



Location: City Hall – Council Chambers
Date: October 12, 2021
Time: 6:00 PM

City Council Meeting Agenda

Mayor Jason Beebe, Council Members Steve Uffelmann, Janet Hutchison, Patricia Jungmann, Gail Merritt, Jeff Papke, Raymond Law and City Manager Steve Forrester
PLEASE NOTE THE COUNCIL MEETING LOCATION CHANGE TO 1280 S. MAIN STREET (FAIRGROUNDS-ACROSS FROM INDOOR ARENA) AND START TIME OF MEETING AT 6:00 P.M. YOU MAY ALSO ATTEND TELEPHONICALLY BY CALLING 346-248-7799 Meeting ID: 947 5839 2608 Passcode: 123456

Call to Order

Flag Salute

Additions to Agenda

Consent Agenda

1. Regular Meeting Brief 9-28-2021
2. Annual Liquor License Renewals

Visitors, Appearances and Requests

Council Presentations

Council Business

3. Future Council Meetings Location - Steve Forrester
4. Intent to Award Peoples Irrigation District Pipe Installation - Mike Kasberger

Staff Reports and Requests

5. City Manager's Report - Steve Forrester

Committee Reports

Ordinances

Resolutions

6. Resolution No. 1508 - Approving Third Amendment to Agreement for Temporary Easement - Eric Klann

Adjourn

Agenda items maybe added or removed as necessary after publication deadline



CITY OF PRINEVILLE
Regular Meeting Brief
387 NE Third Street – Prineville, OR 97754
541.447.5627 ph 541-447-5628 fax

Full Meeting Recordings Available at:
<http://cityofprineville.com/meetings/>

City Council Meeting Brief
September 28, 2021

Council Members Present:

Patricia Jungmann
Ray Law
Steve Uffelman
Jeff Papke

Janet Hutchison
Gail Merritt

Council Members Absent

Jason Beebe

Council President Uffelman asked that presentations be held to one visitation per person and five minute speaking limit. Everything will be done by roll call vote. Councilors Hutchison & Jungmann are attending virtually.

Additions to the Agenda

None.

Consent Agenda

1. Regular Meeting Brief 9-14-2021
2. Dad's Place Liquor License
3. Liquor License Annual Renewals

Councilor Hutchison made a motion to approve consent agenda as presented. Discussion on motion to correct spelling of Jack Rabenberg's last name in Meeting Brief for 9-14-2021. Motion seconded with correction of spelling of name. Motion carried.

Visitors, Appearances and Requests:

Jack Rabenberg, a Prineville resident spelled his last name for the record and reminded Council of his distaste for him being called self-centered and arrogant.

No one else came forward.

No further discussions.

Council Presentations

4. Bowman Museum / Historical Society Update – Phil Burgess

Presentation moved to later in the meeting.

Council Business

5. Intent to Award Purchase of Pipe for the Wastewater Treatment Plant – Mike Kasberger

Mike Kasberger, Assistant City Engineer presented the staff report explaining that we have been experiencing difficulties in getting supplies. A request for pricing went out. We received one. The other two responses could not submit pricing due to not being able to get the supplies. The only reason we received this one is because their customer cancelled.

Council President Uffelman asked if that price was within range of what we could get otherwise and it was.

Councilor Papke made motion to approve intent to award supply contract to HD Fowler in the amount of \$59,220 for the purchase of 1680 lf of 12” C-900 water pipe. Motion seconded. No discussion on motion. All in favor, motion carried.

Staff Reports and Requests:

6. City Manager’s Report– Steve Forrester

Mr. Forrester covered the highlights of his Manager’s Report adding that the railroad met with a company Mountain Home, that flew over today to look at railroad operations and St. Charles Medical with Crook County Health Department will be doing a community outreach on October 4th. Mr. Forrester referred to Ordinance No. 954 included with the City Manager’s Report that provides Rules of Procedures for Council Meetings and that he recommends it be referred to the Council Governance Committee that reviews and updates Council policies.

Councilor Papke, Chair of the Council Governance Committee agreed to have the committee review the ordinance.

Councilor Merritt commented that the 10th & Main Street project is great.

Mr. Forrester continued his Manager’s Report with u on Economic Development of Central Oregon (EDCO) and the city’s public relations updates.

