

CITY COUNCIL: “Outsiders” are out of luck

Continued from page 1

to be a city councilor:

Section 7. COUNCIL. The council shall be composed of five councilors elected from the city at large...

Section 12. QUALIFICATIONS OF OFFICERS. No person shall be eligible for an elective office of the city unless he or she resides in the city limits and is a qualified elector within the meaning of the state constitution and has resided in the city during the twelve months immediately preceding the election.

City charters can be amended — but even if citizens agreed to change the charter to allow an “outside” member of council, it probably wouldn’t pass muster at the state level.

City attorney Steve Bryant explained the legal ramifications to *The Nugget*:

“Beyond the charter issues, Oregon law states that: *221.110 City officers; eligibility. The officers of a city created under ORS 221.010 shall be five councilors, a municipal judge and such other officers as the council deems necessary. Any resident of a city shall be eligible to hold an office of the city.*

“The statute identifies the only qualified people to be a council member; that is city residents,” Bryant said. “State law does not allow for individuals who are not city residents/city electors to be a council member. The City, via its charter, can make the qualifications somewhat more restrictive than the statute, but not less restrictive.”

But notice that the statute says that “any resident of a city shall be eligible to hold an office of the city” — it doesn’t say outright that “outsiders” can’t. So “State law does not allow for individuals

who are not city residents/city electors to be a council member,” — but it doesn’t expressly forbid it, right? Maybe some wiggle room there?

It would require some very generous interpretation of the statute — but for the sake of argument, let’s say “maybe.” There’s another obstacle.

Sean O’Day, general counsel for the League of Oregon Cities, raises an issue that also works against the notion.

As a “Home Rule” state, the Oregon legislature has little say as to how a city chooses to structure itself, O’Day says. So a city might attempt to do something like allowing for the election of an “outside” city councilor.

“We don’t have a Home Rule issue there,” O’Day said. “You might have another constitutional issue.”

That issue comes down to a variation on the classic American concern: Taxation without representation.

An “outside” councilor would certainly be voting on issues that would impose taxes or costs on city residents — costs that that “outsider” would not pay.

“The residents of that community (inside the city limits) might have some kind of legal issue” with that, O’Day said.

That issue would be resolved in the courts through a lawsuit.

“It’s certainly an interesting legal question,” O’Day said. “I don’t know what that case would look like — what that outcome would look like.”

So, if city citizens changed the City charter and even if the statutory language Bryant identified could be worked around, the election of an “outside” councilor would be fraught with legal implications.

Given the legal obstacles, whether it’s a good idea or not, the structure of City Council is not going to change any time soon.

LETTERS

Continued from page 2

To the Editor:

Re: “Signing on for a tough job in Sisters” (The Nugget, August 5, page 1): This article states; “City officials are considering what it takes to attract and retain qualified people to step into these volunteer positions in a challenging environment.”

I suggest that the City Council move to open up the positions to a broader spectrum of candidates. The decisions of the City Council do not only affect the citizens within the city limits.

My suggestion; Expand the area for viable candidates to match the Sisters School District boundary. All of us, from Camp Sherman to Fryrear Road, are participants in the outcomes that the council and planning commission decide.

I personally do not know the rules, regulations or statutes that would either allow or deny the ability to make this happen. I do believe it would benefit Sisters Country in ways that will make living here even a greater joy!

Michael Valoppi

(Editor’s note: This idea has arisen frequently over the years. There are significant legal obstacles; see related story, page 1).

To the Editor:

I am writing in response to the article in *The Nugget* by Jim Cornelius regarding the roundabout on Barclay Drive and Highway 20.

According to Mr. Farnsworth, I guess I am one of those who agree to disagree! I still do not believe a roundabout will alleviate the traffic on Cascade Avenue. It will continue to be bumper-to-bumper. A traffic light at that intersection would create a lull in the flow of cars and trucks, thus allowing cars to safely cross or turn left on Cascade. I believe that lull would also help the congestion at Locust and Highway 20.

The article mentioned a need to create long left-turn lanes at the traffic signal. When the temporary light was in effect, I do not recall any long lines of cars waiting to turn left. The majority of traffic is heading either east towards Bend or Redmond, or west to the Valley. I never heard one word of dissension when that signal light was in use.

Mr. Farnsworth mentioned that there is no magic solution to Sisters’ traffic problems. He also said a traffic light and a roundabout are about equal in terms of their effectiveness in moving traffic. If this issue is not going to be put to a vote before the citizens, I urge the City Council to make the decision to install a traffic light at Barclay Dr. and Highway 20. It would

take far less time and be less destructive to the city.

Donna Holland

To the Editor:

I’m coming out of the closet on this one: I can’t stand the name “Whychus.”

In my opinion the tribal naming committee, which had taken on the task of renaming Squaw Creek did a less than satisfactory job.

To me the word “Whychus” conjures up images of detritus, or maybe the sound of someone blowing their nose. Along with the name Clatsop, which sounds like, “someone spilled the catsup,” this has to be one of the worst sounding Native American place-names in the Northwest.

I know there are many more pressing issues in the world and even in our community that demand our attention, but language is important, too. How a word sounds when we say it affects how we feel. The spoken word definitely has an effect upon our psyche.

No one can even agree on how to pronounce this homely word. Some say wy-CHOOS, which rhymes with juice, others say wy-CHUS, which rhymes with bus, and I also hear WYchis, which rhymes with righteous. The interesting part is that there doesn’t seem to be any hint of a disagreement about this. No one seems to care. Its like I only say the word when I have to, as if mentioning an unpleasant bodily function in polite company. Once it’s out of my mouth I forget about it.

By contrast there are so many other wonderful place-names in the Northwest that come from Native American words. Think of Seattle, or Paulina, or Winema, or even Billy Chinook — all of these named after people. There are names that are sonorous, pleasant sounding, like Nehalem, Salishan, Chehalis, or Tualatin; names that are fun to say, like Olallie, Calapooia, Klickitat, or Wickiup; strong, solid names like Modoc, Klamath or Multnomah; and all the great river names on the coast like Umpqua, Siuslaw, Siletz, Nestucca, etc., and closer to home, names like Santiam or Tumalo.

Even place-names starting with the awkward letter/syllable “y” like Yreka or Wy’east (the native name for Mt. Hood) are pleasant to speak. And there are wonderful “ch” words like Ochoco or Chehalem and great names ending in “us” (or use), like Metolius or Cayuse. But unfortunately these three sounds together, wy-ch-us by themselves just don’t make it.

So my hope is that the naming committee will reconvene, start over, and get back to the drawing board. Our beautiful river deserves better.

Irv Givot

**Superior
Escrow
Execution**

**Ultimate
Service**

Western Title & Escrow

Stop by and visit with Tiana Van Landuyt & Shelley Marsh.
220 S. Pine St., Ste. 102 | 541-548-9180

**Transforming IDEAS into
INSPIRING Living Spaces**

Creating custom designs
that will be a source of joy
and pride in your home.

CCB#199828
**THREE CREEKS
WOODWORKING, LLC**

541-815-3212 • www.3crwoodworking.com

Ground-Level • 1,000 sq. ft. • Three Offices • Kitchenette • Grassy Common Area

**OFFICE
FOR
LEASE**

1,000 sq. ft. office in comfortable setting with private entry, large reception area, three offices plus file room, private bath and kitchenette. Reduced to **\$675/mo.** Landlord pays water and garbage. Minimum 1-yr. lease.

**Inquire at The Nugget Office,
442 E. Main Ave.
or call Kiki, 541-549-9941**