



**CITY OF PRINEVILLE**  
**Regular Meeting Brief**  
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Full Meeting Recordings Available at:  
<http://cityofprineville.com/meetings/>

City Council Meeting Brief  
April 25, 2023

**Council Members Present:**

Jason Beebe  
Shane Howard  
Janet Hutchison  
Ray Law  
Scott Smith  
Steve Uffelman

**Council Members Absent**

Gail Merritt

**Additions to the Agenda**

Discussion for May 9<sup>th</sup> Council Meeting under Council Business.

**Consent Agenda**

1. Regular Meeting Brief 4-11-2023

**Councilor Smith made a motion to approve consent agenda as presented. Motion seconded. No discussion on motion. All in favor, motion carried.**

**Visitors, Appearances and Requests**

No one came forward.

**Council Presentations**

None.

**Council Business**

2. Enterprise Zone Extension – **Public Hearing** – Kelsey Lucas

**Mayor Beebe opened the public hearing portion of the meeting.**

Kelsey Lucas – EDCO Prineville Area Director explained that this is basically to hear from other taxing districts regarding the Enterprise Zone and has nothing to add from her presentation at the previous meeting.

Jered Reid, City Attorney provided additional information regarding the four open forums that Ms. Lucas held for the taxing districts to attend and ask questions. Only one forum had anyone attending.

Ms. Lucas added that she did a presentation for the School Board and only comment was payment to bonds. There is a county meeting on May 3<sup>rd</sup> for public comment as well.

There were no questions from Council.

No one came forward and no written comments were received.

**Mayor Beebe closed the public hearing portion of the meeting.**

### **3. HB 3115 & Possible Ordinance Regulating Camping Within City Limits – Jered Reid**

Jered Reid, City Attorney referred to the memorandum in the packet that provided the legal background information on judicial decisions that have been made and the two house bills regarding public property. It essentially creates a mechanism for plaintiffs and homelessness to file suite. They have been having homelessness focus meetings regarding this.

Mr. Reid continued with the 8<sup>th</sup> Amendment of the Constitution and other cases such as Robinson v. California and Martin v. Boise and background of those cases. The Martin v. Boise case caused some confusion. Blake v. Grants Pass is in the 9<sup>th</sup> Circuit Court where they will take a look at it and will have an appeal. A couple of key points came from the Blake v. Grants Pass hearing and the Oregon Supreme Court determined that punishment is punishment.

HB 3115 comes into effect on July 1<sup>st</sup>, 2023. The objectionable language is very important and is defined to keep warm and dry. HB 3124 also goes into effect on July 1<sup>st</sup>. It will do such things as increasing notification time period from 24 hours to 72 hours. Chief Seymour has already been working on Lexipol to update the city policy to make sure it is compliant.

Governor Kotek provided funding that will be handled by Central Oregon Intergovernmental Council (COIC) for homelessness.

Mr. Reid explained that we are also looking at our other codes such as parking and RV's and will bring those forward as well.

Mr. Reid went through what cities cannot do and what they may do.

Councilor Hutchison asked if by amending the camping ordinance if it would eliminate any law suits against the city. Mr. Reid said that we can not prevent a lawsuit but can effect whether it is successful.

COIC got \$13.9 million for homelessness needs regionally and it needs to be spent relatively quickly and also has a wide range of what it can be used for.

There were no further questions.

Mr. Reid said the ordinances will be coming forward in probably late May which will have an emergency clause.

#### **4. May 9<sup>th</sup> City Council Meeting Discussion**

We have determined that we will have a majority of council members absent from the May 9<sup>th</sup> meeting and will not have a quorum to conduct business and staff is looking for a motion to cancel the May 9<sup>th</sup> meeting.

**Councilor Law made a motion to cancel the May 9<sup>th</sup>, 2023 Council Meeting. Motion seconded. No discussion on motion. All in favor, motion carried.**

#### **Staff Reports and Requests:**

##### **5. City Manager's Report– Steve Forrester**

Casey Kaiser, Public Works Director presented the City Manager's report on behalf of Steve Forrester.

Mr. Kaiser announced that the solar field is operational and is anticipated to offset electrical costs by approximately \$100,000. We are successfully metering and earning credits already.

Mr. Kaiser continued with the rest of the Manager's report adding that we are planning to pave the Barnes Butte Recreation Area (BBRA) on May 14<sup>th</sup> weather permitting, and a reminder that Council has the Priorities Strategy Workshop on June 7<sup>th</sup>.

Councilor Hutchison added that it was great that we could send a couple of our officers to participate in the ceremonies for fallen Officer Joe Johnson of Nysa.

#### **Committee Reports**

Councilor Hutchison provided an Ochoco Forest Collaboration meeting update explaining that they had a full member meeting. They also had a guest speaker that talked about prescribed fires, health and all of the considerations to be made for the prescribed burns. The smoke from prescribed burns also has an effect on wine grapes.

