

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE.
OCTOBER 23, 2008

MEMBER PRESENT:

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

STAFF PRESENT:

Eileen Stein City Manager
Steve Bryant City Attorney
Lisa Young Finance Director
Eric Porter Comm. Dev. Director
Brad Grimm Public Works Director

ABSENT:

Kathy Nelson City Recorder

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Boyd at 7:00 p.m.

II. VISITOR COMMUNICATIONS

III. CONSENT AGENDA

A. Minutes

1. September 18, 2008 – Joint Workshop with Chamber of Commerce
2. October 9, 2008 –Regular Meeting
3. October 16, 2008 – Workshop

B. Bills to Approve

1. October Accounts Payable

Councilor Weed moved to approve the consent agenda. Councilor Merrill seconded the motion.

Councilor Merrill referred to the minutes of September 18th, page 3 and asked if the City has compared its business license list with the membership list of the Chamber of Commerce for cross checking purposes. **Manager Stein** stated she was unsure if there has been an exchange of information but will follow up to make certain it has occurred.

Councilor Weed asked for clarification on the invoice from Smith CFI in the amount of \$6,262.81 for cubical set up. **Manager Stein** explained it is for the two work spaces that have been set up between the two front counters. She stated one work station is for the Public Works Administrative Assistant and the other is to provide a quieter work area for the Finance Administrative Assistant position when working on utility billing.

Councilor Weed asked for clarification on the invoice from Web-Wrights in the amount of \$225.00 for web design. Finance Director Young explained it was for work performed as part of the contract agreement the City has with Web-Wrights.

The motion carried unanimously.

IV. STAFF REPORTS

A. Brad Grimm, Public Works Director

Director Grimm asked for questions regarding his staff report.

Councilor Bell commented that tracking cost savings for projects performed in-house as opposed to contracting out was a great addition to Director Grimm's monthly report.

Councilor Weed agreed it is good to know what Public Works staff is doing with their additional time now that the refuse service has been franchised.

1. Pat Thompson, 847 E. Black Butte Avenue, Sisters, OR 97759

Mr. Thompson asked if the City's cost shown on Director Grimm's report for the East Cascade re-alignment project was for materials or if it included labor also. **Director Grimm** stated it was for the cost of materials only. **Mr. Thompson** stated that he felt it should include the cost of labor from the City also as any contracted work would include labor costs. **Director Grimm** stated the cost of labor was not included and the savings was accurately stated by not including labor as that was the actual cash amount saved by the City. He stated the request was to see the City's savings when Public Works staff was performing a job with the increased available time with the garbage franchise in place.

Councilor Weed asked for additional information on the Well #2 chlorination improvements. **Director Grimm** stated that the City wants to change Well #2 from its current mode of chlorination using gas to the use of tablets. He stated it will provide additional safety due to the wells proximity to Sisters Middle School and nearby homes. He stated that all the bids received for the projects came in over budget so the City is working with the low bidder to see if the project can be value engineered in order for it to come in at or below budget.

B. Eric Porter, Community Development Director

Director Porter asked for questions regarding his staff report.

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Councilor Bell stated it appeared there was a good turnout for the Whychus Creek Restoration Plan community meeting. **Director Porter** agreed stating there was a good mix of people from both inside and outside city limits who are impacted by Whychus Creek. He stated it was a productive meeting.

Director Porter informed the Council he had two additions to his monthly report; 1) a temporary use permit was issued to High Country Disposal (HCD) for storage of yard debris on the treatment plant property and 2) that due to time constraints he had submitted City Resolution No. 2007-07 into the record rather than reading it at the Land Conservation and Development Commission (LCDC) hearing on October 15th in Prineville.

Councilor Weed asked if the City is on schedule for the Fire District Training Facility relocation to be approved. **Director Porter** confirmed that it is as the City has until August 2009 to complete the zone change and the application will be coming before the Board of County Commissioners in December.

Councilor Weed asked the location of the two acres HCD is leasing from the City on the waste water treatment property. **Director Porter** stated it is the on the western most portion of the property approximately 300 feet away from the originally identified spot. He characterized it as an ideal location.

Councilor Weed asked for an update on cluster mailbox installation. **Director Porter** stated the City is waiting for delivery of the mailboxes from the Post Office. **Mayor Boyd** stated it was his understanding that the pads were to be poured regardless of whether the mailboxes were in City hands. **Director Grimm** stated that the City has received a dozen mailboxes so far and is waiting for a majority of them to be delivered. He stated that the required "J" bolts have been purchased and the Public Works crew will begin pouring the cement pads next week with the intention to have them completed before snow begins to fall. He stated he was informed by the Post Office that it will relocate this year only if its new facility is ready prior to Thanksgiving as it will not attempt to move during the busy holiday season and would prefer to wait until after the first of the year if that occurs.

