

CITY OF PRINEVILLE

MINUTES

October 23, 2007

The meeting of the Prineville City Council was called to order on October 23, 2007 at 6:30 PM in the Council Chambers at City Hall by Council President Betty Roppe. Present were Council Members Steve Ilk, Jack Seley, Gordon Gillespie, Steve Uffelman, Dean Noyes and City Manager Robb Corbett.

Present representing the press media was Ann Marie Knepper of the Central Oregonian.

The meeting was opened with the flag salute.

PROCLAMATION - CROOK COUNTY'S 125<sup>TH</sup> BIRTHDAY: Council President Betty Roppe read a proclamation proclaiming Crook County's 125<sup>th</sup> Birthday. This proclamation will be on display at the Crook County Courthouse during this week of celebration.

CONSENT AGENDA:

- A. Minutes of October 9, 2007 regular meeting.
- B. Intergovernmental Agreement for Right of Way Services.

Council Member Uffelman moved to approve the consent agenda. Council Member Ilk seconded and the motion passed unanimously.

VISITORS, APPEARANCES AND REQUESTS:

Carol Parker from the Girls and Boys Club gave an update to the Council.

They have had 100 kids attending. It has been a very difficult year for many families in this area. The Girls and Boys Club will remain at the 2007 funding for the coming year. If they keep growing as they have seen, they could have 150 kids by next June.

Carol Parker reported the budget for 2007 is roughly \$169,000. The projected income is \$130,000, which leaves a deficit of \$40,000. They can only provide as much program as the county will support.

Chet Petersen stated the Mayor always says "Kids are first". He encouraged the Council to talk to others in the community and help raise more support from this community. We need a fun and educational place for our kids. We just need to get the message out and let people know what is taking place.

Carol Parker answered questions and concerns from the Council.

Council Member Gillespie moved to donate \$2,000 to the Girls and Boys Club as requested with Council Member Seley seconding the motion.

Council Member Uffelman stated he wanted to go on record that he will not support another \$2,000 to the school district.

Council Member Noyes stated he has a potential conflict in that he is on the Girls and Boys Club Board of Directors.

The motion to donate \$2,000 passed unanimously.

Kristi Steber from Crook County Foundation presented an annual update to the Council.

Since 1998 the City of Prineville has been one of the Crook County Foundation's founding partners. Some of their activities include: scholarship funds awarded to local students, Picnic in the Park concerts as well as winter concerts, along with the Leadership Classes, which have proven to be a big success.

Ms. Steber encouraged involvement with the Crook County Foundation and encouraged citizens to become a part of this committed group of people who donate their valuable time for one reason: we love the community we live in and, through our work in the Crook County Foundation, enjoy giving back what we can.

WORKSHOP - ECONOMIC DEVELOPMENT UPDATE: Director of Prineville/Crook County Economic Development Jason Carr gave a power point presentation of what has taken place in the last three months since his employment in this position.

Jason reported that he has been working with Railroad Manager Dan Lovelady trying to locate businesses that need rail service. Fontana is relocating to Prineville and should be up and running by the first of the year and they will be using rail service.

Bend Tarp and Liner just recently relocated to Prineville. They have 13 employees and plan to add a couple more next year.

Jason reviewed pending recruitment projects that he is working on as well as retention expansions of existing manufacturers and companies. (He handed out a written report that is on file.)

PUBLIC HEARING ON PROPOSED ANNEXATIONS: City Attorney Carl Dutli stated since this is a quasi hearing the Council Members need to declare any exparte contacts or if anyone is bias, they need to declare it at this time.

Council Member Noyes stated he has toured the Ochoco Lumber property.

Council Member Uffelman stated he has had a longtime relationship with the owner of Ochoco Lumber and he is bias, and is in favor of this annexation.

Senior Planner Scott Edelman gave a staff report and reviewed the locations of the proposed annexations for the Council. All the annexations requests comply with the Comprehensive Plan. The City staff recommends approval of these annexations.

Council Member Uffelman asked if any of these properties are islands at this point?

Scott Edelman replied none of the proposed annexations are islands and they will not create islands.

Council Member Uffelman asked if there were any Measure 37 claims against any of these properties?

Scott Edelman stated there are no Measure 37 claims and the owners have waived their rights to any Measure 37 claims as part of the annexation.

Council Member Seley asked if the proposed zones compatible to what is around it?

Scott Edelman briefly reviewed the proposed annexations and the zones surrounding each one.

