

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE  
NOVEMBER 13, 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
Eric Porter	Comm. Dev. Director
Brad Grimm	Public Works Director
Lisa Young	Finance Director
Kathy Nelson	City Recorder

**I. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

The meeting was called to order by Mayor Boyd at 7:06 p.m.

**II. VISITOR COMMUNICATIONS**

**Brad Bailey, President, High Country Disposal**

**Mr. Bailey** provided an update on the refuse franchise since High Country Disposal (HCD) began service in Sisters the beginning of October. He reported that on the first week of residential curbside recycling HCD picked up 4.9 tons of recyclable materials with approximately 70% of households participating. He stated that on the first week of curbside yard debris pickup HCD collected 21 compacted yards of debris. He reported that stickers with HCD contact information has been placed on all garbage cans.

**Mr. Bailey** stated his company has received a tremendous response from commercial accounts with regard to recycling and that many have actually been able to save on their monthly costs, even with the 12.5% increase in rates.

**Mr. Bailey** reported that on the bulky waste event in October where HCD collected 38 appliances and other items for a total of 25 yards of waste. He stated that next year the event will be planned for later in the season to assist customers with leaves and pine needles.

**Mayor Boyd** voiced his pleasure that commercial accounts have been able to save money. He stated that many customers have more yard debris than will fit in the 95 gallon container and suggested that additional pickups could be made this time of year and less made in winter. **Mr. Bailey** stated that was true and that customers can call for an additional yard debris pickup as needed. He stated that during the winter months, yard debris is provided as an on-call service. He stated that HCD will work with customers with yard debris issues and agreed that some areas are more challenged with significant yard debris than others.

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**Councilor Weed** commented she has noticed that many customers are leaving their garbage, yard debris and recycling containers out at the curb as opposed to putting them away and that it is unattractive. **Mr. Bailey** stated he has also noticed that and it seems to occur more in Sisters than in the other cities HCD provides service to. He stated a reminder to put away cans could be mentioned in HCD's next newsletter

### III. CONSENT AGENDA

#### A. Minutes

1. October 23, 2008 –Workshop
2. October 23, 2008 – Regular Meeting

#### B. Bills to Approve

1. October Accounts Payable

***Councilor Kellstrom** moved to approve the consent agenda. **Councilor Merrill** seconded the motion.*

**Councilor Bell** asked for clarification on the invoice from the Deschutes County Tax Collector. **Finance Director Young** explained the payment was for yearly property tax payments on the building currently leased by the Chamber of Commerce and various City parks.

**Councilor Bell** asked if the invoice from Susanna Julber in the amount of \$1,175 was for her work on the Housing Plan project or if she was working on another project for the City. **Community Development Director Porter** stated it was payment for work on the Housing Plan, the only project she is contracted to work on for the City.

**Councilor Bell** asked for clarification on the invoice from Michael Norman in the amount of \$4,237.68. **Director Porter** explained it was reimbursement to Mr. Norman for an overpayment on a building permit.

**Councilor Weed** asked for clarification on the invoice from HGE Architect in the amount of \$4,165.00 for sidewalk improvements. **Public Works Director Grimm** explained it was engineering fees for the design of the various sidewalk improvements throughout the City.

**Councilor Weed** asked for clarification on the invoice from Hooker Creek in the amount of \$1,051.20 for post office boxes stating she was under the impression that the United States Postal Service (USPS) was paying for the cluster boxes being installed on the south side of Cascade Avenue. **Director Grimm** stated the invoice was for supplies for the foundations for the cluster boxes that were the City's responsibility.

*The motion carried unanimously.*

#### **IV. STAFF REPORTS**

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

**Councilor Bell** complimented Manager Stein on convincing the Water Resources Department to reverse its decision and present a grant of \$10,000 on the City for a Water Management and Conservation Plan (WMCP). Councilor Weed asked what the City will use the \$10,000 for since it had originally requested \$20,000 to complete the task. **Manager Stein** stated she is checking with Adam Sussman the City's water rights specialist to determine the best way to use the funds. She stated making the Water Management Conservation Plan more robust is a chief objective and that performing a meter calibration and setting an every other day watering schedule for properties in the summer might suffice. She stated that determining what is causing the discrepancies between water production versus water consumption is also an issue that needs to be addressed. She suspected this will be most of what the grant money will be spent on.

