

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE.
JANUARY 24, 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 Planning Director
Brad Grimm Public works Director
Kathy Nelson City Recorder

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Boyd at 7:10 p.m.

II. VISITOR COMMUNICATIONS

III. CONSENT AGENDA

A. Minutes

1. January 10, 2008 –Workshop
2. January 10, 2008 – Regular Meeting

B. Bills to Approve

1. January Accounts Payable

Finance Director Young informed the Council of an addition to the January accounts payable; a payment to GJ Miller for the 9th installment for the construction of the Sisters Recycle Center in the amount of \$4,289.

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

Councilor Weed asked for clarification on the \$3,900 invoice from the City of Bend for the Historical Planner, stating she thought that Historic Planner Pat Kliewer was no longer employed by the City of Bend. **Manager Stein** stated that Ms. Kliewer is employed by the City of Bend through March 2008 and that beginning in April the City of Sisters will contract directly with Ms. Kliewer as needed.

Councilor Weed asked for clarification on the \$3,093 invoice from HGE Architects & Engineers for Well #2. **Public Works Director Grimm** explained the invoice was for the telemetry work to tie all the City wells and reservoir together. He stated he also had HGE determine how to convert Well #1 and Well #2 for use of chlorine tablets as opposed to the chlorine gas presently used.

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Councilor Weed asked for clarification on the \$9,042 invoice to HGE Architects & Engineers. **Director Grimm** explained the invoice was for preliminary design work associated with the effluent transmission line to the Lazy Z.

Councilor Weed asked if the payment of \$219,925 to Schneider Equipment for Well #3 was the last payment. **Director Grimm** stated it was 75% complete and slated to be completed on February 4th. **Councilor Bell** asked if the project was on budget and **Director Grimm** stated he thought it was but that he would check to make certain. He added there had been some small change orders to the project.

Councilor Weed asked for clarification regarding the \$510 invoice to Sisters Tree Service. **Director Grimm** stated that several trees with dangerous limbs hanging down were limbed in response to complaints from citizens. He stated the trees were located in front of the Brooks Camp development. **Councilor Weed** stated she thought that trees on the right of way were the responsibility of the abutting property owner with the passage of the recent tree ordinance. **Director Grimm** stated he would research the matter.

Mayor Boyd asked about the invoice to Sisters School District for technical support and asked if this continued to be a timely and cost efficient method for the support the City required. **Manager Stein** stated the matter would be a topic of discussion during the preparation of the FY 08/09 City Budget.

The motion carried unanimously.

IV. STAFF REPORTS

A. Brad Grimm, Public Works Director– (Report Attached)

Director Grimm asked for questions regarding his staff report.

Mayor Boyd asked if the Village at Five Pine mentioned in his staff report was a part of the Five Pine Campus and Director Grimm stated it is not.

Councilor Weed asked how morale in the field is and **Director Grimm** stated the crew is doing very well. He stated that with the addition of new hire Doug McIntosh there is adequate staff for all the snow and ice removal especially with the commercial garbage route, which requires two people during the winter season to dislodge the dumpsters when they are stuck in the ice.

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Councilor Merrill asked if the City charges citizens for broken trash containers. **Director Grimm** stated that a citizen is charged only if the breakage is due to the citizen's error such as running over their own garbage can.

Director Grimm informed the Council that the new downtown trash receptacles will be black and that he is also researching green recycling containers for use in the downtown core. He stated he is currently determining how many trash receptacles to order and their placement.

B. Eric Porter, Community Development Director– (Report Attached)

Community Development Director Porter asked for questions regarding his staff report.

Councilor Bell asked if the City has been informed where the cluster boxes for citizens on the south side of Cascade Avenue will be placed. **Director Porter** stated he will check on the status of the placement of the cluster boxes with the Postal Service.

Councilor Bell asked for additional information on the scheduled March 15th Planning Commission hearing for the Five Pine major modification to convert three triplexes approved with the original master plan into nine cottages to be associated with the Lodge. **Director Porter** explained that the March 15th date was only a target date at this time and the project requires additional research and review. He stated he has concerns with regard to parking and fire flows with the proposal. **Councilor Bell** asked if it was allowable to change a master plan. **Director Porter** stated that the evaluation to determine if a change would be allowed has not yet been done. **Mayor Boyd** stated the parking issues for the development are significant and need to be addressed.

Councilor Merrill stated that the Development Code does allow changes to a master plan but this development has had several modifications to its master plan. He asked City Attorney Bryant to advise the Council on whether they should be engaged in a discussion on this issue when there is the potential that the matter could come before them if the modification is denied by the Planning Commission. **City Attorney Bryant** stated the Council does need to be careful when talking about a potential quasi-judicial hearing so as not to give the impression that councilors have taken a position before an appeal hearing, but that it is very appropriate to relay to staff issues that the Council wants to insure are resolved prior to approval.

Director Porter stated that during the upcoming non-emergency Development Code update he wants to address the issue of multiple modifications to a master plan and decide how many modifications can be allowed before it becomes necessary to submit a new application. He stated that another issue with the Five Pine property is that it needs to allow "to and

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through” on the sewer to connect to City property behind the development as well as other spatial issues that will need to be overcome prior to approval.

