

SPECIAL MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
OCTOBER 29, 2015

MEMBERS PRESENT:

Chris Frye	Mayor
Nancy Connolly	Council President Pro-tem
David Asson	Councilor
Amy Burgstahler	Councilor
Andrea Blum	Councilor

STAFF PRESENT:

Andrew Gorayeb	City Manager
Patrick Davenport	CDD Director
Paul Bertagna	PW Director
Lynne Fujita-Conrads	Finance Director
Darcy Reed	Planner
Kathy Nelson	City Recorder

I. CALL TO ORDER

The special meeting was called to order by Mayor Frye at 8:02 a.m.

II. COUNCIL BUSINESS

A. Continued Public Hearing and Consideration of Ordinance No. 462: AN ORDINANCE AMENDING THE CITY OF SISTERS DEVELOPMENT CODE CHAPTER 2.2 RESIDENTIAL (R) DISTRICT AND ZONING MAP TO ESTABLISH A NEW ZONING SUB-DISTRICT TITLED PINE MEADOW VILLAGE RESIDENTIAL SINGLE FAMILY SUB-DISTRICT (R-PMV)

Mayor Frye read from a script for the public hearing of Text Amendment TA 15-02 and Zone Change ZC 15-02 to establish a new zoning sub-district titled Pine Meadow Village Residential Single Family Sub-District. He called the hearing to order. He described how the hearing would be conducted and how to provide testimony. He asked for disclosures from the City Council. **Councilor Burgstahler** stated she had a direct conflict of interest as she was in the process of building a home in Pine Meadow Village and would abstain from voting on the matter. **Councilor Blum** stated she had a potential conflict of interest as she lived in Pine Meadow Village, but she would be voting. There was no member of the audience that wished to challenge the ability of any Council member to hear the matter. **Mayor Frye** asked for the staff report to be presented.

Planner Reed provided background on Pine Meadow Village (PMV). She reported PMV had filed a land use application with Deschutes County in May 1998 and subsequently was annexed into the City in June of 1999. She stated the development standards in place when the initial application was filed with the County expired in May 2008 and although the development standards were to revert to the City of Sisters Development Code at that time, they had not. She reported Pine Meadow Village residents wished to keep their original development standards which the ordinance before the Council would do by creating a new zoning sub-district titled PMV Residential Single Family Sub-District.

Planner Reed described the proposed text and zoning map amendment which would enable PMV single family development to continue using certain dimensional standards obtained prior to annexation and a zoning map to illustrate the exact area of the sub-district.

Planner Reed highlighted two main differences from Sisters current standards; reduced set-backs and how building height are measured. She informed the Council the Planning Commission had recommended approval of the ordinance with a vote of four to one and that staff was also recommending approval.

Mayor Frye asked for questions from the Council. **Councilor Blum** questioned why the one Planning Commissioner had voted against the proposed changes. **Director Davenport** replied the Commissioner wanted the standards to revert back to the current City standards.

Mayor Frye asked if there was anyone that wished to testify regarding the matter and there was no one that wished to testify. There were no additional comments from staff and the Council did not have any further questions. The **Council** chose to close the record for additional written comments.

Mayor Frye closed the public hearing.

Councilor Connolly moved for the first and second reading, by title only, of Ordinance No. 462. Councilor Asson seconded the motion. The motion carried with Mayor Frye, Councilor Asson, Councilor Blum and Councilor Connolly voting in favor of the motion and Councilor Burgstahler abstaining from the vote.

Manager Gorayeb read Ordinance No. 462, by title only, twice.

Councilor Asson moved to adopt Ordinance No. 462 amending the City of Sisters Development Code Chapter 2.2 Residential District and Zoning Map to establish a new zoning sub-district titled Pine Meadow Village Residential Single Family Sub-District. Councilor Connolly seconded the motion. The motion carried with Mayor Frye, Councilor Asson, Councilor Blum and Councilor Connolly voting in favor of the motion and Councilor Burgstahler abstaining from the vote.

III. OTHER BUSINESS

Regional Solutions

Manager Gorayeb informed the Council the Governor's Central Oregon Regional Solutions Team was meeting in Sisters on November 5th at 10:00 a.m. and invited Council members to attend.

Vacation Rentals

Manager Gorayeb informed the Council staff had collected examples of the regulations used by other cities to govern vacation rentals. The information was distributed and **Director Davenport** stated he was planning to hold a workshop with the Planning Commission in December to discuss the matter prior to discussing it with the Council.

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Hood Avenue Project Bid Results

Manager Gorayeb reported all the bids received for the Hood Avenue project had come in higher than the City Engineer's estimate due to trenching, traffic control and mobilization costs being higher than estimated. He reported Robinson and Owen Construction submitted the lowest bid but staff would be working on value engineering the project prior to awarding the contract or going out for a re-bid. He reported the project could potentially be postponed until spring of 2016.

