



**SISTERS CITY COUNCIL
520 E. Cascade Avenue
Sisters, OR 97759**

August 27, 2015

6:00 P.M. CITY COUNCIL WORKSHOP

1. Traffic Study Presentation – *Scott Baird*,
2. City Parks Advisory Board Recommendations for Creekside Park – *P. Davenport*
3. Other Business – *A. Gorayeb/Council*

7:00 P.M. CITY COUNCIL REGULAR MEETING

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

- II. RECOGNITION OF FORMER COUNCILOR WENDY HOLZMAN**

- III. VISITOR COMMUNICATION**

- IV. CONSENT AGENDA**
 - A. Minutes
 1. July 23, 2015 – Regular Meeting
 1. August 13, 2015 – Regular Meeting
 2. August 20, 2015 - Workshop

 - B. Bills to Approve
 1. August Accounts Payable

- V. STAFF REPORTS**
 - A. Deschutes County Sheriff's Office

- VI. COUNCIL BUSINESS**

- VII. OTHER BUSINESS**

- VIII. MAYOR/COUNCILOR BUSINESS**

- IX. ADJOURN**

This agenda is also available via the Internet at www.ci.sisters.or.us

The meeting location is accessible to persons with disabilities. Requests for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting by calling Kathy Nelson, City Recorder, at the number below.

520 E. Cascade Ave. – P.O. Box 39, Sisters, OR 97759 – 541-323-5213

AGENDA ITEM SUMMARY



CITY OF SISTERS SISTERS CITY COUNCIL

Meeting Date: August 27, 2015

Staff: Patrick Davenport & Paul Bertagna

Type: Workshop

Dept: CDD and PW

Subject: Creekside Park and Campground- Recommendations from City Parks Advisory Board on Access Management and Draft Master Plan

Action Requested: Receive presentation from Kittleson and Associates; Discuss recommendations from the City Parks Advisory Board regarding access to Creekside Campground and the overall master plan

Proposed Project: On August 5, 2015, the City Parks Advisory Board (CPAB) received a presentation from Kittleson and Associates on the completed traffic study for Creekside Campground access. The attached traffic study concluded that there would be no negative traffic movement issues if the ingress/egress to Creekside Campground were modified to require ingress via Buckaroo Trail and egress via Locust Street. The CPAB received public input and discussed the access management options. The CPAB agreed with the finding of the traffic study and recommended to modify access to the Campground via ingress at Buckaroo Trail and egress at Locust St for a trial period.

A permanent access solution, which includes an option to permanently close the Locust Street entrance should be considered once a comprehensive traffic study is performed that includes an analysis of the State Highway system in the project area. That study is anticipated to be part of an updated City Transportation System Plan (TSP).

Attached also is a working draft of the Master Plan for Creekside Park and Campground for the Council's review.

Staff is requesting Council direction on access to Creekside Campground and input and recommendations regarding the draft Master Plan. Once Council's review and recommendations on the latest draft master plan including access is complete, staff will return the Plan to the CPAB to provide another opportunity for public input before a final recommendation is forwarded to City Council. Once City Council has approved the final draft of the master plan, the Plan will be forwarded to the Oregon Park and Recreation Department for review and consent. Once the OPRD provides consent of the master plan, it will be incorporated into the overall City Parks Master Plan.

Attachments:

- Traffic study results by Kittleson and Associates
- Working draft of Creekside Park and Campground Master Plan

Concurrence: _____ CM  F&A  CDD  PW



KITTELSON & ASSOCIATES, INC.

TRANSPORTATION ENGINEERING / PLANNING

354 SW Upper Terrace Drive, Suite 101, Bend, Oregon 97702 P 541.312.8300 F 541.312.4585

MEMORANDUM

Date: July 29, 2015
To: Patrick Davenport, AICP
From: Scott Beard, PE
Project: City of Sisters On-Call Services
Subject: Creekside Campground Access Evaluation

Project #: 13821



DATE: 7/29/15

BACKGROUND

Sisters Creekside Campground is a municipal park providing campground amenities on a seasonal basis. The park is located south of US 20 and east of Locust Street. The primary access to the park is from Locust Street. The park can also be accessed from Desperado Trail via the connection of Buckaroo Trail to US 20.

Concerns over campground traffic using neighborhood streets south of the park to circulate has led the Parks Advisory Board to ask City of Sisters staff to consider alternative access scenarios. The following two options have been proposed for further evaluation.

- Option 1: Access to and from Locust Street would be eliminated and access from US 20 would be obtained from Desperado Trail via the connection of Buckaroo Trail.
- Option 2: Inbound traffic to the park would access from Desperado Trail and outbound traffic would leave the park at Locust Street. No inbound access to the park would be permitted from Locust Street.

This memorandum summarizes the existing conditions of the transportation system in the vicinity of the campground and an evaluation of the two proposed alternative access scenarios.

EXISTING CONDITIONS

Four intersections were evaluated to determine the impact of each access scenario on traffic operations. The intersections include:

- Locust Street/Creekside Campground Entrance
- Locust Street/US 20
- Buckaroo Trail /US 20
- Desperado Trail/Buckaroo Trail

Intersection Operations

The existing lane configurations and traffic control for each of the study intersections are summarized in Figure 1. Turning movement counts were collected at each of the study intersections on June 5, 2015. The counts were collected on a Friday to capture the combined peak of school and campground traffic. The afternoon peak hour across the four study intersections was 3:15-4:15 p.m. *Appendix A includes the turning movement counts.*

The observed peak hour turning movement counts were evaluated with the lane configurations and traffic control shown in Figure 1. Figure 2 summarizes the resulting intersection operational analysis¹. As shown in Figure 2, each of the study intersections, with the exception of US 20/Locust Street, operate under capacity and with acceptable level of service (LOS). Demand at the US 20/Locust Street intersection exceeds capacity and operates at LOS F during the weekday afternoon peak period.

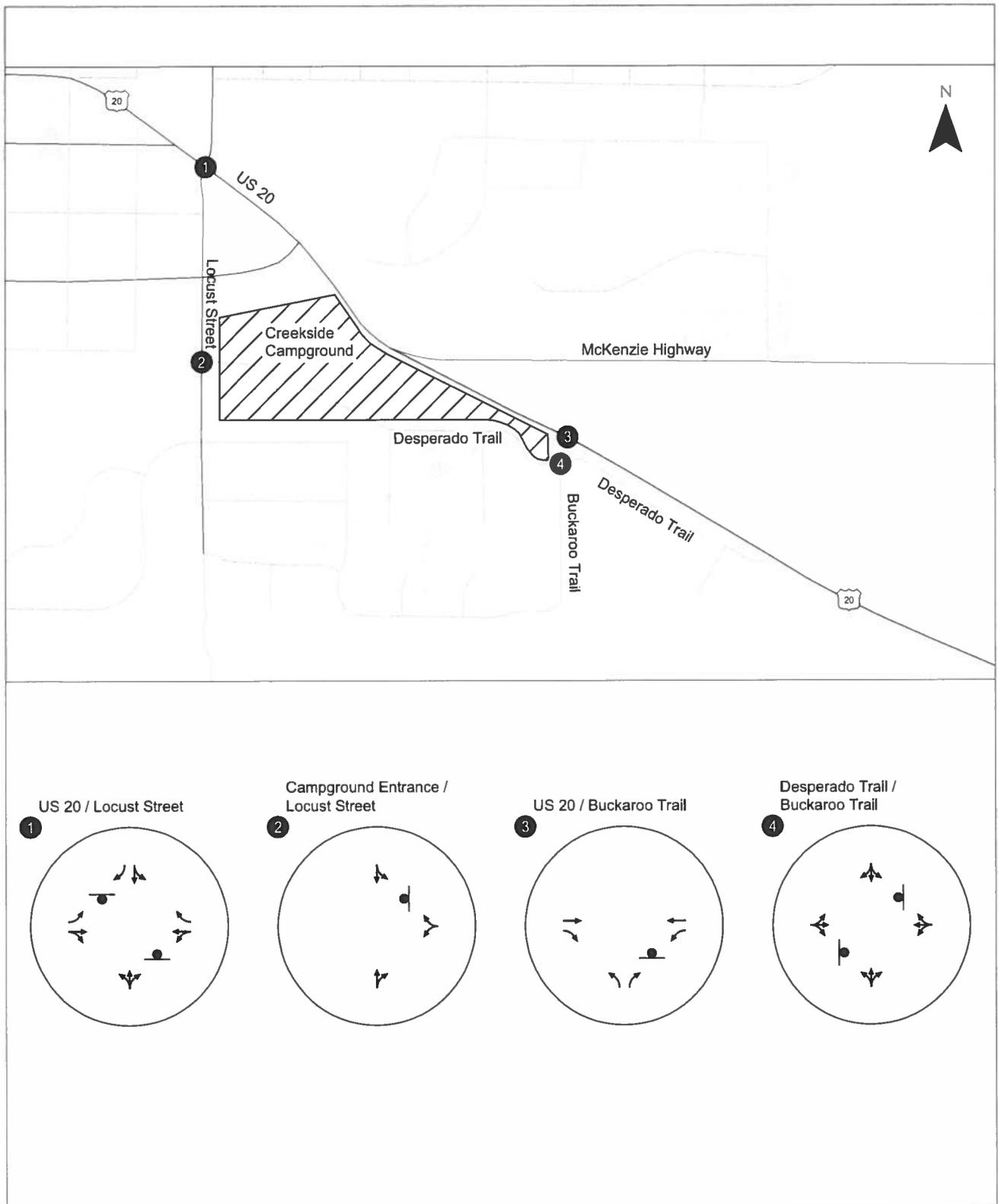
Crash Data

Crash data was collected for the most recently available five-year period (2009-2013). As shown in Table 1, over the five-year period, six crashes were reported at the US 20/Locust Street intersection and one crash was reported at the US 20/Buckaroo Trail intersection. No crashes were reported at the Locust Street/Campground Entrance or Buckaroo Trail/Desperado Trail intersections.

Table 1. Study Intersection Crashes (2009-2013)

Intersection	Crash Type					Crash Severity			Total
	Rear-End	Angle	Turning	Fixed Object	Other	PDO	Injury	Fatal	
US 20/Locust Street	3	1	2	0	0	2	4	0	6
Locust Street/Campground Entrance	0	0	0	0	0	0	0	0	0
US 20/Buckaroo Trail	0	0	0	0	1	0	1	0	1
Buckaroo Trail/Desperado Trail	0	0	0	0	0	0	0	0	0

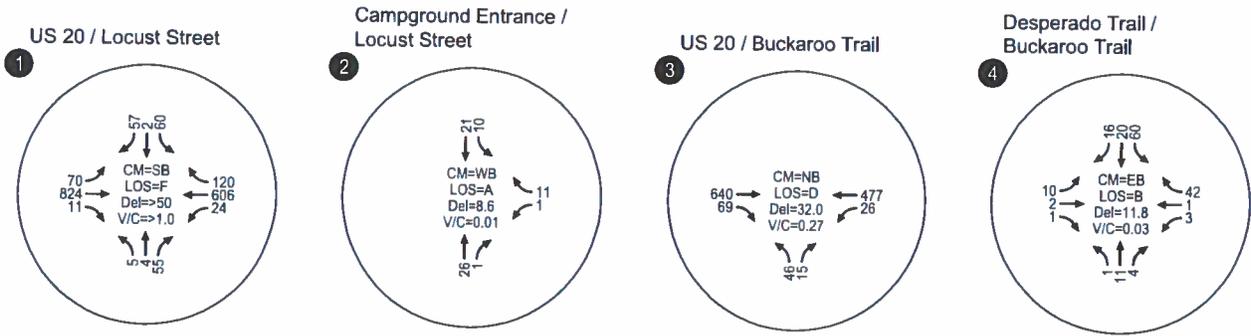
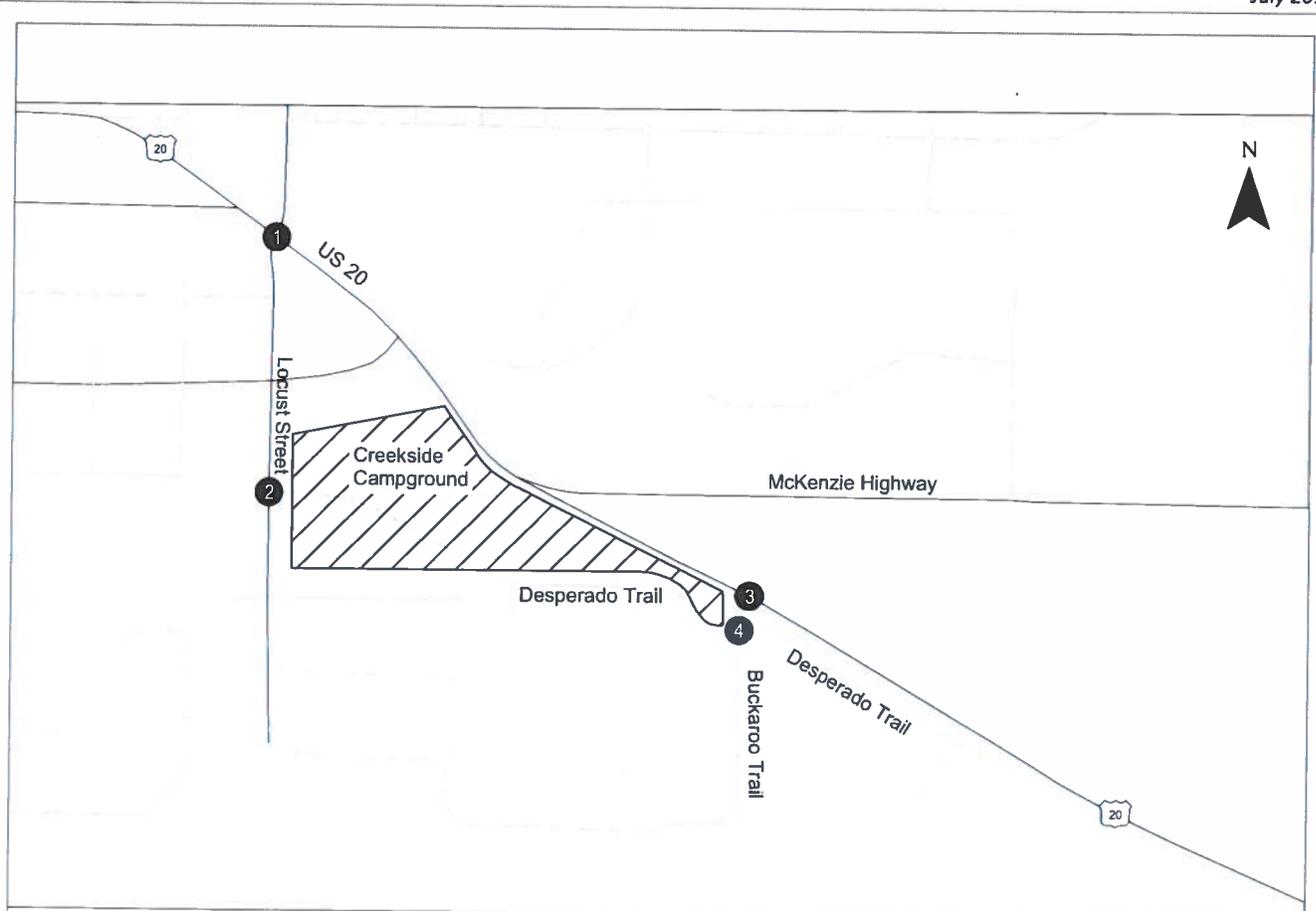
¹ The volumes shown in the figures and used in the operational analysis include traffic associated with the approved but not yet constructed Highland Village residential development.



Existing Lane Configurations & Traffic Control Devices Sisters, Oregon

Figure 1

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CM = CRITICAL MOVEMENT
 LOS = CRITICAL MOVEMENT LEVEL OF SERVICE
 Del = CRITICAL MOVEMENT CONTROL DELAY
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

**Existing Weekday PM Peak Hour Traffic Conditions
 Sisters, Oregon**

**Figure
 2**

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Posted Speed

In the study area, only US 20 has posted speeds, which are summarized in Table 2. According to the *Oregon Department of Transportation's Traffic Roadway Speed Zone Standards*, areas in residential districts and public parks that do not have a posted speed are presumed to be 25 miles per hour (mph) speed zones.

Table 2. Posted Speeds in Study Area

Roadway Segment	Speed (mph)
US 20 East of Buckaroo Trail	45
US 20 West of Buckaroo Trail	35
US 20 at Locust Street	20

Intersection Sight Distance

Intersection sight distance was evaluated at the US 20/Locust Street and US 20/Buckaroo Trail intersections. Sight distance measurements and requirements are based on the *American Association of State Highway and Transportation Officials (AASHTO) Green Book, 2011*. Given the minor-street stop-control, intersection sight triangles were developed based on guidance cited in the *Green Book* for Conditions B1 (left-turn from minor road) and B2 (right-turn from minor road). All distances were measured from a vertex point located 14.5 feet from the major-road travel way along the center of the approaching travel lane, accounting for comfortable positioning distance from the travel way (6.5 feet) and the distance from the front of the vehicle to the driver eye (8.0 feet). The assumed eye height is 3.5 feet above the departing road and the object height is also 3.5 feet above the major road. Exhibits 1 and 2 illustrate the sight distance measurements at a typical stop-controlled approach.

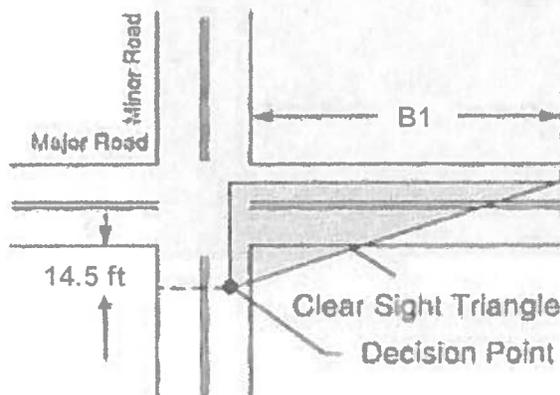


Exhibit 1. Typical Intersection Sight Triangle Measurements for Case B1 (Left-Turn from Stop).

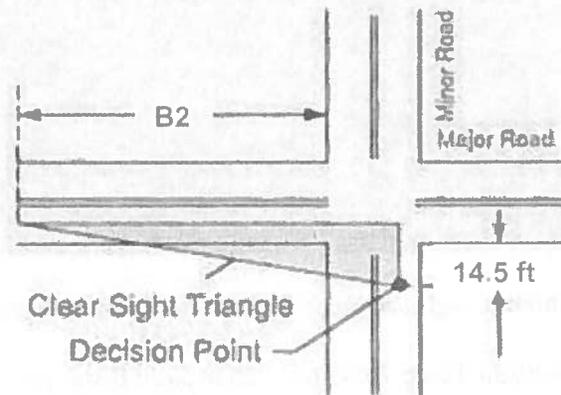


Exhibit 2. Typical Intersection Sight Triangle Measurements for Case B2 (Right-Turn from Stop).

US 20/Locust Street Intersection Sight Distance

At the US 20/Locust Street intersection, sight distance was measured for the northbound Locust Street movement. As identified in Table 2, the posted speed for US 20 at this intersection is 20 miles per hour (mph). According to AASHTO, the minimum sight distance at 20 mph is 225 feet for the left-turn movement (Case B1) and 195 feet for the right-turn movement (Case B2). The available sight distance for both the left-turn and right-turn movements at the US20/Locust Street intersection exceeds the minimum distance identified in AASHTO.

While the available sight distance exceeds the minimum required sight distance for a driver eye height of 3.5 feet, the sign for the fuel station in the southwest quadrant of the intersection, shown in Exhibit 3, may limit the available sight distance for drivers in vehicles that sit higher, such as recreational vehicles. These drivers may be required to move forward towards the travel lane and beyond the stop bar to have adequate visibility of oncoming traffic.



Exhibit 3. Sight Distance for Vehicles Turning Right from Locust Street to US 20

US 20/Buckaroo Trail Intersection Sight Distance

At the US 20/Buckaroo Trail intersection, sight distance was measured for the northbound Buckaroo Trail movement. As identified in Table 2, the posted speed for US 20 at this intersection is 45 mph to the east and 35 mph to the west. According to AASHTO, the minimum sight distance at 45 mph is 500

feet for the left-turn movement (Case B1). The minimum sight distance at 35 mph is 335 feet for the right-turn movement (Case B2).

The available sight distance to the west (Case B2) exceeds the minimum of 335 feet. However, the sight distance to the east (Case B1) is limited by the fence and sign in the southeast quadrant of the intersection, as shown in Exhibit 4. The available sight distance to the east is approximately 230 feet. To gain adequate sight distance to the east, drivers are required to move forward past the stop bar.