**Councilor Weed** noted that Manager Stein's report states there is a need for additional analysis with regard to the utility rate study and asked if additional maintenance projects that were not previously anticipated had caused this need. **Manager Stein** stated that was not the case. She stated it was caused by the consultant's analysis of the debt coverage ratios in the Sewer Fund and whether this would allow for a reduction in the \$39.00 rate.

##### **B. Lisa Young, Finance Director – (Report Attached)**

**Director Young** asked for questions regarding her report.

**Councilor Bell** asked if the candidates who were not selected for the Administrative Finance Assistant I position have been notified. **Director Young** stated that letters were sent to the unsuccessful candidates that were interviewed.

##### **C. Captain Tim Edwards – (Report Attached)**

Prior to presenting his report **Captain Edwards** stated he wanted to honor Deputy Alan Borland who retired this past August. He stated he felt the Council meeting was an appropriate venue as Deputy Borland began his law enforcement career as a City of Sisters police officer where he served the City until the Police Department was disbanded in 1998. He presented Deputy Borland with a letter of appreciation from the Deschutes County Sheriff's Department and City of Redmond Police Department for his participation in the protection unit for President Clinton last summer. He presented Deputy Borland with a

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plaque for 15 years of service and a plaque in recognition and appreciation of his career in law enforcement that spanned from 1993 through 2008.

**Detective Winters** of the Deschutes County Sheriff's Department also spoke about Deputy Borland's commitment to his job and his true heart that was exhibited in his performance. He stated that Deputy Borland always had a smile on his face, was always available to help a fellow officer and was a true brother in arms.

**Deputy Borland** stated it was his honor to serve the community and thanked those in members of the audience who attended the meeting to celebrate with him.

**Captain Edwards** reported on the number of patrol hours provided, incidents, citations, warnings and business checks. He stated the Sheriff's Department had three deputies assigned to patrol the City on the evening of Halloween.

**Councilor Weed** asked what a "safe schools referral" was, as noted on the log report. **Captain Edwards** explained that it refers to certain parameters that are set with regard to school properties and student and requires mandatory arrest. He added that in this particular event the case was unfounded.

**Mayor Boyd** asked if there had been any problems on the evening of September 16<sup>th</sup> when the City experienced the Central Electric Cooperative planned power outage. **Captain Edwards** reported there had been extra deputies on duty that evening also and there was nothing of note that occurred.

## V. COUNCIL BUSINESS

### A. Discussion and Consideration of a Motion to Endorse a Liquor License Change of Location for Ray's Food Place

**City Recorder Nelson** stated as there was a change in location for Ray's Food Place to 635 North Arrowleaf. The Oregon Liquor Control Commission (OLCC) requires the new location to seek an endorsement by the Council for its liquor license. A check by Deschutes County Sheriff's Department indicates there is no criminal history for the applicant or liquor license violations.

*Councilor Merrill moved to endorse a liquor license change of location for Ray's Food Place. Councilor Kellstrom seconded the motion. The motion carried unanimously.*

### B. Discussion and Consideration of a Motion to Endorse a Liquor License for Pill Box Drugs, Incorporated, DBA Sisters Drug and Gift

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**Recorder Nelson** stated that Sisters Drug and Gift is applying for a liquor license. The store is located at 211 East Cascade Avenue. As required by the Oregon Liquor Control Commission (OLCC) it must seek an endorsement by the Council for its liquor license. A check by Deschutes County Sheriff's Department indicates there is no criminal history for the applicants. She introduced Stephanie Grant, Manager of Sisters Drug and Gift.

**Ms. Grant** explained that Sisters Drug and Gift planned on selling wine and hosting some wine tasting events.

***Councilor Weed** moved to endorse a liquor license for Pill Box Drugs, Incorporated, DBA as Sisters Drug and Gift. **Councilor Merrill** seconded the motion. The motion carried unanimously.*

## VII. OTHER BUSINESS

**Manager Stein** reported that staff has submitted a letter of intent to apply to the Oregon Park and Recreation District for a grant to construct a trail to connect Five Pine Campus through the Overnight Park and onto Locust Street. She stated there was an article in the Nugget Newspaper regarding the grant stating the City is asking for public comment.

**Manager Stein** directed the Council to a letter received from Richard Esterman requesting permission to hold a street festival with a street closure in July. She stated since the Council has previously stated there will be no street closure events between Memorial Day and Labor Day, with the exception of the Quilt Show, Mr. Esterman is requesting the Council reconsider its position and allow him to hold the festival in July on a trail basis. **Mayor Boyd** reported he is expecting Mr. Esterman to attend the December 11<sup>th</sup> regular meeting to speak during visitor communication with the Council on the matter. **Councilor Merrill** suggested having Mr. Esterman survey business owners to see if they are supportive of the idea.

