

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE  
DECEMBER 10, 2009

**MEMBERS PRESENT:**

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

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

The meeting was called to order by Mayor Kellstrom at 7:03 p.m.

**II. VISITOR COMMUNICATIONS**

**Deborah Paredes-Botnen, 2099 Mistletoe, Bend, OR**

**Ms. Paredes-Botnen** stated she was in attendance representing Terra Agape Arche, Shepherds House and the Guardian Angles to let the Council know these organizations would like to set up a time with the Council to discuss the possibility of using Sisters Overnight Park as an emergency homeless shelter.

**Mayor Kellstrom** asked that Ms. Paredes-Botnen provide staff with the information on the proposal to bring back to the Council.

**III. CONSENT AGENDA**

A. Minutes

1. November 5, 2009 –Workshop
2. November 12, 2009 – Workshop
3. November 12, 2009 – Regular Meeting
4. November 19, 2009 – Special Meeting

B. Bills to Approve

1. November 25, 2009 Accounts Payable
2. December 10, 2009 Accounts Payable

C. Certified Election Results for the November 03, 2009 Election

**Councilor Merrill** moved to approve the consent agenda. **Councilor Weed** seconded the motion. *The motion carried unanimously.*

**IV. ACCOUNTS PAYABLE NOT ON THE CONSENT AGENDA**

- A. November 25, 2009 Accounts Payable
- B. December 24, 2009 Accounts Payable

*Councilor Merrill moved to approve the accounts payable not on the consent agenda.  
Councilor Weed seconded the motion.*

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

*The motion carried unanimously.*

**V. STAFF REPORTS**

**A. Eric Porter, Community Development Director**

**Community Development Director Porter** asked if there were any questions with regard to his staff report. There were none.

**B. Brad Grimm, Public Works Director**

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

**Councilor Weed** complimented Director Grimm on the numerous projects Public Works is handling. She noted the tracking of subdivision and public improvements on his staff report and asked if there was any movement on any of the projects. **Director Grimm** stated Director Porter was better able to answer that question. **Director Porter** stated that most of the movement the City is seeing is related to subdivision sales. He stated some of the subdivisions have been conveyed back to banks and private parties. He reported there has been a slight increase in building permits issued within the last month.

**C. Captain Tim Edwards, Deschutes County Sheriff's Department**

**Captain Edwards** reported on the number of patrol hours provided, incidents, citations, warnings and business checks for September. He stated the Sheriff Department spent Tuesday assisting Search and Rescue and other emergency agencies with evacuations of homes that lost power during the particularly frigid temperature the area was experiencing. He noted the process went very smoothly.

## VI. COUNCIL BUSINESS

**Mayor Kellstrom** stated he was moving business item “K” to the beginning of the meeting due to the meetings number of *Council Business* items.

### **K. Discussion and Consideration of a Motion** Endorsing a Liquor License Change of Ownership for Scoots Bar & Grill

**City Recorder Nelson** introduced James and Sharon Ramsey, the new owners of Scoots Bar & Grill, and stated they were in attendance to answer any questions the Council might have. She stated the background check from the Sheriff’s Department showed no criminal record.

**Councilor Weed** stated that during the last Oregon Liquor License Commission (OLCC) renewal period, the Council was made aware of several issues of concern at Scoots. **Mrs. Ramsey** stated they were also aware of previous problems and wanted to make certain they are addressed. **Mayor Kellstrom** asked when the Ramsey’s would officially take ownership of Scoots. **Mr. Ramsey** stated the change of ownership would occur on December 15<sup>th</sup>.

**Councilor Merrill** moved to endorse a liquor license change of ownership for Scoots Bar and Grill. **Councilor Weed** seconded the motion. *The motion carried unanimously.*

### **A. Discussion and Consideration of Ordinance No. 390:** AN ORDINANCE OF THE CITY OF SISTERS AMENDING SISTERS MUNICIPAL CODE SECTION 8.04 CONCERNING SOLID WASTE AND DECLARING AN EMERGENCY

**Councilor Merrill** moved for the first and second reading, by title only, of Ordinance No. 390. **Councilor Weed** seconded the motion. *The motion carried unanimously.*

City Attorney Bryant read Ordinance No. 390, by title only, twice.

