

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE.  
AUGUST 14, 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  
Paul Bertagna     P.W. Proj. Coordinator  
Joe Davis          P.W. Utility Tech. III  
Kathy Nelson      City Recorder

**ABSENT:**

Lisa Young        Finance Director

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

The meeting was called to order by Mayor Boyd at 7:01 p.m.

**II. VISITOR COMMUNICATIONS**

1. **Steven Guzauskis**, In-Home Service Manager, Central Oregon Council on Aging (COCOA), 3884 NW Orchard Court, Terrebonne

**Mr. Guzauskis** stated he was the In-Home Service Manager for COCOA and was in attendance to find support for the seniors in the region. He stated that COCOA began providing services to seniors in 1971 and since 1981 has been providing Dial-A-Ride, nutritious lunches on Tuesdays, Meals-on-Wheels for senior shut-ins and home services for home bound seniors in Sisters. He stated that Dial-A-Ride has ceased and COCOA is now significantly supplementing the Central Oregon Intergovernmental Council's (COIC) commuter options program. He stated that COCOA serves 70 seniors with its lunch program on Tuesdays at Sisters Community Church. He stated he was hoping that some members of the Council would consider becoming COCOA members. He added he will be appealing to other agencies and civic groups in Sisters to become members also. **Mr. Guzauskis** thanked the Council for their time.

2. **Virginia Lindsey**, 108 N Wheeler Loop, Sisters, OR

**Ms. Lindsey** stated that Councilor Kellstrom's guest editorial that ran in the Nugget Newspaper about granting the refuse franchise to High Country Disposal (HCD) made her stop and think about giving the refuse service to outsiders. She stated she likes the service provided by City staff and having some place to go locally if there is a problem. She stated she would prefer to have the service stay with the City and keep Sisters employees. She

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE.  
AUGUST 14, 2008

stated she is bothered that HCD won't pick up cardboard and glass curbside. **Mayor Boyd** stated that HCD will pick up cardboard curbside and that glass would continue to be collected at Sisters Recycling Center. She stated that since the City paid for the recycling center and will need to continue to service it the City should keep the refuse service. **Mayor Boyd** explained that the recycling center has nothing to do with HCD as it was built on Fire District property, funded by the City and County and is staffed by County personnel. He stated that regardless of whether citizens can place co-mingled recycling curbside, there is still a need for a recycling center in western Deschutes County.

**Ms. Lindsey** stated that since the Council has to approve any rate increase what would happen if HCD asked for an increase and the Council refused to approve it. She asked if there are safeguards in place to insure that HCD would not cancel the contract and just stop picking up the refuse if that occurred. **Mayor Boyd** stated that a rate increase is a Council decision and if the Council does not approve a proposed increase HCD would continue to pick up refuse as HCD couldn't terminate the contract. He stated the Council would only approve an increase if HCD could justify the reason for the increase. **Ms. Lindsey** stated that if the City sells the current refuse equipment to HCD then the City has no options for picking up the refuse if it needs to. **Mayor Boyd** stated there are other options in the region as there are other refuse service providers if the City found the service provided by HCD was inadequate. He added that the City has received several letters of recommendation from other cities and the county regarding the service provided by HCD. He stated the City is looking at needing to raise rates upwards of 40% over the next five years to keep pace with expenses and it does not make sense to outlay significant funds for capital equipment that will only be used two to three days a week. He stated the current refuse fleet is aging and the City spent \$25,000 on repairs last year. **Ms. Lindsey** asked if the current trucks being used are dangerous. **Mayor Boyd** replied that the trucks are wearing out and more prone to cause work place injury claims due their design. He stated that newer front-loader trucks provide more protection to employees.

3. **Eula Curtis**, 318 N. Wheeler Loop, Sisters, OR

**Ms. Curtis** stated she knew nothing about the possibility that there could be a change in the garbage service and she has no complaints with the service at present. She stated she has heard that the decision must be made by September 1<sup>st</sup> and is upset that there has not been an opportunity for public input. **Mayor Boyd** stated there was not a set deadline of September 1<sup>st</sup> to reach a decision but if the Council votes to accept the franchise agreement HCD would implement the changeover as soon as possible. He thanked Ms. Curtis for coming to speak to the Council and informed her that public comment is always welcome at any regular meeting.

