

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 10, 2011

MEMBERS PRESENT:

Lon Kellstrom Mayor
David Asson Council President
Sharlene Weed Councilor
Pat Thompson Councilor
Wendy Holzman Councilor

STAFF PRESENT:

Eileen Stein City Manager
Steve Bryant City Attorney
Pauline Hardie CDD Director
Paul Bertagna PW Director
Kathy Nelson City Recorder

ABSENT:

Lisa Young Finance Director

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Kellstrom at 7:04 p.m.

II. VISITOR COMMUNICATION

There was no visitor communication.

III. CONSENT AGENDA

A. Minutes

1. January 20, 2011 – Workshop
2. January 27, 2011 – Workshop
3. January 27, 2011 – Regular Meeting

B. Bills to Approve

1. February Accounts Payable

C. Liquor License Change of Ownership, Change of Trade Name, Off Premise Sales and a Lesser Privilege for the Pub & Deli

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

A correction to the minutes of the regular meeting of January 27, 2011 was discovered by Councilor Holzman after the consent agenda had been approved

Councilor Weed moved to approve the corrected minutes of the January 27, 2011 regular meeting. Councilor Thompson seconded the motion. The motion carried unanimously.

City Recorder Nelson stated she would make the correction.

IV. ACCOUNTS PAYABLE NOT ON THE CONSENT AGENDA

There were no accounts payable not on the consent agenda.

V. STAFF REPORTS

A. Eileen Stein, City Manager

Manager Stein asked for questions related to her staff report. **Councilor Weed** asked about the National Workforce Readiness Certificate mentioned in her report. **Manager Stein** replied it was a new program offered by the State Employment Department where individuals take classes and become certified in job-related skills. She stated she would have more information after meeting with Worksource Oregon representatives.

Councilor Holzman requested a copy of Central Oregon Intergovernmental Council (COIC) needs and issues list. **Councilor Thompson**, the city's COIC representative, stated it was only in draft form and work was needed to remove discrepancies within the report. **Manager Stein** stated she would provide Councilor Holzman with the needs and issues list the City submitted that was incorporated into the COIC list.

B. Lisa Young, Finance Director

There were no questions on Director Young's report.

C. Captain Tim Edwards, Deschutes County Sheriff's Department

Captain Edwards reported on the number of patrol hours provided, incidents, citations, warnings and business checks for January. He reported a heroine dealer arrested in Sisters was not a resident and was only passing through town when he was apprehended.

VI. COUNCIL BUSINESS

There was no Council business.

VII. OTHER BUSINESS

A. Budget Committee Appointments – *this item was pulled from the agenda*

B. Three Sisters Scenic Bike Trail

Manager Stein checked back with the Council on the Sisters Area Chamber of Commerce's request to allow two of the Sisters Scenic Bike Trails to start from Village Green Park, as reported by Chamber Executive Director Erin Borla at the January 27th regular meeting. She reported printing of the bike trail maps would begin next week. The **Council** agreed to the request.

C. Fuel Tax Update

City Attorney Bryant reported the gas tax appeal was completed and he expected the oral argument to be heard sometime in April.

D. City Council Information Requests

City Attorney Bryant stated he meets weekly with staff to discuss legal issues and answer legal questions. He stated he is concerned with some emails received by staff from Council members implying staff is not providing requested information as there is a time and financial price attached to requests. He stated what concerned him with some of the requests was process. He stated his concern stemmed from the fact that information was being received by one member of the Council but not all. He stated this is particularly a concern if it relates to an issue that would eventually come before the Council for a vote. He stated the mechanism for receiving information was set so all Council members are deciding on an issue working from the same information. He stated it was important to remember the Council functions as a body and individual council members have no authority to direct staff. He stated that functionally this can be cumbersome in practice and so staff members have generally made themselves available to answer questions or provide clarification on a matter. He stated lately the requests had been large enough to take a substantial amount of time and required staff to engage the City Engineer, consultants and his legal advice. He stated spending money on requests of that nature needs Council authority and suggested the Council as a whole needed to set some guidelines as to what an acceptable expenditure of time and financial resources would be acceptable prior to needing to bring a request back to the Council for consideration. He advised that the City Manager be copied on requests also since she is responsible for directing staff's workload.

