



Location: City Hall – Council Chambers
Date: August 11, 2020
Time: 6:30 PM

City Council Meeting Agenda

Mayor Steve Uffelman, Council Members Jason Beebe, Janet Hutchison,

Patricia Jungmann, Gail Merritt, Jeff Papke, Teresa Rumble and City Manager Steve Forrester

This meeting will be open to the public by telephonic communications due to commitment to eliminate the exposure and spread of COVID-19. This meeting can be attended by calling 346-248-7799 Meeting ID 947 5839 2608. Please visit our website for additional meeting information.

Call to Order

Flag Salute

Additions to Agenda

Consent Agenda

- [1.](#) Regular Meeting Brief 7-28-2020
- [2.](#) Liquor License Renewals

Visitors, Appearances and Requests

Council Business

Staff Reports and Requests

3. City Manager's Report - Steve Forrester

Committee Reports

Ordinances

- [4.](#) Ordinance No. 1261 - Adopting Changes to Prineville Code Sections 50.22 (**SECOND PRESENTATION**) - Jered Reid

Resolutions

Visitors, Appearances and Requests

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
July 28, 2020

Council Members Present:

Janet Hutchison
Steve Uffelman
Jeff Papke
Teresa Rumble

Patricia Jungmann
Jason Beebe
Gail Merritt

Council Members Absent

None.

Additions to the Agenda

None.

Consent Agenda

1. Regular Meeting Brief 7-14-2020

Councilor Hutchison made a motion to approve the Consent Agenda as presented. Motion seconded. No discussion on motion. All in favor, motion carried.

Visitors, Appearances and Requests:

Public Appearances

None.

Council Business

None.

Staff Reports and Requests:

2. Supplemental Budget Clerical Correction – Liz Schuette

Liz Schuette, Finance Director presented the staff report. The correction is in transportation and building facility fund revenue portions. The numbers were considered but were left out of resolution adding that there is no fiscal impact.

There were no questions.

3. Manager's Report

Steve Forrester, City Manager reported: Public Works are in the middle of grind and inlay paving projects and have a shot at finishing project up by Friday; staff has been staying tight with Muriel and Vicky at the Health Department and provided a brief update; Lori Hooper, Accounting Manager has an update for water and sewer services.

Ms. Hooper gave update explaining since COVID cases continue to rise, the previous deadline to set up a plan has been extended as well as shut offs.

Discussions continued regarding if customers couldn't call; facilitating face to face appointments; the safety station at back door; all of the outreach communications to customers regarding the status of bills and ability to make appointments; even a note could be dropped off in payment box for appointment.

Ms. Hooper explained that this will be reviewed continuously.

There were no questions.

Committee Reports

None.

No issues or comments at this time.

Ordinances:

Ordinance No. 1261 – Adopting Changes to Prineville Code Sections 50.22 (FIRST PRESENTATION) – Jered Reid

Jered Reid, City Attorney provided background information for this ordinance summarizing the franchise transfer history from Prineville Disposal to Republic. The ordinance allows our franchise agreement to be consistent with the county franchise with Republic.

There were no questions.

Councilor Beebe made motion to approve Ordinance No. 1261 for the first presentation. Motion seconded. No discussion on motion. All in favor motion carried.

Resolutions:

4. Resolution No. 1454– Authorization to Efficiently Minimize or Mitigate the Effects of COVID - 19 – Steve Forrester / Jered Reid

Mr. Reid provided the background information.

Mr. Forrester explained it maintains our ability to recover any costs associated with COVID.

There were no questions.

Councilor Jungmann made a motion to approve Resolution No. 1454. Motion seconded. No discussion on motion. All in favor, motion carried.

Visitors Appearances and Requests:

Mayor Uffelman talked about Heidi Sutherlin’s book for positivity project.

Councilor Papke talked about that project and thanked the Police Department and wanted to publicly voice his support of our Police Department.

