

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
APRIL 9, 2009

MEMBERS PRESENT:

Bill Merrill Council President
Sharlene Weed Councilor
Pat Thompson Councilor
Jerry Bogart Councilor

ABSENT:

Lon Kellstrom Mayor

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 Council President Merrill at 7:03 p.m.

II. VISITOR COMMUNICATIONS

Dennis Ross, City of Maupin Mayor, PO Box 308, Maupin, OR 97037

Maupin Mayor Denny Ross introduced himself and stated he was in attendance to ask for support from Sisters for the Central Oregon Micro-enterprise Facilitation Project. He stated the alliance will include the cities of Sisters, Madras, Prineville, Rufus, Maupin and the Warm Springs Community Action Team. He stated the micro-enterprise grant from the Oregon Economic and Community Development Department (OECD) will provide qualified micro-entrepreneurs with business coaching services provided by Wy'East Resource Conservation & Development. He informed the Council there was no financial match required to participate at this time.

Councilor Weed moved to participate in the Central Oregon Micro-enterprise Facilitation Project. Councilor Bogart seconded the motion. The motion carried unanimously.

III. CONSENT AGENDA

A. Minutes

1. March 26, 2009 –Regular Meeting

Councilor Bogart moved to approve the minutes of the March 26th regular meeting. Councilor Weed seconded the motion. The motion carried unanimously.

B. Bills to Approve

1. April Accounts Payable

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

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Councilor Weed asked for clarification on the invoice to Platt Electric in the amount of \$6,596. **Public Works Director Grimm** explained it was for electrical supplies for the Overnight Park upgrades.

Councilor Thompson asked if Big John's Custom Fire Rings was a local vendor. **Director Grimm** stated it is. He stated he gets three bids for projects regardless of cost to insure the City gets the best price available. **Finance Director Young** confirmed that Director Grimm always lists the bid quotes he receives on Public Works invoices as per the request of the City's auditor.

Councilor Thompson asked why HGE was used for the design of the Highway 242 pedestrian/bike path instead of a local vendor. **Director Grimm** explained that HGE started the project two years ago and it is in the final stages of completion. **Councilor Thompson** asked why HGE was used for the Sewer System Development Charges (SDC) grant instead of a local vendor. **Director Grimm** explained that HGE was used for the grant application as the information for the Department of Environmental Quality (DEQ) grant was received by the City only five days before it needed to be submitted. He stated the 38 page grant application was for the Lazy Z transmission line for effluent disposal and HGE has worked extensively on the project and had the necessary historical knowledge to complete the grant application in the short timeframe available. **Councilor Thompson** stated he was making the point that he wants to make certain that the City is using local vendors whenever possible and **Councilor Weed** agreed that she also wants the City to be mindful of using local products and services whenever possible.

Councilor Bogart asked how many hours the information technology (IT) consultant is working each week. **Director Young** stated that currently Mr. Douglas is working 28 hours a week in an effort to catch up on the many IT projects the City has, but will eventually move to just 20 hours a week.

Councilor Bogart asked why Shevlin Sand and Gravel was used instead of a local vendor for supplies. **Director Grimm** stated that Bend based Shevlin Sand and Gravel provided its product at \$2 a yard less than other vendors and included free delivery. He stated the gravel was also much cleaner which was necessary for the road maintenance project involved.

The motion carried unanimously.

IV. ACCOUNTS PAYABLE NOT ON THE CONSENT AGENDA

A. March Accounts Payable

Councilor Thompson stated he would refrain from voting due to a direct conflict of interest.

Councilor Bogart moved to approve the accounts payable not on the consent agenda. Councilor Weed seconded the motion. The motion carried unanimously.

V. STAFF REPORTS

A. Eileen Stein, City Manager

Manager Stein asked for questions on her staff report.