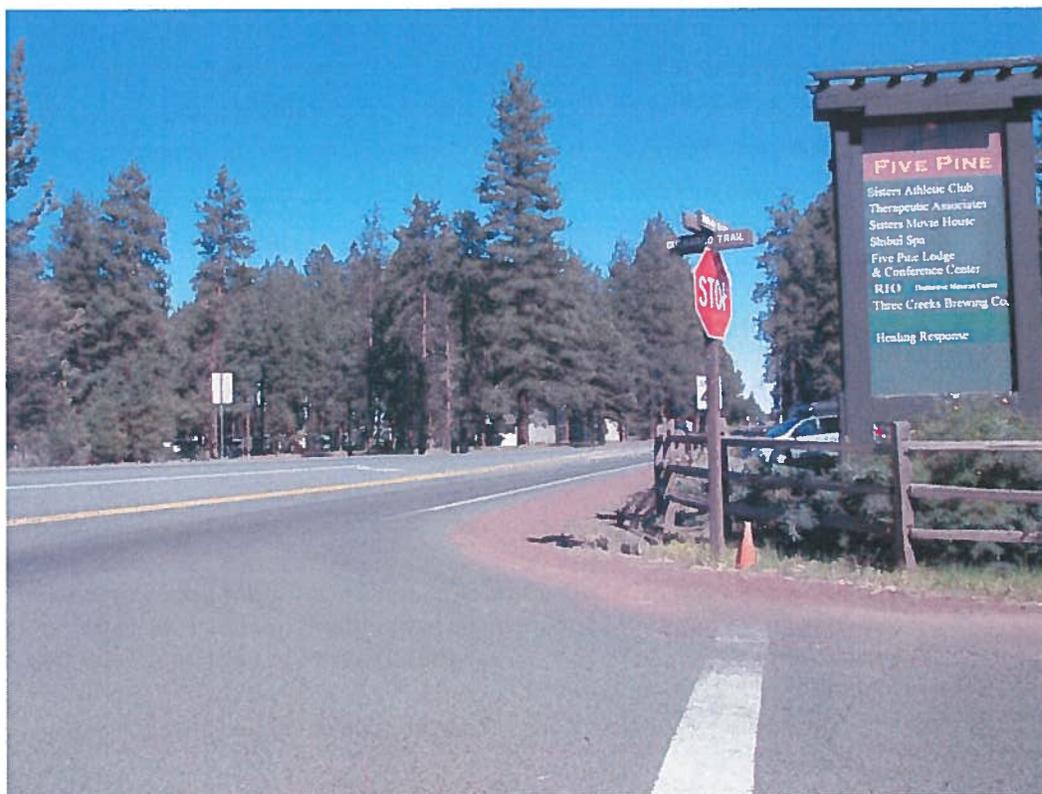


Exhibit 4. Sight Distance for Vehicles Turning Left from Buckaroo Trail to US 20

OPERATIONAL ANALYSIS OF SHORT-TERM ALTERNATIVES

To address concerns related to campground traffic using Locust Street, the following two options were evaluated.

- Option 1: Access to and from Locust Street would be eliminated and access from US 20 would be obtained from Desperado Trail via the connection of Buckaroo Trail.
- Option 2: Inbound traffic to the park would access from Desperado Trail and outbound traffic would leave the park at Locust Street. No inbound access to the park would be permitted from Locust Street.

Option 1: No Access to Locust Street

Under Option 1, no access would be permitted to the campground from Locust Street. All ingress and egress movements would occur via Desperado Trail and Buckaroo Trail. Figure 3 demonstrates how the campground turning movements would be rerouted. Figure 4 summarizes the intersection operations with these rerouted volumes. As shown, there is little change in intersection operations with the rerouted traffic. The available storage at each intersection is adequate to accommodate changes to queue lengths associated with rerouted traffic.

Option 2: Ingress from Desperado Trail, Egress to Locust Street

Under Option 2, only traffic exiting the campground would access Locust Street. Inbound traffic would access the campground from Desperado Trail via Buckaroo Trail. Figure 5 demonstrates how the inbound turning movements would be rerouted. Figure 6 summarizes the intersection operations with these rerouted volumes. Similar to Option 1, there is little change in intersection operations with the rerouted traffic. The available storage at each intersection is adequate to accommodate changes to queue lengths associated with rerouted traffic.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

The following summarizes the existing conditions observations and alternatives analysis.

- The US 20/Locust Street intersection currently operates over capacity and with LOS F. This condition will continue regardless of the access scenario for the campground.
- The sign in the southwest quadrant of the US 20/Locust Street intersection potentially limits sight distance for taller vehicles.
 - *Recommendation: The City should consider whether restriping the northbound stop bar in a location closer to the travel lane would improve the sight distance for taller vehicles.*
- The fence and sign in the southeast quadrant of the US 20/Buckaroo Trail intersection restricts sight distance to less than the minimum required sight distance.
 - Option 1 would add additional traffic to this movement, while Option 2 would reduce traffic making this movement
 - *Recommendation: Regardless of the access option selected, the City should work with ODOT to determine whether restriping the stop bar in a location closer to the travel lane would improve the sight distance at this intersection or whether the fence and sign can be relocated.*
- Under both Options 1 and 2, the change in intersection operations compared to the existing condition is minimal and the changes in queue lengths associated with the rerouted traffic can be accommodated within the available storage at the study intersections.

Recommendations for Next Steps

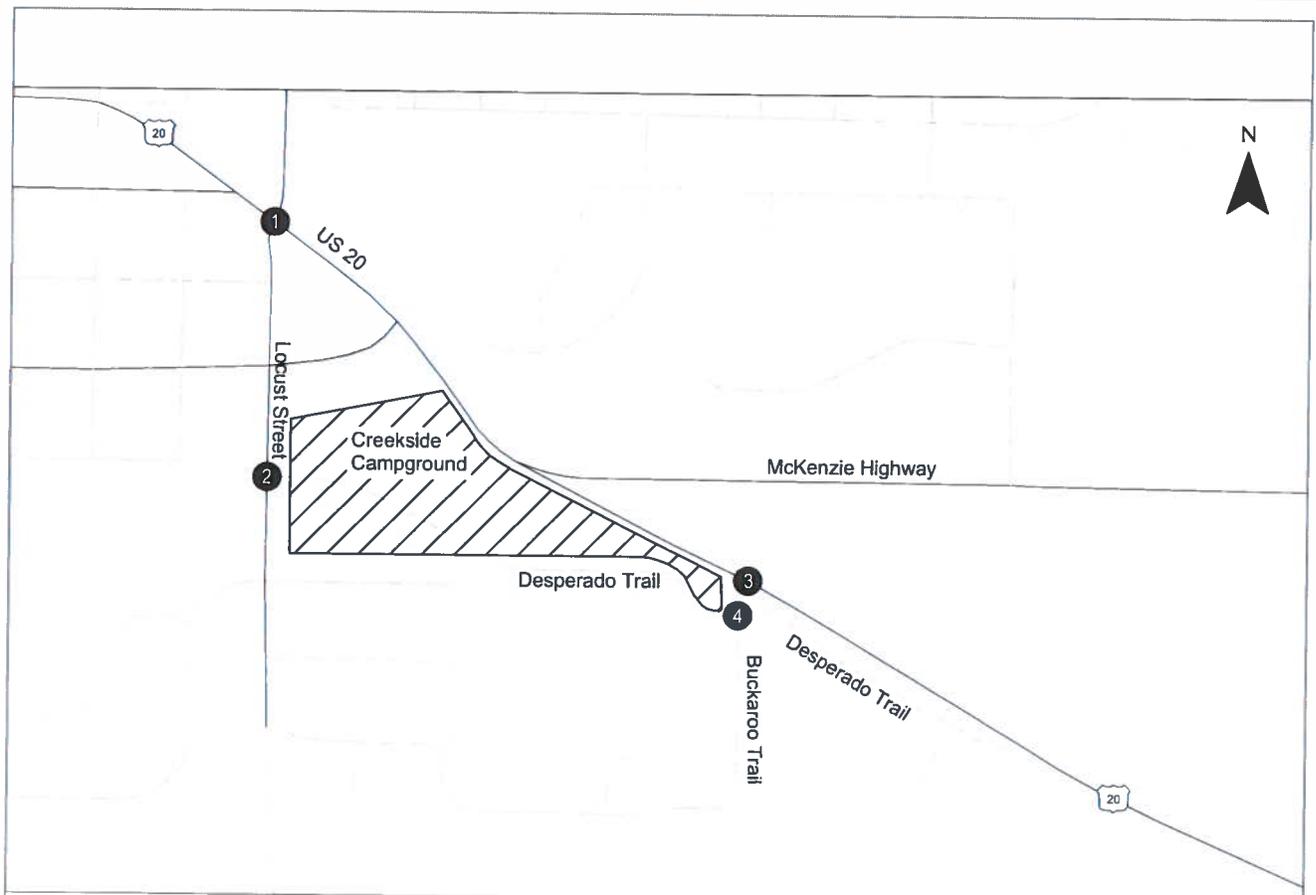
Short-Term Recommendations

The intersection operational analysis does not indicate a need to change the access scenario for the campground. However, if a decision is made to change the access scenario due to neighborhood concerns, we recommend that the City begin with Option 2. This option allows a phased trial period.

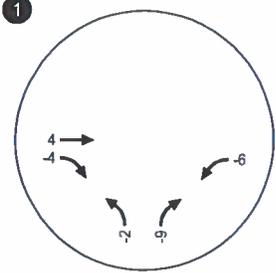
If this option is implemented, guide signage would likely be necessary on the highway to direct campground visitors to the correct ingress location.

Longer-Term Recommendations

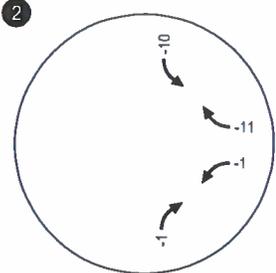
The City intends to conduct a refinement plan to the City's Transportation System Plan focused on the eastside transportation facilities. The refinement plan should consider the potential for longer-term campground access scenarios, such as access to Jefferson Avenue or access to US 20 across from OR 126. This would require additional coordination with ODOT to determine the future of the truck weigh station.



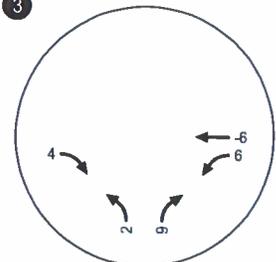
1 US 20 / Locust Street



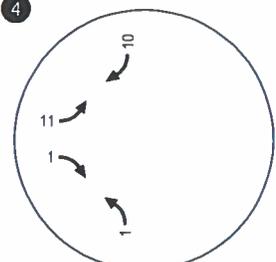
2 Campground Entrance / Locust Street



3 US 20 / Buckaroo Trail



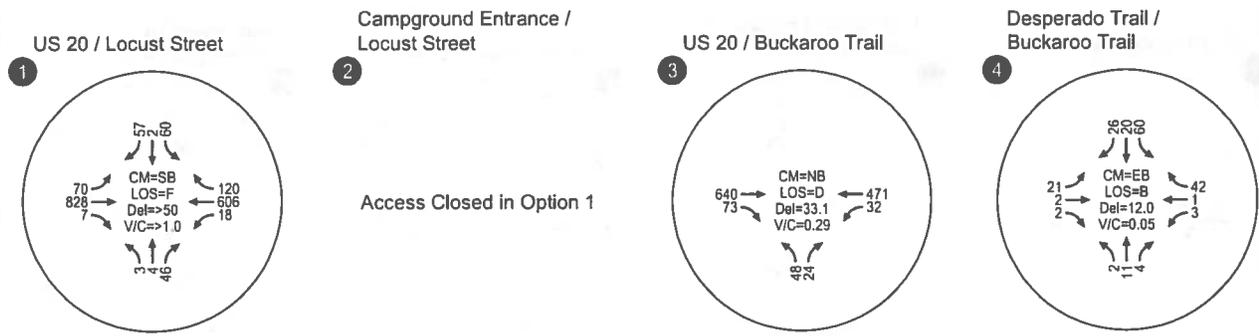
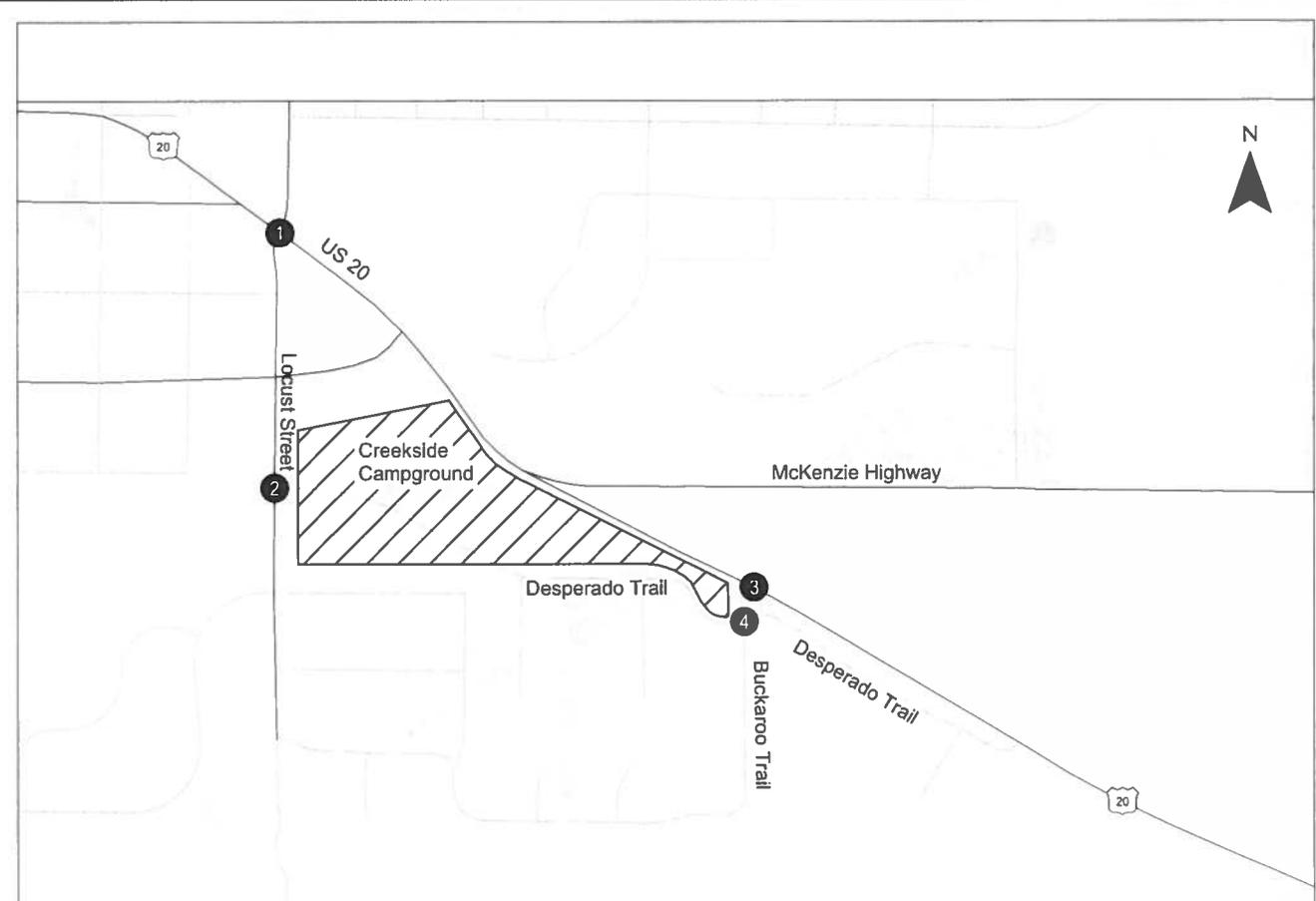
4 Desperado Trail / Buckaroo Trail



Option 1: Rerouted Traffic Sisters, Oregon

Figure 3

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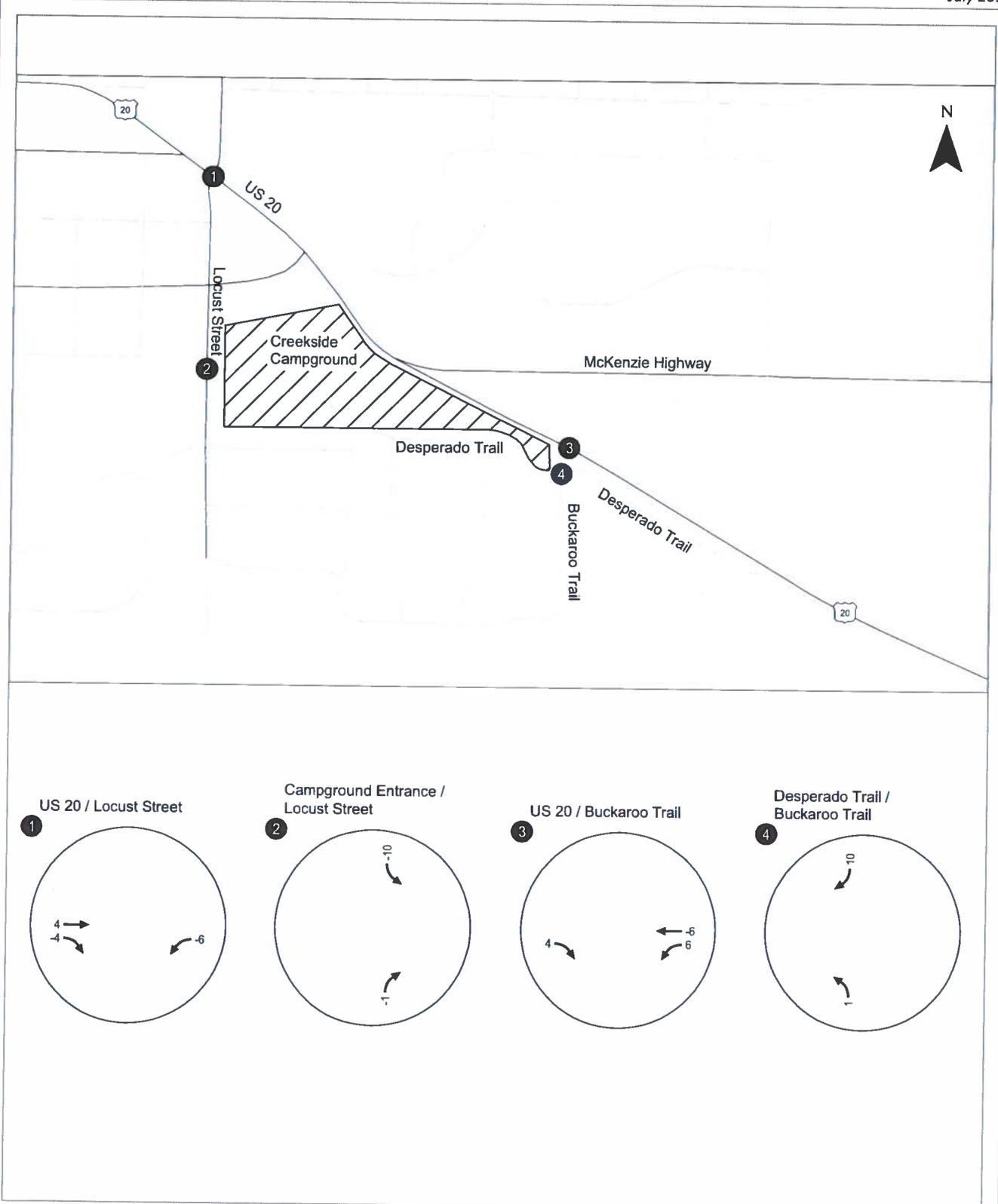


CM = CRITICAL MOVEMENT
 LOS = CRITICAL MOVEMENT LEVEL OF SERVICE
 Del = CRITICAL MOVEMENT CONTROL DELAY
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

Option 1: Weekday PM Peak Hour Traffic Conditions Sisters, Oregon

Figure 4

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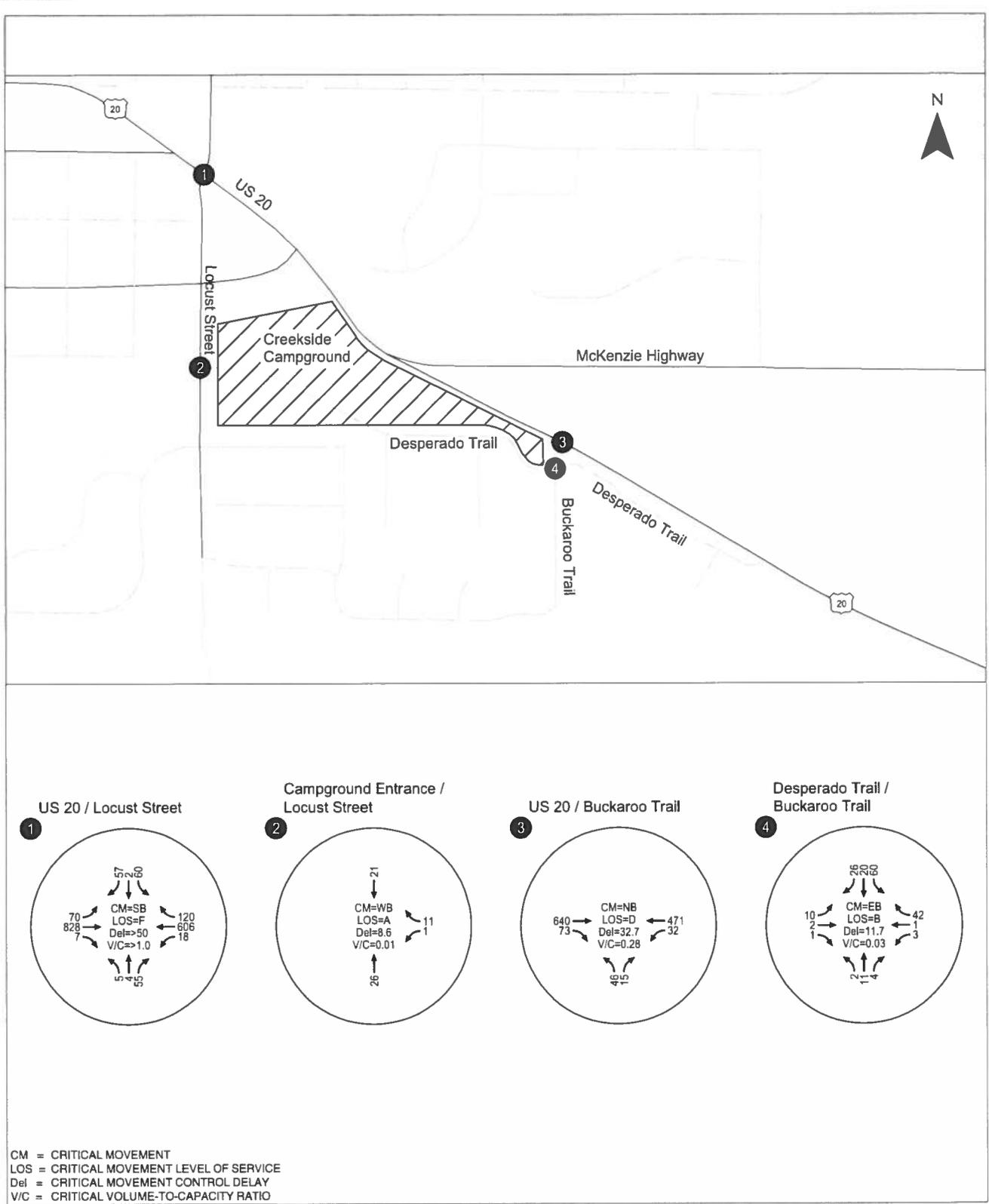