Councilor Jungmann thanked and voiced support of our Police Department and explained she has lived in other towns where the police were not nearly as nice or ethical.

Councilor Rumble wanted to thank the police department and how they stepped up to help her family and the positive personality of our department and how they reach out to reward people for doing good.

Councilor Merrit has seen them with emergencies and working with children and the good work that they do and supports our Police Department.

Chief Cummins thanked council for their support and community support and explained how the department is not community policing but part of the community.

Councilor Beebe wanted to share that he supports the Chief and department 100%,

Councilor Hutchison said Chief Cummins and department has her support and explained how she is impressed with recent laws and how they are already implementing into their procedures.

Adjourn

Councilor Rumble made a motion to adjourn the meeting. Motion seconded. Motion suspended to allow William Marks to appear under visitors.

William Marks, Facebook Community Development Regional Manager wanted to provide Council an update regarding contributing to the community. It ended up to being \$1M going to Crook County who needed relief.

Mr. Marks went on to provide a construction update stating that another building will be finished soon marking almost 13 years of building. There has been 2 million work hours in buildings 7 & 8 and building 9 is in very beginning. Prineville has more Facebook buildings than anywhere else in the entire world. Three billion people use Facebook services every day and use has changed since pandemic. There are also additional grants to school district.

All in favor, motion carried.

Meeting adjourned at 7:16 P.M.

Motions and Outcomes:

Motion:	Outcome	Beebe	Hutchison	Jungmann	Merritt	Papke	Rumble	Uffelman
Consent Agenda as Presented	PASSED	Y	Y	Y	Y	Y	Y	Y
Ordinance No. 1261 – Adopting Changes to Prineville Code Sections 50.22 (FIRST PRESENTATION)	PASSED	Y	Y	Y	Y	Y	Y	Y
Resolution No. 1454– Authorization to Efficiently Minimize or Mitigate the Effects of COVID - 19	PASSED	Y	Y	Y	Y	Y	Y	Y
Adjourn Meeting	PASSED	Y	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 recording of this meeting is available at www.cityofprineville.com/meetings

Liquor License Renewals

August 11, 2020

Cross Street Station 76

Barney Prine's

Main Station Express

Wagner's Market

Eagles lodge # 2555

Dillon's Grill

Club Pioneer

Creekside Beer Garden

Elk's Lodge # 1814

Bi-Mart

Gee's Family Restaurant

Crooked River Brewing

Ranchero Mexican Restaurant

ORDINANCE NO. 1261

**AN ORDINANCE ADOPTING CHANGES TO PRINEVILLE CODE SECTIONS 50.22
AND ADDING 50.24**

Whereas, on January 14, 2020, the City of Prineville City Council, following a public hearing, which was publicly noticed, adopted Resolution 1421 approving the transfer of the solid waste franchise agreement from Holiday Enterprises, LLC (“Holliday”) to Allied Waste Transfer Services of Oregon, LLC, dba Republic Services of Oregon (“Republic”).

Whereas, Holliday and Republic have executed appropriate transfer documents that were filed with the City Recorder.

Whereas, Republic also has a Franchise Agreement with Crook County; and

Whereas, changes in rate determination are required to the Code to make the Franchise Agreement consistent with the County’s Franchise Agreement.

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE DO
ORDAIN AS FOLLOWS:**

1. Section 50.22 is hereby revoked in its entirety and replaced with the language set forth on Exhibit A attached hereto and by reference made a part hereof.
2. Section 50.24 is hereby added to the Code with the language set forth on Exhibit A attached hereto and by reference made a part hereof.

Presented for the first time at a regular meeting of the City Council held on June 9, 2020, and the City Council finally enacted the foregoing ordinance this ____ day of August, 2020.

Stephen P. Uffelman
Mayor

ATTEST:

Lisa Morgan, City Recorder

50.22 Rate Determination

(A) Rates for service shall be those contained in the document marked Exhibit A, attached to Ordinance 1261, passed June 23, 2020 and by this reference hereby incorporated in this chapter.

