

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 26, 2015

MEMBERS PRESENT:

Chris Frye Mayor
McKibben Womack Council President
Wendy Holzman Councilor
Nancy Connolly Councilor

ABSENT:

David Asson Councilor

STAFF PRESENT:

Andrew Gorayeb City Manager
Steve Bryant City Attorney
Pauline Hardie CDD Director
Paul Bertagna PW Director
Kathy Nelson City Recorder

ABSENT:

Lynne Fujita-Conrads Finance Office

The meeting was called to order by Mayor Frye at 6: p.m.

1. Finalize Council Goals

Mayor Frye stated the Council needed to finalize its goals and one component of that was to make a decision whether the position of Economic Development Manager should transition to full time with the adoption of the FY 2015-16 budget or if the Council should adopt a supplemental budget to allocate the funds at this time and have the position become full time as soon as possible.

Councilor Womack stated he had spoken with Economic Development of Central Oregon (EDCO) Executive Director Roger Lee about the position and Mr. Lee had indicated the range EDCO would expect to receive for this type of position with overhead would be from \$67,500 to \$105,000. He stated if the County committed another \$20,000 that would bump the amount up to \$87,500. He stated he asked about the possibility of soliciting applications from others. Mr. Lee stated if the position was going up to full time there would likely be more interest from other candidates but since EDCO worked for the City he was not comfortable advocating one way or the other. **Councilor Womack** stated in order for the City to perform due diligence, he felt it should consider opening up the position to others to see what other candidates might have to offer.

Manager Gorayeb added that in his conversation with Mr. Lee he had indicated he was looking for direction from the City with respect to the position. He advised he was meeting with Mr. Lee the following day to discuss the terms of the memorandum of understanding (MOU) for the Forgivable Loan Program.

Mayor Frye reported he had also spoken with Mr. Lee who had indicated that in making the Economic Development Manager a full-time position and providing a forgivable loan program, the City would have all the tools it needed to be successful. He stated he had also asked for Mr. Lee opinion on the job performance of the current Economic Development Manager and Mr. Lee had indicated he was very satisfied with Ms. Foote-Lewis. He reported Mr. Lee had indicated the one area he felt Ms. Foote-Lewis needed improvement was in communication with the Council and City Manager. **Mayor Frye** reported he had met with Ms. Foote-Lewis and suggested she set up a regular monthly meeting with the City Manager which she had been amenable to as well as

continuing to meet with the Council as needed. **Manager Gorayeb** reported communication between staff on the Economic Development Manager had improved and staff was looking to offer assistance earlier in the process as opposed to later.

The **Council** discussed the matter further and decided since Ms. Foote-Lewis was performing well and as she had many projects underway, she should be retained in the position. The **Council** also asked staff to prepare a supplemental budget and move forward with making the position full time immediately.

Councilor Connolly stated she wanted discuss Councilor Asson's previous suggestion relating to goals that the Council provide clear guidelines on future projects costing \$50,000 or greater. Councilor Asson had stated advisory boards would then be well aware of what was expected and the budget it should work within. She stated an advisory board could also get public input prior to much being spent on designs. **Councilor Womack** replied he felt the Council would need to define what "projects" were since many projects were related to maintenance and public safety. **Councilor Connolly** replied Councilor Asson had provided Creekside Campground improvements as an example and stated the process would provide a checks and balances of sorts. **Mayor Frye** commented that a lot of Public Works projects cost more than \$50,000 and **Manager Gorayeb** confirmed there were usually at least six a year. **Councilor Holzman** suggested projects that added to the City's asset base were the types of projects this idea should apply to. **Councilor Womack** replied he felt that projects identified as "new projects" should be the focus and **Councilor Connolly** agreed.

Manager Gorayeb provided an overview of upcoming projects that might qualify related to cost or need for public outreach. The list included:

- Village Green Park parking improvements
- Asphalt overlays
- Street maintenance
- Play structure for Village Green Park
- Whychus Creek waterline replacement
- Replacement of pressure sewer line at Locust Street Bridge
- Americans with Disabilities (ADA) improvements at Chamber of Commerce Building
- Restrooms at Clemens Park
- Elm Street path from Village Green Park to Petersen Ridge Trailhead
- Path on Pine Street
- Creekside Park ADA improvements

Manager Gorayeb noted in each of these projects the City planned to seek grant funding to offset a portion of the project cost.

Mayor Frye stated he was concerned with creating redundancy, especially with park projects since the City Parks Advisory Board (CPAB) would have already performed a great deal of public

outreach. He stated he wanted to make certain the Council did not bog down the process.

Councilor Womack suggested removing the dollar amount as the deciding factor since there could be a “hot topic” project that cost less than \$50,000. He stated he felt the Council could provide better direction to its boards and committees and accomplish the same result. **Councilor Holzman** stated she felt the City was already doing so with several of its committees and boards.

Manager Gorayeb stated staff could create and maintain a project master list that was updated on a regular basis if that would be helpful. **Councilor Holzman** stated she felt the five over-arching goals the Council had identified from its goal setting session were still viable and the projects could still fit within the original goal categories.

Mayor Frye stated he felt the City should increase its percentage of transient room tax (TRT) it pays to the Chamber of Commerce up to 50%. The **Council** agreed.