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Option 2: Rerouted Traffic Sisters, Oregon

Figure 5

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**Option 2: Weekday PM Peak Hour Traffic Conditions
Sisters, Oregon**

**Figure
6**

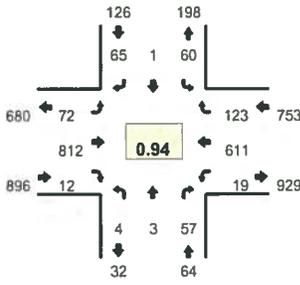
Appendix A
Turning Movement Counts

Type of peak hour being reported: Intersection Peak

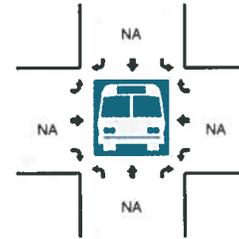
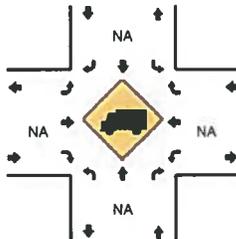
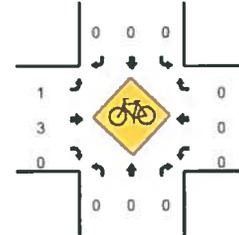
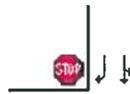
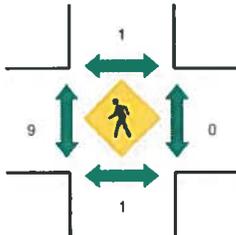
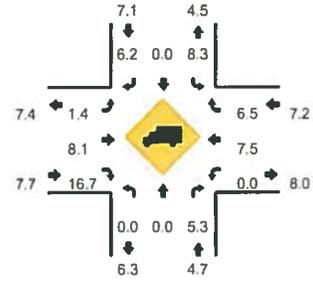
Method for determining peak hour: Total Entering Volume

LOCATION: S Locust St -- US 20
CITY/STATE: Sisters, OR

QC JOB #: 13415202
DATE: Fri, Jun 05 2015



Peak-Hour: 3:05 PM -- 4:05 PM
Peak 15-Min: 3:05 PM -- 3:20 PM



5-Min Count Period Beginning At	S Locust St (Northbound)				S Locust St (Southbound)				US 20 (Eastbound)				US 20 (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
3:00 PM	0	2	4	0	1	0	8	0	8	56	1	0	1	39	21	0	141	
3:05 PM	0	0	4	0	8	0	13	0	6	76	0	0	2	60	17	0	186	
3:10 PM	0	0	4	0	2	0	4	0	7	65	1	0	3	60	13	0	159	
3:15 PM	0	0	4	0	8	0	6	0	3	61	1	0	2	49	10	0	144	
3:20 PM	1	0	2	0	7	0	3	0	10	68	3	0	0	53	8	0	155	
3:25 PM	1	0	3	0	8	0	6	0	5	60	2	0	1	49	5	0	140	
3:30 PM	1	1	5	0	3	0	4	0	10	66	2	0	1	52	12	0	157	
3:35 PM	0	0	5	0	2	1	5	0	8	60	1	0	1	53	10	0	146	
3:40 PM	0	0	5	0	5	0	7	0	4	72	0	0	2	34	8	0	137	
3:45 PM	0	1	4	0	2	0	6	0	4	77	1	0	3	50	5	0	153	
3:50 PM	0	0	8	0	3	0	2	0	3	79	0	0	3	58	10	0	166	
3:55 PM	1	0	8	0	6	0	5	0	6	63	0	0	1	47	12	0	149	
4:00 PM	0	1	5	0	6	0	4	0	6	65	1	0	0	46	13	0	147	
4:05 PM	0	1	2	0	5	1	8	0	3	75	0	0	3	50	17	0	165	
4:10 PM	1	0	4	0	5	0	1	0	8	68	0	0	7	65	10	0	169	
4:15 PM	1	0	2	0	3	0	5	0	4	66	1	0	3	39	8	0	132	
4:20 PM	1	0	3	0	9	0	3	0	3	69	0	0	1	46	12	0	147	
4:25 PM	1	0	3	0	2	0	6	0	6	63	0	0	2	67	11	0	161	
4:30 PM	1	0	6	0	5	0	5	0	3	65	1	0	4	44	10	0	144	
4:35 PM	0	1	6	0	7	0	7	0	3	56	0	0	2	48	4	0	134	
4:40 PM	0	1	3	0	5	0	4	0	8	56	3	0	0	46	8	0	134	
4:45 PM	0	0	7	0	3	0	3	0	7	70	0	0	2	64	12	0	168	
4:50 PM	1	0	3	0	7	0	7	0	7	59	1	0	1	44	12	0	142	
4:55 PM	0	0	3	0	7	0	7	0	10	55	1	0	4	45	9	0	141	
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
All Vehicles	0	0	48	0	72	0	92	0	64	808	8	0	28	676	160	0		1956
Heavy Trucks	0	0	4		12	0	4		0	84	4		0	64	12		184	
Pedestrians										20							20	
Bicycles	0	0	0		0	0	0		1	3	0		0	0	0		4	
Railroad																		
Stopped Buses																		

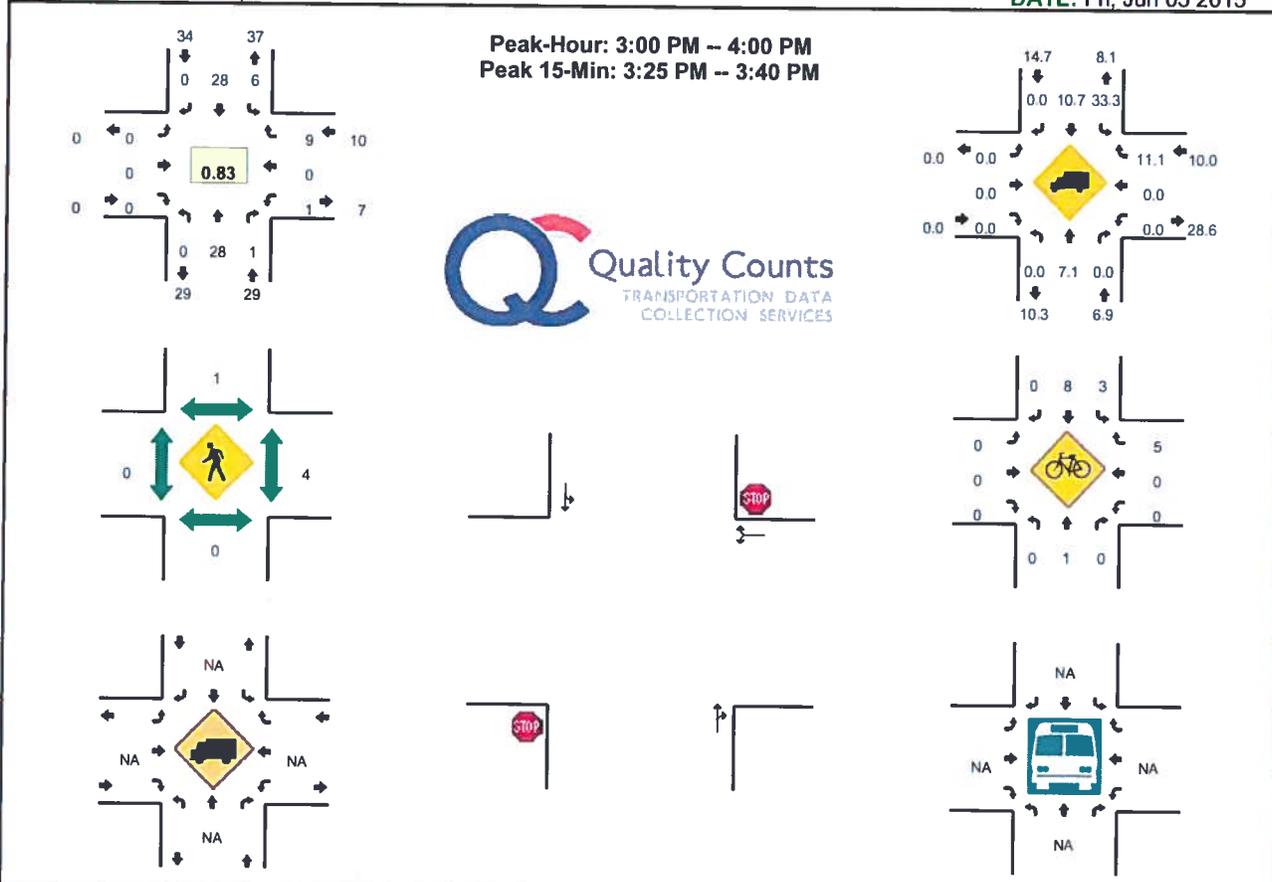
Comments:

Type of peak hour being reported: Intersection Peak

Method for determining peak hour: Total Entering Volume

LOCATION: S Locust St – Campground Entrance
 CITY/STATE: Sisters, OR

QC JOB #: 13415201
 DATE: Fri, Jun 05 2015



5-Min Count Period	S Locust St (Northbound)				S Locust St (Southbound)				Campground Entrance (Eastbound)				Campground Entrance (Westbound)				Total	Hourly Totals	
	Beginning At	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right			U
3:00 PM	0	1	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	5	
3:05 PM	0	3	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	7	
3:10 PM	0	2	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	6	
3:15 PM	0	3	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	5	
3:20 PM	0	1	0	0	1	2	0	0	0	0	0	0	0	0	0	1	0	5	
3:25 PM	0	3	0	0	0	5	0	0	0	0	0	0	0	0	0	0	0	8	
3:30 PM	0	2	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	4	
3:35 PM	0	7	0	0	0	2	0	0	0	0	0	0	0	0	0	1	0	10	
3:40 PM	0	3	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	4	
3:45 PM	0	1	0	0	2	2	0	0	0	0	0	0	0	1	0	2	0	8	
3:50 PM	0	2	0	0	1	1	0	0	0	0	0	0	0	0	0	2	0	6	
3:55 PM	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	2	0	5	73
4:00 PM	0	1	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	4	72
4:05 PM	0	2	0	0	1	1	0	0	0	0	0	0	0	0	0	1	1	6	71
4:10 PM	0	1	0	0	1	3	0	0	0	0	0	0	0	0	0	1	0	6	71
4:15 PM	0	2	0	0	1	4	0	0	0	0	0	0	0	0	0	0	0	7	73
4:20 PM	0	0	1	0	2	1	0	0	0	0	0	0	0	0	0	0	0	4	72
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4:50 PM	0	3	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	7	61
4:55 PM	0	3	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	6	62
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total		
All Vehicles	0	48	4	0	0	32	0	0	0	0	0	0	0	0	4	0	88		
Heavy Trucks	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8		
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Bicycles	0	0	0	0	3	0	0	0	0	0	0	0	0	0	4	0	7		
Railroad																			
Stopped Buses																			

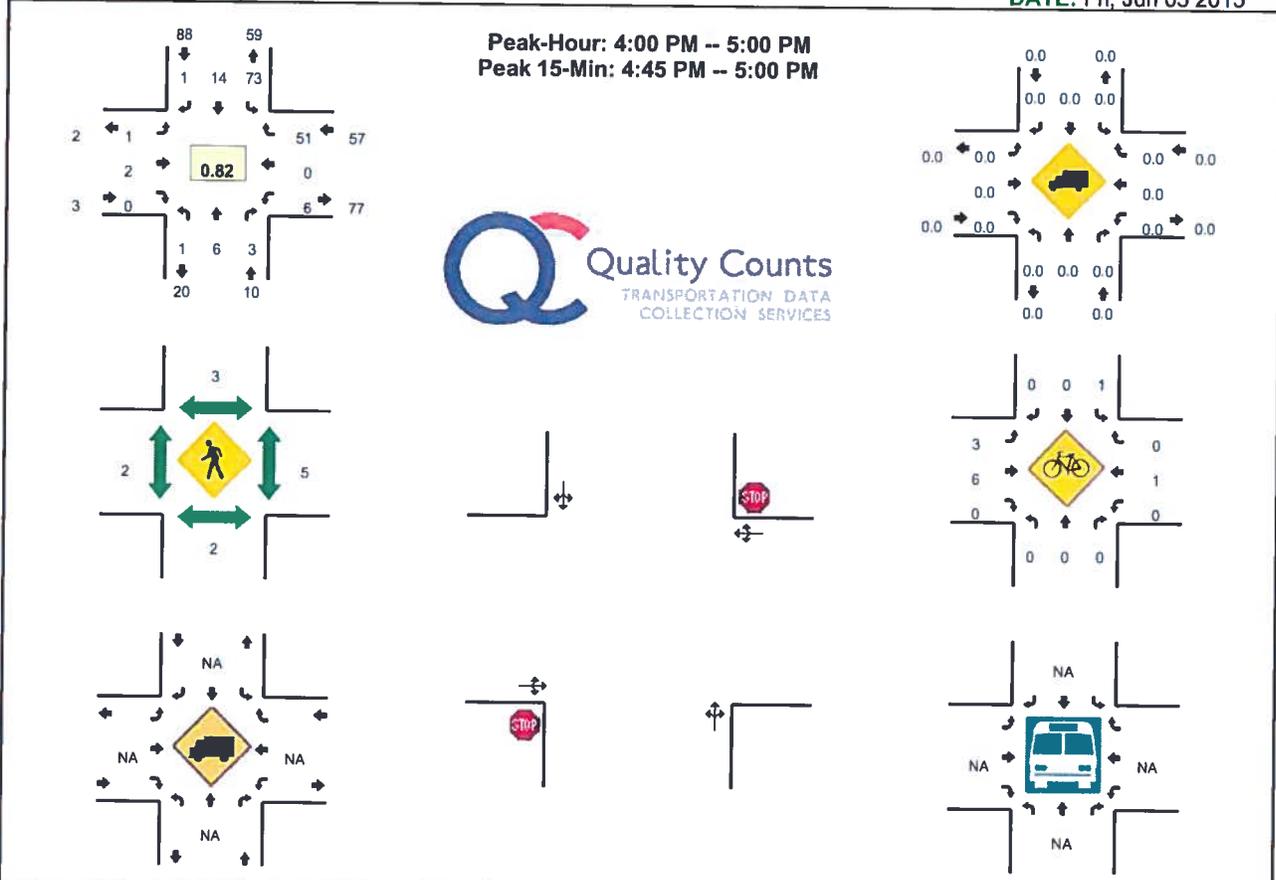
Comments:

Type of peak hour being reported: Intersection Peak

Method for determining peak hour: Total Entering Volume

LOCATION: S Buckaroo Trail -- E Desperado Trail & E Sisters City Dr
 CITY/STATE: Sisters, OR

QC JOB #: 13415206
 DATE: Fri, Jun 05 2015



5-Min Count Period Beginning At	S Buckaroo Trail (Northbound)				S Buckaroo Trail (Southbound)				E Desperado Trail & E Sisters City Dr (Eastbound)				E Desperado Trail & E Sisters City Dr (Westbound)				Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	
3:00 PM	0	0	0	0	8	0	0	0	0	0	0	0	1	0	5	0	14
3:05 PM	0	4	0	0	0	4	1	0	0	0	0	0	0	0	3	0	12
3:10 PM	0	1	0	0	4	0	0	0	0	0	0	0	0	0	4	0	9
3:15 PM	0	3	0	0	6	0	0	1	1	0	0	0	0	0	5	0	16
3:20 PM	0	0	0	0	3	4	0	0	0	0	0	0	0	0	3	0	10
3:25 PM	0	3	0	0	8	2	0	0	0	0	0	0	0	0	3	0	16
3:30 PM	0	0	0	0	3	1	0	0	0	0	0	0	0	0	4	0	8
3:35 PM	0	1	1	0	7	2	0	1	0	0	0	0	0	0	1	0	13
3:40 PM	0	0	1	0	3	3	0	0	0	0	0	0	1	0	4	0	12
3:45 PM	0	2	0	0	3	0	0	0	0	0	0	0	0	0	2	0	7
3:50 PM	0	1	0	0	6	1	0	0	0	0	0	0	1	0	3	0	12
3:55 PM	0	1	0	0	0	2	0	0	0	0	0	0	0	0	6	0	9
4:00 PM	0	0	1	0	11	3	1	0	0	0	0	0	0	0	2	0	18
4:05 PM	0	0	0	0	4	0	0	0	0	0	0	0	1	0	2	0	7
4:10 PM	0	0	1	0	6	2	0	0	0	2	0	0	0	0	7	0	146
4:15 PM	0	0	0	0	4	0	0	0	0	0	0	0	0	0	6	0	10
4:20 PM	0	2	0	0	3	2	0	0	0	0	0	0	0	0	4	0	11
4:25 PM	0	0	0	0	4	0	0	0	1	0	0	0	0	0	4	0	9
4:30 PM	0	1	0	0	8	1	0	0	0	0	0	0	1	0	6	0	17
4:35 PM	0	0	0	0	7	1	0	0	0	0	0	0	2	0	3	0	13
4:40 PM	0	1	0	0	4	0	0	0	0	0	0	0	1	0	1	0	7
4:45 PM	0	2	0	0	6	0	0	0	0	0	0	0	1	0	7	0	16
4:50 PM	1	0	1	0	5	3	0	1	0	0	0	0	0	0	4	0	15
4:55 PM	0	0	0	0	10	2	0	0	0	0	0	0	0	0	5	0	17
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total
All Vehicles	4	8	4	0	84	20	0	4	0	0	0	0	4	0	64	0	
Heavy Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pedestrians	0	4	0	0	0	12	0	0	0	4	0	0	12	0	0	0	32
Bicycles	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	2
Railroad																	
Stopped Buses																	

Comments:



**City of Sisters
Creekside Park and Campground
Master Plan
August, 2015**

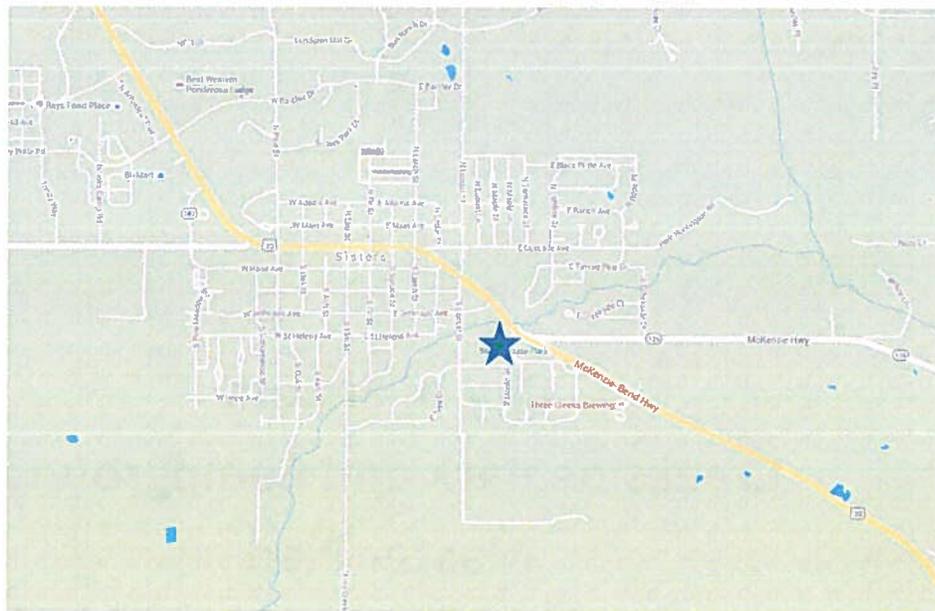
PROGRESS DRAFT

Creekside Park and Creekside Campground

Location: Sisters Creekside Park and Campground is located within the City of Sisters near the eastern edge of the City limits. Whychus Creek bisects the site. Creekside Park is located south of Highway 20 and east of Jefferson Avenue, and Locust Street. Creekside Campground is bounded by Whychus Creek to the north, Locust Street on the West and Tye Drive to the south.

The park is adjacent to low density residential development to the west and south. A vacant 1.52 acres tract of land adjoins Creekside Park to the north and Sisters Elementary School is located across Highway 20. The park connects to Five Pine Lodge and commercial center to the east via Sister City Park Drive.

VICINITY MAP



Acreeage:

The property comprises 13.42 acres and includes Creekside Park, Creekside Campground and an undeveloped area. Creekside Park contains approximately 2.65 acres on the north side of Whychus Creek and Creekside Campground contains approximately 6.72 acres south of Whychus Creek. The remainder area is approximately 4.05 acres and is planned for future park development.

Site Description: The site is mostly level with the Whychus Creek flowing between Creekside Park and Creekside Campground in a generally southwest to northeast direction. A covered wooden bridge over Whychus Creek connects the two areas. The Whychus Creek Trail runs along the southern side of Whychus Creek and Highway 20 and starts at Locust Street and ends near the Five Pine campus. The site includes Ponderosa and Juniper Trees, grass and natural landscaping.