Councilor Weed voiced some concern that the community workshop sponsored by the City, Chamber of Commerce and Community Action Team of Sisters (CATS) to update the Economic Development Strategic Action Plan was scheduled from 4 p.m. to 7 p.m. on April 22nd. She stated the time of the meeting might keep some people from being able to attend.

Manager Stein explained that the meeting was scheduled at that time in hopes that interested parties will attend prior to going home for the evening.

B. Lisa Young, Finance Director

Director Young asked for questions on her staff report.

Councilor Weed asked what the wage for the new half time receptionist position will be.

Director Young stated the position is a Grade 12 with a beginning salary of \$11.97 an hour.

Councilor Weed complimented Director Young for including the March statistics on utility accounts and asked how many city services accounts are residential versus commercial.

Director Young stated that there are approximately 800 residential accounts and 400 commercial accounts.

Director Young stated she had also included a memorandum with her staff report on purchasing the InCode Secure Signature program to increase staff and Council efficiency and requested feedback from the Council. She stated that prior to checks being printed there are several levels of internal controls in place to prevent unauthorized use of the automated signature program. **Councilor Weed** stated that although she likes the idea of a council member looking at each check, she realizes that the process is cumbersome. **Director Young** stated the use of an automatic signature is tied to the growth of the City and a need to streamline procedures. She stated she feels the process will be very secure.

Director Young directed the Council to the overview of the proposed procedure to follow in order to ensure that new construction projects are not overlooked when it is time to begin charging for sewer fees. She stated staff is recommending the City begin billing for sewer 90

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days after the water meter is installed. She stated this will require an amendment to the current ordinance governing when sewer charges can begin. She stated that the City of Redmond uses this same process with success that staff is recommending.

Councilor Bogart stated he felt that 90 days after the water service begins is too early to begin charging sewer fees and suggested it be tied to the final inspection date. **Manager Stein** stated the City is trying to come up with a trigger, such as 90 days after the water meter is installed, that can automatically be built into the billing process to alleviate missed sewer accounts that are never billed, as has happened in the past by using the final inspection date. **Councilor Weed** stated she checked with Habitat for Humanity work crews and was told that 90 days was a reasonable timeframe to automatically begin charging for sewer. **Director Grimm** explained that a separate water meter is used for construction water.

Director Young stated that the recommendation will come back to the Council when the public hearing for modifying utility rates is held. She stated that until that time the method used currently by the City will continue to be used. **Councilor Bogart** suggested the City use at least 120 days as its timeframe. **Council President Merrill** suggested staff perform a statistical analysis from the past two years on the number of days between water meter installation and the final inspection to find a rational for the number of days the city will use before it automatically begins billing for sewer.

C. Captain Tim Edwards

Captain Edwards reported on the number of patrol hours provided, incidents, citations, warnings and business checks.

Councilor Weed stated she noticed there were four cases of methamphetamine possession and asked if Captain Edwards was seeing an increase in methamphetamine use in Sisters compared to other Central Oregon cities. **Captain Edwards** stated that use throughout the County is prevalent but typically involves adults not teens. He stated that marijuana use in the schools is a more common problem but is closely monitored by the school resource officer.

Councilor Bogart stated he is still receiving calls from citizens with regard to what people have characterized as an "aggressive deputy". **Captain Edwards** stated he had a conversation with the Mayor and staff regarding the complaints voiced at the previous Council meeting and requested that all such calls be referred to him in order to follow-up on the issue and check the validity of each complaint. He distributed his business card to Council members.

Captain Edwards directed the Council to the comparison of actions by the Sheriff's Department for 2007 and 2008 that the Council had requested at the March 12th regular meeting. He stated he will allow the Council to study the report and he will answer any questions they may have by phone or at the next regular meeting he attends in May.

