter who is providing planning services on a contractual basis at this time.

The motion carried unanimously.

IV. STAFF REPORTS

A. Eileen Stein, City Manager – (Report Attached)

Manager Stein added to her staff report that the meeting with the development community, as indicated in the letter to '64 concerned citizens' would be held on Thursday, October 11 at 8:00 a.m. at City Hall. There were no questions on her staff report.

B. Lisa Young – Director of Finance and Administration – (Report Attached)

Director Young asked for questions regarding her staff report. **Councilor Weed** asked about the phone committee. **Director Young** provided the names of the staff that participated in the phone committee and the changes the committee suggested and are implementing. **Councilor Weed** asked whether a farewell party for Finance Administrative Assistant Linda Feist was planned. **Director Young** replied Ms. Feist requested no party. **Manager Stein** stated recognition was planned for the September 19 staff meeting which would be low profile out of respect to her wishes.

C. Captain Tim Edwards, Deschutes County Sheriff's – (Report Attached)

Lt. Tim McMaster was present to represent the Sheriff's Department. He noted that Capt. Edwards was at a training session at the FBI Academy. Lt. McMaster reviewed the monthly report and case log, and reviewed specific cases of interest. He noted one theft involving copper pipe and commented that this is a problem throughout the county. He noted the high prices people are getting for copper materials making it a valuable item to sell for meth addicts. He also noted various thefts at nearby trailheads and stated this was typical for summer months.

Councilor Merrill asked about the monthly report and whether the hours reported were for all activities in the Sisters vicinity, such as thefts from vehicles at trailheads. He stated the contract between the City of Sisters and the Sheriff's Office provides for 120 hours of coverage and he's concerned this is being taken up responding to matters outside the city limits. **Lt. McMaster** assured Councilor Merrill that the hours reported in the monthly report are just those for activity inside the city limits. He stated otherwise the report would show activities by the Sheriff's department on a '24/7' basis.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE.
SEPTEMBER 13, 2007

Manager Stein asked whether the Council would prefer to see the case log report show only those activities inside the city limits. **Councilor Weed** and **Bell** both responded they like to see the entire report. **Councilor Kellstrom** stated the report previously had the cases inside the city highlighted in gray tone. **Lt. McMaster** stated he expected to see this too and would make sure next month's report was formatted that way.

V. COUNCIL BUSINESS

A. Discussion and Consideration of Ordinance No. 374: AN ORDINANCE OF THE CITY OF SISTERS CREATING A COMMITTEE FOR CITIZEN INVOLVEMENT

Manager Stein stated that Ordinance No. 374 had been reviewed by the Council during two previous workshops and was ready for Council consideration. She read from an e-mail by City Attorney Bryant commenting on the terms of the committee, as proposed in the ordinance. He stated this would result in one year when there were no term expirations and the next year there would be four committee members whose terms expired. She read the alternate language he suggested that would even this out. This would involve appointing three members to a one-year term, two to a two-year term, and two to a three year term. She stated the only remaining question was since two of the seven adult members could be outside the city limits, which term these positions would be assigned. The **Council** concurred with the suggested amendment and **Councilor Weed** suggested appointing one outside city member to a one-year term and one to a three-year term. The **Council** concurred.

Councilor Weed stated she had missed the workshop meetings and asked whether the committee would make any binding decisions, such as the Planning Commission, or whether it would simply make recommendations to the City Council. **City Attorney Bryant** stated from his reading of the ordinance the committee would serve in an advisory capacity to the City Council and would make no binding decisions. **Councilor Merrill** added that the first order of business for the committee is to draft its own charter which would determine what the committee's scope of responsibility would be.

***Councilor Kellstrom** moved for the first and second reading by title only of Ordinance No. 374 as amended. **Councilor Merrill** seconded the motion. The motion carried unanimously.*

***City Attorney Bryant** read Ordinance 374 by title only, twice.*

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE.
SEPTEMBER 13, 2007

Councilor Kellstrom moved to adopt Ordinance No. 374 as amended creating a Committee for Citizen Involvement. Councilor Merrill seconded the motion. The motion carried unanimously. The effective date for the ordinance is October 13, 2007.

B. Discussion and Consideration of a Motion to Accept Public Improvements for Saddlestone Subdivision

Public Works Director Brad Grimm stated that all the Public Works requirements had been met relative to Saddlestone subdivision and he recommended acceptance of the public improvements.

Councilor Kellstrom moved to accept public improvements for Saddlestone subdivision. Councilor Weed seconded the motion. The motion carried unanimously.

VI. OTHER BUSINESS

Councilor Merrill reported on the second meeting he and Manager Stein attended regarding the reintroduction of steelhead into Whychus Creek and the potential ramifications of this to irrigation districts, counties and cities, under the Endangered Species Act (ESA). The second meeting was held to discuss specifically whether counties and cities might join into a consortium with the irrigation districts in the creation of a Habitat Conservation Plan (HCP), during which the consortium would be protected by invoking the 10(j) rule. He felt this was a better approach to take than to go it alone and seek protection under the 4(d) rule as some jurisdictions have done.