Councilor Hutchison asked if we would be looking at updating this ordinance since it is 30 years old. Council President Uffelman responded that it will be coming up again after the committee reviews it.

There were no further questions.

Committee Reports

Councilor Hutchison provided a League of Oregon Cities (LOC) Women’s Caucus meeting update and that they have a nominating committee that will be looking at applications for the Caucus Board.

There were no other reports.

Council Presentations

7. Bowman Museum / Historical Society Update – Phil Burgess / Sandy Cohen

Phil Burgess and Sandy Cohen, Executive Director provided an update on the additional museum building. Mr. Burgess explained that the current museum does not really lend itself to rotating exhibits. The last update to the museum was to update the permanent exhibits, which doesn’t bring repeat visitors. The additional location will feature a changing exhibit center which will vary by theme. This will help increase funding and grant applications. Mr. Burgess talked about the funding that has already been received for this project from the Historical Society and Representative Vikki Breese- Iverson and said that if anyone is interested in donating he brought a couple forms with him. Mr. Burgess added let’s make Prineville a Central Oregon destination.

Ordinances:

None.

Resolutions:

8. Resolution No. 1507 – Approving Continuation of Standard Enterprise Zone Tax Abatements Under ORS 285C.203, Pursuant to Section 3, Chapter 522, Oregon Laws 2021 – Steve Forrester / Kelsey Lucas

Kelsey Lucas, Prineville EDCO Director referred to the summary in the Council packet explaining that this just lets them stay in the program. The law allows for a blanket resolution or could do it one by one and this year Endura is the only one affected, so we went with a resolution for Endura. They have contributed a lot to the community, they are actively seeking employees and having trouble finding people to work. We are hoping to give them a break this year, and re-evaluate next year if needed.

Mr. Forrester talked about the investment Endura has made in the community which is approximately \$8M. Endura has invested in the latest technology enabling them to stay in

operation for years to come in our community. Mr. Forrester encouraged us to support Endura and their family wage jobs.

There were no questions.

Councilor Merritt made a motion to approve Resolution No. 1507. Motion seconded. No discussion on motion. All in favor, motion carried.

Visitors Appearances and Requests:

No one else came forward.

Adjourn

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

Meeting adjourned at 6:47 P.M.

Motions and Outcomes:

Motion:	Outcome	Beebe	Hutchison	Jungmann	Law	Merritt	Papke	Uffelman
Consent Agenda with Name Spelling Correction	PASSED	-	Y	-	Y	Y	Y	Y
Approve Intent to Award Supply Contract to HD Fowler in the Amount of \$59,220 For the Purchase of 1680 lf of 12” C-900 Water Pipe	PASSED	-	Y	Y	Y	Y	Y	Y
Resolution No. 1507 – Approving Continuation of Standard Enterprise Zone Tax Abatements Under ORS 285C.203, Pursuant to Section 3, Chapter 522, Oregon Laws 2021	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> .

Liquor License Renewals

October 12, 2021

Cowboy Market

Grocery Outlet



STAFF REPORT

MEETING DATE: 10/12/2021

PREPARED BY: Mike Kasberger

SECTION: Council Business

DEPARTMENT: Public Works

CITY GOAL: Fiscal Responsibility, Provide Quality Municipal Service & Programs

SUBJECT: Intent to Award Canal Pipe Installation to SMAF Construction

REASON FOR CONSIDERATION:

Replace Peoples Irrigation District canal pipe along the Meadow Lakes Golf Course.

BACKGROUND:

A section of the Peoples Irrigation District canal was crushed and will not deliver the amount of water that the City is obligated, under contract, to deliver. On August 10th Council passed resolution 1502 that approved the City to procure the pipe needed to replace the subject pipe. This request is for the approval of the Intent to Award contract for installation of that pipe, the inlet and outlet structures to replace the crushed pipe.

FISCAL IMPACT:

We received bids on Tuesday, October 5th, here at City hall and results are as follows:

SMAF Construction	\$511,305.00
McKernan Enterprises	618,463.55
JAL Construction	722,575.00

Engineers Estimate was \$300,000.

