CITY OF PRINEVILLE

MINUTES

May 13, 2008

The meeting of the Prineville City Council was called to order on May 13, 2008 at 6:30 PM in the Council Chambers at City Hall by Mayor Wendel. Present were Council Members Steve Uffelman, Betty Roppe, Steve Ilk, Dean Noyes, Gordon Gillespie and City Manager Robb Corbett.

Present representing the press media were Kevin Gaboury of the Central Oregonian and Don Wood from Hometown Radio.

The meeting was opened with the flag salute.

ADDITIONS TO THE AGENDA:

Robb Corbett requested that item E (Running Wildfire request for funding listed under Council Business be inserted under Visitors, Appearances and Requests Item C. Also, Agenda item X. (A) be reviewed at the time Mr. Gary Williams arrives. Agenda item VIII. (A), (Quarterly Financial Report) listed under Staff Reports and Requests be eliminated and reviewed at the next City Council meeting.

CONSENT AGENDA:

- A. Minutes of April 22, 2008, regular meeting.
- B. Minutes of April 28, 2008, special meeting.

Council Member Betty Roppe moved to approve the consent agenda. Council Member Dean Noyes seconded and the motion passed unanimously.

RANDY JONES FROM NATURAL RESOURCE COMMITTEE REQUEST FOR FUNDING: REPRENSENTING THE CROOK COUNTY NAUTRAL RESOURCE PLANNING COMMITTEE.

Mr. Jones stated, this year the topic of the 2008 Water Summit will be the topic of the Salmon and Steelhead re-introduction. The membership includes representatives from Fish and Wildlife, BLM, Forest Service, Crook County Soil and Conservation District, and citizens at large. The workshop this year with the focus on Salmon and Steelhead will be held on Friday, May 16th at

Brothers Diner Convention Center beginning at 8:30 A.M. The keynote speaker will be the regional representative of National Oceanic and Atmospheric Administration and now manages national marine fisheries services, which is the federal agency that is responsible for the re-introduction.

Mr. Jones extended an invitation to the City Council and the citizens of Prineville. By attending, we can get ahead of issues and be informed as a community and benefit from re-introduction of the Salmon and Steelhead. Mr. Jones asked the Council to consider contributing \$200.00 to sponsor the luncheon and to attend and participate in the workshop. By attending, this would show regulators local support by sponsors like the City of Prineville and Crook County.

COMMENTS:

City Council member Gordon Gillispie stated he attended last years Water Summit and found it to be very informative. He encouraged others to attend.

KRISTY STEBER CROOK COUNTY FOUNDATION REQUEST FOR FINANCIAL SUPPORT: Kristy Steber introduced the Board of the Crook County Foundation. The foundation requested \$5,000 for annual funding from the City as one of the founding partners. It is the same request that they are asking of all five founding partners. The request is part of a long range strategic plan that will build a stable and sustainable funding base.

Kristi explained the Foundation had made a community wide efforts in requesting memberships by direct mail last fall. They had a 20% return. Another goal is to build the Scholarship endowment; \$18,000 will be awarded by the Foundation this spring at the Crook County awards ceremony.

Betty Roppe asked, "With the five founding partners, will the Foundation be coming back to partners annually for the request?" Kristi Steber responded by saying, "That is what we are hoping, so we would not have to bother you with this every year." "This way the Foundation would be able to count on the funds and it would already be in the City budget and the City Council would not have to make the decision every year."

Gary Goodman explained his assignment is to work with the Leadership Crook County committee. He proceeded in explaining examples of ways of helping the community.

Mayor Wendel asked City Manager, Robb Corbett to talk about funding in the past. Mr. Corbett responded by saying, "Historically, the City had funded on an annual basis \$5,000." This was specifically for Leadership Prineville. "At a point, the program did not operate and the funding stream stopped." In the past the foundation approached the Council about receiving funds, and at least one or two other times in the last three or four years.

CHAD SITZ RUNNING WILDFIRE REQUEST FOR FUNDING:

Chad Sitz employed by the National Interagency Center in Boise Idaho explained that he supports the Wild-land Fire Fighter Foundation in Boise Idaho and the Prineville Hotshot Memorial Run and the families of the Prineville Hotshots. His mission is to continue to support the firefighters and the families of those lost firefighters.