**Councilor Merrill** moved to approve Ordinance No. 390 amending Sisters Municipal Code Section 8.04, concerning solid waste and declaring an emergency. **Councilor Bogart** seconded the motion. *The motion carried unanimously.*

### **B. Public Hearing and Consideration of Ordinance No. 391:** AN ORDINANCE DECLARING CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 30.00 ACRES KNOWN AS THE MCKENZIE MEADOWS PROPERTY AS BEING ANNEXED TO AND INCORPORATED WITHIN THE CITY OF SISTERS AND SETTING THE ZONE THEREFORE

**Mayor Kellstrom** opened the public hearing to anyone wishing to speak on the matter. As there was no one wishing to speak on the matter, **Mayor Kellstrom** closed the public hearing.

*Councilor Merrill moved for the first reading, by title only, of Ordinance No. 391.  
Councilor Thompson seconded the motion. The motion carried unanimously.*

City Attorney Bryant read Ordinance No. 391, by title only.

**Mayor Kellstrom** announced the second reading of the ordinance will occur at the January 14, 2010 regular Council meeting.

**C. Public Hearing and Consideration of Ordinance No. 392: AN  
ORDINANCE OF THE CITY OF SISTERS ADOPTING THE SISTERS 2009  
TRANSPORTATION SYSTEM PLAN (TSP) AND COMPREHENSIVE PLAN  
AMENDMENTS TO GOALS 2, 8, 9, 11 AND 12.**

**Chris Maciejewski** of DKS & Associates stated the company, as a transportation consulting firm, was hired by the City to perform the Transportation System Plan (TSP) update and stated the process began almost two years ago. He stated his presentation would provide a summary of the process, the recommended plan, funding options and what the TSP will do for the City.

**Mayor Kellstrom** opened the public hearing for anyone wishing to speak on the TSP update.

**Carey Tosello, 754 Coyote Springs, Sisters, Or 97759**

**Mr. Tosello** stated that as a member of the TSP update committee he wanted to encourage the Council to adopt the plan. He stated the committee, along with staff and the consultants spent many months laying out a vision for how cars, bicycles and pedestrians will navigate Sisters in the coming years. He stated there is one area that requires clarification by the Council, the issue of signal lights versus roundabouts at Locust/Highway 20 and Barclay/Highway 20. He stated he did not feel signal lights were in the best interest of the community. He stated roundabouts have been proven to be safer and more efficient and noted they have been very successfully used in Bend for more than a decade. He provided his rationale of why roundabouts should be considered and showed a photo of how the Locust/Highway 20 intersection looks at present and compared that to a simulated photo of how the intersection would look with a roundabout.

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE  
DECEMBER 10, 2009

**Mr. Tosello** noted the Sisters Vision Statement calls for an ‘*authentic village atmosphere*’ and the ‘*protection of the town character*’ and stated roundabouts will best meet those goals. He urged the Council to include language in the TSP stating that roundabouts are the preferred traffic control solution in Sisters. He stated this will provide direction to staff and traffic consultants without binding the City to any specific solution.

**Jean Keenan, 477 W. Sisters View Place, Sisters, OR 97759**

**Ms. Keenan** stated she has been on every TSP committee since 1975 and is committed to keeping the character and ambience of Sisters. She complimented the committee members and consultants for working so well together and commended the consultants for their research to find creative solutions. She stated Sisters has a seasonal problem and as such only needs a seasonal solution. She stated she feels the alternate route addresses the issue where a couplet would not. She stated a couplet only makes for two busy streets as opposed to one and since the economics of Sisters are dependent on pedestrians being able to move around the City, couplets really don’t work. She stated that once a plan is in place the City can begin to apply for funding from other agencies.

**Jerry Norquist, 1056 Black Butte Avenue, Sisters, Or 97759**

**Mr. Norquist** asked the Council to accept the plan. He stated it took a dedicated group of people a long time and represents a lot of effort. He stated the revised plan is important and will provide the best solution for the money. He agreed that roundabouts are good options but noted there needs to be additional research on that possibility. He stressed the City must act now to help existing businesses and encourage other businesses to locate in Sisters, which will keep Sisters vibrant. He stated the City can move forward with the TSP in phases, with each phase helping to improve transportation in our community. He stated the phases can be done over a number of years and that will make it easier to find funding sources.