RECOMMENDATION:

Staff recommends Council approve the intent to award the **Peoples Irrigation District Canal Replacement to SMAF Construction** in the amount of **\$511,305.00**.

City Manager Update
Council Meeting October 12th, 2021

Public Safety

Police department currently has one officer position open to replace an officer who moved. We are also posting an internal opening for the PD administrator position that will be open when Officer Peterson retires from the City at the end of the year.

Dispatch

Director Rebekah Burkhart has two supervisor positions open currently. We continue to work on strengthening our Dispatch team with three members in training to insure we have supervision and two dispatchers on at all times to meet demand.

Public Works

ASR treatment plant is operating at capacity successfully (approx. 2000 gpm), this water will be sent into the Airport aquifer over the winter low demand months and then pumped back into the system during the summer months. Fall and summer projects are winding down, with winter preparations commencing.

Rail Road

Continues to be busy with rail freight traffic and Matt recently landed a large railcar storage contract which will stabilize revenue going into fall. COPR team is also focused on upcoming bridge upgrades.

Meadow Lakes Golf

Great fall golfing weather. Course is in great fall condition. We expect new golf carts to arrive any time. Golf activity is expected to slow with colder weather on the horizon.

Airport

Airport manager is working on development on Northside for aviation related businesses. General aviation activity is brisk with the fall being great flying weather.

Planning

Several large housing developments are being considered by developers. We continue to see building permits active for new homes.

Human Resources

We have openings in Public Works, Dispatch, and Police. All jobs are on the web page.

Information Technology

IT team is in the process of the 5 year refresh/upgrade to the Dispatch department radio console systems. Also, IT is rolling out upgrades for all first responder radios to digital systems. City IT manages communications for all First Responders (Police, Sheriff, and Crook County Fire and Rescue).

Finance

The City's independent Auditors (Pauly Rodgers) will be conducting an Audit of City Finances the first week October. First Quarter financials for the 21-22 budget and city operations will be presented at the Oct. 26th or Nov. 9th council meeting.

City Recorder

We will be re-scheduling the Executive Session for Strategic Planning after the holidays which originally planned for October 12th. This is due to Council meetings being held outside in October.

General

The council may need to consider moving council meetings back to council chambers as colder weather is impacting the effectiveness of the outdoor covered venue.

Biomass project – The city continues to move this project forward and we are getting a wide range of support. We expect the feed study draft has been submitted and is being reviewed. We are excited to restart and reinvent the forest products industry in Prineville. We look forward to a Biomass update for the Council.

Data Center/Tech interests have recently contacted the city to revisit Prineville as a potential site for their latest build out.

City Legal – No Update

EDCO

- Continued interest in large parcels on the hill by various employers (90, 160, and 46 acres sites)
- Increase in mixed-use/multi-unit housing project interest
- Spec buildings in Tom McCall are going up quickly – still around 14k SF available, the rest is spoken for and nearly 200k at the PVL Campus
- Large volume of state leads have come in this quarter from Business Oregon (more this quarter than previous years combined) – mix of advanced manufacturing, high tech, aviation
- Continued interest in the Depot and Airport as other areas in the region and state become more saturated
- Starting to work on 2022-2024 strategic plans at both the local and regional levels, will update on priorities when that is finalized for Crook
- Working on annual lunch date before end of year and Made in Crook County Tour in the spring of 2022. Krah has already agreed to a tour and working on confirming a second
-

Public Relations

BIOMASS

The City launched an awareness among community members regarding the benefits of biomass and the Prineville Renewable Energy Project. The Central Oregonian published a very comprehensive article on the project in their October 5th edition.

Tactics:

MEDIA:

Bend Bulletin Business Feature Story, 08/22/21

[Prineville pitches biomass to save the forests](#)

GovLaunch.com, 08/28/21

[Prineville, OR converts forest biomass into electricity with Prineville Renewable Energy Project](#)

GUEST COLUMNS:

Bend Bulletin,

8/21/22 [Guest column: Prineville's renewable energy project offers sustainable solutions](#)

09/16/21 [Guest Column: Get behind Prineville renewable energy project](#)

SOCIAL MEDIA:

Crafted a series of social media posts highlighting the benefits of generating biomass for energy use. Social media posts include a branded a graphic template to create consistency and recognition among citizens. The campaign began in mid-August and will run once a week for 15 weeks.

