



Location: City Hall – Council Chambers
Date: August 23, 2022
Time: 6:00 PM

City Council Meeting Agenda

Mayor Jason Beebe, Council Members Steve Uffelman, Janet Hutchison, Patricia Jungmann, Gail Merritt, Jeff Papke, Raymond Law and City Manager Steve Forrester
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 8-9-2022
- [2.](#) Annual Liquor License Renewals

Visitors, Appearances and Requests

3. In Memory of Jack Seley - Steve Forrester

Council Presentations

Council Business

- [4.](#) Reading of Proclamation - Constitution Week - Mayor Beebe
- [5.](#) EDCO Rate Increase Request of \$10,000 - Lori Hooper
- [6.](#) Intent to Award 2nd Street Storm Water Project - Mike Kasberger
- [7.](#) Intent to Award Ochoco Avenue Waterline Project - Mike Kasberger
8. Consideration of Counter Offer for Right of Way Acquisition - Casey Kaiser

Staff Reports and Requests

- [9.](#) City Manager's Report - Steve Forrester

Committee Reports

Ordinances



Resolutions

- [10.](#) Resolution No 1536 - Authorizing the City of Prineville to Approve Amendment 3 to Intergovernmental Agreement for Management of Crook County Prineville Airport - Jered Reid

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
August 9th, 2022

Council Members Present:

Patricia Jungmann
Steve Uffelman
Jason Beebe

Ray Law
Jeff Papke

Council Members Absent

Janet Hutchison
Gail Merritt

Additions to the Agenda

None.

Consent Agenda

1. Regular Meeting Brief 7-26-2022
2. Special Meeting Brief 8-1-2022
3. Annual Liquor License Renewals
4. The Wrangler – Greater Privilege Liquor Application
5. Police Department Property Conversion

Councilor Law made a motion to approve consent agenda as presented. Motion seconded. No discussion on motion. Motion carried.

Visitors, Appearances and Requests

No one came forward.

Council Presentations

6. **Baker Technical Institute (BTI) – Doug Dalton, President**

Mr. Dalton spoke of all the industry partners they have developed. BTI has an advisory team locally in Prineville and has been approved by the Higher Board of Education. They have several mobile locations in Prineville including the fairgrounds. He first looked at Prineville to see if the demand was here and found that it was with a pretty big gap in this area for skilled

training. BTI is the only technical institute in Central Oregon. They have developed a great relationship with the School District and are working with outgoing senior students. They have received grants from Bureau of Labor & Industry (BOLI) to work with middle school students and from Department of Human Services. They have also just signed a contract with Department of Corrections to work with in-mates at Deer Ridge and train them with skills they can use when released. They also partner with Central Oregon Intergovernmental Council (COIC) and Facebook.

Discussions continued regarding what a brick and mortar vision would look like for BTI.

Mr. Dalton explained they also just filed for a grant with the Environmental Protection Agency (EPA) after being approached by them to see if they would be interested in offering environmental construction training.

There were no further discussions.

7. Psilocybin OHA Rules & Regulations Presentation – Angela Alibee, EMPA

Ms. Alibee introduced herself and gave an overview ORS 475.a. She explained where the process begins, and the requirements to even get licensed. There are four license types. FDA has recently determined that it could be a break through. It is still a controlled schedule one substance. There will be a product tracking system with production limits. There are over 200 species and only one species will be used. Ms. Alibee went over local governments options for allowing or banning. Oregon Health Authority (OHA) is a fee based structure which has three arms.

Discussions continued regarding banking. There has been some movement in the banking industry and understands the difficulty that the cannabis industry has gone through. Driving after their experience with psilocybin was also discussed. Ms. Abilee explained that their role is to establish the regulatory framework for public health and safety. The transportation piece is very important in the process. Draft rules will be coming in the beginning of September. The website has more information on this. The timeline is established and November will be a time to submit comments before adopting at the end of December.

Ms. Abilee talked about neuro physicians and the study on the mind and how the experience can help break down barriers that the client has established or break patterns. The licensed facilitator is there to provide comfort and safety. It is a non-directive service and whatever the client needs, the facilitator provides support. The board has already recommended a facilitator – client ratio. They just adopted the requirements to be a licensed facilitator and those are posted on the website as well as the curriculum. People just can't walk in off the street and decide to do this. The client has to go through a preparation session before the administration session is scheduled.

Discussions continued regarding if HIPA laws apply which are really specific and doesn't really apply at this time but there are confidentiality concerns that will be considered. There is a provision for client consent to share. There is some movement to move this to a lower scheduled drug and Oregon Measure 110 decriminalizing use of drugs. They will continue to watch the

federal landscape. There were discussions regarding if the facilitators have to have CPR training or even an epipen in case of allergies. Ms. Abilee explained they had to go through classes and testing.

No further questions.

Council Business

8. EDCO Rate Increase of \$10,000 Request – Kelsey Lucas / Mike Warran / Jon Stark

Jon Stark, CEO for EDCO went through a power point presentation that provided an overview in the region of the EDCO team, national recognition received, population change, layoffs and recovery from pandemic.

Mr. Stark explained that the candidate flow for hiring is improving a bit and there has been wage growth. Wages are no longer keeping up with inflation.

Mr. Stark closed with the number of done deals with regional businesses and explained how some are still pending due to staff and materials shortages.

There were no questions.

Kelsey Lucas, Prineville/Crook County Manager and Mike Warren, Prineville EDCO Advisory Board President went through a power point presentation that highlighted more of a local overview.

