



# City of Prineville

387 NE THIRD STREET ♦ PRINEVILLE, OREGON 97754

## REGULAR MEETING BRIEF

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### City Council Meeting Brief January 11th, 2011

#### **Council Members Present:**

Gordon Gillespie  
Jack Seley  
Jim MacDonald  
Mayor Roppe

Dean Noyes  
Steve Uffelman

#### **Council Members Absent:**

None.

Mayor Elect Roppe made an announcement that due to the number of people present, the Council will be doing the Oaths of Office first and then move into discussing the nativity scene.

#### **Oath of Office**

Steve Forrester performed the Oaths of Office for Mayor Roppe, Councilor Noyes, Councilor Seley and Councilor Uffelman.

#### **Council Business:**

##### A. Nativity Scene Update – Carl Dutli

Carl Dutli, City Attorney provided a summary of the background for this discussion. Mr. Dutli explained that it is his understanding that it is not going to be a discussion on doing away with the nativity scene, but rather how to properly display it and minimize the risks to the city of being sued. You can win a lawsuit, however could spend a lot of money to win. The city would like to comply with the law, and also comply with what is believed to be the vast majority of the citizens. Mr. Dutli said that there are a couple of possibilities. 1). Maintain the nativity scene, but to have it as part of a broader display. 2). Have a private group or individual display the nativity scene on public property, where it would not have to be part of a larger display. This would also allow other groups to put up displays of their choice at the same time. The discussion will be focused on these options, what the Council would like to do, and to hear from the citizens.

Mayor Roppe stated that she would like to form a committee to research and go over the issues that have been raised.

Mayor Roppe explained that she had received about 50 letters from various religious groups, atheists', and even from a pagan group that all are in favor of keeping the nativity scene. One letter was received out of all of the correspondence that was not. There was also correspondence received from attorneys that are willing to represent the city, but it is not necessary to go to there at this time.

Mayor Roppe asked for Maureen Crawford, Bill Gowen from the Chamber, Councilor Seley and Gary Goodman if they would like to be on this committee. The committee should also respond to the correspondence that has been received so that they know the decision that was made.

Mayor Roppe invited the public to speak.

Steve Johnson came forward and wanted to encourage the city to let someone else display the nativity scene.

Jane Aikens likes to see the nativity scene visible.

Jean Coburn thanked the Council for their open mindedness and wondered if a disclaimer would work.

Whitney Kaiser asked who had paid for the nativity scene. Councilor Uffelman responded that it had been donated.

Don Henry has lived in Prineville since 1987 and was impressed with seeing the nativity scene displayed and supported by the community. He stated that the nativity scene has a historical significance as well as religious for some and he doesn't see the need for it to be sponsored by a private individual.

Ken Taylor said that he is proud to live in Prineville.

Dwayne Gardner, a Parks & Recreation employee said that we should not be afraid of groups that do not want us to display our heritage. He would like to continue to display the nativity scene.

Steve Deller moved to Prineville in 2006 and likes the small town American feel and thinks the city should continue to display the nativity scene.

Craig Oshlager thanked the city for displaying the nativity scene these past 25 – 30 years and really had no understanding of the legal issues of religion. He would like to see the city to continue to display the nativity scene.

Phyllis Bitner lived in Prineville for 32 years and is proud that Prineville continued to display the nativity scene. She would like to continue to see the nativity scene, maybe on the plaza.

Steve Carroway stated that we need to stand strong, this is Prineville and we are unique and we need to do what we need to do. He has lived in Prineville since 1953.

**Mayors State of the City Address**

Mayor Roppe read her State of the City Address.

**Additions to the Agenda**

None.

**Consent Agenda**

Councilor Seley made a motion to approve Consent Agenda as presented. Motion seconded. All in favor, motion carried. Councilor Uffelman abstained.

**Visitors, Appearances and Requests:**

A. Doug Parker – Division of State Lands

Mr. Parker is an Asset Planner with DSL and explained what they have been doing and how it works.

**Council Business:**

A. Election of Council President

Councilor Seley made a motion to nominate Councilor Uffelman as Council President. Motion seconded. All in favor, motion carried.

B. Vacant Council Member Appointment & Oath

All Council applicants stood up and Karole Stockton thanked the Council. Rodney Beebe came forward and said that he was not going to be deployed after all at this time.

Mayor Roppe explained the process of checking off the names and what would be done in the event of a tie. Each Council member made their selection and passed the sheets down to Lisa Morgan, City Recorder to read the results.