SOCIAL MEDIA REPORT:

Facebook: 13,307 Followers

Twitter: 1,961 Followers

Mayor/Council – No Report

**RESOLUTION NO. 1508
CITY OF PRINEVILLE, OREGON**

**A RESOLUTION APPROVING A THIRD AMENDMENT TO AGREEMENT FOR
TEMPORARY EASEMENT**

Whereas, the City of Prineville (“City”) and Crook County entered into an Agreement for Temporary Easement on or about January 8, 2020, recorded in the official records of Crook County, Oregon, as document number 2020-297627 (“Easement”).

Whereas, the City and County entered into a First Amendment to Agreement for Temporary Easement on or about March 11, 2020, recorded in the official records of Crook County, Oregon, as document number 2020-298894 (“First Amendment”).

Whereas, the City and County entered into a Second Amendment to Agreement for Temporary Easement on or about May 6, 2020, recorded in the official records of Crook County, Oregon, as document number 2020-299832 (“Second Amendment”).

Whereas, pursuant to the Second Amendment, the City was to have until November 7, 2021 to complete the drilling and testing operations of the test well and to determine if City would develop a test well into a permanent municipal production well, hereinafter “Test Period.”

Whereas, City desires to extend the Test Period by one year, i.e., November 7, 2022, for the Wells identified as Millican 7 and Millican 8.

Whereas, City wishes to abandon the Test Well identified as Millican 5.

Whereas, City wishes to drill three (3) additional test wells on the County’s Property identified in the Easement beginning at the NW Corner of the Property and extending East 300 feet; thence South 2,000 feet; thence West 300 feet; thence 2,000 feet North. These three (3) additional wells shall be identified as Millican 9, Millican 10, and Millican 11.

Whereas, County is willing to allow access to City to drill three (3) additional test wells on Property and, if City desires, grant City a perpetual, exclusive easement to use the portion of the property for municipal production well purposes.

Whereas, City staff and County have negotiated a Third Amendment to Agreement for Temporary Easement (“Agreement”) attached to this Resolution hereto and incorporated herein; and

Whereas, City staff believes it is in the best interest of the City to approve and execute this Agreement.

NOW, THEREFORE, the City of Prineville resolves that the Agreement between the City and County attached hereto is approved and the Mayor and City Manager are authorized and directed to sign the Agreement.

Approved by the City Council this ____ day of October, 2021.

Rodney J. Beebe, Mayor

ATTEST:

Lisa Morgan, City Recorder

After Recording Return to:
Jered Reid
545 Seventh Street
Prineville, OR 97754

THIRD AMENDMENT TO AGREEMENT FOR TEMPORARY EASEMENT

THIS THIRD AMENDMENT TO AGREEMENT FOR TEMPORARY EASEMENT (“Third Amendment”) is entered into as of the date last written below, by and between **Crook County**, a political subdivision of the State of Oregon, of 300 NE Third Street, Room 10, Prineville, Oregon 97754 (hereafter “County”) and the **City of Prineville**, an Oregon municipal corporation, of 387 NE Third Street, Prineville, Oregon 97754, its successors and assigns, (hereafter “City” or “Grantee”). County and City shall collectively be referred to as the “Parties” and individually as a “Party.”

RECITALS:

- A. The Parties entered into an Agreement for Temporary Easement on or about January 8, 2020, recorded in the official records of Crook County, Oregon, as document number 2020-297627 (“Easement”).
- B. The Parties entered into a First Amendment to Agreement for Temporary Easement on or about March 11, 2020, recorded in the official records of Crook County, Oregon, as document number 2020-298894 (“Amendment”).
- C. The Parties entered into a Second Amendment to Agreement for Temporary Easement on or about May 6, 2020, recorded in the official records of Crook County, Oregon, as document number 2020-299832 (“Second Amendment”).
- D. Pursuant to the Second Amendment, the City was to have until November 7, 2021 to complete the drilling and testing operations of the test well and to determine if City would develop a test well into a permanent municipal production well, hereinafter “Test Period.”
- E. City desires to extend the Test Period by one year, i.e., November 7, 2022, for the Wells identified as Millican 7 and Millican 8.
- F. The City wishes to abandon the Test Well identified as Millican 5.
- G. The City wishes to drill three (3) additional test wells on the County’s Property identified in the Easement beginning at the NW Corner of the Property and extending East 300 feet; thence South 2,000 feet; thence West 300 feet; thence 2,000 feet North. These three (3) additional wells shall be identified as Millican 9, Millican 10, and Millican 11.