Mr. Sitz goal is to develop a scholarship program nationally and wanted to thank the City of Prineville for their continued support of the Prineville Hotshot Memorial Run.

Mr. Sitz went on to explain the money that is raised goes toward the maintenance of the Prineville Hotshot Memorial in Ochoco Creek Park and also money is donated back to the Wildland Fire Foundation in Boise, Idaho which is distributed to families across the nation of lost wild-land firefighters and stated they appreciate the support.

BRAD BARTLETT, OF BARTLETT EXCAVATION & CONSTRUCTION ADDRESS
ISSUE OF FRANCHISE AGREEMENT WITH PRINEVILLE DISPOSAL:
Brad Bartlett of Bartlett Excavation and Brian Skidgel,
President of Bar 7A Trucking addressed an issue pertaining to
the Solid Waste Franchise Agreement with Holliday Enterprises,
LLC, dba Prineville Disposal and requested the Council help them
understand the Agreement.

The Council agreed to look at the Solid Waste Franchise Agreement.

JOHN ALLEN, 553 SE GARNER STREET, REGARDING SYSTEM DEVELOPMENT CHARGES

Mr. Allen stated he owns a coffee shop on the west end of town. For various reasons he is looking at relocating. In conversations with the City of Prineville Planning Department, for him to relocate to a property directly across the street from his existing business, would cost approximately \$12,000 in fees alone.

Mr. Allen expressed he was alarmed when he heard how much it would be to relocate to a new location.

CHIEF ERIC BUSH RESOLUTION NO. 1076 ADOPTING THE CROOK COUNTY PLANNING AUTHORITY'S USE OF DEADLY PHYSICAL FORCE PLAN IN ACCORDANCE WITH SENATE BILL 111.

Chief Eric Bush introduced Crook County District Attorney, Gary Williams, and members of the committee under Sheriff Jim Hensley. Chief Bush explained in 2007 the Oregon Senate passed Senate Bill 111 which provides framework for consistent organizational procedure resulting from an officer's use of deadly physical force. It was also an effort to insure law enforcement officers were being treated fairly and promote public confidence in the criminal justice system. The legislation required that each county in the State form a planning authority with the required members.

The planning authority is required to develop a plan which must be considered by each jurisdictional authority the City Council being one of two in Crook County. Prior to the submission of the plan to the State, each jurisdictional authority including the City Council must either approve or reject the plan, the plan cannot be modified. The District Attorney formed a working group to create the plan for the Crook County region. Chief Bush noted that the proposed plan is consistent with the policies and procedures of the Prineville Police Department.

Gary Williams, District Attorney for Crook County provided some background. This is the combination of a four year process and may go back even further if you count some police shootings in the tri-county area of Northwestern Oregon and mostly Washington and Multnomah counties. A movement was started in Oregon to do something special for citizen review of police officer shootings. A report was submitted to the 2005 Oregon legislature that the proposed legislation died in committee that year and did not go out onto the floor and never made it to vote. It would have proposed different changes as what is currently stated in Senate Bill 111, and dealt with use of deadly physical force by police officers. In 2007, the legislature met and passed Senate Bill 111. Senate Bill 111 formalizes and defines the process. There is nothing in the plan that isn't already done by most police agencies and District Attorney's offices in the State.

The motivating force behind the four to five year process is how are the citizen's going to be informed.

Mr. Williams stated if the City Council approves the plan, then it will go to the Attorney General's office for approval by the Attorney General.

City Council member Gordon Gillespie asked, "In the current Senate bill was there a timeline setout that mandated adoption?" Mr. Williams responded, "Yes, they were a month away and it has to be submitted to the Attorney General by June 30th."

Council Member, Betty Roppe, moved to read Resolution No. 1076, by title only.

Councilmember Steve Ilk, seconded and the motion was approved unanimously.

Mayor Wendel entertained a motion to approve Resolution No, 1076

Council Member Betty Roppe moved to approve Resolution No. 1076 as presented.

