



City of Prineville

387 NE THIRD STREET ♦ PRINEVILLE, OREGON 97754

REGULAR MEETING MINUTES

Full Annotated Recordings are NOT Available for This Meeting due to Location of Meeting

City Council Meeting Held at Crook County High School Minutes April 26, 2011

Council Members Present:

Gordon Gillespie
Jason Beebe
Gail Merritt
Steve Uffelman

Mayor Roppe
Dean Noyes

Council Members Absent:

Jack Seley

Introductions:

Mayor Roppe began with introducing Council members and explained their term lengths. Mayor Roppe explained that at the age of 18 they will be able to vote. Over the last couple of months the City of Prineville has made national news in NY Times and Wall Street Journal regarding the community's nativity scene.

City Manager, Steve Forrester spoke stating that he too had graduated from Crook County High School. Mr. Forrester provided background of his career and how he ended up being the City Manager. Also, that he and his family currently have a foreign exchange student living with them.

City Attorney, Carl Dutli gave an overview to the students about the City Charter and how it has similarities to the constitution. Mr. Dutli explained the different levels of authority of the Council and how and when they commonly exercise those authorities.

Mayor Roppe called the meeting to order at approximately 12:00 noon.

Additions to the Agenda

Item "E" under Council Business is not necessary, since it is covered under Resolution No. 1163 on the agenda.

Consent Agenda

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

Visitors, Appearances and Requests:**A. Crook County Health Department – Muriel DeLa Vergne-Brown**

Mrs. DeLa Vergne-Brown explained a recent health luncheon that she had attended that discussed the County's current health rankings. Mrs. DeLa Vergne-Brown started her power point presentation, stating that the health department is a shared service between the county and state. May 24th there will be a school based health center opened. The WIC program turns into about \$500K for local grocery stores. Mrs. DeLa-Vergne-Brown said that health really relates around economics. Mortality & morbidity is determined by an annual survey. When the results came out it made them question what happened to make that number go up?

Mrs. DeLa Vergne-Brown closed her presentation with saying that it is attributed to lifestyle and behavior. Improving will require setting goals and a big event. The school based health center will be located next to Crooked River Elementary.

B. Crook County Foundation – Kristi Steber

Kristi Steber came forward to provide Council with an update of what the Foundation has been involved in the last year. Kristi explained that they are a northwest group and provide scholarships, leadership training, picnic in the park, the Michael Allen Harris concert and thanked the City for its support. The Foundation also coordinates the weekly "What's Brewing" meetings, that the City has been a big supporter of with all of the various staff members that have reported at them. The Ford Leadership is coming to our community this fall. There will be a dinner provided by them on May 9th to recruit committee members. It requires a five year commitment and are looking for a broad base for first committee. This is also open to high school students as well. It is for grades Freshman - Junior classes.

C. Crook County Kids Club - Carole Parker

Carole Parker and Michelle Jonas from the Crook County Kids Club came forward and distributed information on the Kids Club. Carole explained what they have done and what is coming up. There are 30 kids attending from ages 5/6 to 13/14 years old. Crook County Guild is going to purchase sewing machines to teach the children how to sew. The Kids Club will be moving to their new location before summer. They will be adding a room specifically dedicated to older kids so they will have someplace for basketball, computers and games. The Kids Club has applied for several grants and recently received a grant from Facebook. They have community service hours available and are hoping for support of the City this coming budget year again. Whatever the City could do to help would be appreciated.

Council Business:**A. Consideration of Poppy Days Proclamation - Mayor Roppe**

Mayor Roppe explained that the City has done this proclamation in the past.

Councilor Uffelman made a motion approving request for the Poppy Days Proclamation. Motion seconded. No discussion on motion. All in favor, motion carried.

B. Appoint Budget Committee Members (2) - Lisa Morgan

City Recorder, Lisa Morgan stated that there were two applications for the two vacancies on the Budget Committee. One is from Bob Gomes, from Pioneer Memorial Hospital and the other is in the form of a letter of interest from Karole Stockton to maintain her position on the Committee.

Councilor Noyes made a motion accepting and appointing Bob Gomes and Karole Stockton to the Budget Committee. Motion seconded. No discussion on motion. All in favor, motion carried.

C. Prineville Disposal - Request for Rate Increase - Public Hearing - Steve Forrester

Steve Forrester presented the staff report, stating that he has worked very closely with the subcommittee, Prineville Disposal and the County with an audit of Prineville Disposal. The request of 1.6% is in line. Carl Dutli explained the process of a public hearing. Mayor Roppe gave the history of the rate increases. Mayor Roppe asked Council if they had any questions. Mayor Roppe than asked if anyone in the audience had any questions. No one came forward.

Councilor Gillespie made a motion approving the 1.6% rate increase. Motion seconded. No discussion on motion. All in favor, motion carried.