Councilor Weed asked for additional information on the emergency flood plain review listed on Director Porter's report. **Director Porter** explained that the City was approached to grant permission for an emergency bank restoration. **Director Porter** stated as he is not qualified to make the judgment as to whether the circumstances warrant an emergency, he requested the applicant submit a letter indicating there is an imminent danger for loss of property or danger to human safety. He stated the letter received from the applicant did not include these statements and he advised the applicant to apply for a non-emergency flood plain review instead.

Mayor Boyd stated that Director Porter's monthly report indicated the site review for the proposed hotel on Hood Street was completed and asked for an update on the project. **Director Porter** explained that the site review was based on a 10 year old agreement the developer has with the County that allowed the project to be based on Title 21 of the Deschutes County's Development Code instead of the City of Sisters Development Code. He stated there are two major differences that will be allowed by the County's Development Code as opposed to the City's current development code. He stated the first is that buildings are allowed to be 45 feet tall, measuring from the mid-point of the pitched roof which allows for a much taller building then allowed by the City. He stated the second difference is that the applicant is not required to build a pedestrian oriented building and can instead push the building back farther from Hood Street. He stated the applicant will still be required to follow the normal City process. He stated the hotel when built will be 54' 10" tall and be three stories.

Councilor Bell asked when the new Ray's Food Place will be complete. **Director Porter** stated it should open in November.

V. COUNCIL BUSINESS

A. Discussion and Consideration of a Motion to Approve an Intergovernmental Agreement with Central Oregon Intergovernmental Council for Cascades East Transit Program

Manager Stein stated the new agreement brought back for consideration by the Council includes two revisions. She stated the first revision is that the City will contribute a one time payment of \$3,000 to Central Oregon Intergovernmental Council (COIC) to support vehicle maintenance. She stated the second revision is that COIC will provide a semi-annual report to the City on ridership.

Councilor Weed moved to approve an intergovernmental agreement with COIC for Cascades East Transit Program. Councilor Bell seconded the motion.

Councilor Weed asked if COIC had looked at the agreement and **Manager Stein** stated that COIC had.

The motion carried unanimously.

B. Discussion and Consideration of a Motion to Adopt an Identity Protection Policy

Director Young explained that the purpose of adopting an identity protection policy is to safeguard personal information the City collects and is required by the Oregon Identity Theft Protection Act and the Fair and Accurate Credit Transactions Act of 2003. She stated the policy will protect employees, customers, contractors and the City from damages related to loss or misuse of personal information.

Councilor Kellstrom asked if the notification came to the City via the League of Oregon Cities (LOC). **Manager Stein** confirmed it had. **Councilor Kellstrom** stated he felt the procedure seemed rushed and asked if other cities were also adopting similar policies. **City Attorney Bryant** stated that all cities are required to adopt such a policy. He stated he put together the policy to insure it complies with state and federal regulations related to the “Red Flag” rules and that adoption of the policy is to safeguard the City. **Councilor Kellstrom** stated he is in support of making certain personal information is protected but is concerned with the law of unintended consequences, especially since all cities are adopting a document of this type all at the same time. He voiced his concern it could create a problem that has not been foreseen. **Attorney Bryant** stated the policy has been vetted and he has seen examples from several other cities. He stated he worked to create a functional document for staff. He added that small businesses are required to enact the same type of policy. He stated the policy includes the minimal amount required to comply with regulations and that there are always impacts when the government makes new rules and requirements. He stated he expects modifications to the “Red Flag” rules as the government receives additional feedback from those affected.

Councilor Merrill stated staff will also need to determine procedures for implementing the policy. **Attorney Bryant** stated that staff will approach implementation a piece at a time. **Manager Stein** stated that standard procedures and best practices will immerge as all cities move forward with implementation. **Director Young** stated she does not foresee implementation as a difficult task and that internal controls are important. She stated many of the procedures for safeguarding personal information are already followed by City staff and only need to be written into policy form.

***Councilor Merrill** moved to adopt an identity protection policy. **Councilor Bell** seconded the motion. The motion carried unanimously.*

VI. OTHER BUSINESS

A. Planning Commission Appointment

Mayor Boyd recommended Ed Protas be appointed for the open position on the Planning Commission. The **Council** concurred with the appointment.

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VII. MAYOR/COUNCILOR COMMENT

Councilor Bell stated she felt the bulk debris pick up by High Country Disposal (HCD) on October 21st and October 23rd was a huge success as she observed a large variety of items left for pickup. She stated she would like to know just how many pounds of debris HCD picked up if that information is available. **Director Grimm** stated he would try to obtain the information from HCD.

VIII. ADJOURN – 7:39 p.m.

Respectfully submitted,

Kathy Nelson, City Recorder

Brad Boyd, Mayor