Council Member Steve Ilk seconded and the motion was approved unanimously.

PLANNING COMMISSION APPOINTMENT:

Scott Edelman, Senior Planner introduced Paul Cuddy, Planning Commissioner.

Council Member, Betty Roppe asked Paul Cuddy if Planning Commission members have to reside in the City limits before they can serve. Scott Edelman responded by saying, the only restrictions have to do with occupation.

Paul Cuddy explained there were two vacancies and three applicants had applied. All three applicants were present. The Planning Commission felt all three applicants were good candidates and would bring unique experience to the Commission. The Planning Commission felt overall that Al Baensch and Jennifer Letz would best fill the Planning Commission needs.

Mayor Mike Wendel asked that the three applicants come forward for questions by the Council. Mayor Mike Wendel asked the applicants why they were interested on being on the Planning Commission.

The first applicant, Jennifer Letz, responded by saying, "Mainly because of her educational background." She holds a Masters

Degree in Sustainable Management. "Good urban planning has great effects or bad effects on a community." "Good Urban and City Planning helps with Public Safety, natural resources, and community health."

The second applicant, Kendall Huestis graduated from Crook County High School in 1988. He has lived in Prineville for four years. He wants to make sure that our City does not turn out to become like Redmond and Bend. Issues include the proposed turnabout on the West end of town and the $2^{\rm nd}$ Street egress.

The third applicant, Al Baensch, moved to Prineville in September 2007. Mr. Baensch has lived in Europe, Canada and all over the US and the last 20 years in Bellingham, Washington. Mr. Baensch felt he could offer observation.

Council Member Steve Uffelman asked Kendall Huestis how he would address accessing to the City of 22,000 without making a major modification of the entrance to the community. Mr. Heustis responded by saying, "If we do something we do it as inviting as we have now and as Prineville grows we make it as inviting as it currently is now.

Council Member Gordon Gillespie moved to accept the recommendation of the Planning Commission on the assumption that a through interview process was done by the Planning Commission.

Council Member Steve Uffelman seconded the motion and the motion was passed unanimously.

AWARD OF 2008 SPRING ASPHALT OVERLAY PROJECT:

Scott Smith summarized the 2008 Spring Overlay Project. The Overlay project was advertised to Bid on April 19, 2008. The project will consist of a 2" overlay on NE Laughlin from Oregon Avenue to the east side of the Combs Flat intersection with NE Laughlin and also Oregon Avenue from $7^{\rm th}$ Street to Ochoco Avenue.

The project will be funded from the Street Department budget and Street Maintenance line item. The Engineers estimate was \$100,000. The apparent low bid was High Desert Aggregate and Paving and was for \$79,502.80.

City staff recommended that City Council award the Overlay Project to High Desert Aggregate and Paving.

Mr. Smith stated once the contract was awarded he would like to work with the contractor in extending the project to expend the remaining balance of the \$100,000 that was originally budgeted for the project.

City Manager, Robb Corbett stated if this were to occur, the matter would be brought back to the City Council for their approval.

Council Member Steve Uffelman made a motion to approve the recommendation with the intent to award the bid to High Desert Aggregate & Paving in the amount of \$79,502.80.

Council Member Betty Roppe seconded the motion and the motion passed unanimously.

PROPOSED FEE SCHEDULE DISCUSSION:

The Council Members reviewed and discussed the Proposed Fee Schedule and noted changes that needed to be made to the document.

After a brief discussion, Council Member Dean Noyes moved to approve support of the Natural Resource Committee request for \$200.00.

Council Member Gordon Gillespie seconded the motion with four (4) "aye" votes and two (2) "nay" votes cast by Mayor, Mike Wendel and Council Member Steve Uffelman.

After brief discussion in regards to the Running Wildfire request for funding. Council wished to support the donation of two rounds of golf by Meadow Lakes Golf course.

Council member Betty Roppe moved to approve the \$500.00 requested by the League of Oregon Cities Foundation in order to provide information and education to City officials across the State of Oregon.

Council Member seconded the motion with (4) "aye" votes and two (2) "nay" votes.

