

MEMBERS PRESENT

Michael Preedin Mayor
Andrea Blum Council President
Jennifer Letz Councilor
Susan Cobb Councilor
Gary Ross Councilor

STAFF PRESENT:

Jordan Wheeler City Manager
Joe O’Neill Finance Director
Kerry Prosser Assistant City Mgr.
Scott Woodford CDD Director
Paul Bertagna PW Director
Jacob Smith CCO

The meeting recording is available [here](#).

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Preedin at 6:48 pm.

2. ROLL CALL

A roll call was taken, and a quorum was established.

3. APPROVAL OF AGENDA

Council President Blum made a motion to approve the agenda. Councilor Cobb seconded the motion. Preedin, Blum, Letz, Ross, and Cobb voted aye; the motion carried 5-0.

4. VISITOR COMMUNICATION

Borys Tkacz, Sisters, spoke in support of the tree ordinance. He suggested defining certified arborists as International Society of Arborists (ISA) certified. He was in favor of whatever could be done to maintain significant trees.

Zenia Kuzma, Sisters, spoke about capping short-term rentals and the importance of looking at the water table issue when looking at the Urban Growth Boundary expansion.

5. CONSENT AGENDA

A. Minutes

1. November 8, 2023 – Regular

Councilor Cobb made a motion to approve the Consent Agenda. Councilor Letz seconded the motion. Preedin, Blum, Letz, Ross, and Cobb voted aye; the motion carried 5-0.

6. COUNCIL BUSINESS

- A. **Public Hearing and Consideration of Ordinance 534:** AN ORDINANCE AMENDING THE CITY OF SISTERS MUNICIPAL CODE TO ADD CHAPTER 9.30 REQUIRING A PERMIT FOR TREE REMOVAL ON PRIVATE PROPERTY.

Mayor Preedin opened the public hearing.

Director Woodford reviewed this code was not entirely new, it was currently in the Development Code, and this Ordinance would add it to the more appropriate place in the Municipal Code.

Code Compliance Officer (CCO) Smith explained the main change to this code was requiring a permit to remove significant trees from private property. For consistency, the Ordinance kept the significant tree definition the same as the development code. He noted there was an exception to the permit for public trees as they were addressed in a separate section of the Code. CCO Smith noted that any removal following the city's defensible space Code would be exempt from the permit process. He said a permit would not be required for an immediate threat, such as a tree hanging over a house or road after a storm. However, they would need to contact the city within a reasonable time and let us know why the tree was removed.

CCO Smith reviewed the permit requirements, including a potential permit fee, the property address, the location of the tree, and other factors such as the property line and structures. They would also need to get a certified arborist to explain why the tree must be removed.

He explained four criteria would be used for removal: diseased trees, compromised trees, hazardous trees, and the removal for construction improvements. If staff were unsure about the designation, the city forester could be asked to assess the tree. The violation for removing a tree without a permit was issuing a fine from \$500 up to \$2,000.

Mayor Preedin asked for public comments.

Therese Kollerer, Sisters, noted she was a member of the Urban Forestry Board but was making these comments as a private citizen. She was in favor of the Ordinance and adding the tree policy to the municipal code. She would like the Council to add ISA to the definition of certified arborist. She spoke about a large 42" ponderosa mistakenly taken down in the Woodlands development. Ms. Kollerer would like a more significant penalty assessed when trees of this size were removed.

Zenia Kuzma, Sisters, spoke about trees in the Saddlestone neighborhood that a developer wanted to remove. She suggested that as well as a certified arborist looking at trees, the city should have someone onsite to ensure that developers followed the code.

Mayor Preedin closed the public hearing.

Councilor Cobb suggested that if someone had an emergency where they had to remove a tree, we should have some time limit in the code, and if they did not notify us, they would

be fined. She was also in favor of adding ISA certification to the arborist definition. Councilor Cobb was shocked to hear about the tree being removed at the Woodlands.

Councilor Ross believed the tree taken down in the Woodlands was designated to be retained and asked if we had any recourse. Director Woodford replied we treated this as a violation of the Woodlands development approval and levied the maximum fine of \$500. Councilor Ross thought we should consider increasing the fine; it should be equal to or greater than the fine we proposed tonight.

Councilor Ross said if we were going to allow the emergency removal of trees, we should have photographic evidence there was a hazard present so there were no opportunistic removals.

Councilor Ross noted that at the Urban Forestry Board meeting, there was a lot of back and forth between board members about the permit process. Some argued that if these trees were located on private property, we should not get in the middle, and others said if we were going to protect the tree canopy in our community, we needed to know what trees were coming down, hence the need for a permit.

Councilor Letz did not like the interchange of arborist and forester in the Ordinance. She thought including the ISA certification in the definition of arborist would be helpful. Councilor Letz would like the permit to be simple to use and was not in favor of charging a fee for the permit.