VI. COUNCIL BUSINESS

A. Discussion and Consideration of Ordinance No. 385: AN ORDINANCE OF THE CITY OF SISTERS ADOPTING AMENDMENTS TO THE CITY OF SISTERS DEVELOPMENT CODE TO AMEND THE TIME AND DURATION FOR PERMIT APPROVALS AND EXTENSIONS

Community Development Director Porter stated this ordinance was a follow-up to the Development Code amendment that occurred in February and would remedy the conflict to another section of the Development Code that stemmed from the previous update.

Councilor Weed moved for the first and second reading by title only of Ordinance 385. Councilor Bogart seconded the motion. The motion carried unanimously.

City Attorney Bryant read Ordinance 385, by title only, twice.

Councilor Weed moved to adopt Ordinance No. 385 to adopt amendments to the City of Sisters Development Code to amend the time and duration for permit approvals and extensions. Councilor Bogart seconded the motion.

Councilor Weed asked how this amendment is different from the first amendment the Council adopted on February 12th. **Director Porter** stated that this amendment is slightly less liberal with regard to extensions. He stated that the Planning Commission gave permission for longer permit approvals and extensions to the Black Butte Crossing project because of the scope and scale of the project. He stated that the additional extensions granted were discovered upon additional review to be beyond the Planning Commission's purview. He stated that while the new verbiage regarding longer approval time frames and extension durations is much more liberal than the old standards, it is also not too restrictive. He added the issue will likely be revisited when there is an upturn in the economy but for the present time the timeframes are prudent and timely.

The motion carried unanimously.

B. Public Comment and Consideration of Resolution No. 2009-08: A RESOLUTION OF THE CITY OF SISTERS AMENDING THE CITY OF SISTERS FEE SCHEDULE MODIFYING OVERNIGHT CAMPGROUND AND HOME OCCUPATION FEES

Councilor Weed moved to adopt Resolution No. 2009-08 amending the City of Sisters fee schedule for overnight campground and home occupation fees. Councilor Thompson seconded the motion.

Council President Merrill opened the public comment period. As there was no one wishing to speak on the matter the public comment period was closed.

Councilor Thompson asked if there was a senior discount included in the pricing for the sites at the Overnight Camp. **Director Grimm** stated the senior discount, for those over age 60, was \$4 off on full hook-up sites and \$2 off on dry camping sites.

The motion carried unanimously.

C. Discussion and Consideration of Resolution No. 2009-09: A RESOLUTION AMENDING THE RULES FOR THE OVERNIGHT PARK

Councilor Bogart moved to adopt Resolution No. 2009-09 amending the rules of the overnight park. Councilor Thompson seconded the motion. The motion carried unanimously.

D. Discussion and Consideration of Resolution No. 2009-10: A RESOLUTION APPROVING A BORROWING TO FINANCE STREET AND SIDEWALK IMPROVEMENTS

Councilor Weed moved to adopt Resolution No. 2009-10 approving a borrowing to finance street and sidewalk improvements. Councilor Thompson seconded the motion.

Councilor Weed asked why this project was chosen over other projects that might be more beneficial to the City. **Manager Stein** stated this resolution was merely to amend an already approved 2008 resolution and the project list from that previous urban renewal agency funding. She stated the original project had savings and the City wanted to apply the remaining monies to improvements along Elm Street. **Director Grimm** stated the sidewalks are a key piece to providing conductivity in joining Village Green Park to the downtown merchants, where so many events take place.

Councilor Thompson asked why Bank of America was chosen for the financing originally. **Manager Stein** stated that the City had issued a request for proposal (RFP) to solicit banks for the financing and Bank of America came back with the lowest interest rate. **Councilor Thompson** asked if the City is able to give any preference to local banks with projects of this nature and **City Attorney Bryant** stated the City cannot do so in a competitive bid process such as the financing.

Councilor Bogart requested that the Council be given more information and an opportunity for additional discussion, such as in a workshop setting, when urban renewal projects are being considered in the future. **Manager Stein** stated workshop time will be scheduled if needed in the future.

The motion carried unanimously.