Background:

The Park area was deeded to the City on July 7, 1983 (Document 1983-11043) from the Oregon State Parks and Recreation Division with the intention of maintaining and/or improving services. A Correction Deed was recorded on June 24, 1985 (Document 1985-12895).

In 1990, a draft City Park Master Plan was prepared for Creekside Park (day use) and the Campground; however, the Plan was never approved by the Oregon Parks and Recreation Department. The Draft Plan First Phase Development Improvements Summary states that there were 40 unimproved overnight campsites, with 15 fire pits and 15 picnic tables. There were six hose bibs scattered throughout the Park but no irrigation system existed. An RV dump station was located at the east entrance to the Park. There was also a restroom facility that included two sinks, one urinal and three toilets. The day use area consisted of three fire pits and five picnic tables. There was no irrigation system in place and there was one drinking fountain. Creekside Campground has become increasingly popular with the transient RV population as well as with our local camping enthusiasts.

In 2008, the Creekside Campground had approximately 40 RV sites and 16 tent sites. Electricity, water and sewer hookups were not available at each site, but there was a RV dump station and watering station available for campers.

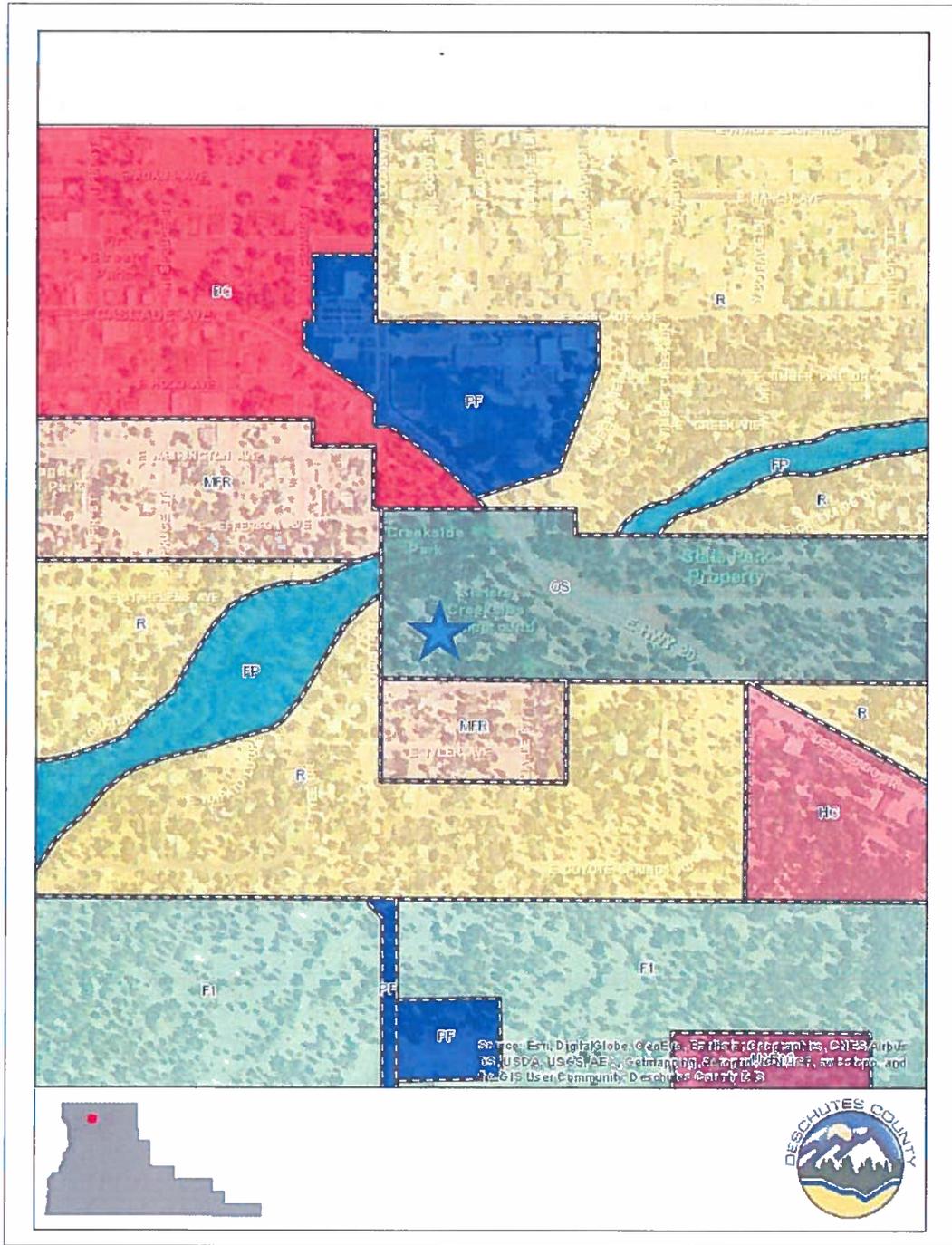
Between 2009 and 2010, the City of Sisters converted 20 non-hook up sites to 25 full hook-up sites. More specifically, in 2009 the City installed 19 full hook-ups (15-30 amp and 4- 50 amp) and in 2010 – installed 6 full hook-ups (5 – 30 amp and 1 – 50 amp). In the 2010, the City also installed two ADA Showers.

In 2010, the City also completed the installation of a multi-use trail now known as Whychus Creek Trail. The Trail is approximately 1,650 lineal feet and begins at Locust Street, meanders along the creek through the Sisters Creekside Campground and connects to the Five Pine campus. Since 2010 to current date, the City has improved landscaping, overlaid the east entrance, and improved the signage.

Zoning and Comprehensive Plan

The property is zoned Open Space (OS) District; however the area located along Whychus Creek that is within the 100-year flood plain is zoned Floodplain (FP) District. The property has a Comprehensive Plan designation of Open Space (OS) and the area located along Whychus Creek that is within the 100-year flood plain has a Comprehensive Plan designation of Floodplain (FP).

ZONING MAP



Existing Conditions- Creekside Park (day use side)

The 2.65-acre Creekside Park is used most frequently for picnicking, as it has several picnic tables spread throughout an expanse of large coniferous trees and open lawn. The park is also used for several special community events throughout year.

Existing Facilities

- Signage
- Information/directional signage
- Parking
- Creek Access
- Bike and Pedestrian Bridge
- Picnic Tables (10)
- Benches (1)
- Dog Station (1)
- Drinking Fountain (1)
- Trees and Landscaping
- Restrooms are accessible via a pedestrian footbridge that spans Whychus Creek.

INSERT PHOTOS

GOALS AND OBJECTIVE FOR CREEKSIDE PARK (DAY USE):

Goal 1: **Maintain or increase current levels of Park use in an enjoyable and safe environment.**

- Objectives:**
- A. Conduct improvements as needed to accommodate existing and future park users.
Tasks:
 - 1. Construct ADA improvements to the Whychus Creek pedestrian bridge.
 - 2. Construct entryway, landscape and lighting improvements.
 - 3. Construct electrical upgrades.
 - 4. Upgrade existing pathways.
 - 5. Construct additional parking as needed.

 - B. Select design and Install improvements for east side expansion. Decisions regarding the final design of the expansion should wait until a design is approved for the intersection of Hwy 20/Hwy 126 and the truck scales.
Options:
 - 1. Picnic Shelter, restroom
 - 2. Off leash dog park.
 - 3. Dirt bike track
 - 4. Play equipment

Goal 2: **Maintain or enhance scenic character and natural resources of the Park.**

- Objectives:**
- A. Improve management of existing trees and landscaping.
Tasks:
 - 1. Work with Urban Forestry Board to develop management plan for existing and future management plan.
 - 2. Install landscaping improvements per future needs as determined by UFB and CPAB.

 - B. Study options for restoration project along Whychus Creek.
Tasks:
 - 1. Implement restoration project recommendations.
 - 2. Install interpretive signage along Whychus Creek.

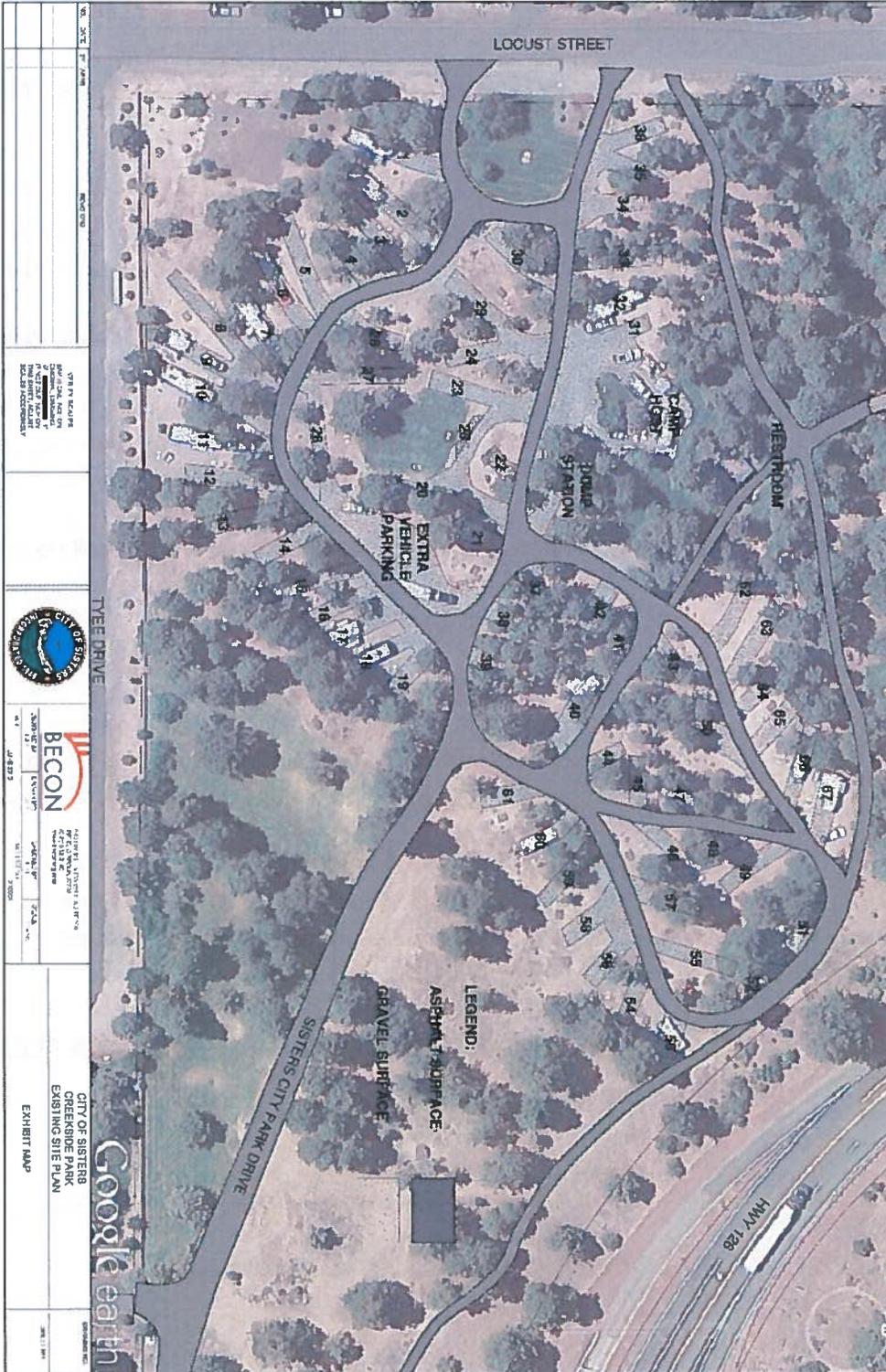
Existing Conditions- Creekside Campground

The 6.72 acre Creekside Campground is a developed campground for tent and RV visitors. It includes 67 sites of which 20 sites are full hook-up sites at 30 amps, 5 are full hook up at 50 amps and 42 are non-hook up/tent sites. A grassy area exists to the east which is planned for future development. There is also one walk in hiker/biker site available and a full hook up site for the camp host.

Existing Facilities

- Camping Full hook up – 30 amp: (20)
- Camping Full hook up – 50 amp: (5)
- Non hook up /tent sites – (42)
- RV Sewage Disposal Station
- Storage Sheds (3)
- Camp Host Site
- Fire Pits for Each Campsite
- Pay Station
- Picnic Table for each campsite
- Trash Dumpster (1)
- Signage
- Access to Whychus Creek Trail and Covered Footbridge
- Access to Whychus Creek
- Restrooms
- Two showers
- Walk in hiker/biker site

CREEKSIDE CAMPGROUND-EXISTING CONDITIONS MAP



Goals and Objectives for Creekside Campground

Goal 1: Maintain or increase current levels of Park use in an enjoyable and safe environment.

Objectives: A. Conduct improvements as needed to accommodate existing and future park users and to reduce impacts to adjacent neighborhoods.

Tasks:

1. Construct berm and landscaping adjacent to Locust Street.
2. Install landscape improvements adjacent to Tyee Drive.
3. Construct ADA improvements for up to four existing camping spaces to meet ADA guidelines.
4. Replace existing restrooms including additional showers and toilets.
5. Relocate existing dump station east of the current location (see map).
6. Remove five existing spaces to provide additional buffering to the adjacent neighborhood and landscape those areas (see map).
7. Shorten sites 8-11 to provide landscape buffer to the adjacent neighborhood.
8. Convert five existing non-hook up spaces to full hook up (spaces 56 and 58-61 (see map).
9. Relocate existing camp host site.

B. Provide additional facilities.

Tasks:

1. Create additional walk in tent sites with parking nearby (see map).
2. Install additional irrigation and landscaping to minimize dust pollution and fire danger.
3. Construct a dishwashing station.
4. Install bollard lighting to Whychus Creek Trail for pedestrian safety.
5. Construct additional electrical service as needed.
6. Install WIFI network.

Goal 2: Maintain or increase recreational and educational features of Park.

Objectives: A. Develop new recreational park amenities.

Tasks:

1. Work with stakeholders to develop new park amenities such as playground equipment, barbeque shelter, and additional picnic tables, pathways and parking.
2. Install Whychus Creek interpretive signage.
3. Install way finding sign/kiosks.

Goal 3: Maintain or enhance scenic character and natural resources of the Park.

- Objectives:
- A. Work with Urban Forestry Board on managing existing trees.
 - B. Study options and implement restoration project for Whychus Creek.

Goal 4: Improve circulation in the Park.

- Objectives:
- A. Improve circulation and travel patterns.
Tasks:
 - 1. Use results of traffic study to improve or modify access and circulation.
 - 2. Construct entry/exit improvements (dependent on results of traffic study).
 - 3. Widen existing roadways where necessary to help accommodate RV traffic.
 - 4. Construct staging area next to relocated camp host site.
 - B. Improve accessibility between Creekside Park and Creekside Campground.
 - D. Improve signage throughout park.



NO	DATE	BY	APPR	REVISIONS

VERIFY SCALES
 BAR IS ONE INCH ON
 ORIGINAL DRAWING
 IF NOT ONE INCH ON
 THIS SHEET, ADJUST
 SCALES ACCORDINGLY.



BECON
 540 SW MILL VIEW WAY, SUITE 105
 BEND, OREGON 97702
 (541) 833-3140
 www.beconinc.com

DESIGNED BY: E.H.
 DRAWN BY: J.L.B.
 CHECKED BY: E.H.
 DATE: JUNE 2015
 PROJECT NO: XXXXX
 SCALE: 1" = 40'

CITY OF SISTERS
 THREE SISTERS OVERNIGHT PARK
 IMPROVEMENTS
 EXHIBIT MAP

DRAWING NO. SHEET NO.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

MEMBERS PRESENT:

Chris Frye Mayor
Nancy Connolly Council President Pro-tem
David Asson Councilor
Wendy Holzman Councilor
Amy Burgstahler Councilor

STAFF PRESENT:

Andrew Gorayeb City Manager
Steve Bryant City Attorney
Patrick Davenport CDD Director
Lynne Fujita-Conrads Finance Officer
Kathy Nelson City Recorder

ABSENT:

Paul Bertagna PW Director

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

II. COUNCILOR APPOINTMENT

Councilor Holzman moved to appoint Amy Burgstahler to serve on the City Council for a term that expires on December 31 2016. Councilor Asson seconded the motion. The motion carried unanimously.

III. OATH OF OFFICE FOR APPOINTED COUNCILOR

City Attorney Bryant administered the oath of office to Amy Burgstahler.

IV. ELECTION OF COUNCIL PRESIDENT

Mayor Frye asked for nominations for Council President.

Council nominated Councilor Connolly to serve as Council President Pro-tem. Councilor Holzman seconded the motion. The motion carried unanimously.

V. VISITOR COMMUNICATION - None

VI. CONSENT AGENDA

A. Minutes

1. June 25, 2015 – Regular Meeting
2. July 09, 2015 – Regular Meeting

B. Bills to Approve

1. July Accounts Payable

C. Liquor License Change of Ownership – The Gallery Restaurant & Bar

Councilor Holzman moved to approve the consent agenda. Councilor Asson seconded the motion. The motion carried unanimously.

VII. STAFF REPORTS

A. Deschutes County Sheriff's Office – no questions

VIII. COUNCIL BUSINESS

A. Public Hearing and Consideration of a Resolution No. 2015-16: A RESOLUTION OF THE CITY OF SISTERS ADOPTING A SUPPLEMENTAL BUDGET AND ESTABLISHING APPROPRIATIONS WITHIN THE 2015/16 BUDGET

Finance Officer Fujita-Conrads stated the supplemental budget was to permit funds held by the City from the defunct Community Assets Team of Sisters (CATS) to be used for additional review and analysis of community asset projects identified by the Community Assets Committee (CAC) and to increase capital outlay for the Barclay Drive Waterline Project that was not completed prior to the beginning of the new budget year as originally expected.

Mayor Frye opened the public hearing for anyone that wished to speak. As there was no one that wished to speak on the matter, **Mayor Frye** closed the public hearing.

Councilor Connolly stated she had received a message from a citizen alleging the CATS funds could not be used for the purpose proposed and questioned whether it was appropriate to use the funds. **Finance Officer Fujita-Conrads** replied the CATS funds were given to the City with the stipulation they be used in supporting community visioning efforts for Sisters Country and it was an appropriate use of the funds.

Councilor Asson stated he was concerned with appropriating the CATS funds as he was uncertain if it was worthwhile to move forward with reviewing the projects. **City Recorder Nelson** reminded the Council they could appropriate the funds but it did not mean they would necessarily be spent. **Councilor Holzman** stated she had been a member of the CAC and supported moving forward with fleshing out the projects identified by the committee.

***Councilor Holzman** moved to approve Resolution No. 2015-16 adopting a supplemental budget and establishing appropriations within the 2015/16 budget. **Councilor Connolly** seconded the motion. The motion carried unanimously.*

B. Discussion and Consideration of Resolution No. 2015-17: A RESOLUTION SUPPORTING THE CREATION OF A COMMITTEE TO FURTHER RESEARCH THE TOP TWO COMMUNITY ASSET PROJECTS IDENTIFIED BY THE COMMUNITY ASSETS COMMITTEE AND AUTHORIZE THE USE OF COMMUNITY ACTION TEAM OF SISTERS FUNDS HELD BY THE CITY OF SISTERS

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

City Recorder Nelson explained the resolution was in support of the June 18th presentation by the CAC and its recommendation to further review the two top ideas identified during the process the CAC undertook. She stated the CAC felt a committee with specific knowledge in business development, design, architecture and financing was necessary to continue researching the feasibility of either project. She reported there would still be \$3,442 of CATS left if the Council approved soliciting members for the specialized committee which would be allotted \$10,000 to create architectural designs, elevations, interior color renditions, budget and financing options for the two projects.

Councilor Asson stated he was not comfortable with moving forward and felt it was a backwards way of doing things. He stated he was unsure if this was something the City should be undertaking. **Councilor Connolly** stated she was somewhat torn in her feelings toward the matter. She stated she liked the work the CAC had performed and that the cost to further review the project was not a huge amount. She stated to walk away at this point would not be appropriate after all the work the committee had performed. **Councilor Holzman** stated on behalf of the committee she felt creating a committee with a specific skillset was the next logical step in determining if the projects were right for the city. As part of the research, the committee would look into what group or non-profit could be in charge of day to day operations of a project.

Mayor Frye stated he also felt it was not appropriate to pull the plug at this time. He stated a lot of people had provided input since the first town hall meeting in February 2014 when the community asset projects were first identified. **Councilor Burgstahler** stated she also felt it was a logical step forward from what had transpired and would allow ideas to be fleshed out.

***Councilor Holzman** moved to approve Resolution No. 2015-17 supporting the creation of a committee to further research the top two community asset projects identified by the Community Assets Committee and authorize the use of Community Action Team of Sisters (CATS) funds held by the City of Sisters. **Councilor Connolly** seconded the motion. The motion carried with a vote of four to one. **Councilor Holzman, Councilor Connolly, Councilor Burgstahler** and **Mayor Frye** voted in support of the resolution. **Councilor Asson** voted against the resolution.*

C. Public Hearing for an Appeal of a City of Sisters Planning Commission Decision Relating to Planning Commission Resolution No. 2015-13 regarding MOD 15-

Mayor Frye read from the script for the Appeal (Appeal #15-02) of Planning Commission Resolution No. Planning Commission 2015-13 affecting File No. MOD 15-05 and SP 15-01, McKenzie Meadows Village (MMV) Assisted Living Facility, Phase 1. He stated MOD-05 was an application for a modification to the approved master plan and SP 15-01 was a site plan for an assisted living facility. He explained it was a 'de-novo' hearing that allowed all

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

aspects of the application to be re-evaluated as if it were newly submitted. He called the hearing to order.