Councilor Weed stated she felt City Attorney Bryant's comments were directed at her. She provided the example of her request to Public Works Director Bertagna asking how dangerous chlorine gas is. She stated she did not request he involve the City Engineer in her request. **City Attorney Bryant** replied that it's difficult for Council members to know if their questions are ones that can be answered in 10 minutes or will require 3 hours of research. **Councilor Weed** replied that sometimes the research is essential to her ability to

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 10, 2011

make a decision. **City Attorney Bryant** agreed that information is important but the Council needs to agree on the time and financial price that can be performed without the entire Council being involved in the process. He suggested having staff let a councilor know if their question will require research or resources. **Manager Stein** stated with regard to the information request on chlorine gas, she wondered to what end the information was needed since the Council had previously agreed to the water system capital improvement plan (CIP) and directed staff to move forward with financial assumptions that included those projects. She asked if the Council wanted to reconsider the list previously agreed to. **Councilor Weed** stated she did. **Manager Stein** stated since the list would be revisited and discussed by the Council during budget session she questioned to what end the research was needed at present. **Councilor Weed** stated she feels accountable to constituents and wants to be able to answer their questions at any time. She stated previous attempts to bring questions to Council meetings had been met with fatigue by other Council members.

Mayor Kellstrom suggested if Council members wanted questions answered or information in addition to staff reports the matter should come before the Council at any of its meetings to determine whether the expenditure of resources was appropriate. He stated it made sense to consolidate questions. **City Attorney Bryant** suggested that if a question can be answered easily it would be acceptable to respond but not if the question or request requires research. He stated the Council also needed to consider how they want to respond to questions related to matters that would be coming to them in the future.

Councilor Thompson stated his understanding was if he had a question on an issue the '15 minute rule (Council members may ask a question of staff or discuss a matter that does not require longer than 15 minutes of staff time)' applied. He stated if an issue is important to an individual councilor it may not be to the Council as a whole, but if a Council member wants some action on the matter to occur, it should come before the entire Council.

Councilor Asson stated most issues are usually not so urgent that they can't wait until a Council meeting. He added he did not like the idea of some information being received by just some council members, especially on issues that the Council has already given direction on to staff.

Manager Stein explained a lot of staff time had been spent defending the water system CIP lately, particularly in the wake of the Council agreeing on the list, keeping staff unable to move forward with other projects. **Councilor Weed** stated she felt councilors should get whatever information they requested, even if it was for curiosity sake. **Councilor Asson** stated if the information or question is germane or there was a quick answer it was appropriate, otherwise it should come before the entire Council.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 10, 2011

Councilor Holzman stated she had found the 15 minute rule works well and should be used as a guiding rule by the Council. **Councilor Weed** agreed. **Mayor Kellstrom** stated the 15 minute rule had been in place as long as he could remember but lately it had been overused. He stated the constant never-ending requests asking for more and more information was creating pressure for staff in trying to get their work done.

Councilor Thompson moved that if a question for staff requires more than a verbal response, such as time for staff research or information from a consultant, it should be brought to the Council to decide if the request should move forward. Councilor Asson seconded the motion. The motion carried unanimously.

Councilor Holzman used the example of asking Finance Director Young to provide some of her time to explain more thoroughly the budget process to her since this would be her first year on the Budget Committee. **Mayor Kellstrom** stated the budget process is a different issue but reminded Councilor Holzman there would be a budget orientation and several meetings where she would have ample time to ask questions. **Councilor Thompson** stated he often asks the mayor for clarification if he has a question on an issue. He suggested other Council members might consider doing the same. He stated he would also be happy to answer any question for another Council member if he could help clarify something for them. He stated any issues that relate to the CIP will be coming to the Council during the budget process with time to discuss it again.

Councilor Weed stated her question related to Well #1 to see if it was feasible to use it only as a backup well and then not spend the money needed to make at least some of the improvements staff had recommended. She stated she felt it was a reasonable request to determine if this was a viable option. **Mayor Kellstrom** stated the CIP are based on certain growth assumptions and the well improvements are predicated on this and fire flow so they likely won't happen any time soon. However, he added it certainly didn't make sense to let the well fall apart and have the pump fall to the bottom. **Councilor Weed** stated the City will be basing its new water rates on the assumption the improvements will occur in the next few years. She stated there might be options the City has not even considered and she would not want to see the City charging citizens for improvements that aren't needed at this time.

Councilor Asson stated the City does not know exactly when those improvements will be needed but it needs to start somewhere to get to the next step. He stated staff needs to be able to make calculations based on some assumptions and the Council agreed to those assumptions previously. He stated the Council can't keep going back and visiting those assumptions or it will never get anywhere. **Councilor Weed** stated the CIP was only discussed at one meeting and since that time she's had feedback from community members that have made her think about other options that weren't discussed. **Councilor Asson**

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 10, 2011

disagreed stating other options were presented when Public Works Director Bertagna gave his presentation. He stated she needed to remember this was part of a three part process; make assumptions, calculate rates using those assumptions and then make a decision on those rates. He stated her concerns could be addressed in the third step of the process. **Mayor Kellstrom** added the City needs to do something as it will soon have a deficit in the Water Fund and as an enterprise fund it should be self sustaining.

VIII. MAYOR/COUNCILOR BUSINESS

There was no Mayor/Council business.

IX. ADJOURN – The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Kathy Nelson, City Recorder

Lon Kellstrom, Mayor