

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE.  
MAY 22, 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  
Kathy Nelson City Recorder

**GUESTS:**

Captain Tim Edward Deschutes County Sheriff's Office

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

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

**II. VISITOR COMMUNICATIONS**

**Marlys Underwood**, Co-President, Sisters Community Garden, 16157 Foothill Loop, Sisters, OR 97759

**Ms. Underwood** stated she was in attendance to not fight for the inclusion of the Community Garden in Clemens Park but to express concerns about the public/neighborhood meeting that was held on May 13<sup>th</sup>. She stated that Community Garden members understood the meeting would provide a forum to discuss ideas with regard to the garden for all interested parties and a decision regarding the park would be determined after an evaluation of submitted written comments. She stated that the Mayor's decision to not allow the garden to be placed in the park prior to that occurrence was viewed as disrespectful and disappointing. She stated that the Community Garden's decision to pursue the relocation of the garden to the park was considered only after positive and encouraging meetings with the City and Mayor. She noted that the Community Garden is more than a place to grow flowers and vegetables and was established with the goal of creating a space where community members of all ages and economic classes could function together and was a direct offshoot from the Sisters Vision Fair in 2006. She stated the organization would like to continue to work with the City to find a suitable permanent location.

**Councilor Weed** asked that the City continue to work with the Community Garden to find a permanent location and stated she felt it was unfortunate that the Mayor spoke for the entire Council. She stated she did agree that if the Community Garden was not welcome at the park it should not be considered. **Mayor Boyd** stated that staff will assist the Community Garden in its search for a permanent location. **Manager Stein** directed the Council's attention to the handout at their places that outlined the responses receive from those attending the

community meeting that filled out the questionnaire, noting that dog waste stations received the most number of votes.

### III. CONSENT AGENDA

- A. Minutes
  - 1. April 24, 2008 –Regular Meeting
  - 2. May 8, 2008 –Regular Meeting
  
- B. Bills to Approve
  - 1. May Accounts Payable

**Manager Stein** stated that a check in the amount of \$1,700 to Oregon Water Resources Department with regard to water rights needed to be added to the accounts payable roster.

**Councilor Merrill** moved to approve the consent agenda including the additional \$1,700 to Oregon Resources Department. **Councilor Kellstrom** seconded the motion.

**Councilor Merrill** indicated a change to the minutes of April 24<sup>th</sup> with regard to his statement on differential taxation as it relates to annexation. He stated the change had already been corrected by City Recorder Nelson and directed Council members to the copy of the corrected page at their places.

**Mayor Boyd** requested a change from the word “correct” to “incorrect” with regard to his statement on math computations during the density bonus conversation at the April 24<sup>th</sup> meeting. **Recorder Nelson** stated she would make the correction.

**Councilor Weed** asked for clarification regarding an invoice from Ponderosa Heating & Cooling in the amount of \$544.00. **Public Works Director Grimm** explained the bill was for semi-annual maintenance service to the HVAC system at City Hall

**Councilor Weed** asked for clarification on an invoice from Owen Equipment Center in the amount of \$652.41. **Director Grimm** stated the invoice was for the repair of the street sweeper.

*The motion carried unanimously.*

### IV. STAFF REPORTS

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

**Director Grimm** asked for questions regarding his staff report.

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**Councilor Bell** complimented Director Grimm and his department in getting the flag pole up in Village Green Park in time for the Veteran's of Foreign Wars (VFW) Memorial Day event.

**Councilor Weed** asked for additional information regarding the Highway 242 bike/pedestrian path project redesign. **Director Grimm** explained that the Oregon Department of Transportation (ODOT) requested the path be widened as a requirement of the Quick Fix Grant it is providing and so an eight foot path will be put in versus a six foot path. He stated that Hap Taylor and Sons will put down a 10 foot gravel path next to the paved path and that at each street crossing signage will be added to alert drivers to the possibility of pedestrians and bike riders. He stated that those factors along with a need to readjust the grade required a redesign of the path.

**Councilor Merrill** asked if Director Grimm had determined if weed abatement in ditches along streets in the city are the responsibility of the City or property owner and asked what he has done to alleviate the problem. **Director Grimm** stated it is the City's responsibility to remove the weeds and the individual hired for summer work is performing weed abatement around the City beginning with residential areas. He stated the employee will then move to commercial areas and lastly the reservoir. **Councilor Merrill** stated that tall weeds are a code enforcement issue and asked if he and Community Director Porter are working together to coordinate notification and enforcement of weed abatement including the commercial areas. **Councilor Merrill** recommended reading a handout from the City of Redmond that outlines homeowner's responsibilities as an example of a publication the City could print.

**Councilor Bell** thanked Director Grimm for the placement of *No Parking for Vehicles Over 6 1/2 Feet* signs that were placed in front of Space Age Gas on Cascade Avenue. She stated she appreciated the safety measure.