Mayor Frye explained how the hearing would be conducted and how to testify. He stated he would limit testimony to 5 minutes per person with the exception of the applicant's attorney and the developer's attorney, who would have 15 minutes to testify. He stated the applicable criteria was listed in the staff report and would be used by the Council in making its decision. He noted that failure to raise an issue with sufficient specificity to afford the Council and all parties an opportunity to respond to the issue could preclude an appeal to the Land Use board of Appeals (LUBA) based on that issue and could preclude an action in Circuit Court.

Mayor Frye asked if any member of the Council had any disclosures. **Councilor Connolly** reported she had met with both Mike Reed and Mark Adolf on separate occasions relating to different topics but the MMV project came up in both conversations. She stated she did not feel she had any conflict in participating. **Mayor Frye** asked if any member of the audience wished to challenge the ability of any Councilor to hear the matter and there were no audience members that voiced any challenge. **Mayor Frye** requested Director Davenport present his staff report.

Director Davenport announced there were three additional emails to add to the record.

Director Davenport provided a brief summary of the matter. He reported Pinnacle Alliance Group LLC appealed the Planning Commission decision of approval on June 18th for MMV modification MOD15-05 and site Plan SP 15-01. He explained MOD15-05 was a modification to the MMV Master Plan development, MP10-01, Sub10-02 to accommodate a specific site plan, SP15-01, supporting the construction of an assisted living facility (ALF). The modification request was to accommodate shifting a portion of the proposed building by more than 25 feet, which could constitute a major modification requiring review by the Planning Commission. The site plan, SP15-01 was for a 46,750 square foot building ALF with associated parking, landscaping and other required features. He stated staff was requesting the Council perform a de novo review, consider the appeal and issue a decision to either remand, affirm, reverse or modify the decision by the Planning Commission. He noted the staff report included attachments A through P.

Director Davenport gave a Power Point presentation. He showed a zoning map, pointing out the subject site and then showed a tighter shot illustrating the site map, noting the property was located west of Sisters High School and east of Village at Cold Springs subdivision. He provided an overview of the prior approvals on the subject property ranging from the annexation and annexation agreement in December 2009, master plan and subdivision approved in September 2010, revised annexation agreement, site plan approval under a previous applicant that expired in September 2011, modification to a master plan and

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

subdivision in December 2012, approval of a modification and site plan on June 18th by the Planning Commission to this evening's appeal. He presented a slide of the current master plan with the proposed modification to the master plan super-imposed on it to illustrate the proposed new footprint. He noted it increased the footprint on one portion of the building over 25 feet and shrunk another portion of the building footprint by more than 25 feet. He stated the modification changed the building to one entrance and shifted parking closer to the building. He also pointed out the area for a future phase.

Director Davenport provided some Development Code definition for assisted living facility, residential facility and residential care facility. He provided an overview of Development Code references relating to special provision for residential care homes and facilities, specifically licensing and site design review, and modifications to master plans.

Director Davenport provided a summary of responses staff had drafted to address the concerns raised in the appeal.

- Is the City Council required to perform a “de novo” evidentiary review of the application under appeal? **Yes**
- Does the MMV project comply with associated annexation agreements, MP 10-01 as amended by MOD 12-01 and MOD 12-02, Comprehensive Plan Amendment CP 10-02, Zone Change ZC 10-01, SUB 10-02 and SP 11-05 approvals?

Yes. The proposal is in compliance with previous land use approvals except the expired SP 11-05 and its associated MOD 12-02.

- Are the applications MOD 15-05 and SP 15-01 a Type II or Type III applications? **MOD 15-05 is a Type III and SP 15-01 is a Type II application. Both applications were heard at the June 18, 2015 PC meeting.**
- Did staff correctly process the consolidated application as a Type III application? **Staff correctly processed the applications. The proposed shift of the building, parking lot and entrance does not require new land use applications.**
- Are the studies referenced in SDC 4.1.77.A.7 required to be performed by the applicant?

No. The shift of the building toward the center of the property and shift in the parking lots and entrances did not necessitate the requirements for new land use applications.

- Does the proposed use of “Housing with Services” and “Memory Care” necessitate a Major Modification which would require amendments to the annexation agreement and subsequent land use decisions?

No. The proposed uses are consistent with SDC definitions of Assisted Living Facility and Residential Care Facility, and the annexation agreements which reference “Senior Living Center and Senior Assisted Living Center”.

- Does the proposed use of “Housing with Services” and “Memory Care” create a “substantial adverse impact on prior approvals? **No.**
- Are Residential Care Facilities required to be licensed by the State of Oregon?

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

See SDC definition; RCFs are required to be licensed by the State. Staff from the State DHS reviewed the proposal for Housing with Services and determine that no license was required for that client care model.

- Does the proposed use of “Housing with Services and “Memory Care” require amendments to the Annexation Agreements, and subsequent land use decisions? **No.**
- Is the applicant required to construct and operate a facility that is wholly licensed by the State of Oregon?

No. Any licensing requirements for the proposed uses by the State will be co-enforced by the City. Prior to occupancy of the facility, licensing requirements are required to be satisfied.

- Did staff ignore the appellant’s request for evidence of a request for information from the appellant that relates to proof that various dates and deadlines by previous and is the applicant’s previous land use applications still valid/unexpired.

Staff does not have a specific record of this request by the appellant. The project’s entitlements are not expired.

- Did the Planning Commission act according to procedures set forth in the SDC pertaining to requesting that the hearing be continued?

The Planning Commission did not continue the hearing as requested by the appellant. SDC reference 4.1.500.C.1.d: *Before the conclusion of the initial evidentiary hearing, any participant may ask the Planning Commission for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing. The hearings body shall grant the request by scheduling a date to finish the hearing (a “continuance”) per paragraph 2 of this subsection, or by leaving the record open for additional written evidence or testimony per paragraph 3 of this subsection.*

- **Appellant’s Footnote 1:** Was the application included in the staff report to the Planning Commission unsigned, deficient and should it never have been accepted.

Staff inadvertently placed the unsigned version of the application in the staff report. Staff received a properly signed application which is identical to the unsigned application (**Attachment N**).

- **Appellant’s footnote 2:** “The applicant’s Burden of Proof did not use SP 11-05. The filing of a Type II application instead of a Type III application amount to a de facto City of Sister sanctioned subsidy of the applicant’s project to the disadvantage of other similarly situated thus violating the appellant’s constitutional rights under the 5th and 14th amendments.”

SP 11-05 is a now expired application and the current applicant is under no obligation to modify said expired plan. A new site plan was filed (SP 15-01) which in essence supersedes the now expired SP 11-05. Even if the SP 11-05 was not expired, as previously mentioned, it is entirely unreasonable to require an applicant to modify an application with whom the applicant is no longer associated with and with whom the former associate is now an opponent of the application.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

The application MOD 15-05 was processed as a Type III application with the exception of requiring needless studies for a minor adjustment in building location and parking and consolidation of entrances.

- Does the previously approved master plan (MP 10-01, and SUB 10-02) clearly state that that “a shift greater than 25-feet in the location of buildings, proposed streets, parking lot configurations and landscaping or other site improvements” constitute “substantial adverse impact” requiring a new Master Plan for the entire subject property?

The language being cited by PAG references the SDC requirements for Section 4.5.800, adopted on May 13, 2010, not a specific condition of approval for the application.

The SDC Section 4.5.800.D, adopted on May 13, 2010 states:

D. Amendments to Master Plan. Once adopted, amendments that create substantial adverse impacts to an approved Master Plan shall be processed as a new Master Plan for the entire subject property, except as provided for in the original Master Plan approval.

1. Examples of substantial adverse impacts may include:

An increase to lot coverage by buildings or residential densities by more than 10 percent;

A reduction greater than permissible to the dimensional standards identified in Section 4.5.130.B;

A reduction to open space;

A significant change to circulation;

Any change that commits land to development which is environmentally sensitive or subject to a potential hazard; and

A shift greater than 25-feet in the location of buildings, proposed streets, parking lot configuration and landscaping or other site improvements.

- Do the Conditions of Approval fail to include the below listed requirements? (examples 1-5)

(1) “The applicant complete a final subdivision plat of the portion of MMV’s property upon which the Senior Assisted Living Facility is to be constructed before issuance of a building permit

This condition references MP 10-01 and SUB 10-02 as amended by MOD 12-01, affecting files no. MP10-01, SUB 10-02 Hearing Date: October 18, 2012 Page 13 of 17.

Phase I. The final plat for Phase I of this development shall be recorded within two (2) years of the date of this approval. The Phase I area was amended administratively to include the lot containing the ‘Grange Hall’, and shall be considered as the approved preliminary plat for phase I. The Central Electric Cooperative (CEC) utility easement shall be vacated, and proof of vacation shall occur prior to recording the final plat for Phase I. Public improvements and dedications within Phase I shall include the following and shall be completed or bonded where permitted, inspected and accepted prior to the final plat being recorded for phase I.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

No other building permits shall be issued for Phase I (exceptions are the Medical Clinic and the Assisted Living Facility) until the plat for Phase I is recorded, and all necessary public improvements are completed, inspected and accepted by the City of Sisters.

This condition excepts the Medical Clinic and Assisted Living Facility from being issued a building permit **prior** to recordation of a final plat. One parcel has been subdivided to enable development of the Medical Clinic site.

(2) “Negotiate and execute a Memorandum of Understanding with the City of Sisters concerning a whole variety of land use matters prior to recording the final subdivision plat of the portion of MMV’s property upon which the Senior Assisted Living Facility is to be constructed before issuance of a building permit”.

This condition references MP 10-01 and SUB 10-02 as amended by MOD 12-01, affecting files no. MP10-01, SUB 10-02 Hearing Date: October 18, 2012. The text in the Conditions of Approval referred to in the appellant’s example are provided below. Three instances of references to a Memorandum of Understanding are in the staff report:

(3) ;”prepare, obtain necessary City of Sisters approvals, and record a Declaration of Covenants, Conditions and restrictions for the entirety of applicant’s property”;

This condition references MP 10-01 and SUB 10-02 Condition #14. **Revised CC&R’s.**

(4) “complete final subdivision platting of the remainder of the applicant’s property following approval of the master plan as modified”.

The applicant is required to complete the final subdivision platting. References to final platting exist in the decision for MP 10-01 and SUB 10-02. Some of these terms were modified in MOD 12-01. The conditions associated with final platting can be found in the attachments. The conditions of approval for MOD 15-05 and SP 15-01 specify that all previous conditions in MP 10-01, SUB 10-02, and MOD 12-01 not modified by the approval remain in effect.

(5) “prepare and submit for the City of Sister’s approval a revised detailed site plan showing multiple detailed components of the project plan prior to the issuance of any building permits”.

The applicant has submitted an application for City review (SP 15-01) which is under appeal by this appellant.

Should the Planning Commission’s decision be rejected, MOD 15-05 and SP 15-01 be denied and MMV be directed to file for a revised annexation agreement, comprehensive plan amendment, zone change, master plan, subdivision and site plan?

Staff recommends that the City Council not reject the Planning Commission’s decision, and not require the applicant to file for new land use applications as requested by the appellant.

- The applicant's proposal as illustrated in MOD 15-05 and SP 15-01 is in compliance with the Sisters Development Code and prior land use decisions.
- This appeal application is a "de novo review" and a continuance at the Planning Commission may not be necessary.
- City Council has the authority to remand the application to the Planning Commission
 - If the City Council remands the decision the Planning Commission or affirms, reverses or modifies the decision, SDC 4.1.800.H states that:

H. Appeal Authority Decision

1. *Upon review, the appeal authority may by Resolution remand, affirm, reverse, or modify a determination or requirement of the decision that is under review. When the appeal authority renders a decision that reverses or modifies a decision of the hearing body, the appeal authority, in its Resolution, shall set forth its findings and state its reasons for taking the action encompassed in the Resolution. When the appeal authority elects to remand the matter to the hearing body for further consideration, it shall include a statement explaining the errors or omissions found to have materially affected the outcome of the original decision and the action necessary to rectify such.*

Mayor Frye asked for questions from the Council.

Councilor Connolly asked if the matter was remanded back to the Planning Commission, would the City be able to meet the 120 day state mandate. **Director Davenport** stated Oregon Revised Statutes require the City to make a decision within 120 days after an application has been deemed complete. He stated since the application was deemed complete on June 3rd, the City had until the end of September to issue the final decision.

Councilor Connolly noted Director Davenport had stated the project had shifted more than 25 feet. She asked if the list of examples for when a new master plan was required was a comprehensive list or just a list of examples. **Director Davenport** replied it was a list of examples that might create a substantial adverse impact and thus require a new master plan, but it was by no means comprehensive. **Mayor Frye** questioned if this was to allow staff the ability to determine what might substantiate an adverse impact. **City Attorney Bryant** replied it was, since a shift of 25 feet that shrunk a buildings footprint would obviously not be considered a substantial adverse impact. **Director Davenport** noted this was the Development Code that was in effect in May of 2010, but the Development Code had been revised since that time. **Councilor Connolly** asked if it was staff's and the Planning Commission's opinion that the new design shifts that were greater 25 feet did not impact the overall design adversely and **Director Davenport** replied that was an accurate assessment. **Councilor Connolly** asked if the proposed future phase was part of the current application and **Director Davenport** replied was not and it would require a new building permit.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

Councilor Connolly asked for clarification on the various terms regarding the types of senior facilities he had discussed in his presentation. **Director Davenport** replied the original annexation agreement referred to a senior living facility while the amended annexation agreement referred to a senior assisted living center. He noted the terms were not defined in the agreements. He stated the definitions for an ‘assisted living facility’ and ‘residential care facility’ in his presentation came from the Development Code and provided a general definition staff felt met the intention of the annexation agreement. **Councilor Connolly** asked if a memory care facility would be covered by the same definition as a subset of the facilities and require licensing and **Director Davenport** replied it would.

Councilor Connolly asked when the application was signed. **Associate Planner Reed** confirmed the application was originally received via email in May and the applicant came in and signed sometime within the next five days or so. She confirmed it was definitely before the application was deemed complete on June 2nd, not June 3rd as Director Davenport had mentioned previously. She stated the unsigned version had mistakenly been placed in the packet for the Planning Commission as opposed to the signed application.

Mayor Frye asked for the appellant to testify.

Peter Hoover, 31402 Lovegren Lane, Sisters, OR 97759

Mr. Hoover stated for the sake of disclosure, he was one of about a dozen area residents seeking to build an assisted living facility via a project lead by Pinnacle Alliance Group. He reported since he had been unable to attend the June 18th Planning Commission hearing, he had listened to the meeting recording posted on the City’s website. He reported there were currently two projects hoping to provide different types of senior living options and related services to the community. He affirmed those services were sorely needed and welcomed both projects, and hopefully more facilities, to meet the need of seniors. He noted the City would be better served if it did. He stated one Commissioner stated in the recording that the Planning Commission had a Code and framework by which it made its decisions. He stated he concurred with the statement and assumed the rules and procedures were chosen with deliberate words and thoughts. He stated he came away from listening to the recording that that framework and platform used for making decisions was not given its due and full consideration. He stated there was clear awareness by the Planning Commission that the project was subject to an annexation agreement with detailed conditions and requirements for utilization of the land.

Mr. Hoover remarked that during presentation of the neutral testimony of the Planning Commission hearing former City Councilor Sharlene Weed came forward and stated she had been on the City Council when the annexation agreement for McKenzie Meadow Village (MMV) had been approved. She indicated she had been very involved in helping draft the agreement and stated that although the proposed project might be a very good projects, it was significantly different than what was envisioned at the time of the annexation agreement.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

She had stated the Planning Commission did not have the authority to change the annexation agreement and that only the City Council had that authority. He stated from his perspective this input should have been considered by the Planning Commission. If the conditions of the annexation agreement requirements were not met then some finding, such as rejection of the application, requiring modification of the agreement or a statement affirming Ms. Weed's comments were baseless would have been appropriate. He added numerous concerns were raised by Michael Repucci, an attorney assisting Pinnacle Alliance Group and he was disappointed by the disparagement of Mr. Repucci because he was from Colorado and not the local area. He stated it was his hope that Mr. Repucci comments and not his home base was what was considered. He stated through written and oral testimony Mr. Repucci raised concerns about non-compliance of the Code with regard to a major modification that created a significant adverse impact which the Development Code indicated would require a new Master Plan. He questioned whether certain approvals requirements had been obtained, extensions had been appropriately granted and if Type III application conditions had been met. He stated Mr. Repucci even sited the applicable Code sections to facilitate the discussion if the Planning Commission chose to. He stated he agreed it was a lot of information to comprehend but questioned whether the Planning Commission gave due consideration to Mr. Repucci's comments. He cited the comments of one Commission during the hearing that he really appreciated what Mr. Repucci had presented and he had put a lot of work into it. The Commissioner stated he had understood about three minutes of it and his point was, without spending at least two days checking on Mr. Repucci's comments, could the Planning Commission prove his allegations were true or whether he was just making it up. He stated he probably wasn't but how could it be documented. He stated he just didn't see it, he wasn't there and he was ready to approve it. **Mr. Hoover** stated he was not disparaging the Commissioner but rather pointing out that perhaps not enough consideration was given to the points raised. **Mr. Hoover** asserted in essence, another comment stated that if the Planning Commission were to not approve the application the same paper work would be in front of them in five months. He stated he would hope the process to comply with the Development Code would not take that long.

Mr. Hoover stated the Council needed to decide if the framework of the Development Code was followed and if so, did the conditions allow for this type of development, were the codes, procedures and required applications all received and documented and whether the Development Code required new documents and was it appropriate for the Planning Commission to ignore Mr. Repucci request to keep the application open as allowed per the Sisters Development Code which states such requests must be granted. He stated he understood the Council had a difficult task before them and thanked them for their time in listening to him this evening.

Michael Repucci, 2521 Broadway, Boulder CO

Mr. Repucci stated his firm had representing Pinnacle Alliance during the Planning Commission hearing. He stated this was all about getting senior housing to Sisters, doing it

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

the right way and following Sisters Development Code. He stated he would be happy if both facilities could be successful. He announced this evenings hearing should never have been scheduled and had been invalidly noticed. He stated at the Planning Commission hearing he had asked to have the hearing continued in order to respond to some statements. He stated the Code was clear he had the right to do so but his request was ignored. He stated the meeting should never have been closed and so any decision made by the Planning Commission was a non-decision. He contended the Planning Commission did not have the jurisdiction to close the hearing. He stated Pinnacle Alliance also objected to the notice of the public hearing by the Community Development Director for this hearing. He stated there were two notices, one postmarked July 6th and one July 7th that were facially different in that they included different language and one had a site plan attached. He stated Sisters Development Code Chapter 4.1.800.F clearly stated the entire record must be transmitted with the notice. The Development Code stated *when* an appeal was scheduled for hearing by the Council, the Community Development Director should prepare and transmit the record which included a long list of items. He stated the meaning of the word “when”, meant at about the same time. He stated the record was 248 pages and was not received until three days prior to the appeal hearing. He stated he didn’t know which notice was correct, he didn’t receive the record and he received an email from Director Davenport stating he would provide the staff report by the 17th. He reported his client had to send a public records request in order to get the staff report and it was finally received on Monday. He asked where the due process was in that. **Mr. Repucci** stated Sisters Development Code Chapter 4.1.800 G stated the notices of an appeal hearing should be provided in the same manner as the original notice. He stated Chapter 4.1.500B 2(h) stated the record must be made available seven days prior to the hearing. He stated apparently City staff didn’t believe it needed to comply with the Code or that it wasn’t important or a priority. He stated there had been a host of procedural errors to the point that the entire matter was tainted and the civil rights of Pinnacle Alliance had been systematically and completely disregarded by staff. He stated the hearing was invalid because no legal decision had ever been made or entered and the hearing was invalid because it was not properly noticed and because the record was provided long after the requirement to do so had expired.

Mr. Repucci stated that subject to those objections he was designating as part of the record his July 2nd notice of appeal and accompanying statement of reasons for the appeal, including all referenced sections of the Sisters Development Code , all MMV underlying approval and agreements, his June 18th statement of objection letter to the Planning Commission and all matters submitted to the Planning Commission and Council including all material made available to the Planning Commission and Council, all material received by the Planning Commission and Council and all material considered by the Planning Commission and Council in connection with making their decisions. He stated he was also designating the entire recording of the June 18th Planning Commission hearing, all ex parte communication which may have occurred that had disclosed as part of the open records request by Pinnacle

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

Alliance and that which had not been disclosed as part of the open records request. He stated it appeared there were several things missing from the record.

Mr. Repucci stated at the center of the appeal were the actions of a core group of friends of Bill Willitts that would do anything to help him build something at the MMV property. He stated Kevin Cox of Ageia Health Services had previously contracted to manage an assisted living facility for his client, Pinnacle Alliance. He stated unfortunately the recession hit and his client had been unable to obtain financing and so the purchase contract lapsed. He stated at about the same time, Kevin Cox approached Bill Willitts and Mr. Willitts enlisted Mr. Cox to build the exact same facility Pinnacle Alliance had planned. He noted Mr. Cox had previously had access to all of Pinnacle Alliance's plans, architectural drawings, master planning documents and market studies. He stated armed with all of this proprietary information, Mr. Cox discovered a way to make a healthy profit for himself by stealing this information and working with City staff to extend the previous land use approval that would not require Mr. Cox or Mr. Willitts to spend any additional money to build the facility. He stated by not requiring the master plan to be renewed, the City of Sisters was providing a substantial financial subsidy to Mr. Cox and Mr. Willitts because they didn't need to go through the process. He stated that was pretty dirt but good for them if they could get it. He stated that was not the way the Code was written and that's not what the Council would want to be known for. He stated these were tough words but his client had brought suit against Mr. Cox and his architects in the Oregon Federal District Court for copyright infringement and an injunctive release in case CV#6:15-451-AA which he designated as part of the record.