The **Council** discussed the possibility of reactivating the Committee for Citizen Involvement (CCI). **Councilor Connolly** stated she would draft her ideas on how the committee might function and bring back to the Council. **Councilor Holzman** reported the Community Assets Committee (CAC) would be concluding its work and outreach in the next few months and winding down. She warned against creating too many committees since they generated the need for additional staff time. The **Council** requested staff schedule a workshop to evaluate all committees and boards.

Mayor Frye stated he would like to continue to look into the possibility of increasing transient room tax charged in Sisters realizing there would be a need for a great deal of outreach prior to making any decisions. He stated another idea he would like to see some follow-up on would be the *Movies in the Park* concept. He stated he really liked the idea and had spoken with individuals in other communities where the program had been successful, especially for youth in the community who don't have many entertainment options available to them. **Councilor Connolly** questioned whether it was the City's role to set up a program of this nature. **Mayor Frye** replied he had spoken with Sisters Park and Recreation District (SPRD) Executive Director Liam Hughes about the possibility and Mr. Hughes had indicated a willingness to run the program if the City were to procure the necessary equipment. He stated he saw the program as a community asset that could benefit any number of community groups that could use the opportunity to sell concessions.

Councilor Holzman stated she felt the Council should create a category for those projects that were a possibility that were still in need of additional research and community input. She noted affordable housing was another one of those topics to add to the list.

Councilor Connolly stated parks were not a priority for her. She stated economic development, affordable housing, connectivity, community outreach, city operations and bike/pedestrian projects were the areas of significance that stood out from the goal setting session. **Councilor Womack** commented he liked the *Movies in the Park* idea and felt it would be a great asset. He suggested

Mayor Frye continue to run with his idea and bring it back to Council for consideration when it was ready. **Mayor Frye** stated a lot of park projects were categorized as a priority #1 in the Parks Master Plan and he felt those projects were very important for the City's youth between the ages of eight to 15.

Mayor Frye stated he would work with Councilor Asson to re-draft the Council goals and bring them back to the Council for final approval.

2. Food Cart Land Use Applications

Mayor Frye stated he felt the Council should wait to address concerns and answer questions related to the food cart land use decision until the regular meeting as he anticipated there would be a number of people that would speak during visitor communication. He stated after hearing from everyone the Council could then discuss the matter under "Other Business". **Councilor Connolly** stated she did have some questions she would like answered prior to the regular meeting so she would be better prepared. She asked City Attorney Bryant to explain how a 'de novo' hearing differed from other hearings. **City Attorney Bryant** explained there were two types of major hearings, and a 'de novo' hearing was where the Council was presented with a new record, including staff reports and presentations from the applicant and opponents prior to making a decision. He explained that was different from a regular review of a record whereby the Council only reviewed what had previously been submitted in order to reach a decision.

Councilor Connolly stated Attorney Michael Peterkin's letter referred to ORS 197.825(2A) and asked if the required 14 day noticing requirement applied to just Sisters or throughout the state. **City Attorney Bryant** replied it was a state statute but the Sisters Development Code spelled out who was entitled to be noticed of a decision, noting staff had done so. He stated in April 2008, a change to the Development Code was made that allowed the Planning Commission or the City Council to call up a decision, not just a member of the public. He stated that provision was added but the requirement the Planning Commission and City Council be provided with a copy of every decision was not. He noted it had never been a requirement that decision notices be sent to the Planning Commission or Council. **Mayor Frye** confirmed there had been 11 Type II land use decisions in 2014 and only two of those decisions had been sent to the Planning Commission. He stated that had been done only after staff received a number of comments they felt were important for the Planning Commission to be made aware of.

Councilor Connolly questioned what options were available to the parties Mr. Peterkin was representing. **City Attorney Bryant** replied there really weren't any as the decision had already been made and 14 day appeal period had passed. **Councilor Connolly** asked if the Council was going to address the issue so this type of situation did not happen again in the future. **Mayor Frye** replied the Planning Commission had already volunteered to tackle the issue of food carts. He stated he felt that was the best solution since it would provide opportunity for the public to weigh in and would be handled much like the formula food issue. He stated the City could decide to be as lenient or restrictive with future food carts as it wanted to be.

Mayor Frye stated with regard to notification there were already some changes in process. He stated an amendment to the Development Code was being proposed that would require all Type II decisions be forwarded to the Planning Commission and that staff would make a good faith effort to notify any nearby businesses of decisions using the Chamber of Commerce as a conduit. He explained the City would be providing more notice than any other nearby city where notification was only sent to those within 100 feet of a proposed land use. He noted the City of Sisters already sends notification to everyone within 250 feet of a proposed land use.

Councilor Connolly asked about secondary businesses at a location and how staff interpreted that provision. **Director Hardie** explained that a business was allowed to have a mixed use development if the secondary use was complementary to the primary business.

Councilor Connolly noted it had been suggested the City obtain an opinion on the matter from a third attorney and asked City Attorney Bryant what his thoughts were on that. **City Attorney Bryant** replied he did not have an opinion and it was at the Council discretion to make that decision. He suggested the Council contact the League of Oregon Cities (LOC) for a recommendation for a land use attorney if they chose to follow that path. **Mayor Frye** voiced concern with delaying the applicant and **City Attorney Bryant** commented he did not see that as a concern since the applicant was free to move forward with the project as wanted.

3. Other Business

Due to a lack of time, there was no *Other Business*.

The meeting was adjourned at 7:03 p.m.

Respectfully submitted,


Kathy Nelson, City Recorder


Chris Frye, Mayor