Councilor Smith attended a Central Oregon Area Commission on Transportation (COACT) meeting a couple of weeks ago and the biggest thing on the agenda is that California just passed a carb emissions law which is primarily directed first to government agencies. Oregon will likely follow suit with that. It will put a very difficult financial component on government agencies. Daimler did a presentation that talked about the difference between the cost of a semi chassis costing about \$150,000 and if it goes to electric vehicle (EV) will cost about \$500,000.

Councilor Smith also attended the Chamber meeting and they are looking at a fall festival likely in September and it sounds very interesting.

Mr. Kaiser added that he is an elected Chamber board member and his term ends June 30<sup>th</sup> and that the annual chamber dinner is on May 20<sup>th</sup>.

Mayor Beebe talked about the Finance Committee meeting he just attended and how informative it was.

Councilor Uffelman and Mayor Beebe were able to meet with US Senator Merkley and were able to talk about juniper remediation. Senator Merkley agreed that the remediation led into water. He is also very adamant about pushing for electric vehicles which led to the discussion of the electric vehicle that recently got stuck in the woods and had to be rescued. Senator Merkley will be pushing for EV infrastructure.

There were no other reports.

### **Ordinances:**

None.

### **Resolutions**

#### **6. Resolution No. 1552 – approving an IGA with the State of Oregon Department of Transportation for Roads Transportation Intersection Updates – Casey Kaiser**

Mr. Kaiser explained that this is a really simple agreement and ODOT likes to have these agreements in place before accessing city property. They want to put some warning signs up with some striping for the safety improvements being made to the intersection.

There were no questions.

**Councilor Smith made a motion to approve Resolution No. 1552. Motion seconded. No discussion on motion. All in favor, motion carried.**

#### **7. Resolution No. 1553 – Approving a Personal Services Agreement with Divergent Engineering Services, LLC to Provide Engineering Services Regarding Prineville Water Treatment**

Mr. Kaiser provided a summary of the purpose of this resolution and that detailed conversations regarding these findings were had at the last Council meeting.

Councilor Smith asked that paragraph 1. of the resolution be corrected to read “materials” rather than “martials”.

There were no further discussions.

**Councilor Hutchison made a motion to approve Resolution No. 1553 with the correction as stated. Motion seconded. Councilor Hutchison wanted to thank Public Works for having a public hearing to see if there was anyone else that had anything to say. No further discussions. All in favor, motion carried.**

**8. Resolution No. 1554 – Approving a Personal Services Agreement with Dowl, LLC to Provide Personal Services for Engineering Services Regarding Transportation Design – Casey Kaiser**

Mr. Kaiser provided background information stating that back in 2020, the city decided to move forward on a concept design to determine how much right of way (ROW) would be needed for this project. The initial design has been completed and the ROW acquisition was completed and with final design makes this project shovel ready. There is ARPA money involved for this project and DOWL has committed to having this completed within the timeline needed.

Discussions continued regarding having a signal required and the railroad crossing being incorporated.

No further discussions or questions.

**Councilor Howard made a motion to approve Resolution No. 1554. Motion seconded. No discussion on motion. All in favor, motion carried.**

**Visitors, Appearances and Requests:**

No one came forward.

**Adjourn**

**Councilor Smith made a motion to adjourn the meeting. Motion seconded. No discussion on motion. All in favor, motion carried.**

Meeting adjourned at 7:00 P.M.

**Motions and Outcomes:**

| Motion:  | Outcome | Beebe | Howard | Hutchison | Law | Merritt | Smith | Uffelman |
|--|---------|-------|--------|-----------|-----|---------|-------|----------|
| Consent Agenda   | PASSED  | Y     | Y      | Y         | -   | -       | Y     | Y        |
| Motion to cancel the May 9 <sup>th</sup> , 2023 Council Meeting  | PASSED  | Y     | Y      | Y         | Y   | -       | Y     | Y        |
| Resolution No. 1552 – approving an IGA with the State of Oregon Department of Transportation for Roads Transportation Intersection Updates   | PASSED  | Y     | Y      | Y         | Y   | -       | Y     | Y        |
| Resolution No. 1553 – Approving a Personal Services Agreement with Divergent Engineering Services, LLC to Provide Engineering Services Regarding Prineville Water Treatment (as corrected) | PASSED  | Y     | Y      | Y         | Y   | -       | Y     | Y        |
| Resolution No. 1554 – Approving a Personal Services Agreement with Dowl, LLC to Provide Personal Services for Engineering Services Regarding Transportation Design                         | PASSED  | Y     | Y      | Y         | Y   | -       | Y     | Y        |
| Adjourn Meeting  | PASSED  | Y     | Y      | Y         | Y   | -       | Y     | Y        |

Public Records Disclosure

Under the Oregon public records law, all meeting information, agenda packets, ordinances, resolutions, audio and meeting briefs are available at the following URL:

<https://www.cityofprineville.com/meetings> .