4. **John DiChiara**, 540 S. Pine, Sisters, OR

**Mr. DiChiara** stated he has had service with HCD when he did not live inside city limits and was satisfied. He stated he is also satisfied with the service provided by City personnel at present. He asked how yard debris will be handled if HCD receives the franchise. **Mayor Boyd** stated that there will be bi-weekly curbside pick-up of yard debris in 95 gallon containers provided by HCD to all customers. He stated that in addition to the regular bi-weekly service HCD will provide large yard debris pickup in the spring and fall.

5. **Sue Stafford**, 996 E. Creekside Court, Sisters, OR

**Ms. Stafford** asked if yard debris will continue to be collected at the treatment plant site and be available for use as compost for the City. **Manager Stein** stated yard debris will be collected as before and part of the proposal from HCD is to lease two acres from the City for the collection of the yard debris. **Ms. Stafford** suggested the City consider selling or giving away excess compost to citizens.

6. **Mary Poncy**, 109 N. Wheeler Loop, Sisters, OR

**Ms. Poncy** asked if the City requested bids from any other vendors. **Mayor Boyd** explained that the City already has a franchise agreement with HCD to provide some commercial business services and the proposal would merely be a modification to that agreement.

### III. CONSENT AGENDA

- A. Minutes
  - 1. July 24, 2008 –Regular Meeting
  
- B. Bills to Approve
  - 1. August Accounts Payable

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

**Mayor Boyd** asked if the payment to Airgas Nor Pac in the amount of \$850.90 for chlorine was for chlorine pellets or gas. **Public Works Director Grimm** stated it was for chlorine gas for Well #1 and Well #2. **Mayor Boyd** asked how long the chlorine gas canisters last and **Director Grimm** stated that each canister last approximately six months.

*The motion carried unanimously.*

#### IV. STAFF REPORTS

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

**Manager Stein** asked for questions regarding her staff report.

**Councilor Bell** asked how much more the City will pay for the contract amendment with Jeanne Lawson Associates as it relates to the Transportation System Plan (TSP) update.

**Manager Stein** stated she has traded phone calls with Carl Springer of DKS and Associates, the lead on the TSP update project, informing her of the need for the contract amendment but they have been unable to connect so far.

**Councilor Bell** stated that Manager Stein's staff report stated the water rate study is to be conducted soon and asked when the sewer and street rate studies will be undertaken.

**Manager Stein** stated that the sewer rate study will be included with the water rate study and the street rate study will take place relative to looking towards a street maintenance fee.

**Councilor Bell** questioned the litigation involving the Timber Creek Bridge. **Manager Stein** explained that the City is not a party in the lawsuit but was required to provide access to City files and history on the project.

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

**Councilor Bell** asked for details about the health and wellness grant the City will apply for since there was 100% completion by employees on the health survey during open enrollment. In Director Young's absence **Manager Stein** explained that the City has not decided yet but the approximately \$700 can be used for any event or item that promotes a healthy lifestyle such as a wellness fair or health club memberships for employees.

##### C. Lt. Darrin McMaster – *(Report Attached)*

**Lt. McMaster** reported on the number of patrol hours provided, incidents, citations, warnings and business checks.

**Councilor Bell** asked why the number of patrol hours provided in July was significantly lower this month. **Lt. McMaster** stated he was unsure why there was the significant change. **Mayor Boyd** stated that there were also significantly less business checks performed and asked why. **Lt. McMaster** stated there had been new deputies patrolling in Sisters who were unaware that business checks must annotated in their logs so the information can be included in the monthly report to the City. He stated the deputies have been informed of the need to note the number of business checks performed.

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE.  
AUGUST 14, 2008

**Mayor Boyd** asked for additional information on the manhole covers that were stolen as the City's Public Works staff was unaware of any theft of that nature and an open manhole could pose a serious hazard. **Lt. McMaster** stated he was uncertain if the manhole covers were stolen from a street or were stored on a construction site for future use. He added that it is not uncommon for manhole covers to be stolen because of the value of scrap metal.

**Councilor Merrill** asked if the Sheriff's Department would have accident reports for accidents that occur on Highway 20 within city limits. **Lt. McMaster** stated that the Department of Motor Vehicles (DMV) requires that an accident report be filed for any accident that causes more than \$1,500 in damage or if there is any type of injury. He stated the Sheriff's Department would have a record of the accidents if the Sheriff's Department was the responding agency and not the State Police.