Councilor Weed stated she did not think the Post Office would be required to pay system development charges (SDC) as noted on Director Porter’s staff report. **Director Porter** stated the City is attempting to negotiate the payment of SDC’s from the project.

Councilor Weed asked about the OWEB \$4 million grant issued for the Upper Deschutes Basin. **Director Porter** stated that Ryan Houston, Executive Director of the Upper Deschutes Watershed Council will try and obtain as much of the \$70,000, the estimated cost to the City for a Whychus Creek restoration plan, from the grant as possible. He stated that the City will likely need to come up with a portion of the cost of the plan.

Councilor Weed asked Director Porter to provide a year to date running total of permits issued, not just the current number issued for the month. **Director Porter** stated he will provide that information on his next staff report as well as breaking out the permits to show new construction from add-ons.

V. COUNCIL BUSINESS

A. Discussion and Consideration of a Motion to Endorse a Liquor License Application for Chiapas Market

This item was pulled from the agenda for further research.

B. Discussion and Consideration of Resolution 2008-01: A RESOLUTION ESTABLISHING A THE MASTER FEE SCHEDULE FOR THE CITY OF SISTERS

Director Young explained that the resolution was to bring all fees charged by the City into one document. She stated there were some additions, strikeouts and changes to some fees and asked for questions regarding the resolution. **Councilor Weed** stated she had several questions and felt the matter should be discussed in a workshop. **Councilor Bell** stated that she also had some concerns with voting on the matter. **Mayor Boyd** stated that he felt there were not that many changes and the matter could be discussed and decided at the meeting.

Councilor Merrill reminded the Council to consider the letter from Mr. Esterman regarding fees for special events when deciding on the resolution. He also stated he felt the Council should consider granting credits or rebates to citizens who install water saving devices; a topic discussed when the system development charges were updated. **Manager**

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Stein stated she had not forgotten the issue and that it will be considered when the water rates are evaluated later in the year.

The **Council** discussed the new fees being suggested by the Public Works and Planning Departments that will allow the departments to recoup some of the costs associated with work that previously was not reimbursed. **Director Grimm** stated that private homeowners will not normally be affected by the changes proposed for the Public Works Department, only businesses, and only if the business is at fault for the problem they are experiencing. **Manager Stein** stated she had met with Jeri Buckman from the Sisters Area Chamber of Commerce to discuss the proposed changes in Public Works event fees and reported that Ms. Buckman felt the proposed charges were reasonable and in line.

Councilor Weed stated she hoped that most documents that the City would charge for a copy of are available on the City website. **Manager Stein** stated that most documents are available on the website.

Mayor Boyd asked for public comment on the fee changes. **Director Porter** stated he had met with Andy High of Central Oregon Builders Association (COBA) and discussed the proposed changes and that Mr. High stated he was not opposed to the changes.

***Councilor Merrill** moved to approve Resolution 2008-01 establishing a master fee schedule for the City of Sisters.*

There was no second to the motion. The **Council** had further discussion and decided to pull the Hearing Fee charge of \$1,500 from the resolution to allow for further discussion and review by the Council during the emergency Development Code update that will take place in the spring.

***Councilor Merrill** moved to approve Resolution 2008-01 as amended. **Councilor Kellstrom** seconded the motion.*

Councilor Bell requested that in the future if there are fee changes that will affect citizens and businesses in Sisters, the matter be discussed in a workshop to allow more in-depth conversation prior to coming to the Council for a vote. **Manager Stein** stated she would make a note of that request.

The motion carried unanimously.

C. Discussion and Consideration of a Motion to Accept Public Improvements for Timber Creek Phase 6

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Director Grimm recommended approval of the motion to accept the public improvements for Timber Creek Phase 6.

Councilor Kellstrom moved to accept the public improvements for Timber Creek, Phase 6. Councilor Merrill seconded the motion.

Councilor Bell questioned why the public improvements would be accepted prior to the bridge and sidewalk being completed. **Director Grimm** stated that when the original agreement in Phase 1 was accepted it stated that no building permits would be issued in Phase 6 until the bridge was completed. He stated that does not hold up the acceptance of the public roads and final plat. He stated that when a project is substantially complete, typically the City releases the original bond and obtains a smaller bond that allows a final plat. He added that building permits will still not be issued prior to completion of the bridge and bonds will be held until completion of the sidewalks.

The motion carried unanimously.

D. Discussion and Consideration of a Motion to Amend the Personnel Hand Book Regarding: Section XII. – Discretionary Paid Leave and Section XIV. – Leave of Absence

Director Young asked if there were any questions regarding the proposed changes to the personnel handbook.

Councilor Weed asked for clarification on the motion. **Director Young** explained that by separating vacation time from paid holidays it allowed staff members to more accurately view their available vacation hours. **Councilor Weed** asked for clarification on staff potentially losing vacation hours in excess of 160 hours. **Manager Stein** explained that all staff members are encouraged to take vacation but that in the case of an emergency or time when it would be a burden to have a staff member gone; she has the ability to insure they do not lose the accrued vacation hours. She stated it allows her the flexibility to insure the City is appropriately staffed as needed.