Mr. Repucci asked who Mr. Willitts' friends were. He stated based by the comments by several Planning Commission members it seemed several had discussed the entire matter in great detail. He stated in listening to the recording there was discussion about approving modifications for MMV because the commissioners 'just didn't get it' or 'approval just felt right' regardless of the what the Code or underlying agreements stated. He stated City Attorney Bryant was mixed up in this also. He stated in a March 26 2015 email he wrote and sent to the Council, he outlined all of the conflict of interest Mr. Bryant had in that his firm represented Mr. Cox in several personal and business dealings which financially benefitted his firm. **Mr. Repucci** designated his email as part of the record. He stated while Mr. Bryant had begrudgingly admitted his dual representation might be a conflict of interest he had stated it was a waiveable conflict of interest. He stated he disagreed citing Rule 1.11D (1), (2), and (3) of Oregon Rules on Professional Conduct that specifically prohibit this dual representation. He stated regardless of whatever written waiver Mr. Bryant had asked the Council to sign, Mr. Bryant's conflict made it legally impossible for him to provide impartial advice relating to this appeal; yet he was still doing so. H stated the Council had a legal duty to perform with competence, fairness, impartiality and integrity and relying on Mr. Bryant for advice did not discharge that duty.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

Mr. Repucci stated during the course of the hearing several derogatory and slanderous comments were made about his client. He stated his client was not against competition as long as it was fair competition. He stated his client worked tirelessly to comply with the Code and granting Mr. Cox and Mr. Willitts a de facto subsidy by not requiring them to comply with the Code was not fair competition. He stated staff went to great length to point out that Pinnacle Alliance's previous site plan had expired but when the application was submitted that plan was still in effect. He stated the Code required the City to process an application with the Code that was in place at the time of a submittal. He stated staff also went to great lengths to substantiate the argument that prior amendments to the annexation agreement took away the concept of the senior living center. He stated Director Davenport improperly pasted two sections of the annexation agreement together and left off a section of the agreement that stated it was a senior assisted living center.

Mr. Repucci closed by stating the matter must go back to the Planning Commission, a proper application must be submitted for a Type III procedure where impacts reports were completed that would tell the Council this was a housing with services facility, it was an independent senior facility with residents that would drive and need parking spaces.

Mayor Frye asked if the developer's attorney would like to testify.

Bill Willitts, 251 S. Elm, Sisters, OR 97759

Mr. Willitts stated he wanted to put the record straight with regard to the Pinnacle Alliance Group sales agreement history with MMV and submitted a document for the record. He stated the original agreement between MMV and Pinnacle Alliance Group was dated October 1, 2010. He stated there had been four subsequent extensions dated October 30, 2011 to January 31, 2012, January 31, 2012 to March 31, 2012, June 29, 2012 to March 31, 2013 and a final extension from April 4, 2013 to August 15, 2013. He stated on August 15th all extensions terminated and Mr. Adolf had signed a letter confirming that understanding. He stated for an attorney from 1,000 miles away and a developer from 200 miles away to bring forth the appeal in order to "protect us" from Code violations was frivolous. He asserted he was one of the surrounding property owners. He stated MMV had a letter from Hayden Homes acknowledging support for the project as well as Sisters School District supporting the school based health clinic built on the property.

Damien Hall, 101 SW Main Street, Portland, OR

Mr. Hall stated the Council had heard attacks and confusing statements from the appellant's attorney and he wanted to clarify that the past business dealing of the appellant and applicant carried no weight in the decision before the Council this evening and were beyond the scope of the project. He stated the Council was only being asked to apply the facts of the application to the Development Code. He explained that prior approvals for the property weren't owned by Pinnacle Alliance and instead ran with the property as they do in all land

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

use matters. He stated all documents and issue referenced by the appellant's attorney as not contained in the record had no bearing on the decision either.

Mr. Hall stated the higher level discussion was on the Development Code and dealing with a master plan. He explained a master plan allowed an owner of a large property to have some certainty in what they could build knowing they may want to develop the property in phases. He explained the master plan for the MMV property was approved in 2010 and what was before the Council this evening was a request to modify that master plan in a simple way. He stated the extent of the modification was to reconfigure the building within the same footprint. He stated it was not going to create additional demands for water, sewer, police or fire protection and in fact the building was being reduced from the original proposal of 72,000 square feet down to 46,000 square feet, which would actually reduce the demand for those services. He stated with regard to the use there was a lot of terminology being used. He stated the applicant was proposing a senior living center that would include memory care and assisted living units, or housing with services. He stated he agreed with staff's interpretation that not all facilities needed to be licensed and that requiring a facility to be 'duly licensed' meant a facility must be licensed if the State required it to be licensed. He stated the applicant would be amenable to adding a condition of approval stating the facility would be 'duly licensed' by the State of Oregon. He stated the client had already received approval from the State to license that part of the facility that was not memory care units as an assisted living facility. He stated he realized there were a lot of terms and he felt the appellant's attorney was trying to make it more confusing.

Mr. Hall stated with regard as to whether the proposed change was a major or minor modification by virtue of the 25 foot footprint change, it didn't really matter as the applicant had demonstrated it had met the criteria applicable to either type of modification. He pointed out the substantial negative impacts that were discussed from the 2010 version of the Development Code no longer existed. He explained that every time the appellant's attorney stated the master plan stated something it was related to the 2010 staff report, not the findings or conditions of approval. He stated it was merely a discussion at the beginning of the staff report about what criteria from 2010 would be applicable to a modification of a master plan. He stated the Council was charged with applying the current Development Code and not the 2010 Development Code. He stated Chapter 4.1.800D was no longer part of the Development Code and therefore not an applicable criteria this evening. He explained a substantive negative impact was defined as any measurable traffic, noise, vibration, massing, dust, air pollution, density, lighting or odor. He stated with a smaller building proposed, none of those would be an issue.

Mr. Hall reported Mr. Repucci and Mr. Hoover both spoke about the annexation agreement but it was unclear what section they felt did not comply. He stated the section staff was accused of purposely omitting only referred to the fact that the applicant had received its permit for a senior living center and was only brought up to further confuse the matter. He

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

stated the written appeal noted the owner was to designate 6.3 acres for a senior living center and this application was only for five acres. He explained the master plan had broken out Phase I as five acres but once the subsequent phases were developed, the total acreage would total more than the required 6.3 acres. He stated there was nothing in the annexation agreement that required all 6.3 acres to be developed all at one time.

Mr. Hall stated Mr. Repucci's stated there was no jurisdiction for the Planning Commission to make a decision but that was not accurate. He stated it was in fact a valid decision and the Planning Commission had been authorized to make it and noted he had cited in his memo the Oregon law that addressed that. He stated it boiled down to the appellant had taken advantage of the City's process to have an additional 30 days to submit whatever they wanted to into the record. He stated that cured any defective process claimed by the appellant to the Council. He summarized the application had gone through extensive review by staff and the Planning Commission, and all necessary standards had been met.

Mayor Frye asked if anyone would like to testify in support of the appeal.

Mike Morgan, 15925 Pilot Dr., Sisters, OR 97759

Mr. Morgan stated he wanted to discuss the difference between housing with services versus assisted living. He explained he'd had extensive experience with all forms of retirement care for a family member and the two were totally different. He provided the example that if he broke his leg and had someone with nursing services come into his home to help him, that would be housing with services. He stated assisted living facilities had architectural requirements, the means to get people safely in and out of showers, grab bars and trained staff. He reiterated there was a huge difference between the services provided by each. He stated people in assisted living don't drive while people living in housing with services did. He stated housing with services was merely an apartment. He stated assisted living residents used walkers and wheelchairs. **Mr. Morgan** remarked he was in attendance when MMV was original annexed and what was on the table now was assisted living. He stated he had argued against the model as he had felt it was not financially feasible since it would not be near the types of specialist needed by the residents of an assisted living facility. He stated an assisted living facility needed a nurse on staff and trained, licensed people to disperse drugs.

Lynn Hemphill, 1613 W. Allingham Avenue, Sisters, OR, 97759

Ms. Hemphill stated the reason she was in attendance was because a sign had been posted on the cluster mailbox cluster the development would include punching through Williamson Avenue and Hill Avenue. She stated the streets in the development were narrow and maintained by a homeowners association (HOA). She stated she didn't want cars whipping through the streets. She stated she was also concerned with the other types of development planned such as cottages and apartments and questioned where those units would be built. She summarized she hated to see people be allowed to come through their community to get to the facility.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

Jonathan Kelly, 1630 W. Williamson Avenue, Sisters, OR 97759

Mr. Kelly stated he lived in the neighborhood and would be a neighbor to this project. He stated his main concern was if W. Williamson was connected to the MMV development. He noted the streets were maintained by the homeowner association and it paid for the upkeep. He stated he did not want his children to be dodging cars and have drivers cutting through the neighborhood. He reported the street were less than 30 feet wide and the base was not meant for a lot of traffic. He stated the driveways were short and when cars park on either side of the street, there would not be enough room for other vehicles to pass through. He stated he had lived in areas that posted "Private Road" signs and they were not effective in keeping cars out.

Berke Kriehn, 1603 W. Allingham Avenue, Sisters, OR 97759

Mr. Kriehn stated he was a part time resident at the Hayden Homes subdivision. He noted he was not against the project but he was against how the project would impact the roads in his neighborhood if they were cut through. He stated the roads were owned and maintained by the HOA and for any HOA, roads were a major cost. He stated in 10 years their roads would need extensive maintenance and the HOA would require reserves to pay for that work, which in turn would affect their HOA fees. He stated even with crack sealing and seal coating, eventually the roads would need to be taken back to the base and repaved. He questioned how the City could have the authority to open a road it didn't own and stated he felt it was a violation. He stated there would be numerous emergency vehicles coming through the area day and night.

Mike Rankin, 1602 W. Hill Avenue, Sisters, OR 97759

Mr. Rankin stated what was being discussed was the warehousing of seniors. He stated that would include disoriented people walking away from the facility where search and rescue personnel would need to become involved and a lot of emergency vehicles coming in and out of the facility. He stated the homeowners owned the roads and they could shut them down unless the City wanted to declare imminent domain and start paying for them.

Doug Wills, 1655 W. Williamson Avenue, Sisters, OR 97759

Mr. Wills stated his comments were not related to the project but rather with Williams and Hill being cut through to the facility. He stated he had concerns with safety and the roads. He reported there were at least 15 children on his street and he has seen them run out between parked cars when they were playing. He noted residents knew to look out for the children, but others traveling through on the street would not. He stated people bought their homes to have a nice quiet neighborhood and cutting the streets all the way through would impact their neighborhood. He stated the street were owned and paid for by the homeowners and do not have marked lanes or lines. He noted that if two cars parked opposite one another on the street it was too narrow for emergency vehicles to even get through. He asked if the

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

City planned on taking over the street along with assuming the liability and costs to maintain them. He stated everything needed to be developed with the safety of citizens in mind.

Mr. Wills asked what would happen to the gravel road that ran behind the Village at Cold Springs development that provided access to a house. He stated he did not see anything on the illustrations to show if it might be paved which could open the neighborhood to even more traffic from the Tollgate subdivision.

Gary Radma, 1647 W. Williamson Avenue, Sisters, OR 97759

Mr. Radma stated he was not going to repeat what others had said, noting pictures spoke louder than words. He presented two photos of Williamson Avenue, one looking east and one looking west that had been taken earlier in the day. Both photos showed narrow crowded streets with numerous cars, trucks and an RV parked on the street. He stated the street would become a thoroughfare and it wouldn't work.

Harry Ohe, 1623 W. Williamson Avenue, Sisters, OR 97759

Mr. Ohe stated the issue was feeding traffic through a crowded residential neighborhood as it created major safety flaws and economic impact to the HOA and habitat in the area. He stated he understood the model for the development and determined it would have a minimum of 200 residents. He stated that would impact our medical community and availability to get an appointment with a doctor. He reported the roadways were private and estimated it would cost approximately \$130,000 to repave Williamson and Hill, and the cost would only continue to rise. He provided photos showing the roads were only 26 feet wide and vehicles already had to park on the curb and sidewalks in order to allow traffic to get through. He noted there were 15 children that lived on Williamson alone and asked where they would play. He stated the only possible solution would be to require single side parking which would be onerous for residents and their visitors alike. He asked who would be responsible for the traffic and safety as there was no enforcement in the area. He posted a photo of Highway 242 and pointed out the last remaining fiberglass lane marker. He reported that 50 of the markers had been chopped down in one year's time. He stated if that was happening on a state highway, what would happen to their private roads. He stated he saw one possible solution that would instead use Aitken and Allington to reach the development as they were two lane streets and one did not have any homes on it. He stated he was certain the residents on those streets would not welcome the change either. He summarized that he saw no benefit to the neighborhood on any level. He stated the residents at the facility would have falls, heart issues and asthma and there would be a lot of emergency vehicles using the road.

Mayor Frye asked if anyone would like to testify in opposition to the appeal.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

Pat Thompson, 18290 Plainview Road, Bend, OR

Mr. Thompson stated he had served on the City Council from 2008 through 2012 and had been involved in the annexation process, which took several months. He reported the developer had to meet many conditions to accommodate the City. He added that in every instance the developer always went above and beyond what was asked. He stated he didn't see anything that was different than what was originally proposed. **Mr. Thompson** stated he agreed with the streets being an issue of concern, but for fire, life and safety 'to and through' streets were a necessity, as well as for utility infrastructure. He stated the developer of the neighborhood proposed narrow roads as a means of cutting costs and it was unfortunate, but he felt those issue could be addressed.

Mr. Thompson asserted the development community in Sisters was unhealthy and everything was a controversy and a fight. He stated the city had a Planning Commission for that reason and the community should let them do their job. He stated he hoped the Council would support the Planning Commission decision. He noted the community needed to find a way to grow, develop, move on and get along. He closed by stating the city was in real need of affordable and retirement housing.

Curt Kallberg, PO Box 3500, Sisters, OR 97759

Mr. Kallberg stated he wanted to provide some history on the project. He reported the project was master planned six years ago, long before the homes in the neighborhood were built. He stated the roads were required to go through as a condition from the City. He noted he owned the house on the gravel road mentioned by a previous speaker and stated the driveway would be paved. He stated the development was owned by three families and they had been working on the project for 15 years. He stated tonight was the first time he had heard anyone from Mr. Adolf's group say they would welcome a second facility, as they had stated at the Planning Commission hearing they did not want two facilities in Sisters. He remarked that names for these types of facilities had changed over the years but what remained was the need for a place for our seniors. He hoped Mr. Adolf was successful in his project and he welcomed the competition, stating the city could use two facilities. He noted Mr. Adolf and his group had done everything in their power to block the project. He stated they had gone through the same process for their project and neither he nor his partners had done anything to stop them. He agreed there were problems with the streets and stated he felt something could be worked out. He asked the Council to not jeopardize the chance for our seniors over roads and to give them a chance to build the building. He requested the Council not let the citizens and families down.

Mac Hay, 70919 Armorant, Black Butte Ranch, 97759

Mr. Hay stated he was standing before the Council as the former volunteer Chair of the Sisters Business and Retention Team (SBART) and contractor to the City as the Economic Development Manager. He reported in both positions he had worked closely with the development team of MMV, including Mr. Adolf., to annex the property and interface with

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

City appointed and elected official and staff alike. He reported there was great support from the community and City government and eventually the developers were successful in completing the annexation and project application. He stated all these years later, there was still great community need for the project and with the financing in place he could not imagine why the Council could not unanimously approve the project, affirming the Planning Commission's decision.

Doug Roberts, 16052 Foothill Lane, Sisters, OR 97759

Mr. Roberts stated he had been a real estate broker in the area for 20 years and the need for an assisting living facility was constant and continual. He reported he worked every day with people considering a move here that are concerned with this issue, especially for their parents. He stated the project had been a very long time in the making. He stated he was hopeful the Council would remember that the people behind this project have given back to this community on many levels for a long time and had integrity. He stated that as a former Planning Commissioner of four years he could attest the Planning Commission works very hard and does not take issues lightly. He asked that the Council not allow someone to come in and dictate how things should be. He asked why the Pinnacle Alliance Group was fighting the project and stated if they were ready to build their project, they should go ahead and do so. He stated the community would welcome two facilities and it was sour grapes on the part of Pinnacle Alliance Group to be fighting the decision.

Susan Trask, 15685 Trapper point Road, Sisters, OR 97759

Ms. Trask stated she was a realtor and had moved to Sisters in 2006. She reported shortly after arriving she'd heard about the MMV project and was warmed to know her community would soon have such a facility. She stated she too has been discouraged by the fact someone had brought in their "big guns" to thwart a project for which there was so much need. She asked the Council to approve the decision and get the project done for the seniors in the community.

Seth Anderson, 920 NW Bond Street, Suite 204, Bend, OR

Mr. Anderson stated he was the architect for Keven Cox. He stated there were some outrageous allegations levied by the appellant's attorney earlier that he wanted to clarify. He stated he had never seen nor copied Mr. Adolf's plan. He informed the Council his team had developed their own site plan that had been reviewed and fully approved by the state as an assisted living facility. He stated the allegations were patently false.

Mayor Frye asked if there was anyone that wished to provide neutral testimony.

Cort Horner, 14861 Crupper, Sisters, OR 97759

Mr. Horner stated there were some great points made by residents of the Cold Springs neighborhood this evening. He reported when he was on the Planning Commission, they had also focused at the ingress and egress for the other assisted living development proposed on

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

Larch Street by Pinnacle Alliance Group. He pointed out there were other roads that could be used to access the MMV facility and so it appeared Williamson and Hill could be closed off to through traffic. He stated there was a lot of call for cottages and affordable housing and this project appeared to include these in many of the later phases. He suggested the City Council and Planning Commission take this into consideration when making its decision.

Jack Gallic, 1623 W. Allingham, Sisters, OR 97759

Mr. Gallic stated he had moved to Sisters 15 years ago and noticed right away there was a lack of senior housing. He stated one thing everyone could agree on with was the need for senior housing, but not memory care units or assisted living facilities. He commented that Sisters does not have the medical support structure necessary to deal with those types of facilities. He stated he thought the project was great but it would require its residents to rely on others to get them to their various medical appointments with the specialists that deals with the diseases of the elderly. He summarized he felt it was a mistake to build the facility without the medical community it needs to support it. He stated ambulances would be going back and forth to Bend on a regular basis.

Mark Maboll, 1690 W. Williamson Avenue, Sisters, OR 97759

Mr. Maboll stated he was in favor of the project but there needed to be a way to control or stop the traffic on Hill and Williamson. He reported he had measured the roads and they were five and one half feet narrower than Cascade Avenue. He stated he had worked in these types of facilities and residents did get out and wander sometimes. He stated he didn't move here to listen to sirens 24 hours a day, seven days a week. He stated the facility would need to have designated medical staff that could care for the residents.

Mayor Frye asked if anyone would like to provide rebuttal testimony on either side of the argument.

Michael Repucci, 2521 Broadway, Boulder CO

Mr. Repucci stated the drawing being shown, the figure eight building, which was the site plan that was being compared was another site plan that was in effect earlier. He stated it wasn't even the right site plan and he did not know why the developer was using it.

Damien Hall, 101 SW Main Street, Portland, OR

Mr. Hall stated he wanted to address the issue of the roads brought up by the neighbors. He stated he wanted to make clear the site plan there were looking at does not include extending the roads at this time. He stated that was slated for a later phase and could be an ongoing conversation in the community and be addressed with the later application.

Mr. Hall stated the project was for an assisted living facility and the developer would be willing to accept an additional condition of approval to be duly licensed by the state as such. He stated the reference to Site Plan 11-15 made by Mr. Repucci had expired and what was

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

before the Council this evening was a modification to the master plan, which was what was being shown. He stated he would appreciate the Council finding in favor of the developer and making a decision this evening as opposed to sending it back to the Planning Commission. He stated the appellant would likely file a Land Use Board of Appeal (LUBA) regardless. He stated the record and extensive findings from staff supported approval of the decision.

Mayor Frye asked if the appellant would like to provide a final statement.

Michael Repucci, 2521 Broadway, Boulder CO

Mr. Repucci stated the grounds for appeal of this project, the burden of proof of housing with services model that doesn't require any licensing, implies a greater level of independence than what was originally approved by the annexation agreement. He stated he didn't know how the developers could now state they would agree to a condition of approval to be a licensed assisted living facility after two rounds of hearings. With regard to impacts, that argument was off the table but that was not the way the application had been written. He stated MMV needed to go back and do impact studies so people could determine whether the roads should be made wider and how they could be made safer.

Mr. Repucci stated this was supposed to be processed as a Type III application with impact studies. He noted the impact studies were not done and the staff report indicated they were not necessary. He stated, given the evidence presented this evening, he didn't see how it was possible to come to that conclusion. He cited *Gould v. Deschutes County* 216 Or. App 150.171 P. 3d 1017 holding that a cursory reference by staff to satisfy a specific condition of approval does not constitute sufficient evidence in the public record to support a decision approving a land use application. He stated the absence of impact studies does not give the Council authority to make a decision today just because a staff member decided to waive it. He stated that was required for a Type III decision and listed in the Sisters Development Code. He stated due to procedural defects, there was no legal decision made by the Planning Commission. He stated that hearing was not continued as requested, the meeting was not properly noticed and neither the staff report nor record of appeal were provided until well after the required deadline.

Mayor Frye asked if the developer's attorney like to provide a final statement.