Councilor Letz noted there were a lot of significant trees in town that were on the historical side, like the 100-year-old fruit trees, which might not meet the significant tree Diameter Breast Height (DBH) of 8". She wanted to make sure they were included as significant as they were part of the history of the community.

Councilor Letz asked if staff would look at the tree once a permit was submitted, and Director Woodford replied that they would once they received a permit request.

The Council discussed the term arborists, the types of certifications, and how it could be defined in the code.

Director Woodford said we had a definition of city Forrester, and the terms city Forrester and arborists were interchangeable in the Ordinance. He reviewed that there was primarily one type of certification in the industry, usually through the ISA. Director Woodford thought stating an ISA-certified arborist would be sufficient.

The Council favored adding ISA to the definition of certified arborist.

Council President Blum had been balancing what she felt about private property rights and the community good of saving trees. She had found city staff to be flexible and empathetic to each situation they encountered and would like them to look at each instance and work with the citizens to make the spirit of the code work. Council President Blum disagreed with raising the penalty higher than \$2,000.

Mayor Preedin also struggled with balancing private property rights with saving trees. He was comfortable with the Ordinance as it was with the addition of ISA certification to the definition of arborist and did not want to raise the penalty.

Mayor Preedin noted that it was important that this process be added to the municipal code, and if needed, we could adjust it a few years down the road; this was a step in the right direction.

In the future, Councilor Ross would like to look at the fee in the development code for removing trees.

Councilor Cobb would like a higher penalty for removing trees on private property. She said there were people in town who would not be bothered by a \$2,000 fine.

Councilor Letz noted that one of the exemptions to the process was the ability to remove trees if there was an urban interface wildfire threat, which was in the development code. She said this reminded us to keep moving forward with the fire code because these were all tied together.

Mayor Preedin said the only change to the Ordinance he heard was adding ISA to the definition of certified arborists.

Councilor Cobb made a motion to have the City Manager read Ordinance No. 534 by title only. Council President Blum seconded the motion. Preedin, Blum, Letz, Ross, and Cobb voted aye; the motion carried 5-0

City Manager Wheeler read Ordinance 534 by title.

Councilor Ross moved to approve and adopt Ordinance 534 with the amendment adding ISA to the definition of certified arborist. Council President Blum seconded the motion. A roll call vote was taken. Preedin, Blum, Letz, Ross, and Cobb voted aye; the motion carried 5-0.

B. Discussion and Consideration of a Motion to Initiate the Urban Growth Boundary (UGB) Amendment Process.

Director Woodford reviewed this was a request for a formal motion to begin the process of a UGB amendment through the Oregon Department of Land Conservation and Development (DLCD).

Director Woodford discussed the city's recent update to its Urban Growth Boundary Sufficiency Analysis, which revealed a shortfall in capacity to meet future housing and employment projections. The analysis suggested a need for 206 to 256 additional acres of land within an expanded UGB. Oregon Revised Statutes mandated expansion if there was insufficient buildable residential or employment land. After presenting the report's findings to the Planning Commission and City Council in October and a work session on November 8th, the Council directed staff to initiate the 1 to 2-year process for expanding the UGB. Director Woodford spoke about the importance of community involvement and noted there would be plenty of opportunity for input in this process.

Mayor Preedin reminded people that we had been talking about this potential expansion for a long time. We finished the Comprehensive Plan in 2021 and our population at that time was around 3,100; we were now at 3,700 two years later. A UGB expansion was a contentious issue, but you needed to plan for growth. Whether you grew the city limits or not was an annexation process. Mayor Preedin noted that this was not a fun or popular thing to do, but we should do it; it was our job to look at strategic planning for the city. He would like to have a large public process and make sure the community was engaged on this issue.

Councilor Ross noted we were one of the few cities in the State of Oregon whose city limits were the UGB. Most cities in this state have a UGB that was significantly larger than they were, which allowed them, when necessary, to bring land into the city limits for development. Councilor Ross was not overly thrilled about expanding the UGB but acknowledged that we needed to do it. He said if we did not do it, someone in Salem would decide for us. He was in favor of moving the process forward.

Council President Blum said we needed to look at our needs for the future because we had grown into our UGB. We have annexed what was in the UGB and filled it up much quicker than anybody ever imagined. It probably would have been appropriate a few years ago to start expanding the UGB so we did not end up with the city limits being exactly the same as the UGB. Still, just like the rest of Central Oregon, nobody envisioned the growth that we would have in Sisters.

Council President Blum asked if this would be a process with the County. Director Woodford replied they would be part of the process and they would be amending their Comprehensive Plan at the same time we amended ours. City Manager Wheeler had talked to the County, and they were happy to partner with us on this project.