Talking Points

Councilor Asson stated he felt the Council should consider creating a written statement or talking points with regard to the latest newsletter from community activists with regard to food carts and affordable housing. He stated he wanted to make certain he was giving correct information.

City Attorney Bryant stated with regard to the food cart issue there was some perception on the part of the activist that some type of violation was occurring. He stated staff follows up on complaints to see if there are violations and works with businesses to get compliance as opposed to issuing citations if possible. **Mayor Frye** stated it was his understanding that the food carts in question were gone and not coming back, nor would they be allowed to as their business licenses did not allow them to come and go. He stated he assumed there was a penalty paid to the business owner for the food cart owner breaking the lease, but that was not a violation of the City's code. **City Attorney Bryant** agreed it was not a violation to go out of business. He stated if the food cart owners had terminated their lease, that effectively also terminated their business license within the City. He reported if they chose to come back, they would be required to get a transient merchant license. **Councilor Blum** asked if the party continued to pay their lease, could they leave and then come back. **City Attorney Bryant** stated there were some businesses downtown that did close for the winter and then come back and the circumstance Councilor Blum had described would fall into that same category and be allowed. He added if the Council wanted to change that, now was the time to do so with the current review of business licensing the City was undertaking. **Manager Gorayeb** suggested the Council could require food cart businesses to leave their carts in place if they wanted to come back, much like C&C Nursery and Richards Produce.

Manager Gorayeb assured the Council that staff had looked at the matter and it was handled properly and currently there was no violation. He stated the same food cart businesses would not be eligible to reinstate their business licenses. **Director Davenport** distributed a copy of the conditions of approval for Eurosports and noted there were no conditions of approval that negated the ability to have food carts in the future. He stated if the Council adopted a provision to not allow any food carts in the City and Eurosports did not have any food carts for over a year, then the business would lose its right to have them on the property.

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Director Davenport stated with regard to the affordable housing requirement for Peter Hall's development, it would be virtually impossible to complete the other four phases within the two year timeframe he would have from the date he pulled the first permit prior to the requirement he build the affordable housing units. **Councilor Connolly** noted Phase V, which includes the affordable housing units, also had 16 single family homes units and Mr. Hall would have to walk away from those also as he would be unable to obtain building permits for those single family units without building the affordable housing units. **Director Davenport** confirmed that was true. He reported Mr. Hall would be partnering with an affordable housing developer.

Speak your Peace

Councilor Burgstahler reported there was a diverse group of people meeting to continue the conversation on the Speak Your Peace initiative. She stated Robyn Holdman was leading the group and would be looking for funding sources. She stated she felt it was best to not have any Council member involved in the core group in order to remove any concerns from community members about pushing a specific agenda. The other **Council** members agreed.

Mayor/City Manager Meetings

Mayor Frye reported he had begun meeting on Monday mornings with Manager Gorayeb to review current and upcoming matters and invited another Council member to attend.

Councilor Blum stated she would be interested in attending the following week.

Council Rules

Councilor Connolly reported she had been informed by a community member the City was violating its City Charter by not abiding by its Council Rules. **City Recorder Nelson** stated a previous Council had decided not to closely follow the rules as they found them too formal. **Councilor Connolly** noted the Council was still following Roberts Rules of Order. **City Attorney Bryant** informed the Council the rules were still in effect until the Council formally amended them. **City Recorder Nelson** stated she would send a copy of the rules to the Council members to review and then they could discuss them at a future meeting.

Creekside Campground

Councilor Connolly stated the same community member also felt the City was running a commercial business with Creekside Campground which he also felt was against the City's Charter. **City Attorney Bryant** stated the City was already selling sewer and water which could also be considered commercial business but he would review the Charter.

Finance Officer

Councilor Connolly asked if there had been any response to the ad for a new Finance Officer. **Manager Gorayeb** reported the City had received some applications that looked promising and was waiting to see who else might apply prior to the deadline.

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Transient Merchants

Councilor Connolly provided a recap of the answers she had received from surveying community members about transient merchants.

Affordable Housing Committee

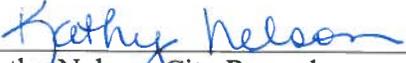
Mayor Frye requested staff get in touch with Sharlene Weed regarding her concerns with the affordable housing information that had been presented at the joint Council and Planning Commission workshop. **Director Davenport** reported the information presented was a version of the information reviewed by the affordable housing committee, of which Ms. Weed was a member. He stated the committee had requested the information be reviewed by the Council and Planning Commission and then when it was ready for final review, bring it back to the affordable housing committee. He stated he would reach out to Ms. Weed, **Manager Gorayeb** confirmed everything was still in draft form.

Dark Skies

Manager Gorayeb reported Planner Reed was working with Rima Givot and her students as well as any other concerned community members with regard to the City's dark skies requirement.

IV. **ADJOURN** – The meeting was adjourned at 9:04 a.m.

Respectfully submitted,


Kathy Nelson, City Recorder


Chris Frye, Mayor