City Attorney Carl Dutli stated this is a two-step process. This is just annexing it in. Anyone who wants to develop it will have to apply and it will be a separate hearing.

Council Member Gillespie referred to the term of leap frogging. Would you say that any of these properties are leap frogging areas that haven't been developed? Is the City pro-active, if you see a piece that it would make sense to annex it in at the same time, so that we are not having that happen?

City Manager Rob Corbett stated what he heard him ask is are the properties leap frogging or jumping out into the UGB. All the properties are adjacent to property that is currently annexed into the City.

Scott Edelman stated they recommend people work with their neighbors when they request annexation.

Council President Betty Roppe Opened the Public Hearing.

Cheryl Dix of 999 SW Elm Road in Bend, stated she is a land use consultant representing Greg and Leslie Lynch, the owners and also the applicant of one of the properties that is in front of the Council tonight located south of Barnes Butte and east of Yellowpine. There is an existing residential subdivision development abutting to the northwest and south boundaries, which is North Ridge and the Iron Horse Development lies to the south and southeast. The property currently contains two residences one of which is occupied by Greg Lynch the owner, who is here tonight and will also speak to the Council.

This property is included in the Prineville UGB and as you have heard, it is about 93 acres. Greg Lynch the owner and applicant is requesting the City annex the property with the zoning designation of R-2, which is then proposed for this area and contemplated with the recently adopted City of Prineville Comprehensive Plan.

Ms. Dix stated the annexation plan proposal involves no exceptions to the Oregon Statewide planning goals. All applicable goals were evaluated before the property was included in the UGB and the property was found to be appropriate for urbanization at the R-2 Zoning level.

Since the property is in the UGB and already in the City and County plan to be developed, with home sites and infrastructure that will provide for the extension of water, sewer, streets and open space system. Extension of the infrastructure and utilities will assist in the efficient development of the future school site on the property west of Yellowpine Road and will also provide a looped infrastructure system that will improve

service levels for residents already inside the City limits. The annexation will also add to the City of Prineville's tax base.

Ms. Dix stated the development of this property at this time is not completely known. However, it will be designed according to City requirements for residential R-2 zoning. They have been working closely with City staff to insure that the nature of the development remains sensitive to the unique characteristics of this property. She can assure the Council that future development will be respectful of the abutting neighborhoods and they will work with the existing topography to include preservation of open space, trails, and natural features. The property is not in a critical wildlife area and there are no designated wetlands on the property. It is outside of the 500 year flood zone.

In conclusion the annexation of the property with R-2 zoning is consistent with the City of Prineville Comprehensive Plan as well as meeting the County requirements and actions necessary for proper regulations and jurisdiction of the Urban Growth Boundary and according to the Urban Management Agreement.

Greg Lynch stated he lives with his wife and 10 dogs and a shameful number of cats at 1400 NE Barnes Butte Road in Prineville. He is a lawyer and part-time carpenter and litter pan cleaner at his wife's clinic and is here to answer any questions the Council might have in regards to his property and what is intended up there. They had a lot of people interested in the property and a lot of offers by a number of outfits wanting to develop, but they waited until they met the folks who have bought the property to make a commitment, because they did not want to see that property developed by someone who was going to develop it in a fashion that they were not comfortable with.

Mr. Lynch stated they have lived there for 22 years and they have a commitment to this community and they wanted to see that property, which is a very piece of unique property, developed responsibly and compatibility with what he thinks the people of this community want to see out there. The R-2 zone does allow for smaller lots, but the way that property lies and the conceptual plans that he has seen from the owner/developer are dramatically different than what you normally would see in like Northridge II or Northridge III. You couldn't do it physically and it would not make sense to do it on that property anyway. As he understands it, there are going to be more lots to the west and as property starts going up and has more slopes, lots are going to be bigger and it is going to be the type of development that would preserve the unique physical characteristics of that property.

The developers are planning on putting in a pretty significant trail system both for walking and biking. He has had conversations with the Iron Horse folks as well about tying in our trails with their trails, because it only make sense that we would do that. Quite frankly from what he has seen, it going to be a pretty neat deal once they get around to that and it is not something that is going to be done simply to maximize a return on their investment through high density. It is going to be a responsible development that is going to preserve, take advantage of and protect the unique qualities of the property or they would not be supporting it.

Council Member Noyes moved to close the Public Hearing on annexation. Council Member Uffelman seconded and the motion passed unanimously.

City Attorney Carl Dutli stated since Council Member Uffelman stated he was bias, he cannot vote on the Ordinance for these annexations.