**V. COUNCIL BUSINESS**

**A. Discussion and Consideration of a Resolution No. 2008-18: A  
RESOLUTION AMENDING THE CITY OF SISTERS PERSONNEL  
POLICIES**

**Manager Stein** reported this was the same resolution brought to the Council at the July 24<sup>th</sup> meeting where there was a question on the language regarding holiday pay. She stated that more specific language had been added to insure that an employee who is scheduled to work on a holiday still receives another paid day off in lieu of the holiday but that it must occur within the same week, between Monday and Friday. She stated that insures the City will not be paying overtime for a Saturday or Sunday shift to be covered.

**Councilor Weed** stated she would like the employee that works a holiday be allowed the flexibility to take their holiday whenever they want to. **Manager Stein** stated that tracking of that holiday becomes problematic and stated that other staff members have no flexibility to take the holiday on a different day and are required to take the holiday on the specific day it falls.

***Councilor Merrill** moved to adopt Resolution No. 2008-18 amending the City's personnel policies. **Councilor Bell** seconded the motion. The motion carried unanimously.*

**B. Discussion and Consideration of a Resolution No. 2008-19: A  
RESOLUTION DECLARING A DESIRE TO PARTICIPATE IN THE  
SMALL CITIES ALLOTMENT PROGRAM TO REPAIR OR IMPROVE  
CERTAIN CITY STREETS OF INADEQUATE CAPACITY OR IN  
DETERIORATED CONDITION**

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE.  
AUGUST 14, 2008

**Director Grimm** recommended the City apply to participate in the Oregon Department of Transportation (ODOT) Oregon Small Cities Allotment (SCA) program to improve pedestrian connectivity on East Cascade Avenue between Locust Avenue and Cowboy Street.

*Councilor Weed moved to adopt Resolution No. 2008-19 to declare a desire to participate in the Small Cities Allotment program to repair or improve certain City streets of inadequate capacity or in deteriorated condition. Councilor Bell seconded the motion.*

**Councilor Merrill** stated that the resolution stated that the SCA program is for streets but the project being recommended is for sidewalks. **Director Grimm** stated that the drainage issue that will be addressed with the construction of sidewalks will alleviate the damage to the road so the project does qualify. **Councilor Merrill** stated he was concerned with the aesthetics of asphalt sidewalks and asked the other councilors consider if they really wanted to see asphalt sidewalks in the City. He voiced concern that if asphalt sidewalks are allowed, when repairs are made by property owners in the downtown core it will look unsightly to have a mix of concrete and asphalt sidewalks and the City should be setting an example. **Mayor Boyd** stated that there are a different set of public works standards used for the downtown commercial area and that asphalt sidewalks would not be permitted. **Councilor Weed** asked if the gaps in the street would be filled in and **Director Grimm** stated they would. **Councilor Weed** asked if the trees in the area would be maintained and **Director Grimm** stated they would.

**Councilor Bell** asked if this was the same type of project as the Washington Street project brought before the Council at a previous meeting. **Director Grimm** stated this project was a substitute for that portion of the Washington Street project that would have connected to Sisters Overnight Park as it was determined that project did not meet the necessary criteria by ODOT.

*The motion carried unanimously.*

**Director Grimm** informed the Council he had received notification earlier in the day that the City has received a \$100,000 quick fix grant for the Highway 242 pedestrian/bike path.

### **C. Solid Waste Franchise with High Country Enterprises LLC.**

**Mayor Boyd** introduced the item and asked the Council to comment.

**Councilor Weed** stated she felt unready to vote on the issue and wanted to get more feedback from members of the community. She stated she was concerned about the

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE.  
AUGUST 14, 2008

emotional impact of the change to citizens and feels it would be beneficial to get the facts out about the change to citizens through a community meeting or mailing.

**Councilor Bell** stated that from the standpoint of citizens she feels the franchise offers the best option for community members for the quality, type and cost of service. She stated that the recycling center will still be utilized by citizens for glass recycling and for those individuals who live outside city limits. She voiced her concerns with the current method the City employs for yard debris pick-up relative to safety and the large capital outlay that will be necessary for equipment if the City continues to provide refuse service. She added that the Council has had several workshops, all which have been publically noticed, regarding the possible conversion to High Country Disposal (HCD) and that it was unfortunate that members of the audience were unaware of the proposal. She stated this was not a quick decision but one that has been considered and studied for many months.