Damien Hall, 101 SW Main Street, Portland, OR

Mr. Hall stated with regard to the impact statements, there was a difference between the concerns of the neighbors versus what was being proposed, which was not proposing extension of the streets and not dealing with the proposal of the facility but the modification of the already approved facility. He stated the implication the project would bring increased traffic was not accurate as the building was actually going to be smaller; going from the original plan for a 72,000 square foot facility and to a 46,000 square foot facility. He stated

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

he also wanted to clarify an inaccurate statement there would be 200 residents. He stated the facility would only have 45 assisted living units and 12 memory care units. He respectfully requested the Council approve the application this evening.

Mayor Frye closed the public testimony and asked if staff had anything to add in response to the testimony.

Director Davenport stated he wanted to address the phasing plan for the property. He pointed out that the two street connections were part of the approved master plan and subdivision approved in 2010 and were scheduled for Phase III and Phase VIII of the development. He stated the appellant's attorney had incorrectly stated the procedure for transmitting the record was past the seven days prior to the hearing deadline. He referred to the Sisters Development Code Chapter 4.1.800 and read:

(G) Notice of Appeal Hearing

Notice of the hearing held by an appeal authority shall be of the same type as that required for the original hearing. Notice shall be mailed to the appellant, to all persons originally notified, and to parties to the hearing who may not have been on the original notification list.

Director Davenport noted there was no mention of a seven day review requirement prior to the hearing deadline. He stated he thought the appellant's attorney might have been referring to the process for a Type III application under Chapter 4.1.500B (2) (h) which reads:

h. A statement that a copy of the City's staff report and recommendation to the hearings body shall be available for review at no cost at least seven days before the hearing, and that a copy shall be provided on request at a reasonable cost;

Director Davenport confirmed this was not a Type III application but rather an appeal. He added this was the first time he had heard from the appellant's attorney about being improperly noticed. He noted since there had been some past history of incorrect noticing, staff was quite sensitive to that issue and worked very hard to follow noticing requirements. He stated he had not been received any evidence of incorrect noticing by the appellant's attorney.

Mayor Frye asked if the Council had further questions of staff.

Councilor Connolly asked about the assertion there was a conflict of interest by City Attorney Bryant. **City Attorney Bryant** replied that issue had already been dealt with and it was not relevant to the hearing this evening. **Councilor Connolly** asked City Attorney Bryant what would be the best course of section for the Council to take. **City Attorney Bryant** replied it was the Council's decision to make since this was a de-novo hearing. He

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

commented the Council could make their decision this evening or at a future date if they wanted additional time to deliberate prior to making a decision.

Councilor Connolly stated Mr. Hoover had stated the annexation agreement had been modified and asked if that was an issue for the Council. **Director Davenport** placed a copy of the agreement that referenced a senior living center on the overhead projector and read:

4. Senior Living Center: Owner shall designate no less than 6.3 acres of the Owner Property for the purpose of construction and operation of a Senior Living Center. The Center will provide senior (55 years old and older) assisted and independent living, and non-senior assisted living options.

Director Davenport stated that portion of the agreement was what staff worked with. **Councilor Connolly** stated someone had mentioned cottages earlier and wanted to know if that would take the plan up to 6.3 acres. **Director Davenport** explained that was a different phase of the plan and not at issue this evening.

Councilor Connolly asked for clarification on the allegation the attorney was not noticed properly. **Director Davenport** brought up the section of the Development Code related to appeals, pointing out there was no mention of a noticing requirement. He then brought up the section of the Development Code related to Type III where making the staff report and findings were required to be available seven days prior to the hearing. He reiterated this was an appeal and not a Type III hearing and therefore the seven day noticing requirement did not apply. **Councilor Connolly** asked if the seven day deadline had been met for the Planning Commission hearing and **Director Davenport** confirmed it had been. **Councilor Connolly** asked if Chapter 4.1.800 section F. Review of the Record and section G. Notice of Appeal requirements had also been met and **Director Davenport** replied they had.

Councilor Connolly asked about the contention that the Code had expired but the project should still have been held to that 2010 Code. **Director Davenport** explained the Code had not expired but rather it had been modified. He stated the Code at that time did have include that language but had not been tied to any specific condition of approval for that decision. **City Attorney Bryant** asked if the decision was based on the old Code or the current Code and **Director Davenport** replied it was held to the terms and development standards of the former code except when there were changes and then those changes were held to the current Code. **Councilor Connolly** asked Director Davenport what his interpretation of "may" versus "shall" meant. **Director Davenport** replied "may" was suggestive and "shall" was mandatory.

Councilor Connolly asked how the decision, had changed from a major modification to a minor modification. **Director Davenport** replied it had never been changed to a minor

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

modification since in the strict definition of the Code, with the 25 foot change in the footprint, it a major modification. Substantially and logically it was minor and therefore not adverse in staff's determination.

Councilor Burgstahler asked for clarification on punching through W. Williamson and W. Hill and when that would occur. **Director Davenport** explained the expansions were scheduled for Phase III and Phase VIII of the development and at present there were no dates assigned to those phases.

Mayor Frye asked if any transportation studies had been done on the roads and if so, what were the findings. **Director Davenport** replied a transportation study was performed and that where the recommendation and conditions to punch the street through came from. **Mayor Frye** agreed it would create an extra burden on the streets and asked what the City does in those cases. **Manager Gorayeb** replied any decision of that nature would need to be discussed with the Sisters-Camp Sherman Fire District and Public Works to look at life and safety issues. He commented that perhaps life/safety gates could be installed. He noted the City would also be collecting \$223 per bed, in system development charges from the facility.

Mayor Frye stated the envisionment of the facility had been brought up by two former Councilors. He stated it was his understanding a project would be held to what the City's Code stated, as opposed to the envisionment of the project, and **Director Davenport** replied that was correct.

Mayor Frye stated that for the Council information, staff had indicated the 120 day review time-frame requiring the City to make a final decision on the application (MOD 15-05 and SP 15-01) was September 30, 2015. As there were no further questions, he closed the public hearing.

Mayor Frye asked if there was further discussion by the Council.

Councilor Asson stated after discussing this with the Planning Commission and staff he was convinced the Code was properly followed, the Master Plan was properly prepared and there was certainly a need for this type of project. He stated the opposing claims were nebulous and presented to confuse and delay a qualified project. He summarized the appellant could do what they wished with their property and they were not harmed or denied any rights. He stated he supported furthering the project and making a decision this evening.

Councilor Holzman stated as always she liked to wait to weigh in until she had heard what other Council members were thinking but she felt the Council had their questions answered this evening. She stated there were concerns with the road issue but felt that could be dealt

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

with in the future and was not the issue before the Council this evening. She stated she tended to agree with Councilor Asson and that she could move forward with a decision this evening.

Councilor Connolly stated coming into the meeting she was leaning towards remanding the matter back to the Planning Commission but after listening to all the information presented tonight, she was ready to move forward with a decision.

Councilor Burgstahler stated she was ready to move forward as well. She stated the Council had heard some “red herring” things this evening and she found that frustrating at a meeting like this and was thankful to receive clarity on a lot of issues this evening.

Mayor Frye stated that he feels there is a need for this type of facility and he had received many emails supporting this need. He stated there is also a need for the type of housing units included with later phases. He stated after listening to the Planning Commission minutes and talking with City Attorney Bryant he did feel the use did meet the definition. He agreed the major changes were not adverse since it shrank the overall footprint of the project. He stated while he respects the work of the Planning Commission and feels they have a more difficult job than the Council at times, but a mistake was made with not allowing the continuance. He stated he was very concerned by a comment from the Chair stating “the commission goes by what they want to go by and do what they want to do”. He stated that was very concerning in the current climate where there was a lack of trust in City officials. He stated it was the City job to follow the Code. He stated he understood this was a de novo hearing and as such the Council could ignore the mistake and make a decision this evening but he was concerned if they did ignore this mistake. He stated he was sorry that had occurred and the Council did have the authority to send it back to the Planning Commission. He asked what other Council members felt about the matter.

Councilor Asson stated he felt this was not a mistake that jeopardizes this project. Some of the comments were less than clearly stated, were someone’s opinion and he felt they were caused by frustration. He stated the vote was strongly in support of the project and didn’t change the basis facts of the project.

Councilor Holzman asked City Attorney Bryant to confirm that since this was a ne novo hearing, that the Council had the authority to make the decision and not sent it back to the Planning Commission. **City Attorney Bryant** confirmed it was a brand new hearing, with records and findings and the Council did have the authority to make the decision.

Councilor Holzman stated she was also concerned about the comment but did not feel it was appropriate to send it back.

Councilor Connolly stated she would like to move forward. She asked staff to offer training to the Planning Commission or an explanation of the rules governing the

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

commission. She stated the Planning Commission had seen a lot of turn over and it was unfortunate it was a learning experience for them. **Councilor Burgstahler** stated she was uncertain if the comment was off the cuff, heartfelt or made out of frustration, but she also found it concerning. She agreed it was worth noting and bringing up with the Planning Commission but she did not feel it was a hindrance in making a decision tonight. **Councilor Holzman** added she know the Planning Commission worked hard and put a lot of effort into positions and did know they need to follow the Code.

Mayor Frye asked City Attorney Bryant that since this was a de novo hearing, could Council assume the appellant had had the opportunity to present everything they might have presented if the Planning Commission hearing had been continued. **City Attorney Bryant** replied the Council could.

The **Council** discussed whether the motion should include the offer from the applicant to be duly licensed. **City Attorney Bryant** advised that would mirror what the City's Code required and since there had been some disagreement on whether licensing was required or not, it would be a good idea to add the language. In discussing how to phrase the motion **Mr. Hall** clarified it would be licensed as a 'housing with services' facility and it would include both assisted living and memory care. **Mr. Repucci** stated the appeal was for both assisted living and memory care and **Attorney Hall** confirmed the applicant was stating it was amenable to both which would be covered by the term of housing with services.

***Councilor Asson** moved for the City Council to approve the application, adopt the findings and conditions of approval of PC 2014-28, MOD 15-05 and SP 15-01 with the additional condition the facility will be duly licensed as required by the State of Oregon prior to occupancy. **Councilor Holzman** seconded the motion. The motion carried unanimously.*

D. Discussion and Consideration of a Motion to Award Community Grant Funds for Fiscal Year 2015/16

***Councilor Holzman** moved to award FY 2015-16 Community Grants to the following organizations:*

*Circle of Friends - \$1,500
Deschutes Public Library Foundation - \$2,000
Family Access Network (FAN) - \$2,500
Habitat for Humanity - \$1,000
Seed to Table Program - \$1,000
Sisters Community Garden - \$1,500
Sisters Folk Festival - \$1,000
Sisters School Foundation - \$3,000
Start Making a Rader Today (SMART) - \$500
Sisters Park and Recreation District (SPRD) - \$3,000*

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JULY 23, 2015

VFW Post 8138 - \$500

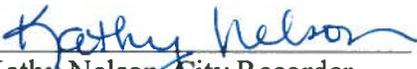
Councilor Connolly seconded the motion. The motion carried unanimously.

IX. OTHER BUSINESS - none

X. MAYOR/COUNCILOR BUSINESS - none

XI. ADJOURN -10:18 p.m.

Respectfully submitted,


Kathy Nelson, City Recorder

Chris Frye Mayor

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
AUGUST 13, 2015

MEMBERS PRESENT:

Chris Frye Mayor
Nancy Connolly Council President Pro Tem
David Asson Councilor
Amy Burgstahler Councilor

STAFF PRESENT:

Andrew Gorayeb City Manager
Steve Bryant City Attorney
Lynne Fujita-Conrads Finance Officer
Patrick Davenport CD Director
Paul Bertagna PW Director
Kathy Nelson City Recorder

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Frye at 7:08 p.m.

II. VISITOR COMMUNICATION

Mike Morgan, 15925 Pilot Dr., Sisters, OR 97759

Mr. Morgan stated he was pleased with the Council's decision to open up its discussion on a letter of support for a proposed trail between Sisters and Black Butte Ranch. He stated he felt there was still an opportunity to improve the process of good governance. He asked why the Council had allowed Mr. Humphreys the opportunity to speak with the Council for 24 minutes at a special meeting to request a letter of support for the trail. He stated it had not been noticed in the agenda of the special meeting and as such had not allowed those with a different viewpoint to provide their perspective. He stated it was especially important for a subject that involves a contentious matter within the community to hear both sides.

Mr. Morgan stated in all the discussion by proponents of the trail, there has been no specific details provided on parking, on the trailhead and no mention of accommodation for ADA compliant needs. He stated the Council had mentioned the importance of this in its letter of support for the Petersen Ridge trailhead re-location project. He asserted those concerns should have been addressed in both letters as they are important for both projects.

Mr. Morgan suggested the Council should be involved in the Land Use Board of Appeals (LUBA) hearing scheduled for August 20th.

Lynn Johnston, 15093 Wagon Wheel, Sisters, OR 97759

Mr. Johnston stated he was a Tollgate subdivision resident and had lived in Sisters for 38 years. He stated he was a proud Viet Nam veteran and wanted to make sure everyone knew his country meant something to him. He stated not much had been said about how the proposed trail would be maintained and nobody wanted to talk about it. He stated the country was broke with a national debt of over 18 trillion dollars. He said it didn't matter if there were grants to build the trail or not as the costs to maintain it would be astronomical. He stated the people pushing for the trail had no idea of what the true cost would be to maintain it. He stated a trail from Sisters Park and Recreation (SPRD) district to Sisters

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
AUGUST 13, 2015

High School had been built a few years ago and now it had numerous cracks and tall weeds. He stated the condition of the trail was appalling and it was not being maintained. He stated there were already many trails in the area with provisions for handicapped individuals. **Mr. Johnston** specified that when he met with Commissioner Unger to discuss the proposed trail, Commissioner Unger had stated he had only considered three main issues, including connectivity, effect on the community and one other issue that Mr. Johnston couldn't remember. He stated it was important to not spend more than could be afforded like the politicians in Washington D.C. are doing.

Steve Madsen, 15075 Bridle, Sisters, OR 97759

Mr. Madsen questioned if any of the Council members had read the formal objection letter for the trail from a year ago. He stated he also was concerned with who would be responsible for maintaining the trail and how much it would cost. He stated he didn't see how anyone could support the proposed trail without having answers to these questions.

Greg Werts, 69286 Lucky Lady, Sisters, OR 97759

Mr. Werts thanked the Council for its studied approach in discussing the proposed trail. He stated while he used to look forward to Wednesdays and reading the Nugget Newspaper, he had recently come to dread it with all the letters for and against the proposed trail. He stated it was time for everyone to take a break and have a cooling off period. He stated he knew it would start up again but as Sisters Forester Kristie Miller had stated during the workshop, nothing was going to happen for a while. He asked everyone to call a truce for the time being.

City Recorder Nelson entered a letter from Carolee and James Brown into the record.

III. CONSENT AGENDA

A. Minutes

1. February 26, 2015 – Workshop
2. August 06, 2015 – Special Meeting

B. Bills to Approve

August Accounts Payable

C. Liquor License Change of Ownership – Obstructed View, Inc., dba Cork Cellars

Councilor Asson moved to approve the consent agenda that included the additional page of accounts payable. Councilor Connolly seconded the motion. The motion carried unanimously.

IV. STAFF REPORTS

A. August Staff/Council Work Plan

Councilor Asson asked when Council could expect to receive information on the water rates analysis and **Manager Gorayeb** replied it would be presented to Council in September.

Councilor Burgstahler questioned how long the speed zone study would take. **Director Bertagna** replied he had submitted all the documentation to the Oregon Department of Transportation (ODOT) and it would take approximately one year for the response.

Mayor Frye questioned if the new speed zone signs were effective and noted that often they did not seem to provide the speed of the driver but instead just blinked. **Manager Gorayeb** explained the signs were programmed according to ODOT's regulations and staff would look into the matter.

B. New Business License Report for July 2015 – list included

V. COUNCIL BUSINESS

A. **Discussion and Consideration of Resolution No. 2015-18: A RESOLUTION OF THE CITY OF SISTERS APPROVING THE FIRE PROTECTION CODE ADOPTED BY THE SISTERS CAMP-SHERMAN RURAL FIRE PROTECTION DISTRICT**

City Recorder Nelson explained Sisters-Camp Sherman Fire Protection District had requested the City adopt the 2014 Oregon Fire Code. She stated ORS 478.924 requires the City's approval of the Fire Code by resolution in order for the Fire District to provide fire protection and prevention services.

***Councilor Asson** moved to approve the Fire Protection Code adopted by the Sisters-Camp Sherman Rural Fire Protection District. **Councilor Connolly** seconded the motion. The motion carried unanimously.*

B. **Discussion and Consideration of Resolution No. 2015-19: A RESOLUTION SUPPORTING THE CARVER LAKE MORAINES DAM RISK ANALYSIS AND REDUCTION PROJECT**

Director Davenport explained the resolution would indicate the City's support of a proposed project to re-evaluate the potential for a Carver Lake Moraine Dam breakout and re-access the flood boundaries if such an event did occur. He stated the study would look into the feasibility of an early warning system for the city. He reported the project would support increased resiliency by providing more accurate hazard mapping. He added the proposed project had received support on both the state and federal level. He reported the City's fair share would be in-kind; the City will host public meetings and assist in advertising the study's progress.

Councilor Connolly moved to adopt Resolution No. 2015-19 supporting the Carver Lake moraine dam risk analysis and reduction project. Councilor Burgstahler seconded the motion. The motion carried unanimously.

C. Discussion and Consideration of Resolution No. 2015-20: A RESOLUTION AMENDING THE PAY PLAN CLASSIFICATION OF THE CITY OF SISTERS

Finance Officer Fujita-Conrads explained the City Recorder job description was updated as part of the annual performance evaluation process. She stated review of neighboring cities pay scales indicated an adjustment was warranted. She stated it was proposed the City Recorder position be reclassified from a Grade 18 to a Grade 21 position. Manager Gorayeb added the proposed reclassification would be covered within the adopted budget.

Councilor Asson moved to adopt Resolution No. 2015-20 amending the pay plan classification of the City of Sisters. Councilor Connolly seconded the motion. The motion carried unanimously

D. Discussion and Consideration of a Motion to Authorize the Mayor to Sign a Letter of Support for the Formation of a New Countywide 911 Service District, Establishing a Permanent Tax Rate and Conversion to a Regional Radio System

City Recorder Nelson explained this was the letter of support that Deschutes County 911 Service District Director Steve Reinke had discussed with the Council at the workshop prior to the regular meeting. She stated the 911 Service District was proposing the formation of a Countrywide 911 Service District that included a regional radio system and permanent funding.

Councilor Connolly moved to authorize the Mayor to sign a letter of support for the formation of a new countywide 911 service district, establishing a permanent tax rate and conversion to a regional radio system. Councilor Asson seconded the motion. The motion carried unanimously.

E. Discussion and Consideration of a Motion to Approve Deschutes County Service District Document No. 2015-109 Amending Operating Agreement DC 2013-654.

City Recorder Nelson explained the document was to amend the current operating agreement as also discussed by 911 Service District Director Reinke at the workshop.

Councilor Connolly moved to approve Deschutes County Service District Document No. 2015-109 amending Operating Agreement DC 2013-654. Councilor Asson seconded the motion.

Councilor Burgstahler asked if the operating agreement was reviewed by the City on an annual basis. **City Attorney Bryant** replied it was not but noted it was in the Council's purview to request the 911 Service District send a representative to provide an annual update.

The motion carried unanimously.

F. Discussion and Consideration of a Motion to Approve a Title VI Plan

Finance Officer Fujita-Conrads stated Title VI Plans refer to the Civil Rights Act of 1964 and prohibits discrimination on the basis of race, color and national origin for programs receiving Federal financial support. She explained the City received Federal Transit Administration (FTA) funds through its grant from ODOT as a sub-recipient of funds for the Cascades East Transit (CET) program. She stated ODOT had conducted a compliance review in July with the only finding being the need to approve a Title VI Plan. She stated the plan needed to be reviewed and updated every three years.

Mayor Frye questioned if the plan should be edited to include a listing of additional prohibited discrimination included in the State of Oregon's list of prohibited discrimination practices as it was a more thorough list. **City Attorney Bryant** replied the Federal Government only cared about its own list and not those exclusive to the State of Oregon. He stated the City included those additional prohibited discrimination rules in its employee handbook.

Councilor Connolly moved to approve a Title VI Plan. Councilor Asson seconded the motion. The motion carried unanimously.

G. Discussion and Consideration of a Motion to Provide a Recommendation to the Oregon Liquor Control Commission (OLCC) on the Annual Renewal of Liquor Licenses for Sisters Businesses

City Recorder Nelson stated the Oregon Liquor Control Commission (OLCC) requested a recommendation from the City with its annual renewal process for all liquor license holders within city limits. She stated Deschutes County Sheriff's Office had provided a letter, included with the staff report, outlining any incidents of concern that had occurred at specific businesses in the past year. She reported the Sheriff's Office had recommended renewal of all liquor licenses for all Sisters businesses.

Councilor Connolly moved to recommend approval to all Sisters businesses on their annual renewal of a liquor license. Councilor Burgstahler seconded the motion. The motion carried unanimously.

H. Discussion and Consideration of a Motion to Declare Certain City Property as Surplus and Authorize the City Manager to Dispose of the Equipment

Finance Officer Fujita-Conrads stated the City had surplus items it wanted to dispose of by means of reselling, donating or recycling, which required Council approval to do so.

Councilor Burgstahler asked how the value of items was determined and Finance Officer Fujita-Conrads replied she researched the on-line market value of items.

Councilor Connolly moved to declare certain City property as surplus and authorize the City Manager to dispose of the equipment. Councilor Asson seconded the motion. The motion carried unanimously.

I. Discussion and Consideration of a Motion to Modify US Bank Authorized Account Signers by Adding the Name of Amy Burgstahler and Removing the Names of William Hall and Wendy Holzman

Councilor Connolly moved to modify US Bank authorized account signers by adding the name of Amy Burgstahler and removing the names of William Hall and Wendy Holzman. Councilor Asson seconded the motion. The motion carried unanimously.