E. Discussion and consideration of a Motion to Approve a Transfer of Funds to the Bank of the Cascades Business Money Market Sweep Service

This item was pulled.

VII. OTHER BUSINESS

Manager Stein directed the Council to the Assignment and Assumption Agreement between Elk Horn Land Development Incorporated, Bank of the Cascades and the City of Sisters that was included in the councilor's packet. She stated a memo from City Attorney Bryant regarding the matter was at each place on the dais and that he could answer any questions the Council might have. **City Attorney Bryant** explained that the agreement states that if the Bank of the Cascades assumes the obligations from Elk Horn Development for Saddlestone Subdivision, the bank will not be required to carry bonds as it has sufficient financial resources for the sidewalks, trees and asphalt improvements mandated in the agreement. He stated that when the bank sells the subdivision to a new owner, the new owner will be required to bond for the improvements, which will be due upon future construction on lots or by July 1, 2012.

Councilor Weed asked if there is a risk to the City and City Attorney Bryant stated only if there is a total failure of the banking system. **Councilor Thompson** asked if the Covenants, Conditions and Restrictions (CC&R's) will still be in effect and **City Attorney Bryant** stated they will be.

Councilor Bogart moved to accept the Assignment and Assumption Agreement. Councilor Weed seconded the motion. The motion carried unanimously.

VIII. MAYOR/COUNCILOR COMMENT

A. Committee Reports

Councilor Weed distributed an information sheet about community service projects that will be occurring in the Sisters area on May 16th as a part of Oregon's sesquicentennial celebration. She stated that six different community group will be performing a variety of clean-up and beautification projects. She requested the City participate in the day by sponsoring the BBQ lunch for the volunteers. She stated it is estimated that \$500 will be needed to provide lunch for the 100 plus volunteers that are expected to participate. She stated there are still funds available in the Community Grant Fund and suggested the funds come from that account. She also suggested the City waive the fee it normally charges for groups to reserve use of a city park for the BBQ. The **Council** discussed the matter and were in agreement to support the function.

***Councilor Weed** moved to commit \$500 from the Community Grant Funds to sponsor the BBQ lunch in collaboration with the other May 16th sesquicentennial events occurring in and around Sisters. **Councilor Bogart** seconded the motion. The motion carried unanimously.*

Manager Stein informed the Council that the City had received a request from the Veteran's of Foreign Wars (VFW) to alter the flag schedule for 2009 to include posting the flags earlier than originally proposed to commemorate Armed Forces Day on May 16th. She stated the VFW is requesting the flags be posted on May 15th and retired on June 15th. The **Council** discussed the matter and determined it has no issue with the increased number of days added to the flag schedule.

***Councilor Weed** moved to approve the request of the VFW to alter the flag schedule to include posting the flags earlier to include Armed Forces Day. **Councilor Bogart** seconded the motion. The motion carried unanimously.*

Manager Stein reported that she and Mayor Kellstrom attended the Central Oregon Cities Organization (COCO) legislative V-Tel session in Redmond earlier in the day where they received an update on a transportation funding package under consideration in this legislative session. She stated it will include a proposed six cent increase for the gas tax and could also include a four year moratorium on cities imposing a local gas tax.

Councilor Weed asked if there was any update on the Metolius Basin. **Manager Stein** reported that testimony is still ongoing in Salem. **Council President Merrill** added that a majority of the testimony received has been in support of HB 3100 which will establish the Metolius Basin as an Area of Statewide Critical Concern.

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Manager Stein informed the Council that she planned to travel to Salem on Monday, April 13th to testify on two bills. She stated that HB 3138 will increase the annual appropriation to the Oregon Department of Transportation's (ODOT) Small Cities Program and HB 3379 will establish funding mechanism for transportation improvements to aid economic development.

IX. ADJOURN – 8:42 p.m.

Respectfully submitted,

Kathy Nelson, City Recorder

Lon Kellstrom, Mayor