Manager Stein explained that the 10(j) rule relates to classifying the steelhead as an experimental population for now. It is good for five years while the HCP is being developed. She explained the 10(j)/HCP solution is a negotiated solution between the National Oceanic and Atmospheric Administration (NOAA), PGE and Warm Springs Tribes, and the Central Oregon irrigation districts. She stated if the City were to join the consortium with other counties and cities, there is no room for negotiation on preparation of the HCP or invoking the 4(d) rule.

Councilor Merrill stated there is an opt-out ability and stated the City could participate for the first year, go through the risk assessment process, and determine whether to continue in the consortium. He stated the cost to participate in the consortium is \$5,000 per year for the next five years, given that the City of Sisters is considered to be a 'permittee'. He reviewed a proposed price structure for other non-permittee counties and cities. He stated there was a meeting on September 24 in Portland involving a larger scope of parties involved in this issue and suggested Public Works Director Grimm attend. **Manager Stein** stated she

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE.
SEPTEMBER 13, 2007

believed a decision about participating in the consortium was needed by the next meeting of the irrigation districts, counties and cities, which she believed would be held in 30 days.

The **Council** had various questions related to this issue and **Councilor Weed** stated she would appreciate seeing something in writing. **Mayor Boyd** suggested this matter be placed on the September 27 agenda for approval and that written information be provided to the Council in the meantime.

Manager Stein reported that the Chamber of Commerce is willing to survey its membership about interest in establishing a provision for street vendors. She asked the Council to let her know if there are specific questions to be asked in the survey. **Councilor Kellstrom** suggested contacting the City of Bend which spent considerable time a few years back on its policy regarding street vendors. He suggested Bend could provide advice about do's and don'ts.

VI. MAYOR/COUNCILOR COMMENT

Councilor Weed asked about the Hwy 242 bike path status. **City Attorney Bryant** stated this issue was discussed during his weekly meeting with staff this week. He stated Interim Planning Director Susanna Julber located the county planning file for the Hap Taylor gravel pit. The planning decision showed that the matter was between Hap Taylor, ODOT and the Sisters School District. Specifically, the bike path would be constructed by Hap Taylor after the School District requested an easement for the path from ODOT. If the District chose not to pursue the easement, Hap Taylor was not required to build the path. He stated the City should request the District to pursue the easement with ODOT. **Councilor Weed** asked if the City Manager would follow up with the District Superintendent. The **Council** concurred.

Councilor Weed asked about the status of the Skyline Forest proposal to create a destination resort up Three Creeks Road and the County's destination resort mapping process. **Manager Stein** stated that planning staff had attended the public hearing on the County's mapping effort. She was unaware of the destination resort proposal associated with the Skyline Forest. **Mayor Boyd** stated that there were a couple thousand acres proposed for development as part of the creation of the forest, but that discussion about connecting the development with Three Creeks Road was rumor and that according to the Deschutes Basin Land Trust, the development would access Hwy 20 via Tumalo or the Plainview area.

Mayor Boyd reported on the meeting of the Central Oregon Area Commission on Transportation (COACT) held earlier today. He stated that the purpose of the meeting was to discuss the various destination resorts proposed in the three county region and the transportation impacts associated with them.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE.
SEPTEMBER 13, 2007

Councilor Merrill commented on the Notice for Public Comment the Council received relative to adding new trails to the Peterson Ridge trail system. He stated he will be commenting on his own relative to his concern about parking at the trailhead. He noted how biking guides suggest that riders park at the Village Green, but this does not always happen. He would like to suggest a parking area be created about 100 feet up Three Creeks Road. He wondered if there was interest on the part of the Council that a letter could be sent from the City of Sisters to this effect. The **Council** discussed the situation with the trailhead and concurred in having a letter sent to the Forest Service. **Councilor Weed** suggested if the parking is relocated, the trailhead should be re-routed to connect to the parking area, and that this thought be included in the letter as well.

Councilor Merrill stated it is about time for burning season again. He mentioned he had earlier discussions with Manager Stein about this matter and some information has been assembled. He feels it is time to pursue this issue and would like the Council to consider an ordinance prohibiting open burning in the City of Sisters. **Councilor Weed** and **Mayor Boyd** concurred. **Mayor Boyd** directed Manager Stein to develop the ordinance.

Councilor Weed commented on the upcoming Leadership Sisters program which begins on September 25. She discussed the details of the program and mentioned it is yet another initiative coming from the visioning process. She stated there is still room in the program if councilors are interested in participating.

Councilor Weed commented on the unveiling of the new Sisters brand last evening. She stated this was also an extension of the visioning process. She stated she really liked the new brand. She also discussed an upcoming Habitat for Humanity dinner and fundraising event which will involve guest speaker Millard Fuller, the founder of Habitat for Humanity International. She encouraged the Council to attend the dinner on September 30 at Five Pine Conference Center.

ADJOURN – The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Eileen Stein, City Manager

Brad Boyd, Mayor