J. Discussion and Consideration of a Motion to Approve an Easement Agreement Between the City of Sisters and Sisters Lodge Holdings, LLC for a Bicycle and Pedestrian Path

Director Davenport explained the easement agreement was one of the last obligations for Sisters Lodge Holding LLC, to meet its conditions of approval for its land use application for the development of The Lodge, an assisted living facility. He stated it was for a 12 foot wide bicycle and pedestrian path.

Councilor Connolly moved to approve an easement agreement between the City of Sisters and Sisters Lodge Holdings, LLC for a bicycle and pedestrian path. Councilor Asson seconded the motion. The motion carried unanimously.

K. Discussion and Consideration of a Motion to Approve a Dedication Agreement Between the City of Sisters and the Sisters Lodge Holdings, LLC for a Public Right-of-Way Dedication

Director Davenport explained the dedication agreement was one of the last obligations for Sisters Lodge Holding LLC, to meet its conditions of approval for its land use application for the development of The Lodge, an assisted living facility. He stated it was for a 10 foot wide public right of way (ROW) dedication.

Councilor Connolly moved to approve a dedication agreement between the City of Sisters and Sisters Lodge Holdings, LLC for a public right-of-way dedication. Councilor Asson seconded the motion. The motion carried unanimously.

L. Discussion and Consideration of a Motion to Approve a Water Right Transfer Application and Authorize the City Manager to Sign the Application

Manager Gorayeb stated in 2006, when the City purchased the Lazy Z property, it was obligated to transfer 3.1 acres of a 1970 priority well rights to the property seller. He disclosed that for some reason, that transfer never took place. Upon discovery of this oversight, the seller, Lazy Z Partners, LLC, requested the City execute the transfer. He stated after consulting with the City Attorney, staff was recommending moving forward with the transfer per the 2006 agreement.

Councilor Connolly moved to approve a water right transfer application and authorize the City Manager to sign the application. Councilor Asson seconded the motion. The motion carried unanimously.

VI. OTHER BUSINESS

Manager Gorayeb reported the repaving of side streets between Cascade and Hood Avenue was completed in one night. He stated Public Works staff were following the paving so that by morning the re-striping of the streets had also been completed.

Manager Gorayeb reported the restrooms had been ordered for Village Green Park.

Manager Gorayeb reported staff met with an Infrastructure Finance Authority (IFA) representative to discuss possible grants and financing options for water and sewer infrastructure projects.

Manager Gorayeb reported the affordable housing working group had met and continued to produce good information.

Manager Gorayeb commented on the email received by the Council regarding the Hayden Homes project as it relates to affordable housing development requirements. He stated the process would provide an opportunity for public outreach and would need to

move through the appropriate channels, which initially would be the Planning Commission.

VII. MAYOR/COUNCILOR BUSINESS

Councilor Connolly asked if there was any update on the wording for the Committee for Citizen Involvement (CCI) ordinance. **City Recorder Nelson** replied she had not worked on the ordinance as of yet, but would do so.

Councilor Connolly reported she had attended the Deschutes County Commissioners public hearing on marijuana grow opportunities noting she was very impressed with the presentation summary provided. She distributed a copy of the report and suggested staff consider following a similar format for their item summaries to the Council and Planning Commission. She stated the report was succinct and provided a thorough overview of the topic.

Councilor Connolly suggested Council consider drafting a letter to the Planning Commission to ensure the Planning Commission was aware of the Council's viewpoint as it relates to the importance of affordable housing. **Manager Gorayeb** suggested a joint meeting be scheduled to allow dialog between the Council and Planning Commission on the matter. The **Council** agreed and City Recorder Nelson was directed to reach out to Planning Commission member to check their availability for a morning workshop.

Councilor Connolly suggested Planning Commission members be encouraged to attend the Planning Commission training sponsored by the Oregon City Planning Directors Association to be held on September 24th from 1 to 5 p.m. in Bend. **City Attorney Bryant** informed the Council it could set expectations for Planning Commission members and require members to participate in training sessions in order to serve on the commission. **Director Davenport** informed the Council the training opportunity was already on the agenda for the August 20th Planning Commission workshop for discussion.

Mayor Frye asked if there were any recommendations from the Urban Forestry Board (UFB) the Council needed to approve or adopt, specifically the tree replant ratio and definition for what constitutes a significant tree. **Director Davenport** replied the UFB had met the previous day and the only change it was recommending was to reduce the diameter of a replacement tree from the current two inches to just one and a half inch caliper. He stated the UFB had not recommended a change to the current replant ratio of one for every three trees removed. He stated the change would open up a much wider range of species that could be planted. He stated a change in the definition for a significant tree to include all species of trees over eight inches in diameter had already been approved.

Mayor Frye appointed Councilor Burgstahler to serve as the Council representative to the Committee for Citizen Involvement (CCI). The **Council** concurred.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
AUGUST 13, 2015

Mayor Frye appointed Councilor Connolly to serve as a Council representative on the City Parks Advisory Board (CPAB). The **Council** concurred.

Councilor Burgstahler asked if the Council had some type of auto reply function it used to make certain individuals were aware their emails had been received and read. Other Council members stated it was a personal preference as to how a Councilor chose to set up their City email account and respond to constituents.

VIII. ADJOURN – 8:23 p.m.

Respectfully submitted,


Kathy Nelson, City Recorder

Chris Frye Mayor

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
AUGUST 20, 2015

MEMBERS PRESENT:

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

STAFF PRESENT:

Paul Bertagna PW Director
Lynne Fujita-Conrads Finance Office
Patrick Davenport CD Director
Kathy Nelson City Recorder

GUESTS:

Gary Farnsworth ODOT Area Manager
Benny Benson Energyneering President
Sue Stafford Nugget Reporter

ABSENT:

Andrew Gorayeb City Manager

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

1. Oregon Department of Transportation (ODOT) Intergovernmental Agreement (IGA) for Barclay/Highway 20 Intersection

Director Bertagna stated staff, as directed by the Council in July, had crafted an intergovernmental agreement (IGA) with the Oregon Department of Transportation (ODOT) for the roundabout project at the intersection of Barclay Drive and Highway 20. He reported the original draft had gone through several reviews and revisions with the end result in front of the Council this morning. He explained it outlined the partnership between the City and ODOT and was only one of several that would be forthcoming during the project.

ODOT Area Manager Gary Farnsworth agreed there would additional IGA's needed during the course of the project. He described the IGA before the Council as the base IGA that allowed ODOT to forward the project and begin the preliminary steps of acquiring necessary property and making decisions on the staging of the project. The project start date was slated for the winter/spring of 2016/17, to avoid construction during the summer months. **Director Bertagna** added it was important to remember that weather could impact the construction any project.

Councilor Burgstahler questioned who the point person would be for questions Council members might receive from citizens. **Mr. Farnsworth** confirmed that he and Director Bertagna would be the appropriate people to call. **Councilor Connolly** questioned Director Bertagna as to whether he would have time to act as the City's Project Manager given his already heavy workload. **Director Bertagna** replied he could be re-arranging his schedule and be able to accommodate the project. He added there were significantly varying needs of his time depending on the stage of the project.

Councilor Burgstahler asked about the lighting associated with the project and **Mr. Farnsworth** stated that aspect of the project had not yet been determined. He stated it would go through a more thorough design process that would include the public's input. **Mayor Frye** asked what the \$360,000 the City was contributing to the project would pay for and **Mr. Farnsworth** replied it was not for a specific element of the project, but rather a fair share contribution. **Finance Officer**

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
AUGUST 20, 2015

Fujita-Conrads explained the City had already budgeted for the expenditure and would set up a separate account in the Local Government Investment Pool (LGIP) that ODOT would draw from for the project, much like the City had done during the Cascade Avenue improvement project.

Councilor Burgstahler suggested having a display in the lobby and using City utility bills as a means of communicating with citizens on the project and **Mr. Farnsworth** stated both those ideas could be incorporated into the communication plan which would continue to evolve as the project got closer. He reported ODOT would likely have Rex Holloway act as the community liaison since it was a focused project. **Councilor Asson** asked if a decision on the by-pass lanes had been made. **Mr. Farnsworth** confirmed there would need to be one to accommodate the freight industry but the design had not yet been determined. **Mayor Frye** asked if traffic would be diverted from the downtown core and **Mr. Farnsworth** stated there would always be a means for drivers to access downtown. He noted the roundabout project would certainly not be as impactful to downtown businesses as the Cascade Avenue project had been. He stated consideration would need to be given to the impacted businesses near the roundabout intersection. He stated ODOT would create a table of options for road closures and detours and how those various options would impact the timing of completing the project. He noted using concrete versus asphalt would be one decision that would impact the timeframe needed to complete the project.

The **Council** requested the IGA be scheduled for the September 10th meeting in order to provide adequate time for edits and final review by the attorneys for both the City and ODOT.

2. Preview August 27, 2015 Workshop and Regular Meeting Agenda

City Recorder Nelson previewed the agenda.

3. Other Business

- Since there has been little response to the City solicitation of applicants (only one individual stating they would like to apply but no formal application) for the open City Council position, the **Council** directed staff to continue advertising the vacancy for an additional two weeks.
- **Finance Officer Fujita-Conrads** requested Council members provide additional input with regard to business licenses, public events and transient merchants prior to the next scheduled workshop on the topic September 17th. Councilor Asson will be submitting ideas for additional option relating to transient merchant and temporary businesses.
- **Engeryneering President Benny Benson** asked the Council if it would be supportive of a business that was considering re-locating to Sisters that would employ 60-65 individuals. **Mayor Frye** stated he felt the City had done a lot to support businesses with its forgivable loan program and choosing to have a fulltime Economic Development Manager. The **Council** voice their support of such a possibility.

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
AUGUST 20, 2015

- The **Council** discussed the revised letter of support to Commission Unger and directed staff to make some edits prior to mailing.
- **City Recorder Nelson** provided her suggested edits to the Committee for Citizen Involvement (CCI) ordinance for consideration. The **Council** discussed the option of allowing the Planning Commission to act as the CCI and instead create topic specific task force/committees for subjects as they occur. The **Council** agreed public outreach had generally improved and agreed it might be beneficial to have task force/committee groups whose members were interest driven might prove to be more beneficial. **Councilor Burgstahler**, Council appointed representative for the CCI if it were to recommence, stated she would give further consideration to what would be the most effective tool for public outreach.
- **City Recorder Nelson** provided a listing of broad categories for a “Notify Me” option for the City’s website whereby individuals would sign up for specific topics of interest and be emailed information when that topic was included on any agenda. She explained since it was not possible to automate the creation of the lists, how and when someone should be notified, it would be extremely cumbersome for staff. She suggested the Council consider some form of community outreach to encourage people to sign up on the master distribution list she maintains and then individuals would receive all agendas for all types of meetings and could make the decision which topics were of interest to them. **Council** directed staff to look into the notification model used by the City of Ashland. The **Council** discussed the possibility of creating a Facebook page as an additional means of outreach.
- The **Council** indicated they were not willing to reconsider an Urban Renewal Grant application request from Ken Scott of Imagination Gallery.
- The **Council** discussed a letter received from Mr. Lynn Baker, a resident who resides across the street from the overnight park, voicing his frustration and concerns as they relate to the park. **Mayor Frye** indicated he would reach out to Mr. Baker.
- **Director Davenport** reported he had attended an Economic Vitality Summit housing sub-group brainstorming meeting the previous evening. He stated it was the last meeting of the group but he had requested they review and comment on the City’s upcoming urbanization study that includes a chapter on affordable housing. Nugget Reporter **Sue Stafford**, who also attended the meeting, stated one issue of importance raised was the need for communication and education on what affordable housing was and what it looked like, noting many people held a misconception of the term.

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
AUGUST 20, 2015

- **Director Davenport** reported the City should hear next week if it was successful in its bid for a grant to assist with the Transportation System Plan update.
- **Director Davenport** reported the Technical Assistance Grant discussed at last week workshop could not be used for a rewrite of the Comprehensive Plan but could be used for regulatory streamlining of the Development Code to incentivize economic development.
- The Community Development Department has been receiving a number of land use application including two residential housing developments, a mini storage facility and formula food establishment.
- The Planning Commission will be discussing the possibility of creating a planned unit sub-district that would allow the 2008 county entitlement conditions to continue at Pine Meadow Village.
- Staff continues to work with Hayden Homes to come up with a good solution for the affordable housing unit requirement at Village of Cold Springs.
- Staff has been active with code enforcement, especially with regard to dry weeds in consideration of the fire hazard they present.
- The City received a LUBA appeal from Pinnacle Alliance Group with regard to the McKenzie Meadow Village (MMV) application decision for an assisted living facility.
- **Councilor Connolly** stated she felt it was time for an update from City Attorney Bryant on pending legal cases.
- Permits are ready to be issued to both Pinnacle Alliance Group and MMV for their projects once fees are paid. Ground breaking for the new hotel was anticipated to begin in the fall.
- Staff informed the Council the Adopt a Park program was ready to be implemented and staff will create an application for interested groups.

Isolde Hedemark, a Black Butte Ranch resident, thanked the Council for its rewrite of the letter of support to Commissioner Unger to support “a trail” and “a process” rather than the Sisters to Black Butte Ranch trail. She asked the Council to please stay on top of the issue and reported she was keeping non-resident owners of Black Butte homes informed.

The meeting was adjourned at 9:52 a.m.

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
AUGUST 20, 2015

Respectfully submitted,


Kathy Nelson, City Recorder

Chris Frye, Mayor

PATROL ACTIVITY STATISTICS

ACTIVITY	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR
city traffic warnings	63	55	44	26	31	35	30						284
city traffic citations	14	3	12	3	2	6	0						40
city ordinance warnings	3	1	2	2	12	0	1						21
city ordinance citations	0	4	0	0	0	0	0						4
city parking warnings	5	2	7	0	0	4	0						18
city parking citations	4	0	9	0	0	0	0						13
county traffic warnings	23	21	36	18	26	21	14						159
county traffic cite	5	2	7	0	0	1	4						19
county ordinance warnings	7	1	1	4	1	4	1						19
county ordinance citations	0	0	0	0	0	0	0						0
city misd arrests	2	0	4	5	4	4	2						21
city felony arrests	2	3	0	0	0	2	1						8
county misd arrests	4	0	2	0	0	1	0						7
county felony arrest	0	0	0	4	0	2	1						7
school zone elementary warnings	0	7	2	4	2	0	0						15
school zone elementary citations	0	2	0	0	0	0	0						2
school zone middle /high warnings	2	5	1	3	6	0	0						17
school zone middle /high citations	2	0	0	0	0	0	0						2

security checks	250	233	336	239	341	245	386						2030
open doors	3	2	0	0	0	0	3						8

SISTERS PATROL HOURS

	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	TOTAL PATROL	VACATION	SICK	TRAINING	SRO	TOTAL
JAN	120	122	115.5	111	46	514.5	46.5	0	0	64	625
FEB	119.5	109.5	116	139.5	0	484.5	26.5	27	0	61.5	599.5
MAR	122	122	126.5	132	58.5	561	40	60	0	95	756
APR	117	118.5	139	114.5	34	523	58.5	24	0	151	756.5
MAY	111	115.25	107	104	41.5	478.75	72.75	17.5	5.5	140.5	715
JUN	111.5	179.5	126	115	32	564	35	9	10	111	729
JUL	112	142	117.5	125.5	48	545	60	24	0	0	629
AUG											0
SEP											0
OCT											0
NOV											0
DEC						0					0
YEAR TO DATE						3670.75	339.25	161.5	15.5	623	4810

SISTERS CASE LOG REPORT

CASE#	DATE	LOCATION	OFFENSE	EXT
2015-00180907	07/01/2015 9:53	S CEDAR ST	Burglary/Criminal Mischief: Business owner reported structures under construction were entered and vandalized.	
2015-00181660	07/01/2015 19:07	W HOOD AVE	Public Indecency: Citizen reported and adult male exposed himself to three juveniles females inside a business. Investigation continuing.	1
2015-00182279	07/02/2015 10:03	E BLACK CRATER AVE	Citizen Assist: Deputy assisted elderly female who was despondent/ suicidal over housing issues.	
2015-00182754	07/02/2015 16:09	E ST HELENS AVE	Death Investigation: Elderly adult male died at home.	2
2015-00190474	07/03/2015 12:00	LASSO	Theft II/Criminal Trespass: Citizen reported the theft of two wooden bear statues taken from his front porch.	
2015-00184330	07/03/2015 18:58	CHICKADEE LN	Animal Complaint: Adult male reported a dog bite. He was looking at puppies for sale and the mother dog felt threatened and bit the male.	1
2015-00186265	07/05/2015 8:12	E JEFFERSON AVE	Criminal Mischief II: Citizen reported a large piece of wood was thrown through the windshield of his vehicle.	
2015-00186340	07/05/2015 10:12	E DESPERADO TRL	Criminal Mischief I: Business owner reported someone threw a rock at his entry door breaking a window.	
2015-00187828	07/06/2015 15:42	W ALLINGHAM AVE	Criminal Mischief I / Hit and Run: Citizen reported someone backed into her garage door and left.	
2015-00188817	07/07/2015 12:18	N ARROWLEAF TRL	Warrant Arrest*: Adult male arrested on an outstanding Deschutes County warrant for Fail to Comply.	
2015-00189925	07/08/2015 9:29	N SISTERS PARK CT	Theft III: Citizen reported the license plates from his vehicle had been stolen.	
2015-00192350	07/10/2015 8:12	S REDWOOD ST	Criminal Mischief II: Citizen reported graffiti damage to his home.	
2015-00192361	07/10/2015 8:31	W ST HELENS AVE / S PINE	Criminal Mischief II: Citizen reported graffiti damage to her car.	
2015-00192444	07/10/2015 9:41	W JEFFERSON AVE	Criminal Mischief II: Citizen reported graffiti damage on several areas within a subdivision, including path lighting rocks, utility boxes and signs.	
2015-00192539	07/10/2015 11:15	E BLACK CRATER AVE	UUMV / Theft I: Citizen reported the theft of her motorcycle and related items.	
2015-00192947	07/10/2015 16:14	W ST HELENS AVE / S PINE ST	Criminal Mischief II: Citizen reported graffiti damage to her car.	
2015-00192982	07/10/2015 16:43	E CASCADE AVE / N ELM ST	Found Property: Citizen turned in a found child's backpack.	
2015-00194596	7/12/2015 1730	W CASCADE AVE	Animal Neglect*: Adult male cited for leaving his dog in a hot car.	
2015-00196510	07/14/2015 8:58	E HWY 20	Theft: Citizen reported the theft of her cellphone by a relative.	
2015-00196876	07/14/2015 13:59	E HWY 20	Domestic Violence: Adult female reported being assaulted by her ex-boyfriend. Investigation continuing.	

SISTERS CASE LOG REPORT

CASE#	DATE	LOCATION	OFFENSE	EXT
2015-00198836	07/16/2015 7:43	E WASHINGTON AVE	Criminal Mischief: City employee reported graffiti in the park	
2015-00198888	07/16/2015 8:33	E JEFFERSON AVE	Criminal Mischief II: Citizen reported someone threw a rock through her living room window.	
2015-00199036	07/16/2015 10:35	E CASCADE AVE	Criminal Mischief: Citizen reported graffiti on her house.	
2015-00199993	07/17/2015 7:42	S LOCUST ST	Criminal Mischief III: Citizen reported damage to sink in a public restroom and graffiti in the area.	
2015-00201037	07/18/2015 6:57	E JEFFERSON AVE	Criminal Mischief II / Criminal Trespass II: Citizen threw an ashtray through her front window.	
2015-00201120	07/18/2015 9:41	W JEFFERSON AVE	Criminal Mischief: Citizen reported someone threw a rock at her window and damaged an outside chair.	
015-00201280	07/18/2015 12:54	W CASCADE AVE	Theft: Business owner reported the theft of a plant.	
2015-00202434	07/19/2015 17:33	E HOOD AVE	Theft: Citizen reported the theft of a bicycle from her jobsite.	
2015-00203645	07/20/2015 20:12	INDIAN FORD RD	Criminal Mischief/Criminal Trespass: Citizen reported someone on ATVs shot the lock off their gate and trespassed onto their property.	1
2015-00203825	07/21/2015 5:13	HWY 126 / WILLOW LN	MVA: Citizen reported hitting a tree when he tried to avoid a deer in the roadway.	
2015-00206982	07/23/2015 16:56	E GREEN RIDGE AVE	Criminal Mischief: Citizen reported graffiti on the sidewalk in front of his house.	
2015-00208577	07/25/2015 6:01	E HWY 20	Burglary II/Theft III/Criminal Mischief III: Business owner reported someone broke a window and reached inside and stole items.	
2015-00208705	07/25/2015 10:26	N LARCH ST	Information/Misc. Report: Citizen turned in ammunition for destruction.	
2015-00208766	07/25/2015 11:48	CANYON CREST DR	Dog Bite*: Adult female cited for Animal Nuisance after her dog bit a passerby.	
2015-00209862	07/26/2015 18:02	N LARCH AVE	Reckless Endangerment: Two young children were removed from a residence due to their mother's inability to care for them. Case active.	1
2015-00211274	07/28/2015 3:56	PINE TREE LN	Harassment: Citizen reported an unknown male was harassing him by phone.	
2015-00212948	07/29/2015 14:00	APPALOOSA DR	Child Abuse: Report of two young boys being abused. UNFOUNDED.	
2015-00211757	07/28/2015 13:47	1001 W RAIL WAY	Death Investigation: Adult male died of a possible overdose. Investigation continuing.	
ADDITIONAL PERSONNEL NEEDED FROM OTHER DISTRICTS:				6