ORDINANCE NO. 1148, AN ORDINANCE ANNEXING CERTAIN PROPERTIES INTO THE CITY OF PRINEVILLE AND REZONING: Council Member Gillespie moved to read Ordinance No. 1148 by title only for the first reading. Council Member Noyes seconded and the motion passed unanimously. City Manager Robb Corbett read Ordinance No. 1148 by title only for the first reading.

Council Member Seley moved to approve the first reading of Ordinance No. 1148. Council Member Ilk seconded and the motion passed with Council Member Uffelman abstaining.

RESOLUTION NO. 1074, EXTENDING THE TAX BREAK PROVISIONS FOR HISTORICAL BUILDINGS: Council Member Uffelman moved to read Resolution No. 1074 by title only. Council Member Noyes seconded and the motion passed unanimously. City Manager Robb Corbett read Resolution No. 1074 by title only.

City Manager Robb Corbett gave a brief staff report stating he was contacted by the State Parks and Recreation Department regarding the changes during the last legislative session to the Special Assessment of Historic Properties Program. Local jurisdictions have to give a blanket approval through a resolution or ordinance in order for owners to be able to apply for a second term of the benefit. This included both commercial and residential.

Council Member Gillespie declared a potential conflict due to the fact that he works in one of these historical buildings.

Council Member Noyes moved to approve Resolution No. 1074 with Council Member Ilk seconding the motion.

Discussion followed regarding the number of properties on the list. It was stated the Museum property is not on the list because it is owned by the County and is exempt.

Council Member Uffelman suggested changing the third paragraph of the resolution omitting the words "three separate" to read "Whereas, there are properties in the City of Prineville that qualify for this special assessment, and".

Council Member Noyes amended his motion to include the suggested change by Council Member Uffelman. Council Member Ilk agreed to the amendment.

The motion to approved Resolution No. 1074 as amended passed unanimously.

CITY COUNCIL EMAIL PROCEDURES: Information Technology Support James Wilson briefly reviewed the staff report concerning email communications and public records disclosure that was included in the Council packet. Currently, City Council Members are using their personal email addresses as a point of contact for public input and staff-to-council communications. This possibly

exposes Council's personal email accounts and computers subject to disclosure under Oregon Public Records laws.

James urged the Council to consider using a City assigned email address for all email correspondence relating to City business and keep their personal addresses for personal use.

SAFETY AWARD PRESENTATION: Team Services Director Mary Puddy reported at the recent League of Oregon Cities Conference in Bend, the City of Prineville received a Silver Award for safety during the annual City County Insurance Services Safety Award ceremony.

Last year the City received a Bronze Award for safety. Our frequency rating on the Bronze Award was 5.07 and the frequency rate for the Silver Award is 1.2. The good news is that we are showing positive improvement over the last three years.

Mary Puddy stated safety is the number one concern of our management team. They want the City of Prineville to be the safest place to work. She has provided each employee with an Employee Handbook and a Safety Manual.

City Manager Robb Corbett thanked Mary Puddy for all her efforts in putting together the Employee Handbook, Safety Manual and working with the Safety Committee to assure the City of a safe work place. She is presently working on policies with the Department Heads.

COUNCIL BUSINESS: Council President Betty Roppe reported Council Member Ilk has been appointed to the Recycling Committee.

The City Manager's 6-month performance review is scheduled for the November 27<sup>th</sup> meeting.

The Council adjourned to Executive Session at 8:10 PM.

The Council reconvened to Open Session at 8:35 PM.

Council Member Noyes stated it appears to him that we need to issue a letter of clarification stipulating our position from the City's standpoint and our understanding of his position, also incorporating the enforcement of the ordinance issue that Mr. Dutli discovered.

City Attorney Carl Dutli asked what is the Council's position on the amount of SDCs? What he owed at the time he connected, or the amount that he now owes?

Council Member Noyes stated it may be prudent to go with the amount of SDC fees that were originally determined.

Council Member Uffelman stated he feels the original amount is acceptable, unless we are forced to go after the money through the court. If we have to go into court, then it would have to be the larger amount.

City Attorney Carl Dutli suggested giving him a limit if paid by March 14, 2008 and if not paid on that date, then it would increase to the current amount.

The Council was in agreement with Mr. Dutli's suggestion.

There being no further business to be discussed at this time,  
the Council adjourned at 8:38 PM.

Betty Roppe, Council President

Robb Corbett, City Manager  
Recorder