**Councilor Kellstrom** stated he is not surprised that the possibility of granting a franchise to HCD has gone unnoticed by most citizens, even if it has been noticed to the public. He stated that was part of his motivation to write the guest editorial for the Nugget Newspaper speaking out about the franchise agreement to inform citizens of the actual cost and details. He stated he will vote against the franchise. He stated the City will need to find \$7,000 in monthly revenue to offset the loss of giving up the service to HCD. He stated he is struck by concerns from others for the capital outlay needed for equipment as the Council felt no squeamishness when financing the new City Hall or the recycling center. He stated he feels the franchise agreement is not a good deal for the citizens of Sisters.

**Councilor Merrill** stated that he is in agreement with Councilor Weed about delaying the vote to get the information out to more citizens in layman's terms. He stated it will likely not change the vote but will ease some of the fears brought up by citizens. He stated he has no problem with delaying the vote until such information can be relayed to community members.

**Mayor Boyd** stated in light of Council comments he was recommending pulling the item. He asked staff, in cooperation with HCD, to put together a presentation for the public at a community meeting to be held in September after the start of the new school year. He added that he is not squeamish about the \$7,000 of lost revenue that Councilor Kellstrom referred to as it does not take into consideration the additional cost of the needed capital equipment. He stated he wants to have a complete factual conversation with citizens that presents all of the information. **Councilor Weed** suggested that the Committee for Citizen Involvement (CCI) be involved in the process to weigh in on the best means of structuring the meeting.

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE.  
AUGUST 14, 2008

- a) **Discussion and Consideration of a Motion to Approve Ordinance No. 381:** AN ORDINANCE OF THE CITY OF SISTERS AMENDING SISTERS MUNICIPAL CODE SECTION 8.04 AND SECTION 5.06 AND GRANTING AN EXCLUSIVE SOLID WASTE FRANCHISE TO HIGH COUNTRY ENTERPRISES LLC AND DECLARING AN EMERGENCY
- b) **Discussion and Consideration of a Motion** to Approve a Ground Lease Agreement with High Country Enterprises LLC
- c) **Discussion and Consideration of a Motion** to Declare Certain Equipment as Surplus
- d) **Discussion and Consideration of a Motion** to Approve a Purchase Agreement with High Country Enterprises LLC

*The item was pulled.*

- D. Discussion and Consideration of a Motion** to Approve the Conversion of 20 RV Sites in the Sisters Overnight Park to 25 Full Hook-up Sites.

**Director Grimm** asked if there were any questions regarding the upgrades to the Sisters Overnight Park.

**Councilor Merrill** asked if Director Grimm had contacted the owner of Sisters RV Park about the improvements as he had requested. **Director Grimm** stated he had and that the owner was not opposed to the conversion of some sites to full hook-up as long as the City was going to charge a competitive rate. The owner of Sisters RV Park informed Director Grimm that spaces in his park are typically rented by the month and that his full hook-up service only has 30 amp service and that some larger, newer RV's require 50 amp service.

**Councilor Merrill** asked Director Grimm to describe the upgrades to the bathrooms. **Director Grimm** stated that the restroom building will be lengthened to add a single shower room to both the men's and women's side. **Councilor Merrill** asked what the maintenance costs will be. **Director Grimm** stated that maintenance costs for the new sewer, water and electric service is practically nothing as the services will last from 5 to 10 years before needing replacement. He stated that the camp hosts already clean the restrooms daily. **Councilor Bell** asked if the showers would be accessed from outside the restroom or inside the restroom, stating that if access is from outside of the restroom then the showers would not need to be gender specific. **Director Grimm** stated that he had designed the shower rooms with the idea that they will be accessible from the inside of the

restroom to allow users to come out of the shower room and access sink facilities before leaving the building; but stated the design could easily be altered either way.

**Councilor Kellstrom** asked if there could be a separate accounting of the revenue generated by the Overnight Park to determine if the expected income is accurate. **Manager Stein** explained that would be very easy as staff already keeps a detailed log of revenue received from the Overnight Park.

**Councilor Weed** moved to approve the conversion of 20 RV sites at the Sisters Overnight Park to 25 full hook-up sites. **Councilor Merrill** seconded the motion. The motion carried unanimously.

**E. Discussion and Consideration of a Motion** to Approve an Intergovernmental Agreement to Conduct an Endangered Species Act (ESA) Anadromous Fish Risk Assessment for Central Oregon Cities and Counties, and Authorize the City Manager to Execute the Agreement on Behalf of the City of Sisters

**Manager Stein** explained that executing the intergovernmental agreement (IGA) allows the participating cities and counties to conduct an Endangered Species Act (ESA) risk assessment with regard to the reintroduction of steelhead into Whychus Creek.

