

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 19, 2009

MEMBERS PRESENT:

Lon Kellstrom	Mayor
Bill Merrill	Councilor President
Sharlene Weed	Councilor
Pat Thompson	Councilor
Jerry Bogart	Councilor

STAFF PRESENT:

Eileen Stein	City Manager
Lisa Young	Finance Director
Brad Grimm	Public Works Director
Eric Porter	Comm. Dev. Director
Kathy Nelson	City Recorder

The meeting was called to order by Mayor Kellstrom at 8:04 a.m.

A. Discussion of Resolution 2007-07

Manager Stein stated that SB 30 was introduced in the 2007 legislative session to prohibit destination resorts in the Metolius Basin. She stated the Council that was seated at that time adopted Resolution 2007-07 indicating support of SB 30. She stated the State has recently identified the Metolius Basin as an Area of Critical Statewide Concern (ACSC) and she was unsure whether the resolution adopted in 2007 still reflected the view of the current City Council. She stated the State is collecting testimony with regard to the matter. Allowing the former resolution to stand will signify to the State that the City is in favor of the ACSC designation. She stated if the Council is not in favor of the previous resolution it has two options 1) repeal the ordinance signifying the Council does not want to take a position, 2) or modify the resolution. She stated Resolution 2007-07 is still the official policy of the City and the “whereas” clauses establish the City’s intent regardless of whether Resolution 2007-07 was specific to SB 30. She stated that timing is critical as the final hearing on the matter is set for March 11th which leaves very little time for the Council to deliberate, especially considering the second draft of the management plan will not be out until next week.

Councilor Weed stated that she has heard there is another bill being crafted by the Legislature. **Councilor Merrill** stated that according to a conversation he had with Representative Whisnant there are several new bills being crafted for consideration.

Councilor Weed stated that she was in favor of letting the current resolution stand as neither the Governor’s plan nor Department of Land Conservation and Development’s (DLCDD) recommendation will eliminate all development in the area. **Councilor Thompson** stated the action has effect on Sisters but is happening in another jurisdiction and there is nothing for the City to act upon.

Councilor Merrill stated he did not agree with Councilor Thompson and that there are three ways to look at the issue. He stated if the matter is viewed from an objective standpoint the findings of

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the Oregon Department of Forestry (ODF), Department of Fish and Wildlife (ODFW) and the United States Geological Survey (USGS) indicate that development will create negative impacts to the City of Sisters. He stated a moratorium on the expansion of Sisters and the curtailment of any economic development within the City could be a possible outcome. He stated from a subjective standpoint, if the development of the Metolius Basin is allowed, it will create the need for a lot of affordable housing for the individuals that will be employed at the resorts. He stated he does not think destination resorts will bring economic development to Sisters citing the example of LaPine not benefitting from the Sun River resort that is in close proximity. He stated that a vast majority of people that have testified on the matter are looking at the issue from an emotional standpoint. He stated these are the types of people that helped create Yellowstone National Park and Yosemite and their concerns should not be disregarded. He stated he feels the City should support the State's viewpoint of the Metolius Basin as an ACSC. He stated it does not make sense that many of the people that have a stake in the matter will not have an opportunity to testify as there are no public hearings in the Willamette Valley where many of the people that would either purchase or recreate in the Metolius Basin are located. **Councilor Merrill** stated he is not in support of Ponderosa Resort on any level but feels he needs more information before making a decision on the Metolian Resort. Because of the compressed time frame, which he considers unfair to all involved, he suggested the Council take no action at this time. He stated that the City should be looking to make its decision for the best outcome and common good for the City and its neighbors.

Mayor Kellstrom asked the councilors what they want to do about Resolution 2007-07. **Councilor Weed** stated she wants to let the resolution stand while **Councilor Thompson** and **Councilor Bogart** were in favor of repealing the resolution. **Councilor Merrill** was in favor of repealing the resolution and eventually replacing it with a different resolution. **Mayor Kellstrom** was also in favor of repealing the resolution and asked the councilors if they wanted to replace the repealed resolution with another resolution. **Manager Stein** stated that the second draft of the management plan should be available at the beginning of next week and the information in that version could factor into how the Council weighs in on the matter.

Councilor Weed stated she would like to see the resolution replaced with one that is more restrictive as this is an important issue for Sisters. **Manager Stein** reminded the Council of statements it has made with regard to other destination resorts such as Aspen Lakes and concerns raised about traffic and strain on other public facilities. She stated not taking any position would appear contrary to previous public statements made by the Council. **Councilor Thompson** stated he would support a replacement resolution since Jefferson County has jurisdiction on the matter and the City should support its decisions. **Councilor Weed** stated there is no mechanism to require Jefferson County to mitigate the concerns of the City. **Manager Stein** stated the City has requested Jefferson County to involve the City in the planning process for the destination resorts.

Councilor Merrill stated he would support replacing the resolution. He stated that property rights are not absolute and a good neighbor considers the impacts he will make on his neighbor. He

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stated that people go to the Metolius Basin to recreate and there will likely be minimal impacts on Sisters as a majority of the people will be coming from the Willamette Valley. He stated the Council has a responsibility to the people in the community to respond to Jefferson County but sufficient objective data needs to be collected prior to deciding on how to reply. **Councilor Bogart** stated he is in favor of replacing the resolution and **Mayor Kellstrom** stated he is also.

Manager Stein stated the new resolution will be crafted to repeal Resolution No. 2007-07. She then asked the Council what policy direction it would like to take with the new resolution.

Councilor Weed stated she would like to keep the verbiage of the initial resolution and then add language to voice concerns about impacts to housing, water and fish habitat. She stated she would like to see a ban on all large scale development in or within three miles of the Metolius Basin as opposed to supporting any of the plans presented thus far. **Councilor Bogart** stated he would like to voice concern about the land use process and how the process is being usurped. He stated he would support Jefferson County's land use process and in fact all land use processes in general.