D. Request for Exemption from Competitive Bidding for Design of Wetland - Public Hearing - Eric Klann

City Engineer, Eric Klann presented the staff report, explaining the analysis of Anderson Perry and that the City feels it would be best to continue on with Anderson Perry. Anderson Perry has been involved with the all of the preliminary testing required before the City could consider an update of the Wastewater Treatment Facility Plan. Anderson Perry went through the competitive bidding process when this first started and were selected after that process. It would cost the City more money if they went with someone else at this point to bring a new consultant up to speed with what has been accomplished up to this point. Eric stated that with the update to the WTFP, it has saved the City millions of dollars by going with a wetland, rather than the mechanical treatment plant in the 2005 plan. The City has been awarded a grant in the amount of \$300,000 which will pay for the design. It also looks like the City will receive \$75,000 from PGE, leaving the City to pay for \$75,000.

The class bell rang and students started to exit.

Councilor Gillespie asked if there was another group in Oregon that is qualified to do the work. Eric explained that Anderson Perry is familiar with the requirements of DEQ for a project like this, and the funding programs available. Councilor Noyes commented on the time that it would take and the time requirements of the grant. Councilor Uffelman stated that he appreciated the thought that went into this. Councilor Gillespie stated that he served on the committee that went through the updating of the Wastewater Treatment Facility Plan.

A member from the audience (later identified as Darlene Harpster from Prineville) asked about what the money will pay for. Eric explained that is now for the design of the wetlands. She stated that it was still high.

Another question from the audience (later identified as Steve Johnson from Prineville) asked if would be open to public access. Eric stated it is the intention of the City to have it open for public use when completed, and that he even envisioned students and other groups being able to use for learning experiences.

Mayor Roppe asked the audience to please state their names and addresses for the record when they speak.

A member from the audience (later identified as Darlene Harpster) asked if it will affect her rates. Eric explained how it will help stabilize rates.

Steve Forrester added how the rates would have cost more with the 2005 plan, and how Jerry Brummer, Public Works Superintendent and Eric went to work looking at the 2005 plan to explore whether there was a more efficient and economical way for treatment.

Darlene Harpster of Prineville, provided her name for the record.

Melvin Grimes, a resident from Prineville talked about the expansion back in the late 90's.

No one else came forward with comments.

Councilor Uffelman made a motion approving the exemption for Anderson Perry from competitive bidding process. Motion seconded. No discussion on motion. All in favor, motion seconded.

Staff Reports:

A. Managers Report – Steve Forrester

Steve Forrester stated that: he wanted to thank the Crook County High School and faculty for the opportunity to have our Council meeting here; weather permitting the sidewalk on Third Street will be poured next week; the Planning Commission

approved an application for PP & L to install additional power lines and invited Jerry Brummer and Eric Klann up.

Jerry passed out maps of existing wells that produce 3000 GPM. They explained current water rights and that DEQ has a statewide water study and recently issued a grant for the City to get a better understanding of where the water comes from and what the recharging capabilities are. There will be three meetings with the first one being this Friday. Council is invited to participate.

Mayor Roppe asked about the time of the meeting Friday and stated if there are more than three Council Members interested that a workshop would have to be scheduled instead.

Carl Dutli, explained the Public Meeting Law.

Steve continued with his Manager's report stating that Liz Schuette was unable to attend the Council meeting because she is busy with the upcoming budget; and that he is on the Budget Committee for the County and will be busy with that next week; there is continued interest from another data center; and Project Cowbell continues with their interest.

Steve provided an overview of the meetings the Council will be involved in on May 10th, starting with the first Budget Meeting beginning at 5:30, followed by a Council workshop at 6:00 to go over the land use code followed by the regular Council meeting at 6:30.

Ordinances:

None.

Resolutions:

A. Resolution No. 1161 – A Resolution Establishing a Policy for Holiday Decorations.

Carl Dutli said members reviewed the plaza as an option and had no problem with that. Mr. Dutli stated that he did not have time to review the comments from ACLU.

Councilor Uffelman asked to remove the word Christmas in reference to the month and calling it Holiday month instead.

Mayor Roppe explained that ACLU wanted to be sure that tax payer dollars were not used.

Councilor Gillespie talked about the wishes of the 150 citizens that attended the meeting in January.

Councilor Merritt stated that she thought it would be fine removing the word
Christmas.

Carl Dutli asked if Council would like to add a time period to the resolution from December - January.

Steve Forrester read Councilor Seley's comments into the record since he was unable to attend the meeting. Councilor Seley stated in his note that he is in favor of the resolution and would vote for it if present.

Councilor Noyes stated that Christmas is federally acknowledged and he is not in favor of removing the word Christmas.

Carol Smith of Prineville stood up and said that she agreed with Councilor Noyes.

Kathy Carter - wants to look at the resolution to make sure there are not consequences. She does not want to see any other decorations that attack other decorations and that is should specify that decoration should be respectful of others. She also feels that groups should represent a percentage of the population.

Carl Dutli explained that it would not be possible to go on population numbers.

Kathy Carter asked if this is what we want, 631 different displays? Then questioned the authority of the ACLU.

Steve Johnson stood up and stated that the City doesn't own the plaza property. It is owned by the people and feels the peoples civil rights are being violated and we should sue them. Christmas has always been Christmas. He feels like the Council is between a rock and a hard place and what the Council is doing is admirable.

Mayor Roppe stated she wants to continue to display the nativity scene without stepping on anyone's toes.