**Bill Willitts, 800 Buckaroo Trail, Sisters, OR 97759**

**Mr. Willitts** stated he wanted to echo Mr. Tosello’s sentiments about roundabouts. He stated the City has an opportunity for inspiration with the installation of roundabouts at each end of town. He stated besides providing safety, roundabouts will provide a huge “wow” factor for those driving through Sisters. He stated they will benefit all the businesses and create an inviting atmosphere for people traveling through the City. He asked the Council to please consider placing the installation of roundabouts above signals to help with traffic flow in Sisters.

Chuck Humphreys, PO Box 653, Sisters, OR 97759

**Mr. Humphreys** stated he was member of the Project Advisory Committee (PAC) for the TSP. He thanked Mr. Maciejewski and other DKS employees for being so amenable to work with and stated it was money well spent by the City to use the services of DKS. He also complimented the members of the PAC for providing a variety of points of view. He stated the fact that the group was able to unanimously agree that an alternant route was the most sensible approach was important. He stated an alternate route will provide the relief valve the City needs during heavy traffic flows while maintaining the integrity of downtown and preserving a village atmosphere. He stated the flexibility of the plan is a plus. **Mr. Humphreys** stated the plan will provide Sisters with the first coherent approach for vehicles, bikes and pedestrians. He stated he especially likes the emphasis the plan puts on the 'safe routes to schools' strategies. He encouraged the Council to adopt the plan and move forward as it is time for action. He stated that he also preferred roundabouts.

As there were no other people wishing to speak, **Mayor Kellstrom** continued the public hearing until the January 14, 2010 regular meeting.

**D. Public Hearing and Consideration of Ordinance No. 393: AN ORDINANCE OF THE CITY OF SISTERS ADOPTING THE SISTERS HOUSING PLAN AND COMPREHENSIVE PLAN AMENDMENTS TO GOAL 10**

**Director Porter** stated at the August 6<sup>th</sup> workshop the Council directed staff to come back with additional information on creating a Housing Board, more detail on implementing strategies and information on whether other jurisdiction use staff or use a contract employee to administer their housing plan. He stated the research showed that the cities of Bend and Vail, Colorado have distinctive Housing Boards that are separate from their Planning Commission. He stated he was asking the Council to consider adoption of the plan which will include an amendment to the Comprehensive Plan. He stated the City will advertise for Housing Advisory Board members much as it does for Planning Commission members. He suggested staggered terms for those members. He noted there were several options available for the Council to choose from and gave a brief overview of each. He stated staff's recommendation was Option #2.

**Mayor Kellstrom** opened the public hearing for anyone wishing to speak on the matter.

Chuck Humphreys, PO Box 653 Sisters, OR 97759

**Mr. Humphreys** stated he is in favor of moving forward with the Housing Plan. He stated he served on the advisory group that worked on the plan as well as participated in detailed discussion at Planning Commission meetings. He stated he views the plan as a strategy

document that helps set the direction for Sisters in addressing its housing problems. He stated it is important to do something as there are significant problems with the housing situation in Sisters. He stated an aggressive, proactive approach is necessary to provide affordable housing and failure to move forward quickly signals to community members that the City does not care, which he doesn't feel is true. He added that now would be an ideal time to establish a housing trust fund or land bank as many opportunities exist right now to purchase properties that are bank owned.

**Deb Price, Oregon Housing and Community Services (OHCS)**

**Ms. Price** thanked the staff and community members for the work that went into the Housing Plan. She stated in listening to the conversation earlier on the TSP update she noted how all the elements of the TSP also affect a comprehensive affordable Housing Plan. She stated she has been a member of the Bend Housing Advisory Committee for two and a half years where a very diverse group of people representing a broad range of businesses and non-profit agencies have found common ground in finding solutions. She suggested putting together a group in Sisters to actively and consistently address housing issues and volunteered to help in any capacity she can.

As there was no one else wishing to speak on the matter, **Mayor Kellstrom** continued the public hearing to the January 14, 2010 regular meeting.

**E. Public Comment and Consideration of Resolution No. 2009-23: A  
RESOLUTION OF THE CITY OF SISTERS AMENDING THE MASTER  
FEE SCHEDULE BY CREATING A FEE FOR CITY MANAGED SOLID  
WASTE ACCOUNTS AND ADDING HIGH COUNTRY DISPOSAL FEES**

**Director Young** explained this resolution was a partner to Ordinance No. 390 that the Council approved earlier in the meeting. She stated the resolution added the fees charged by High Country Disposal and administrative fees the City will charge for City managed solid waste accounts to the master fee schedule.