After brief discussion regarding the Crook County Foundation request for financial support, the City Council decision was to postpone the request and to address the request later in the evening's agenda.

WORKSHOP PUBLIC SAFETY FUNDING:

Chief Eric Bush stated the purpose of the presentation of the staff report is to request direction to the staff for long and short term options for adequately funding staff and facilities for public safety within the City.

City Manager, Robb Corbett stated what the City is faced with is a funding structure for Public Safety that is largely made up of property tax dollars. Measure 50 kicks in and it caps taxable assessed property values at 3% a year.

Chief Eric Bush suggested a solution may be to propose a Public Safety surcharge. This fee could be charged to Utility account holders on a monthly basis. The fee would be replaced with resources made available if and when a special district were formed.

Chief Eric Bush suggested this is a proposal and a starting point. In order for the Police Department to meet their needs now they would need to hire eight additional employees. The demand for services has gone up over the last five years. Five years ago the Police Department had 17 Police officers. Today, they have seventeen Police officers. The demand for services and population has gone up 20%. Square mileage patrolled has gone up over 30%. The Chief explained what happens is one police officer can only do so much. So the time and the energy that one police officer could spend servicing a particular call for services is now being spread out over 20% more.

After discussion and weighing options, City Manager Robb Corbett stated if the City Council gave direction, he could include a Public Safety Surcharge in the budget proposal and could be brought before the budget committee to be discussed at that time. Ultimately, some type of fee would be adopted in a Fee Resolution. Mr. Corbett stated it could be done by concensus of the Council. The Council all agreed.

STAFF REPORT AND REQUEST FOR QUICKCLAIM DEED FROM CROOK COUNTY:

City Manager, Robb Corbett described the property as being a strip of property that is adjacent to Ochoco Creek west of Deer Street and is owned by Crook County Court. The Crook County Court suggested that they did not want to own property of this nature and asked that the City accept ownership of the property.

City Manager, Robb Corbett asked the City Council to receive ownership of this property from the County and look at long-term deeding of the property back to adjacent property owners.

Council Member Betty Roppe moved to accept the QuickClaim deed from Crook County on a strip of land adjacent to Ochoco Creek west of Deer Street.

The Council asked a few questions Gordon Gillespie asked the question "does the adjacent property owners have a piece of County or City property on their property?

Steve Uffelman asked if any of the property was a dike that the City would have to be responsible for. Scott Smith, Street Superintendent, responded by saying he would feel comfortable that FEMA recommended that it for a safe water passage. Steve Uffelman asked has any of the land been part of issues of weed and noxious vegetation that the City would have to maintain that the City would be responsible for that the County is trying to vacate. Scott Smith stated most of the property owners have the property fenced and are using it for their own purposes.

City Manager, Robb Corbett stated the City did not do a title search on the property and asked City Attorney; Carl Dutli if there were obligations of that nature, is that where it would come up?

City Attorney, Carl Dutli answered, "it may and it may not." "Possibly, it would but if it were for weed abatement a lot of times that is what is on the property and may not necessarily show on the title."

Council Member, Steve Uffelman seconded and the motion passed unanimously.

WATER ORDINANCE UPDATE:

City Manager, Robb Corbett introduced Rhonda Barney, Lead Utility Clerk.

City Manager, Robb Corbett asked the City Council if there were any questions they had pertaining to the Water Ordinance document. There were no questions by the City Council.

ORDINANCE NO. 1151 - COMPREHENSIVE PLAN MAP AMENDMENT

Council Member Steve Uffelman moved to read Ordinance 1151 by title only. Seconded by Betty Roppe and motion approved by unanimously.

Scott Edelman, Senior Planner presented the staff report. The main purpose of Ordinance No. 1151 is to change the Comprehensive Plan map to match the current City zoning map.

Council Member, Steve Uffelman moved to approve the first reading of Ordinance No. 1151.

City Manager, Robb Corbett stated that if you read Section 6 this is designated as an emergency and has been an issue that has been long standing. Mr. Corbett requested the Council consider the long standing relationship with the developer and approve this as an emergency.