Councilor Merrill stated asking the question of what to include in the resolution is premature as the final report is not out and there are significant changes being considered. He stressed that there is still time to craft a resolution after all the information has been received. **Mayor Kellstrom** stated he appreciated Councilor Merrill's concerns but he feels there is not time as the final hearing will take place on March 11th. **Councilor Merrill** stated he is not prepared to decide on a new resolution at this time. He stated that rules are changed all the time for the good of the order.

Councilor Thompson stated he doesn't feel the issue will be clear in even two weeks. He stated there are land use laws in effect that will address the issues of concern raised and feels the Council should support the rights of Jefferson County to make its own decisions. **Councilor Weed** countered that Sisters will feel the most impacts and Jefferson County will derive the financial benefits. **Councilor Merrill** stated he would keep the intent of the existing resolution and ban all destination resorts in the Metolius Basin and make it clear the resorts will impact the City's ability to grow. **Mayor Kellstrom** stated that for 37 years the fundamental idea in state land use laws has been that counties have the right to make their own land use decisions. He stated the State is now trying to usurp a county's rights. **Councilor Merrill** stated that a decision can always be appealed and the real question is not land use laws but whether there should be a restriction on development in the Metolius Basin. He stated the City needs to know the impacts on this community and honor the position of those who have spoken.

Mayor Kellstrom stated he is convinced that the resort developments would address the City's concerns and mitigate their impacts. **Councilor Weed** suggested the resolution include language about Jefferson County working with the City to mitigate concerns and **Mayor Kellstrom** stated he felt there was no problem with including language to that affect. **Manager Stein** stated language of that nature will address policy concerns stated by the Council previously. **Councilor Merrill** stated there won't be many children in the developments that will impact Sisters schools and police and fire protection is the problem of the development. He stated the big issue is water

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and the negative effect the resorts will have on surface and ground water. He stated this is not a simple issue and doesn't think these concerns were considered prior to the decisions Jefferson County made. He stated fish issues, sewer and power all need to be considered. **Councilor Weed** suggested also adding language to voice concerns about all those issues.

Councilor Merrill stated he will not agree to any resolution that leaves the entire decision up to Jefferson County. **Councilor Thompson** asked if Councilor Merrill thought that Jefferson County will not address these issues and **Councilor Merrill** stated that the County has not so far and he has no reason to think it will. **Councilor Thompson** stated he feels that Jefferson County will have to address all of the concerns and he supports what Jefferson County will do. **Councilor Merrill** stated the resolution is the City's resolution and it is the Council's responsibility when it comes to the Metolius Basin to reflect the views of the City and its citizens. **Councilor Bogart** stated that ideally the Council would have an opportunity to hear from Rick Allen on the Ponderosa resort, Shane Lundgren on the Metolian resort and DCLD Director Richard Whitman but there is insufficient time. He stated the whole issue will come down to water issues and water science is changing all the time.

Mayor Kellstrom asked Manager Stein to craft a resolution to address the priorities the Council has identified. He asked that the resolution state in a positive way the City's support of Jefferson County and not chastise the State for its involvement.

The **Council** discussed the matter and decided to discuss the issue and finalize the resolution at a special regular meeting on March 5th.

The Council took a brief recess and then reconvened.

B. Preview of 02/26/09 Regular Meeting Agenda

Manager Stein previewed the agendas for the public meeting with affected taxing districts regarding the City's application for an enterprise zone, a workshop to discuss Economic Development of Central Oregon's (EDCO) membership, the regular meeting and a meeting of the Urban Renewal Agency Board.

Councilor Thompson asked for a status update on the missed sewer billing that occurred with some city services accounts. Manager Stein replied billing for the sewer portion of the accounts began in January accompanied with a letter informing those affected of the error. **Finance Director Young** stated she is stilling collecting information on past due balances and will bring it to the Council with some options on how the unbilled charges can be rectified.

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C. City Manager Update

Manager Stein reminded the Council of the Goal Setting Session that will take place on February 25th from 2 p.m. to 6 p.m.

Manager Stein reminded the Council that there are two openings on the Budget Committee with appointments to be made at the March 12th meeting. She stated that the Committee for Citizen Involvement (CCI) will include a recruitment effort in its monthly column in the Nugget Newspaper. **Mayor Kellstrom** suggested asking citizen members of the Budget Committee for recommendation also.

Manager Stein provided an update on the Transportation System Plan (TSP) update. She stated the City is requesting a design exception from the Oregon Department of Transportation (ODOT) for certain elements on Cascade Avenue and the City will wait to have its final community meeting until the results are back from ODOT. She stated this will have the effect of prolonging the adoption date for the plan for an additional 30 to 60 days.

Manager Stein informed the Council that Planning Commissioner Chuck Humphreys, who sits on the Deschutes County Bicycle and Pedestrian Advisory Committee, suggested the City nominate John Rahm for an award to honor his outstanding volunteer efforts on behalf of the region for his work on the Peterson Ridge Trail. The **Council** agreed that Mr. Rahm was a deserving candidate and asked Manager Stein to submit the nomination.

Manager Stein informed the Council of an *Ethics Training for Public Officials* class available on March 30th in Springfield for anyone interested in attending.

Councilor Merrill stated he spoke with Representative Gene Whisnant on the Local Rule measure that will appear on the March 10th ballot and that Representative Whisnant is not in support of the measure.

The meeting was adjourned at 9:50 a.m.

Respectfully submitted,

Kathy Nelson, City Recorder

Lon Kellstrom, Mayor