**Mayor Kellstrom** asked for public comment on the proposed resolution. No one came forward to speak.

***Councilor Merrill** moved to adopt Resolution No. 2009-23 amending the master fee schedule by creating a fee for city managed solid waste accounts and adding High Country Disposal (HCD )fees. **Councilor Weed** seconded the motion. The motion carried unanimously.*

**F. Public Hearing and Consideration of Resolution No. 2009-26: A RESOLUTION SUPPORTING THE CITY OF SISTERS GRANT APPLICATION FOR A MICROENTERPRISE FACILITATOR POSITION TO EXPAND THE CENTRAL OREGON MICROENTERPRISE FACILITATION PROGRAM**

**Director Porter** stated staff was asking for approval of the resolution from Council in order to move forward with the City being the sponsoring agency for the grant application. He stated receiving the grant would provide funding for a second microenterprise facilitator position and expand the Central Oregon Microenterprise Facilitation Program to serve Deschutes, Jefferson and Crook counties. He stated that one of the requirements for the grant application was to hold a public hearing and receive testimony. He added that the application also requires letters of support from agencies that serve low to moderate income persons and entered letters from Housing Works and NeighborImpact into the record, both of which were very supportive of the program. He stated there is no match requirement for the City.

**Mayor Kellstrom** opened the public hearing for anyone wishing to speak on the matter.

**Patricia Gainsworth, WyEast Board Member**

**Ms. Gainsworth** stated she was one of the people who brought the idea of the program that makes use of the Sirolli Institute model to Central Oregon after attending the Resource Board meetings in Baker County. She stated the Sirolli Institute has been used worldwide with a success rate of about 95%. She stated the community synergy help the core businesses that are such an important part of any community. She urged the Council to participate.

As there was no one else wishing to speak, **Mayor Kellstrom** closed the public hearing.

**Councilor Merrill** moved to adopt Resolution No. 2009-26 supporting the City of Sisters grant application for a microenterprise facilitator position to expand the Central Oregon Microenterprise Facilitation Program. **Councilor Weed** seconded the motion. The motion carried unanimously.

**G. Public Hearing and Consideration of Resolution No. 2009-27: A RESOLUTION OF THE CITY OF SISTERS AMENDING THE MASTER FEE SCHEDULE FOR SOLID WASTE COLLECTION FEES WITHIN CITY LIMITS PROVIDED BY THE SOLID WASTE FRANCHISE**

**Director Young** explained the resolution is in regard to a fee increase requested by High Country Disposal (HCD). She stated HCD is requested the rate increase be effective on January 1, 2010 to cover the tipping fee increase imposed by Deschutes County. She explained that the rate increase is a direct pass-through.

**Mayor Kellstrom** asked for public comment on the proposed resolution. No one came forward to speak.

***Councilor Merrill** moved to adopt Resolution No. 2009-27 amending the master fee schedule for solid waste collection fees within city limits provided by the solid waste franchise. **Councilor Weed** seconded the motion. The motion carried unanimously.*

**H. Discussion and Consideration of Resolution No. 2009-28: A RESOLUTION OF THE CITY OF SISTERS CREATING A LOW INCOME UTILITY ASSISTANCE PROGRAM**

**Director Young** explained the resolution would establish a low income utility assistance program for qualifying citizens for water, sewer and garbage accounts. She stated that HCD will participate and offer the assistance to its customers if the resolution is approved. She stated the standard rate would be discounted by 25%.

***Councilor Merrill** moved to adopt Resolution No. 2009-28 creating a low income utility assistance program. **Councilor Weed** seconded the motion. The motion carried unanimously.*

**I. Discussion and Consideration of a Motion to Award a Bid for Well No. 2 Disinfection System Improvements to Stettler Supply and Construction in the Amount of \$83,967 and Authorize the City Manager to Enter into a Contract**

**Director Grimm** stated staff was asking the Council to approve awarding the bid for the disinfection system improvements for Well #2.

***Councilor Merrill** moved to award a bid for Well #2 disinfection system improvements to Stettler Supply and Construction in the amount of \$83,967 and authorize the City Manager to enter into a contract. **Councilor Weed** seconded the motion.*

**Councilor Thompson** asked what Keeton-King's original bid amount was in 2008 when all the bids came in over budget. **Director Grimm** stated it was \$97,800. **Councilor Thompson** asked what was originally budgeted for the improvements in 2008 and what was budgeted for the rebid. **Director Grimm** stated the City budgeted \$86,000 in 2008 and \$100,000 in 2009.