(B) The franchisee may file an application yearly for an adjustment in rates. In a scheduled public hearing, the City shall act upon the request for rate adjustment no later than 30 days following receipt of request for adjustment. The new rate increase or decrease will begin 30 days following conclusion of the hearing if approval is granted for a rate change. Rates shall be changed by resolution of the City Council. Subject to this section, franchisee may increase each category of its maximum rates for service by a percentage not greater than the lesser of the last reported U.S. Consumer Price Index of trash/garbage services or water/sewer trash services. Prior to implementing such rate increase, franchisee shall provide written notice to customers not less than 30 days before mailing billing statements or invoices utilizing the new rate's bills. Such notice shall clearly explain the relationship between the rate structure and relevant consumer price index. Prior to notifying customers of the rate increase, franchisee shall provide written notice to the City Council of intent to increase rates in accordance with this section.

(C) In the event franchisee wishes to increase maximum rates for service by a percentage greater than the lesser of the last reported U.S. Consumer Price Index of trash/garbage services or water/sewer trash services, franchisee may, by May 1st of each calendar year following the adoption of the ordinance codified in this chapter file an application for an adjustment in rates. In support, the franchisee shall provide the City with all information deemed necessary by the City with respect to the operations of franchisee in order to make a reasonable and rational decision on the application. In a scheduled public hearing, the City Council shall act upon such request for rate adjustment no later than 60 days following receipt of request for adjustment. The new rate increase or decrease will begin 30 days following conclusion of the hearing if approval is granted for a rate change. Rates shall be changed by resolution of the City Council.

(D) In determining the appropriate rate to be charged by the franchisee, the City Council may consider any or all of the following.

- (1) The cost of performing the service provided by the franchisee.
- (2) The anticipated increase in the cost of providing this service.
- (3) The need for equipment replacement and the need for additional equipment to meet service needs; compliance with federal, state, local law, ordinances and regulations; or technological change.
- (4) The investment of the franchisee and the value of the business and the necessity that the franchisee have a reasonable annual rate of return on revenues in the range of eight percent (8%) to twelve percent (12%), with a target of ten percent (10%). Return on investment shall be determined based upon generally accepted accounting principles (GAAP). Franchisee's books shall be made available to City Council upon request to verify profits.

(5) The rates charged in other cities of similar size in surrounding jurisdictions for similar service.

(6) The public interest in assuring reasonable rates to enable the franchisee to provide efficient and beneficial service to the residents and other users of the service.

(7) The local wage scales, cost of management facilities and land fill and disposal of fees or charges.

(8) Any profit or cost savings resulting from recycling, and any additional costs resulting from recycling.

(9) Other factors affecting the cost of providing service.

(E) Rates charged shall not be greater than those established as provided herein, but nothing shall preclude franchisee from charging a lesser rate than the maximum imposed rate provided in the rate schedule approved by City Council. Non-scheduled services may be provided at the reasonable cost of providing the service.

(F) The franchisee shall bill and collect on a current billing basis. When the franchisee has experienced collection problems on a particular account, it may require other than current billing basis. Such other procedures will be according to reasonable business practices and, if objected to by a customer will be subject to disapproval by the City.

(G) If approved in the rate schedule, the franchisee may charge a starting charge to any customer who has been previously terminated for failure to pay for service.

(H) Rates shall be uniform or uniform within zones or classes of service.

(I) Nothing in the above section shall prohibit the franchisee from allowing qualified senior citizen rates. Qualifications for the senior citizen rates shall be determined by the franchisee.

(J) The franchisee may require the owner of rented or leased premises to accept responsibility, upon notification of delinquency, for payment of service to the facilities as a condition for providing the service.

50.24 Franchisee Records and Reports

(A) Franchisee shall keep accurate books of account through the term of this franchise. Franchisee shall produce its books of account for inspection by City at any time during normal business hours, after reasonable notice by the City.