Council Member, Betty Roppe seconded and the motion passed unanimously.

Council Member, Steve Uffelman moved to approve reading by title only of Ordinance 1151 for the second time.

Council Member, Betty Roppe seconded the motion and passed unanimously.

Council Member, Steve Uffelman moved to approve Ordinance No. 1151 for the second time declaring it an emergency.

Council Member, Betty Roppe seconded the motion and passed unanimously.

VISITORS, APPEARANCES AND REQUESTS:

Dan Goodrich, representing Elkhorn Land Development gave a brief overview for what will be discussed in the Executive Session.

Mr. Goodrich has been working with City Attorney, Carl Dutli, and the City Manager for a little over a year in modifying a Memorandum of Understanding for System Development Charge reimbursement, for the Ochoco Point Subdivision for Master Plan improvements. Mr. Goodrich noted that the City had come together and has reached a beneficial solution to both the City and Elkhorn Development. Mr. Goodrich noted he was here to support what the City Manager will be reviewing with the Council in the Executive session.

The City Council Adjourned to Executive Session under ORS 192.660(1) (e) (h) Real Estate Legal.

The City Council reconvened to Open Session.

The City Council adjourned.

Robb Corbett

From: Eric Bush [ebush@prinevillepd.org]

Sent: Tuesday, May 20, 2008 2:46 PM

To: Robb Corbett

Subject: RE: Debbie Sues

Robb,

This is approved and can be placed on the consent agenda for next meeting.

Thanks, Eric

From: Robb Corbett [mailto:rwcorbett@cityofprineville.com]

Sent: Tuesday, May 20, 2008 2:40 PM

To: Eric Bush Cc: Leona Coleman Subject: Debbie Sues

Please forward this to me as soon as possible.

Thanks Eric.

Robb W. Corbett, City Manager City of Prineville 387 NE Third Street Prineville, Oregon 97754 (541) 447-5627 Office (541) 447-5628 Fax

OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION



PLEASE PRINT OR TYPE						
Application is being made for:		FOR CITY AND COUNTY USE ONLY				
LICENSE TYPES	ACTIONS	The city council or county commission:				
☐ Full On-Premises Sales (\$402.60/yr)	Change Ownership	(name of city or county)				
☐ Commercial Establishment	□ New Outlet□ Greater Privilege					
☐ Caterer ☐ Passenger Carrier	☐ Greater Privilege ☐ Additional Privilege	recommends that this license be:				
☐ Other Public Location	☐ Other	Granted 🗖 Denied 📮				
☐ Private Club		Ву:				
		(signature) (date)				
☐ Off-Premises Sales (\$100/yr)		Name:				
☐ with Fuel Pumps ☐ Brewery Public House (\$252.60)	*	Title:				
☐ Winery (\$250/yr)		OLCC USE ONLY				
Other:		Application Rec'd by: 689 CE				
Applying as:						
☐ Individuals ☐ Limited ☑ Corporatio	n 🚨 Limited Liability	Date: <u>05-07-08</u>				
Partnership	Company	90-day authority: ☼Yes ☐ No				
1. Applicant(s): [See SECTION 1 of the Guide]						
ODDS, INC	3					
@ DAVID GRIGSBY						
2. Trade Name (dba): DEBRIE	SLE'S CAF	E				
3. Business Location: 1555 NE 3 RD ST PRINEVILLE DESCHUTES, OR 9 775 4 (city) (county) (state) (ZIP code)						
(number, street, rural route)	(city)	(county) (state) (ZIP code)				
4. Business Mailing Address: POB 679 (FO box, number, stre	1 BEND	ORF60N 97708				
(PO box, number, stre	eet, rural route) (city) (state) (ZIP code)				
5. Business Numbers: 54/- 447-421/						
(phone)		(rax)				
6. Is the business at this location currently licensed by OLCC? XYes □No						
7. If yes to whom: Tom SEABAU6H Type of License: L						
8. Former Business Name: DEBBIE SUES CAFE						
8. Former Business Name: PCBD/E	3083 (747	- 6				
9. Will you have a manager? □Yes ১৯٠٠	Name:					
		ger must fill out an Individual history form)				
10. What is the local governing body where you	r business is located?	179 OF PRINEVILLE				
11 Contact person for this application: DAVI	nam D 619165134	18 Of City of County) 54/- 420 - 5522				
On a Contact person for this application. (name)	0 17/1 7.00	(phone number(s)				
1918 6/91 BENGUR 9	7/08 57/-589-5	(e-mail address) (5 (C) (S)				
(name of city or county) 11. Contact person for this application: DAVID 6 1916 S 13Y						
Applicant(s) Signature(s) and Date:						
1 David Durysly Date 4-24-08 3 Date						
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OREGON LIQUOR CONTROL COMMISSION