**Mayor Boyd** asked if Public Works staff will be cleaning up the overspill of concrete from installing the flagpole prior to the Memorial Day event and voiced his concerns that the flagpole seemed flimsy. **Director Grimm** stated that cleanup will occur and assured the Mayor that the flagpole was set to specifications. **Councilor Merrill** stated he was concerned that the flag could beat against the gazebo when it was lowered to half staff. **Director Grimm** stated that the flagpole was purposely installed with the leads on the pole set away from the gazebo just for this reason.

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

**Community Development Director Porter** stated that he wanted to comment on weed abatement and informed the Council that the Fire District sends out letters regarding tall weeds but the City could work on a publication that discusses the issue also.

**Councilor Bell** asked where the cluster mailboxes were to be placed and if there would be an opportunity for public comment. **Director Porter** stated there the Post Office had not given the City enough time to notice a public hearing and that staff had met with the local Post Mistress and regional manager for the United States Postal Service from Portland to discuss where the cluster boxes would be placed. He stated that there is a need for 1,200 mail boxes and that the Post Office will pay for the purchase of them. He stated there are five residential locations and three commercial locations that have been identified. He stated that Senior Planner Pauline Hardie spent time with postal officials identifying locations for placement that meet the criteria of providing adequate right of way for people and vehicles to collect mail safely, spots that are not in a direct line of site of a home and locations that meet the criteria of the Post Office for ease of delivery. The **Council** voiced concerns with not providing an opportunity for public input with the conclusion that not providing cluster mail boxes on the south side of Cascade provided more downside than concerns that may be raised. **Manager Stein** stated she felt it was important to emphasize that there are not a lot of options with regard to where the mail boxes can be placed. The **Council** asked Manager Stein to issue a press release to notify city residents of the upcoming change to their service outlining the criteria that was used and proposed locations of the cluster mail boxes. The **Council** also requested a second press release when the installation of the mail boxes is imminent. **Manager Stein** stated she would do so.

**Councilor Bell** asked for an update with regard to McKenzie Meadow Village annexation. **Mayor Boyd** stated that the revised agreement that was received back from McKenzie Meadow Village representatives did not include the requested changes from the City. **Councilor Merrill** stated that he felt there was no point in having the applicant go through the requested process when the City has not done what it is supposed to do and is in fact obligated to do. He stated the annexation must be consistent with the City's Comprehensive Plan with findings that demonstrate compliance. **Director Porter** stated he felt the findings that **Councilor Merrill** was referring to were completed with the application to be included with the urban growth boundary. **Councilor Merrill** stated he didn't see how that was possible and requested documentation to prove that is true. He stated that by other actions the Council has approved there is no need for the foreseeable future for the 25 acres to be brought into the City. **Mayor Boyd** stated there are at least three Council members that are interested in seeing the agreement from McKenzie Meadow Village with staff and legal counsel insuring that all rules and requirements are being followed.

**Director Porter** informed the Council that Planning Department staff had spent the week training on the new Incode program to automate tracking of land use and building permit files that will greatly affect his department's efficiency. He stated the program also communicates with the Finance modules of Incode that the City already has.

**V. COUNCIL BUSINESS**

**A. Discussion and Consideration of Resolution 2008-08: A RESOLUTION DELARING THE MUNICIPAL SERVICES PROVIDED BY THE CITY OF SISTERS**

**Director Young** explained this was a resolution that the City adopts each year to certify to the State that the City is an official municipal entity that meets certain criteria in order to be eligible to receive state revenue.

*Councilor Kellstrom moved to approve Resolution No, 2008-08 declaring the municipal services provided by the City of Sisters. Councilor Merrill seconded the motion. The motion carried unanimously.*

**B. Discussion and Consideration of Resolution No. 2008-09: A RESOLUTION APPROVING A BORROWING TO FINANCE STREET AND SIDEWALK IMPROVEMENTS**

**Director Young** stated this was a counterpart to the resolution approved by the Urban Renewal Agency (URA) Board for the urban renewal projects. She stated that since the City is pledging full faith and credit for the financing on behalf of the URA this resolution is also necessary.

*Councilor Kellstrom moved to approve Resolution No. 2008-09 to approve a borrowing to finance street and sidewalk improvements. Councilor Merrill seconded the motion. The motion carried unanimously.*

**C. Discussion and Consideration of a Motion to Approve an Intergovernmental Agreement with Deschutes County Sheriff's Office for Law Enforcement Services for FY 08-09 through FY 10-11**

**Manager Stein** stated the motion would approve a new three year contract for law enforcement services from Deschutes County Sheriff's Office. She stated the contract calls for a 2% increase in costs for FY 08-09 for a total of \$400,014 and a 4% increase in the subsequent two years.

**Councilor Kellstrom** moved to approve an intergovernmental agreement with Deschutes County Sheriff's Office for law enforcement services for FY 08-09 through FY 10-11. **Councilor Merrill** seconded the motion.