*The motion carried unanimously.*

**J. Discussion and Consideration of a Motion to Approve a Reinstatement Agreement with T-Mobile**

**Manager Stein** stated the agreement will put the tower lease contract with T-Mobile back in place and provided a recap of the agreement. She noted the City will receive back payment for the period of August 15, 2007 through December 30, 2009 and outlined a small change to the agreement with regard to when T-Mobile will pay that amount.

*Councilor Merrill moved to approve a reinstatement agreement, as amended, with T-Mobile. Councilor Weed seconded the motion.*

**Councilor Weed** asked if the previous agreement with regard to the City's ability to terminate the lease will still be a part of the reinstatement agreement. **City Attorney Bryant** stated the City cannot terminate the lease for the first three year term of the lease, but can after that time with a six month notice to vacate to T-Mobile.

*The motion carried unanimously.*

**L. Discussion and Consideration of a Motion to Approve a Release Agreement with Bank of the Cascades Regarding Public Improvements for Saddlestone Subdivision**

**Director Grimm** stated Peter Dinsdale was purchasing the Saddlestone subdivision from Bank of the Cascades and assuming all obligations from Bank of the Cascades. He stated with the proof of bond received by the City, staff recommended the Council approve the Assignment and Assumption Agreement and authorize the City Manager to sign the agreement.

**Councilor Thompson** asked if there was a change in the date for the agreement. **Director Grimm** stated there was not a change in the date but there was a reduction of approximately \$30,000 in the bond requirement due to changes in the market. **Councilor Weed** suggested the Council consider extending the dates required for completion. **City Attorney Bryant** explained the Council could not change the dates as they were part of the original land use decision.

**VII. OTHER BUSINESS**

There was no other business.

### VIII. MAYOR/COUNCILOR BUSINESS

**Councilor Bogart** noted the November 19<sup>th</sup> minutes which stated that Manager Stein was going to check with City Attorney Bryant regarding options to weight contracts to favor local contractors and asked what progress had been made. **City Attorney Bryant** stated the City is bound by Oregon procurement laws. He stated it allows the City to request proposals with other criteria besides the lowest bid but does not allow one of the criteria to be where a business is located. He stated using other criteria can be used for a bid process but it is more expensive to do that way and would be a method to be used for a specific project such as constructing a roundabout.

**Councilor Thompson** stated he had heard the state is looking at imposing similar rules like the federal 'HUB' zone. **City Attorney Bryant** stated there has been some discussion but nothing has been formalized as yet. **Councilor Thompson** voiced his frustration citing the example of the Well #2 bid awarded tonight where Keeton-King was the lowest bidder the first time the project was bid but because it came in over budget lost the bid this time by only \$1,800. He stated he hated to see local contractors out of business.

**Manager Stein** stated one option the Council can consider is changing the City's current public contracting threshold as the City's is more restrictive than the State requires.

**Councilor Thompson** stated he felt the Council should look at its threshold levels and consider making some changes.

**Manager Stein** and the **Council** discussed the TSP, Housing Plan, Development Code update review, transient vendors and Economic Development Strategic Action Plan, (EDSAP) requiring discussion and/or decisions by the Council and how to prioritize them.

**Councilor Merrill** stated when the Council discusses the TSP update, it needs to research what the economic impact an alternate route could have on downtown businesses. He stated the City also needs to determine how the urban renewal plan affects the TSP update.

**Councilor Weed** stated the City also needs to know how the County's TSP addresses the property from the Tehan property to the highway. **Manager Stein** stated suggested raising this topic at the quarterly meeting with the County Commissioners in January.

**Councilor Merrill** announced he was elected to the Deschutes River Conservancy (DRC) Board and that along with Patrick Griffith from Bend will be bringing municipal needs and concerns to the DRC's attention. He stated he will also begin attending the Central Oregon Counties Organization (COCO) Water Committee meetings.

**Councilor Merrill** suggested councilors read an article that appeared in the Oregonian about a street maintenance fee in Tigard and a video Tigard produced about the need for the

REGULAR MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE  
DECEMBER 10, 2009

fee. He stated it contained good information about how to communicate the need for street maintenance.

**IX. ADJOURN** – 8:47 p.m.

Respectfully submitted,

---

Kathy Nelson, City Recorder

---

Lon Kellstrom, Mayor