Council President Blum asked at what stage we have an agreement with the County about the rules the UGB would follow. Director Woodford replied we would have a joint management agreement if we brought County parcels into the UGB. City Manager Wheeler said that in urbanized areas, you have an urban growth management area and layout who was responsible for what area. The agreement made it clear that if a land division application came in on a parcel in the County but in the city's UGB, it would be processed through the city by our rules instead of the County's.

Councilor Cobb thought it was our duty as a Council to look at the UGB expansion.

Council President Blum moved to initiate the UGB amendment process. Councilor Ross seconded the motion. Preedin, Blum, Letz, Ross, and Cobb voted aye; the motion carried 5-0.

7. OTHER BUSINESS

A. Staff Comments

City Manager's Office - City Manager Wheeler, ACM Prosser

- Construction activity continued in Sisters but had slowed in other parts of the County.
- The tree lighting went well; Sisters Park and Recreation Department noted they would continue to improve the event.
- Preliminary populations came out from Portland State University, and the city was projected at 3,778.
- The city was awarded a \$20,000 grant from The Ford Family Foundation for the Civic Leadership Academy.

Community Development Department – Director Woodford

- The Planning Commission would hold a public hearing on the Dark Skies Ordinance next week.
- Staff continued to work on updates to the short-term rental policy and the defensible space code.
- An appeal hearing was held on a code enforcement issue; the property owner requested an extension, which staff did not support. The hearings officer had 60 days to decide on the issue.

Finance – Director O'Neill

- The online payment system had gone live and was going well. Staff had put a lot of time and patience into helping people transition to the new system.
- Recruitment for the Deputy City Recorder would close on Friday.
- The city had received approximately 89% of the property taxes levied.

Public Works – Director Bertagna

- Staff was prepped for snow removal, including a new deicer truck.
- Progress was being made on the Water and Sewer System Development Charge updates. The draft report should be ready in January.
- Oregon Department of Transportation (ODOT) was looking at updates to some of the ADA ramps on Cascade Avenue that did not meet their specifications. Staff would meet with ODOT to discuss this issue.
- The US20/Locust Roundabout plans were with the state traffic engineers waiting for approval. We were still on track for construction in early April.

8. MAYOR/COUNCILOR BUSINESS

Councilor Letz attended the Economic Development for Central Oregon (EDCO) Board meeting, the Mosaic Medical open house for pediatric care in Sisters, the community leaders meeting on daycare, the City Club presentation on electric bikes, the EDCO pub talk, a Habitat for Humanity open house for two new homes, and the parade and tree lighting.

Councilor Cobb asked what was happening with the local unhoused. City Manager Wheeler replied we continued to have internal conversations with agency partners about ways to cooperate. He noted the appeal period for the cold weather shelter application had lapsed, and an appeal was not submitted. Staff would contact the Sisters Cold Weather Shelter (SCWS) to get an update on their status. SCWS has been doing a lot of outreach in the forest and continued to offer the services they have been doing for the past couple of years.

Councilor Cobb asked if the Main Street building would be an option for shelter space. City Manager Wheeler noted the building was currently being leased by the Lion's Club, and staff was working on an RFP for a long-term lease. We had a lot of community interest from nonprofit organizations to lease the space.

Councilor Cobb asked when goal setting was scheduled. City Manager Wheeler replied staff was planning on a community roundtable for citizens to share their ideas with the Council in late January. We were targeting a Council goal-setting retreat in early February to set the Fiscal Year 2024/25 goals.

Councilor Ross attended the Habitat for Humanity open house. Habitat presented how they were making houses less expensive, including putting in hybrid water heaters.

Councilor Ross reviewed the Urban Forestry Board was starting to see the effects of the long-term drought on the urban forest and our city trees. He said that as we started talking about protecting trees within the urban canopy, we needed to include those on private property. It benefited the community and the environment to keep our urban forest intact.

Council President Blum attended a Central Oregon Area Commission on Transportation (COACT) meeting where the Department of Environmental Quality (DEQ) presented on advanced clean fleets.

Mayor Preedin continued to work with the Central Oregon Cities Organization (COCO) on the Oregon Water Resource Commission's rule-making process for future water allocations. He also participated in the holiday parade and the tree lighting.

Councilor Letz asked how we would circle back on the requests from Rooted Homes and Habitat for Humanity. City Manager Wheeler replied we could proceed with opening the existing affordable housing fund process for the housing reserve. We needed to develop a process for distributing the Urban Renewal Area funds and would have to bring the Board together on that component.

Councilor Letz expressed condolences to the Nagel family for the loss of Jack Nagel, who was a significant figure in this town with a lot of knowledge about Sisters that we did not have from many people.

9. ADJOURN: 8:54 pm.



Kerry Prosser, Recorder



Michael Preedin, Mayor