Councilor Merrill moved to amend the Personnel Hand Book regarding discretionary paid leave and leave of absence. Councilor Kellstrom seconded the motion. The motion carried unanimously.

E. Discussion and Consideration of a Motion to Authorize the Sisters Community Garden and Sisters Kiwanis to Make Application for Site Improvement at Cliff Clemens Park

This item was pulled. **Mayor Boyd** explained that there was concern that the Council is not going through the appropriate process for the application as there is a need for a public hearing. He stated an amended site plan for Cliff Clemens Park will be completed by staff prior to coming to the Council. **Councilor Weed** asked how long the process will take and **Director Porter** stated that it will take approximately three to six months. **Councilor Weed** stated she feels this brings up the issue that there is a need for a Parks Commission for the City. She informed the Council that Habitat for Humanity did extend the lease to the Community Garden for the space it leased last year for one additional growing season.

VI. OTHER BUSINESS

A. Transportation System Plan (TSP) Project Advisory Committee (PAC) Appointments

Manager Stein stated there were a total of 13 applications received for appointment to the PAC for the TSP. She stated that in addition to the nine community and business representatives members chosen for the PAC there will be representation from the City, County, Oregon Department of Transportation (ODOT) and technical staff. She stated that PAC meetings will be noticed and posted and that anyone can attend and listen to the proceedings. She stated the first meeting of the PAC is slated for March 18, 2008 with a time and place to be determined. She added that there will be two additional community workshops. **Mayor Boyd** stated he was recommending Jeff England, Chuck Humphries, Carey Tosello, Jeans Wells Keenan, Jerry Nordquist, Leslie Waltz, Bruce Bowen, Bob Shaw and Doug Hancock to serve on the PAC for the TSP.

***Councilor Weed** moved to accept the recommended appointments to the PAC for the TSP. **Councilor Merrill** seconded the motion. The motion carried unanimously.*

B. Historic Landmarks Commission Appointment

Director Porter reported the City had received an application from Dave Talbot and that he had reviewed Mr. Talbot's resume and felt he would be a very qualified candidate for the Central Oregon Historic Landmarks Commission. **Director Porter** stated he was the previous appointee for the Historic Landmarks Commission prior to becoming the Planning Director for the City. He stated his current schedule with the City presented a timing conflict as the Historic Landmark Commission meetings take place on the same evening as the Planning Commission meetings. **Mayor Boyd** recommended appointment of Mr. Talbot as a representative from Sisters to the Central Oregon Historic Landmarks Commission.

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Councilor Weed moved to appoint Mr. Talbot as a representative from the City of Sisters to the Central Oregon Historic Landmarks Commission. Councilor Merrill seconded the motion. The motion carried unanimously.

VII. MAYOR/COUNCILOR COMMENT

Manager Stein stated that February 2nd was a possible date for the Council goal setting session and asked if it was a date that would work for the councilors. As there were some potential conflicts with that date Manager Stein stated she would check with facilitator Maret Pajutee on her schedule for other possible dates and get back with the Council.

Councilor Bell asked for an account of the meeting with Congressman Walden. **Manager Stein** stated there were a number of issues discussed in the course of the meeting and that Congressman Walden took special interest in the issue the City has with regard to the appraisal process being used by the Forest Service for the East Portal Parcel. She stated she was providing additional information at his request to his office staff regarding the matter.

Councilor Merrill stated he wanted to bring up the subject of the McKenzie Meadow Village annexation, mentioned on Planning Director Porter's staff report. He stated that McKenzie Meadow Village was approved by a vote of the people to bring in 25 acres of residential housing over the next 20 years. He stated that since that time the City has rezoned 24 acres of light industrial area to include a residential component and there is the potential for a residential component on the Forest Service property when it is sold. He stated this has negated the need for the 25 acres from McKenzie Meadow Village. He stated it is time for the Council to think about the request to annex the property. He stated he had read "*The Real Cost of Growth in Oregon*" and suggested that other members of the Council might derive some benefit from reading it also. He suggested reading the booklet for the philosophy and ideas it presents and stated he found the section on valuing growth related costs of stable and growing cities to be of particular interest.

Councilor Weed stated she felt Councilor Merrill brought up a good point with regard to this annexation in that if the Council is not intending to bring in the property there is unnecessary work being performed by City staff with regard to the property. **Councilor Bell** stated the McKenzie Meadow Village developers are aware that they are proceeding at their own risk. **Manager Stein** stated that the City is currently negotiating the terms of the annexation agreement and if the Council does not want to proceed there are other projects that staff can be working on. **Mayor Boyd** stated that the decision as to whether the annexation process moves forward will depend on the terms of the annexation agreement.

VIII. ADJOURN – 8:53 p.m.

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Respectfully Submitted,

Kathy Nelson, City Recorder

Brad Boyd, Mayor