INDIVIDUAL HISTORY PLEASE PRINT OR TYPE



	MUST ANSWER ALL QUESTIONS ON THIS FORM. ACH ADDITIONAL SHEETS IF NECESSARY.					
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2.	Other names used (maiden, other):	/+		0771		
3.	Residence Address: 1976 TACKSON	J (BENY)	OREGO, U	9 //0/		
4.	Residence Address: 1976 TACKSUN (number and street) Home Phone: (54/) 389-5522	(city) Business Phone:(5	19/ <u>420-55</u>	22.		
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5.	(State/Country) (mm) (dd) (yyyy) /					
6.	SSN. 569-29-42/0 Place of Birth: <u>OAKLAND/ALAMED</u> BOB: <u>O7 1/2 1/958</u> Sex: M X F (State/Country) (mm) (dd) (yyyy) river License or State ID #: 4720980 State: <u>OREGON</u> Spouse's name: <u>N/A</u>					
7.	Ist all states, other than Oregon, where you have lived during the past ten years:					
8.	Do you currently hold, or have you ever held a liquor license in this or any other state? XYes No If yes, when and where? APROX 1992-1998 ERA BUTLER MARKET STURE - BEND, OREGON in the past twelve years, have you been convicted of any violation, misdemeanor or felony?					
9.	In the past twelve years, have you been convicte (include traffic violations, if the fine was more that If yes, what, when and where?	an \$50.00) <u></u> Yesr	emeanor or felony?	that time-ks.		
10	Have you ever entered into a diversion agreement	7 -				
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12.	If you are applying for a retail liquor license:			0		
	a. Do you have any financial interest, direct or in alcohol?Yes X_No if yes, what and who		urer or distributor of			
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Ap	plicant Signature:		Date:			
pn 66 on	OCIAL SECURITY NUMBER DISCLOSURE As part of your appointed your Social Security Number (SSN) to the Oregon Liquor 6(a)(13) & ORS 25.785). The OLCC will refuse a license to any ly for child support enforcement purposes unless you sign below	Control Commission (OLCC) for applicant or licensee who fails w.	or child support enforcement po to provide his/her SSN. Your t	rposes (42 USC § SSN will be used		
fol en co	used on our authority under ORS 471.311 and OAR 845-005-03 lowing administrative purposes only: to match your license applicate your identity for criminal records checks. OLCC will not dense to use of your SSN for these administrative purposes 5 lowers.	lication to your Alcohol Server & any you any rights, benefits or p	Education records (where appli rivileges otherwise provided by	cebie), and to v law if you do not :		
A	pplicant Signature: Davie Su	repolit	Date: /2/			



LAST 12 YRS OF CONVICTIONS THAT IT CAN REMIMBER 1996 - JULY 31 - SPERDING 1996-SEPT - NO DOG LICENSE 1997 - JUNE - DOG AT LARGE 1998- OCT - DOG IN BED OF MY TRUCK - BITE I HAVE GETTEN 1999-2006 SEVERAL OTHER TICKETS THAT I CANNOT FIND OR REMIMBER ANY OF THESE TICKETS WERE MOSTOMIMO DRIVING VIOLATIONS OR DOG AT 1 ARGE

2007 WINTER - SPEIDING - TRAFFIE SCHOOL 2008 - NO. DOG TAGS ON DOG AT LARGE DISSMITSED - NO FINE

5-6-2008 DOG AT LARGE