**Manager Stein** reported on the Central Oregon Area Commission on Transportation (COACT) meeting that she attending earlier in the day. She stated there was discussion regarding a federal economic stimulus package and that Congress will likely not act on the package until February 2009. She stated that because of that and other factors, the Oregon Department of Transportation (ODOT) plans to defer its 2010-2013 Statewide Transportation Improvement Program (STIP) process. She stated that with regard to improvements that will be proposed in the City's Transportation System Plan (TSP) update, it will be important to place Sisters' projects on ODOT's "Needs List", an master project list that ODOT keeps. She stated ODOT is very pleased that there is consensus on a traffic plan for the City and will work to work the components into its projects list.

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**Manager Stein** asked how the Council would like to honor the recent passing of Bill Friedman, Bend City Councilor. The **Council** directed staff to make a \$100 contribution to the Humane Society in Mr. Friedman's memory.

**Manager Stein** reported that Sisters Public Art (SPA) is holding a community meeting on Saturday, November 22<sup>nd</sup> to develop ideas for a Public Art Master Plan. She stated when the document has been crafted the art team will present the plan to the Council. **Councilor Merrill** stated it is important for Sisters Public Art to remember that the Development Code requires public art to comply with the western theme and that Planning Commission approval is required prior to the placement of any public art.

## VII. MAYOR/COUNCILOR COMMENT

**Councilor Bell** followed up on a questions posed by Councilor Merrill at a previous meeting regarding the different agencies for economic development and the services they provide. She stated she discussed the differences with Central Oregon Intergovernmental Council (COIC) Program Administrator Phil Chang at a recent COIC meeting she attended. She stated the Oregon Economic and Community Development Department (OECDD) supports recruitment and retention of economic development in Oregon, Economic Development for Central Oregon (EDCO) is a local partner that supports recruitment and retention in Central Oregon and COIC works to help Central Oregon municipalities leverage funds for economic development and is the conduit for receiving federal funds. She stated that OECDD and EDCO are co-housed in one office and work together closely to brokerage opportunities for the region.

**Councilor Bell** reported that COIC Community and Economic Development staff have requested \$12,000 to be used for matching funds from the Economic Development Administration (EDA) and to leverage additional federal resources for 10 projects that have been identified for consideration. She reported that one project of special interest to Sisters is a technical assistance grant for an Economic Development Plan. **Manager Stein** stated she'd had a conversation with David Porter, State Coordinator for EDA, in August and would follow up to insure he was aware how beneficial it will be to the City to receive a grant of this nature. **Councilor Bell** stated that since Sisters has been identified as economically distressed, it provides a good opportunity for the City to receive grant funds.

**Councilor Weed** asked for a status update on the Timber Creek Bridge. **Manager Stein** reported that the offer from the City to contribute funds for the construction of the bridge is predicated upon the City and Mr. Forbes entering into a Cost Sharing Agreement. She stated that Mr. Forbes has been unwilling to sign the agreement as proposed by the City, but is making revisions. She stated that it must include a provision indemnifying the City against

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any prevailing wage claims which so far Mr. Forbes is unwilling to do. She reminded the Council that no building permits will be issued for Timber Creek Phase 6 until the matter is settled. **Councilor Weed** asked what the next step will be if the language is not included in Mr. Forbes draft. **Manager Stein** stated that the Council will need to have a conversation to decide at what point time and if the City will finish the bridge. She stated the City can build the bridge and relieve Mr. Forbes of his obligation or do nothing which could be perceived as an impasse.

**Councilor Bell** questioned if there are legal avenues the City can employ to require Mr. Forbes to build the bridge. **Manager Stein** stated that at this time the obligation belongs to Taurus Homes, and the company has indicated it will sue Mr. Forbes and the City if the issue is enforced. **Mayor Boyd** stated the problem stems from a development agreement crafted by a previous Planning Director without being vetted by the City Attorney or the Council and therefore lacks the appropriate language needed to enforce the completion of the bridge by Mr. Forbes.

**VIII. ADJOURN – 8:04 p.m.**

Respectfully submitted,

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Kathy Nelson, City Recorder

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Brad Boyd, Mayor