**Councilor Merrill** referred to Statement of Work 2.1.1 in the contract that states the "Enforcement of Sisters health and safety violations shall be mutually determined by the Sheriff and the City Manager or their designees," and asked how this would be done. **Manager Stein** stated the language referred to the fact that the Sheriff's department would provide assistance with code enforcement as needed. **Captain Tim Edwards** from Deschutes County Sheriff's Office stated that he would be available to sit down with Director Porter and come up with a reasonable set of guidelines regarding code enforcement. He stated the City can be assured that if the Sheriff's Office is called, it will respond to the City or any citizen. **Councilor Merrill** stated there should be a written agreement that outlines exactly what will occur and under what circumstances. **Councilor Kellstrom** stated it was his understanding that Director Porter will provide code enforcement and will contact the Sheriff's Office if he perceives there could be any problem that requires law enforcement presence. He stated he feels it is a futile attempt to make of list of every conceivable situation or event that could require assistance from the Sheriff's Office when the City is aware that the Sheriff's Office is available as needed for enforcement. **Councilor Merrill** stated that in service contracts details should be spelled out. **Mayor Boyd** stated he agreed but felt that a mutually agreeable document as simple as one that states the Sheriff's Office will provide backup and show up as needed for code enforcement will suffice.

*The motion carried unanimously.*

## VI. OTHER BUSINESS

### A. City Manager Update

**Manager Stein** stated that in follow up to Councilor Merrill's concerns with regard to the Desert Sun development that is unfinished she would have City Attorney Bryant address those concerns. **Attorney Bryant** stated that there is little the City can do about the potential problem of the abandoned unfinished homes. He stated the problem belongs to the property owners and lenders. He stated the development is in the foreclosure process and have significant infrastructure problems that will need to be addressed before it can be finished. He stated he would encourage staff to keep a watchful eye on the properties and to advise the Sheriff's Office if anything out of the ordinary is observed. **Captain Edwards** confirmed that the properties are closely monitored already as there are two Deschutes County Sheriff Officers that reside in the nearby neighborhood.

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**Manager Stein** directed the Council to a spreadsheet regarding the *Greater Sisters Emergency Operation Plan* explaining it provided a scope of work and timeline for this project being managed by the Sisters Camp Sherman Fire District. She stated the multi-agency plan will be completed by September with the possibility of a table top and full scale exercise in December.

**Manager Stein** asked if the Council was interested in weighing in on the proposed Aspen Lakes Destination Resort. **Councilor Weed** stated she felt the Council might want to consider how the resort could impact the City. **Councilor Bell** suggested discussing the issue with the County Commissioners at the next joint meeting and **Attorney Bryant** stated it might be more appropriate to discuss the issue with Deschutes County Planning Commission. **Mayor Boyd** requested the Council be given additional information about the process including the proposed text amendment to the code.

**Manager Stein** stated she was looking for direction from the Council on how to proceed with regard to the proposal from High Country Disposal franchise agreement. **Councilor Kellstrom** stated he did not have enough information to make an informed decision. Councilor Weed stated she was still looking for all of the information to be pulled together into one package. The other **Council** members agreed. A workshop date of June 5<sup>th</sup> was set to discuss the matter and **Manager Stein** stated staff would pull together the additional information the Council was requesting.

**Manager Stein** stated that with the Budget Committee's approval to recommend the proposed budget to the City Council earlier in the evening, the public hearing and adoption would be conducted at the June 12<sup>th</sup> regular meeting. She asked if recruitment for the 1.5 FTE could begin in order to have the positions ready to start at the beginning of the fiscal year. The **Council** agreed to begin recruitment for the full time administrative assistant for the Public Works Department but requested holding off on the half time administrative assistant in the Finance Department until the refuse franchise is decided.

**Manager Stein** brought the street improvements in front of the new Fire Hall to the Council's attention and distributed a handout. **Director Grimm** explained that currently the street in front of the Fire Hall on Elm Street is uneven in street and lane width. He stated that in order for the City's Public Works standard to be met the street needs to be 32 feet wide which will cause a jog in the road by both Jefferson Street and Washington Street because no improvement will be performed except in front of the Fire Hall. The **Council** determined the City should follow its own Public Works standards acknowledging there will be a jog in the road at Jefferson Street and Washington Street. It was also determined to not stripe the bike lanes at present.

**VII. MAYOR/COUNCILOR COMMENT**

**Councilor Weed** asked if a decision on the League of Oregon Cities Foundation request for scholarship funds should be discussed. It was determined that the request was for \$.05 per capita which would equate to only \$91.25 and the Council left the decision to Manager Stein.

**VIII. ADJOURN – 8:24 p.m.**

Respectfully submitted,

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Kathy Nelson, City Recorder

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Brad Boyd, Mayor