Gail Merritt received four votes. Bradley Bartlett received one vote and Rodney Beebe received one vote.

Steve Forrester, City Manager performed the Oath of Office for Gail Merritt. Councilor Merritt took her seat with the rest of the Council.

Mayor Roppe explained that the City will be having another vacant Council position, when Councilor MacDonald moves out of the city limits and would like to keep the applications of those who were not selected at this time to consider them again.



### C. Committee / Board Appointments

Mayor Roppe recommended to put off the committee appointments to the next meeting, explaining that the committee list is not complete due to a couple of new committees to be added.

### D. Discussion of County Letter Regarding Airport Governance – Carl Dutli / Dave Gordon

Carl Dutli, City Attorney explained that the City had received a letter from the County requesting to form an Airport Governance Task Force and the purpose of this task force. If Council approves the request, seven (7) individuals will be appointed by the City and County to accomplish the review of the task force. Three positions would be appointed by the City, three positions appointed by the County and the seventh position would be agreed upon by both City and County. Task force appointments would be done at the next meeting with the rest of the appointments.

Councilor Uffelman made a motion accepting Judge McCabe's recommendation to form a Task Force. Motion seconded. All in favor, discussion on motion.

Dr. James Peterson came forward with questions about the Task Force.

Steve Forrester, provided Dr. Peterson with the background of recent issues the airport has been facing. Mr. Forrester again emphasized that the Task Force will definitely need to engage the Airport Commission as they move through this review.

## **Staff Reports:**

### A. **Managers Report** – Steve Forrester

Steve Forrester stated that: the City has been working with Parks & Recreation and have identified trees in Pioneer Park that are a safety risk. The City is responsible for removing these trees and will be coming up with a tree removal plan; City, County and Ochoco Irrigation District met with legislative delegates; January 17<sup>th</sup> City representatives will be meeting with Congressman Walden; and Jason Carr from EDCO submitted a letter regarding the SDC ordinance. Mr. Forrester read Mr. Carr's letter to the Council.

**Ordinances:**

**A. Ordinance No. 1177 – An Ordinance Adopting the Updated City of Prineville Wastewater Facility Plan (Second Reading)**

Jerry Brummer, Public Works Superintendent and Eric Klann, City Engineer went through their power point presentation.

Councilor MacDonald made a motion to approve the second reading of Ordinance No. 1177. Motion seconded. No discussion on the motion. All in favor, motion carried.

**Resolutions:**

**A. Resolution No. 1154 – A Resolution Adopting Amended SDC Methodology**

Jerry Brummer and Eric Klann presented the staff report.

Councilor Gillespie made a motion to approve Resolution No. 1154. Motion seconded. No discussion on the motion. All in favor, motion carried.

**Visitors Appearances and Requests:**

None.

Meeting adjourned at 8:01 PM.

## Motions and Outcomes:

Motion:	Outcome	Uffelman	Gillespie	MacDonald		Seley	Roppe	Noyes
Consent Agenda	PASSED	-	Y	Y		Y	Y	Y
Elect Councilor Uffelman as Council President	PASSED	Y	Y	Y		Y	Y	Y
Vote to Appoint Gail Merritt to Vacant Council Position	PASSED	Y	Y	-		Y	Y	-
Vote to Appoint Rodney Beebe to Vacant Council Position	FAILED	-	-	Y		-	-	-
Vote to Appoint Bradley Bartlett to Vacant Council Position	FAILED	-	-	-		-	-	Y
Vote to Appoint Richard Phay to Vacant Council Position	FAILED	-	-	-		-	-	-
Vote to Appoint Karole Stockton to Vacant Council Position	FAILED	-	-	-		-	-	-
County Request to Form an Airport Governance Task Force	PASSED	Y	Y	Y		Y	Y	Y
Ordinance No. 1177 – An Ordinance Adopting the Updated City of Prineville Wastewater Facility Plan (Second Reading)	PASSED	Y	Y	Y		Y	Y	Y
Resolution No. 1154 – A Resolution Adopting Amended SDC Methodology	PASSED	Y	Y	Y		Y	Y	Y

## Public Records Disclosure

Under the Oregon public records law, all documents referred to in this session are available at the City's website. [www.cityofprineville.com](http://www.cityofprineville.com). An electronic copy of the meeting packet is available for download at [www.cityofprineville.com/packets](http://www.cityofprineville.com/packets). A full annotated voice recording of this meeting is available at [www.cityofprineville.com/meetings](http://www.cityofprineville.com/meetings)