H. County is willing to allow access to City to drill three (3) additional test wells on Property and, if City desires, grant City a perpetual, exclusive easement to use the portion of the property for municipal production well purposes.

I. The Parties desire to amend the Temporary Easement.

NOW, THEREFORE, City and County, for valuable consideration the receipt and sufficiency of which is hereby acknowledged, consent, and agree to amend the Easement as follows:

1. County grants to City, including its employees, agents, invitees, and contractors, access to the Property for the purposes of drilling three (3) test wells, pump testing the well for water quantity, and testing the water produced from the well for quality. City, their employees, agents, invitees, and contractors have authority to dig a 20-foot by 20-foot by 4-foot-deep area around the test well to support the drilling and testing operations described above, with the Property located at the NW Corner of the Property and extending East 300 feet; thence South 2,000 feet; thence West 300 feet; thence 2,000 feet North.

2. City shall have until November 7, 2022 (“Test Period”) to complete the drilling and testing operations of the test well and to determine if City will develop a test well into a permanent municipal production well.

3. If City determines it will not use any test well as a municipal well, any disturbance to the Property caused by City and/or its employees, agents, invitees, and contractors shall be returned to essentially its original condition at City’s expense. This will include abandoning the test well in accordance with Oregon state rules and regulations.

4. If City desires to use the test well as a permanent municipal well, the following shall apply:

a. City shall give notice to County within the Test Period that City intends to use the well as a permanent municipal well.

b. County shall provide City a permanent easement to the City to allow City to access the property for municipal well purposes, which shall include, but is not limited to drilling and developing a municipal water production well or wells, construction of a well house or well houses, construction of security fence on the perimeter of the easements, or any of them, and maintaining and repairing the wells, fences, and associated plumbing and electrical connections, and the well house or houses. The form of the permanent easement will be substantially similar to the template referenced in Easement Exhibit 2.

c. Upon execution of the Easement, City shall pay to County the sum of \$32,000.00 per acre of the Easement.

5. The Easements provided to Millican 5 is hereby revoked.

6. This Third Amendment shall be binding on the successors and assigns of the parties.

7. Except as specifically amended hereby, all terms and conditions of the Easement, Amendment, and Second Amendment shall remain in full force and effect. In the event of any conflict between the terms and conditions of this Third Amendment and the terms and conditions of the Easement, Amendment, and Second Amendment, the terms and conditions of this Third Amendment shall control.

8. This Third Amendment may be executed in multiple counterparts, each of which will be considered to be an original.

Crook County

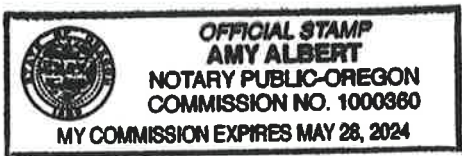
By: [Signature]
Seth Crawford, County Judge

By: [Signature]
Brian Barney, Commissioner

By: [Signature]
Jerry Brummer, Commissioner

STATE OF OREGON)
) ss.
County of Crook)

Personally appeared the above-named **Seth Crawford, County Judge, Brian Barney, Commissioner, and Jerry Brummer, Commissioner**, for Crook County and acknowledged the foregoing instrument to be their voluntary act and deed on behalf of Crook County this 12th day of October, 2021.



[Signature]
Notary Public for Oregon
My Commission Expires: 5-28-24

City of Prineville

By: _____
Steve Forrester, City Manager

By: _____
Rodney J. Beebe, Mayor

STATE OF OREGON)
) ss.
County of Crook)

Personally appeared the above-named **Steve Forrester, City Manager, and Rodney J. Beebe, Mayor**, for the City of Prineville and acknowledged the foregoing instrument to be their voluntary act and deed on behalf of the City this _____ day of _____, 2021.

Notary Public for Oregon
My Commission Expires: _____