

**MEMBERS PRESENT:**

Chuck Ryan Mayor  
Nancy Connolly Council President  
Andrea Blum Councilor  
Richard Esterman Councilor  
Michael Preedin Councilor

**STAFF PRESENT:**

Cory Misley City Manager  
Paul Bertagna PW Director  
Joe O'Neill Finance Director  
Patrick Davenport CDD Director  
Kerry Prosser City Recorder

**GUESTS:**

Caprielle Lewis EDCO, Sisters Area Director

Mayor Ryan called the workshop to order at 5:30 pm, and City Recorder Prosser took roll call.

**1. Review Right-of-Way Utility Licensing Draft Ordinance**

City Manager Misley explained this was the first draft of the utility right-of-way (ROW) licensing ordinance. He noted it was on staff's FY 19/20 workplan to review all franchise agreements or put in place a ROW ordinance.

Attorney Dale reviewed a high-level memorandum of the ROW ordinance. He said the purpose of this ordinance was to bring consistency to the management of the ROW. He explained demand was increasing on the ROW, and the City saw more and more requests for use. Attorney Dale stated the City's ROW was one of its most valuable assets and needed to be consistently and uniformly regulated. In response to regulatory challenges and demand, many cities had taken the approach of utility licensing fees, which replace and supplement franchise agreements. Concerns with franchise agreements included:

- Negotiating franchise agreements could be a lengthy process with a lack of uniformity between providers.
- The terms could be inconsistent, newer franchise agreements had ten-year terms, and others had evergreen provisions.

Attorney Dale noted many of the provisions in the ROW ordinance were similar to franchise agreements. Eventually, as current franchise agreements expired, we would have one ROW ordinance, and everyone would be operating consistently.

Council President Connolly said this was a good idea and a long-time coming. She asked if utilities would be familiar with this process. Attorney Dale replied many jurisdictions had adopted ROW utility licensing ordinances; they were common throughout the State.

City Manager Misley reviewed the City had six existing franchise agreements, and most were already at 7%, two would be increased by 2%, and we could direct how that was

phased in. He said in many cases, utility company's would collect the rate adjustment from the customers.

Councilor Blum asked if we currently had a transmission line fee, Director Bertagna replied we did not. Councilor Blum asked about the regulation fee. Attorney Dale replied the regulation fees were not taxes; the City could impose the fee. Councilor Blum asked about small cell regulation.

City Manager Misley explained part of the strategy moving forward was to insert small cell provisions into the next couple of versions of the ordinance. Attorney Dale stated they left the language out of this draft because there was current litigation regarding small cell placement.

Councilor Preedin asked for an explanation of small cell technology and how it would affect the City. City Manager Misley said 5G small cell allowed for faster cellular data and internet access. To implement 5G, providers used small cell technology, which required smaller antenna placed closer together. The antennae were primarily attached to trees, utility poles and light poles in the ROW. City Manager Misley said companies were entering the ROW in untraditional ways, presenting the need for a new framework. The federal government was enabling this technology as an economic tool and was limiting the way we could administer the ROW.

Councilor Esterman asked if the insurance in section 18.1 was standard. Attorney Dale replied it was consistent with the Central Electric Cooperative franchise agreement.

Mayor Ryan asked what the next steps were, and City Manager Misley replied staff would refine the draft and share it with the utilities in the next few weeks so they could submit comments. City Manager Misley noted this was not a negotiation, but we wanted to be respectful. He said a draft with more detail would come to Council at the end of May.

Council agreed staff should move forward with work on the ordinance.

## **2. Review Enterprise Zone Re-designation**

Caprielle Lewis, Sisters Area Director for Economic Development for Central Oregon (EDCO), reviewed the steps taken to re-designate the Enterprise Zone.

- January 8<sup>th</sup>- Presented re-designation plan to the City Council
- February 20<sup>th</sup>- Noticed the local taxing districts.
- March 19<sup>th</sup>- Public meeting with the taxing districts.

She would be bringing a resolution to City Council at the May 13<sup>th</sup> meeting for their approval. The application was due on June 1<sup>st</sup>.

Councilor Blum asked if there were any surprises at the public hearing. Ms. Lewis replied there had been clear communication on this process, and there were no concerns; most were familiar with and supportive of the program.

Councilor Preedin thanked Ms. Lewis for her work on the re-designation. Mayor Ryan thanked EDCO and Ms. Lewis for their effort with businesses during this time. He asked how the traded sector businesses were doing. Ms. Lewis replied it was a mixed report on how companies were being impacted. She noted a lot of her outreach was on how they would be able to adapt during the pandemic. Ms. Lewis was appreciative of the support.

### **3. Discussion of Central Oregon Intergovernmental Council (COIC) FY 2020/21 Agreement for Sisters Country Vision Implementation.**

City Manager Misley reviewed it had been almost a year since the Vision Implementation Team (VIT) had been formed and they were currently pivoting from identifying strategies to implementation. He said last year the City identified Central Oregon Intergovernmental Council (COIC) as the best partner for facilitating the VIT and for getting our vision going. The City has been and will continue to be the only fiscal sponsor of this intergovernmental agreement (IGA). Although the City was an active participant in the VIT, we did not have the staff capacity to facilitate the program. Janel Ruehl of COIC had been the point person on implementation and had done a tremendous job. City Manager Misley said we needed to extend or amend the IGA with COIC with some minor changes to the scope of work; the current IGA expired on June 30, 2020. Council agreed staff should move forward with the IGA.

### **4. Other Business.**

Finance: Director O'Neill

- Currently working on a revamp of the budget book
- Selected Brown & Brown as the insurance agent of record
- Looking at ways to make the staff more agile as they work from home.

Public Works: Director Bertagna

- The Public Works crew was healthy and working.
- Meeting with Oregon Department of Transportation this week to review the first draft of the Locust/US 20 Roundabout.

Community Development: Director Davenport

- Thirty-five single-family permits and multiple site plan applications were ongoing.
- Community Development staff were working remotely with one staff member at City Hall daily.

WORKSHOP MEETING MINUTES  
SISTERS CITY COUNCIL  
520 E. CASCADE AVENUE  
APRIL 22, 2020

City Manager's Office: City Recorder Prosser

- The RARE application had been submitted
- A grant application to fund a portion of the RARE position was submitted to the Ford Family Foundation.

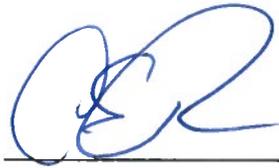
City Manager Misley continued to meet virtually with local and regional leaders about COVID-19. He estimated 50% of his time was being spent on virus related issues. Staff continued to move other work forward, including the budget and an Urban Renewal plan update. He said staff was balancing COVID-19 issues and City work.

Mayor Ryan thanked City Manager Misley and staff for doing their regular work in addition to focusing on COVID-19.

The meeting adjourned at 6:30 pm.



Kerry Prosser, City Recorder



Chuck Ryan, Mayor