**Councilor Merrill** moved to approve the Intergovernmental Agreement to conduct the risk assessment and authorize the City Manager to execute the document. **Councilor Bell** seconded the motion.

**Councilor Weed** asked how this risk assessment differs from the \$30,000 the City already spent on another Whychus Creek study. **Manager Stein** explained these are two different projects and different issues. She stated the IGA before the Council this evening is related to assessing the City's ESA risk as a result of the reintroduction of steelhead into Whychus Creek. The other \$30,000 relates to the Whychus Creek Stream Restoration and Management Plan which will deal with stream bank erosion, channel migration, volume reduction and property protection.

*The motion carried unanimously.*

**VI. OTHER BUSINESS**

A. City Manager Update

**Manager Stein** reported the City received a land use compatibility statement from the Department of Environmental Quality (DEQ) for the effluent reuse on the Lazy Z property.

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE.  
AUGUST 14, 2008

**Manager Stein** acknowledged she had received comments from the Council on the safety message regarding the Barclay Drive/Highway 20 intersection to be included in the newsletters for the middle and high schools. She stated she will add the additional information on alternate routes as requested by the Council.

**Manager Stein** reported on the old Buck Run 3 sewer connection issue that the City had dealt with in 2002 and 2003. She stated that the sewer connection agreements associated with the properties in this subdivision are set to expire in October 2010 which is now two years away. She wondered whether there is interest in providing advanced notification that the agreements are two years away from expiring. She suggested the homeowner could be notified by letter shortly or wait for the next system development charges (SDC) update to inform them of the upcoming needed conversion. The **Council** requested the homeowners be sent a letter as a courtesy soon.

**Manager Stein** informed the Council that she, Public Works Director Grimm and a representative from the Sheriff's Office met with the promoter of the Blues Festival that occurred over the 4<sup>th</sup> of July weekend to discuss the complaints the City received regarding the noise level. She stated the promoter acknowledged the sound system was loud but acknowledged it was a high quality sound system. Regarding improvements for next year, the promoters indicated they will not rent out the entire Sisters Overnight Park again. They also suggested starting the event later in the day and having quieter acts in the daytime than nighttime as ways to mitigate for the noise. Manager Stein reported that suggestions made by City staff such as re-orienting the stage or using sound blankets did not seem to be as readily accepted by the promoters. She also noted that the Sheriff Office has a noise meter that is used for county events and there are standards the County uses for enforcement of noise levels that could be incorporated into the City's special events application. The **Council** discussed the issue and determined there is a need for a means of enforcing reasonable guideline for all events as it relates to sound level. **City Attorney Bryant** stated that the best means of providing enforcement is through the special event permit since as the owner of the park, the Council can set whatever terms it feels is reasonable.

**Manager Stein** stated that bidding on the Forest Service property is due to close on August 15<sup>th</sup>. She reported that no bids have been received so far with the minimum bid set at 14 million dollars.

## VII. MAYOR/COUNCILOR COMMENT

**Councilor Bell** reported on the Central Oregon Intergovernmental Council (COIC) newly formed commuter options transportation system from Sisters to Bend and stated that currently there is daily service. She stated there is the possibility of adding an additional trip for commuters. She stated that COIC is still collecting information and will present its

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE.  
AUGUST 14, 2008

findings to the Council at a September workshop. She stated that COIC is hoping for the same level of support from the City as previously given to the Dial-a-Ride program.

**Councilor Weed** requested that Manager Stein get more information on the type of support that COCOA is requesting. **Manager Stein** stated she would but knows that partly the organization is looking to elevate its profile and would like to have visible members of the community, such as Council members, involved.

**Councilor Weed** reported that the Sisters Leadership group is restarting in September and is currently looking for candidates to participate in the classes. She stated the classes will be held on Tuesdays once a month.

**Mayor Boyd** stated that the Deschutes County Committee on Recreation Assets is looking for support of its projects and principles by means of a resolution from the City. He stated that if the Council does not disagree, he will have Manager Stein craft a resolution of support. The **Council** was supportive with his request.

**VIII. ADJOURN** – 8:41 p.m.

Respectfully submitted,

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Kathy Nelson, City Recorder

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Brad Boyd, Mayor