Councilor Uffelman said the language doesn't matter because the resolution enables the display.

Corky, a student of CCHS and affiliation with the CC Secular Alliance talked about striking the word Christmas would not end this.

Hank Moss of Prineville stated he takes exception to removing the word Christmas. He is tired of heavy handed groups with deep pockets telling us what we can do. Language should stay. It will be a fight either way.

Bill Case of Prineville said that we just had the Pledge of Allegiance, One nation under God. The nation was created by our Heavenly Father. 86% of population here is Christian. We need to stand up for our rights or they will continue to pursue.

Kathy Carter talked about separation of state from religion. This is a fight we should not be fighting. We are not forcing this on anybody, we are not the intolerant ones, they are.

Ted French of Prineville objects to taking the word Christmas out and questioned when this is going to stop.

Mayor Roppe asked for comments from the Council as to whether the resolution gets sent back or keeping it the way it is presented.

Councilor Noyes commented already, Councilor Merritt personally wants to keep language since it is what the people want, Councilor Uffelman stated his personal choice is to leave it, however he is trying to avoid an issue at Christmas, Councilor Gillespie said we did a dis-service not reading the entire resolution aloud for the audience and proceeded to read it. Councilor Gillespie wants to keep the word Christmas, but wants to avoid legal issues, Councilor Beebe said he wants to leave it as is, but it could mean a costly lawsuit.

Melvin Grimes of Prineville asked why someone from somewhere else can be able to tell us what we can and cannot do.

Mayor Roppe asked for a vote from Councilors on removing the word Christmas. Councilors Noyes, Beebe and Merritt are opposed. Councilors Gillespie, Uffelman and Mayor Roppe in favor of. A tie.

Steve Forrester suggested that they wait for this resolution until the next meeting when Councilor Seley can be present to vote.

Darlene Harpster asked for the names and spelling of the Councilors who voted in favor of removing the word Christmas. Councilor Gillespie and Uffelman provided her with the that information.

Steve Johnson asked Carl Dutli if he could call the Attorney General. Carl provided the background on all the resources he has used for this resolution, and explained that his position is to protect the City from potential liability.

Josey Moss of Prineville wants to see our Council stand up for our rights, even if it is an uphill battle.

Matt Miller of Prineville said we should be able to keep the word Christmas.

B. Resolution No. 1162 – A Resolution Establishing a Policy on Banners

Carl Dutli presented the staff report, explaining that content of the banners is approved by ODOT. The City will sign off on all permits providing that it meets ODOT's design requirements.

Councilor Gillespie made a motion to approve Resolution No. 1162. Motion seconded.

Councilor Uffelman questioned if the City had a right over the content. Carl Dutli explained the structure of the resolution was to avoid the City making decision on the content.

Councilor Merritt asked about City having a right to say that is must be local. Carl Dutli read of portion of ODOT's requirement that a banner being placed must be located within a five mile radius of the event, so it would limit it to local activities.

End of discussion on motion. All in favor, motion carried.

C. Resolution No. 1163 – A Resolution Authorizing Signing of Airport Master Plan Update

Scott Edelman, Planning Director presented the staff report. The City was asked to approve since they approved the original plan. Scott noted where the changes were made and approved already at County Court.

There were no questions.

Councilor Gillespie made a motion to approve Resolution No. 1163. Motion second. No discussion on motion. All in favor, motion carried.

Visitors Appearances and Requests:

Steve Holliday of Prineville Disposal came forward and passed out the 2010 Annual Update and went over the statistics within it. Mr. Holliday updated Council that Prineville Disposal had invited OSHA in to work with them, and it has been a good experience.

Hank Moss of Prineville came forward and asked about the equipment at the east side of town and stated that it makes it look rough. Mr. Moss thanked the Council.

Meeting adjourned at 2:00 PM.

Motions and Outcomes:

Motion:	Outcome	Uffelmann	Gillespie	Bebbe	Merritt	Seley	Roppe	Noyes
Consent Agenda	PASSED	Y	Y	Y	Y	-	Y	Y
Consideration of Poppy Days Proclamation	PASSED	Y	Y	Y	Y	-	Y	Y
Appoint Bob Gomes and Karole Stockton to Budget Committee	PASSED	Y	Y	Y	Y	-	Y	Y
Request for Rate Increase of 1.6% for Prineville Disposal Rates – PUBLIC HEARING	PASSED	Y	Y	Y	Y	-	Y	Y
Request for Exemption from Competitive Bidding for Design of Wetland – PUBLIC HEARING	PASSED	Y	Y	Y	Y	-	Y	Y
Resolution No. 1161 – A Resolution Establishing a Policy for Holiday Decorations	POSTPONED	Y	Y	Y	Y	-	Y	Y
Resolution No. 1162 – A Resolution Establishing a Policy on Banners	PASSED	Y	Y	Y	Y	-	Y	Y
Resolution No. 1163 – A Resolution Approving an Update to the 2003 Airport Layout Plan for Prineville and Crook County	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. An electronic copy of the meeting packet is available for download at www.cityofprineville.com/packets. A full annotated voice recording of this meeting is available at www.cityofprineville.com/meetings