Mr. Warren explained that all costs are going up and that is double what it was in 2019. Their funding comes from three sources and they are trying to get more membership into the program. Mr. Warren stated that he serves on a lot of real estate boards from local, state to national. When he is dealing with clients looking into Crook County he often hears Kelsey's name and EDCO come up regarding how helpful they are.

Councilor Law said we need to have living wage jobs coming in to be able to afford housing and it is money well spent.

Steve Forrester, City Manager said he would like to get with Lori Hooper, Finance Director and bring a staff report to the next meeting.

Councilor Uffelman asked Ms. Lucas about our infrastructure and if she sees any weaknesses we may have.

Ms. Lucas talked about regional and local grids and said we do not have anything crippling at this time.

Mr. Forrester talked about traffic and added that we do not have any show stoppers out there, but we would like to stay ahead of the game.

Mayor Beebe added that there is a lot of misconception that we are only going after one business, when in fact we go after many different businesses and are continually looking for diversity.

9. Intent to Award Well Maintenance Contract – Casey Kaiser

Casey Kaiser, Senior Planner/ Public Works Director presented the staff report.

There were discussions whether this would be a service that is needed in the future. Mr. Kaiser said with our growth and demands he definitely sees this as a perpetual need.

There were no further questions.

Councilor Uffelman made a motion to approve the intent to award to Webedone dba Abbas Pump in the amount of \$150,000 annually. Motion seconded. No discussion on motion. All in favor, motion carried.

10. Consideration of a Proclamation – Constitution Week – Mayor Beebe

Mayor Beebe stated that he is the sponsor of this proclamation and asked if anyone objected to reading at the next meeting. There were no objections and this will come back for reading at the next meeting.

Staff Reports and Requests:

11. City Manager's Report– Steve Forrester

Mr. Forrester went through his Manager's Report that highlighted activities for each department.

Councilor Jungmann asked for an irrigation update.

Mr. Forrester gave a quick update on irrigation and with all the rain we received in May and June increased what we could do significantly. We are confident we can run through the month of August and maybe first week of September.

12. Clerical Correction of Budget Adjustments – Lori Hooper

Ms. Hooper presented the staff report explaining that there was a typo made in Resolution No. 1528 adopted on June 28, 2022. There is no fiscal change since the total increases and decreases listed on the resolution were correct. Budget law requires that making a statement to Council is required however no action of Council is needed.

Committee Reports

There were no committee reports.

Ordinances:

13. Ordinance No. 1276 – Regarding Measure 109 – Psilocybin Mushrooms (SECOND PRESENTATION)– Jered Reid

Jered Reid, City Attorney talked about OHA’s presentation and referred to the legal memo he provided on July 26th.

Mayor Beebe asked what the state is doing that prompted action on our part to consider this.

Mr. Reid provided the background explaining that if we do not take action on this, it is automatically allowed in our city and the rules have not even been established yet.

Councilor Law talked about the OHA presentation and that he just looked up what is needed to be a facilitator. It only requires a GED and 4 days of class to become a licenses facilitator. Questions could not be answered on transportation and stating how this will help Veteran’s isn’t true. It will not be covered by their insurance since it is a schedule 1 controlled substance and they would have to pay for it out of pocket. There is a reason why 49 other states haven’t done this and thinks we made the right decision.

Councilor Uffelman made a motion to approve Ordinance No. 1276 for a permanent ban for its second presentation. Motion seconded. Councilor Jungmann asked about the election process and there were discussions on being able to see how this will work in other cities, then review and reevaluate, can we amend the ordinance to include a review in one year and not being able to amend at this point because this is the second presentation and deadlines to get it on the ballot but being able to put it on the radar for review next August, and psilocybin benefits not being proven yet. No further discussions. Motion carried.

Resolutions

14. Resolution No. 1535– Authorizing the Referral of the Ordinance Declaring a Ban on Psilocybin Service Center & The Manufacture of Psilocybin Products to the Voters– Jered Reid

Mr. Reid explained that this is the next step to refer the ordinance to the voters and talked about the elements needed to be on the ballot are all included within the resolution.

There were no questions.

Councilor Law made a motion to approve Resolution No. 1535. Motion seconded. No discussion on motion. All in favor, motion carried.

Visitors, Appearances and Requests:

No one came forward.

Adjourn

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

Meeting adjourned at 8:24 P.M.

Motions and Outcomes:

Motion:	Outcome	Beebe	Hutchison	Jungmann	Law	Merritt	Papke	Uffelman
Consent Agenda	PASSED	Y	-	Y	Y	-	Y	Y
Motion to Approve Intent to Award Well Maintenance Contract to Webedone dba Abbas Well in the Amount of \$150,000 Annually	PASSED	Y	-	Y	Y	-	Y	Y
Ordinance No. 1276 – Declaring a Ban on Psilocybin Service Centers and the Manufacturing of Psilocybin Products (SECOND PRESENTATION)	PASSED	Y	-	N	Y	-	Y	Y
Resolution No. 1535– Authorizing the Referral of the Ordinance Declaring a Ban on Psilocybin Service Center & The Manufacture of Psilocybin Products to the Voters	PASSED	Y	-	Y	Y	-	Y	Y
Adjourn Meeting	PASSED	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> .

Annual Liquor License Renewals

August 23, 2022

Prineville Liquor & Tobacco LLC

Good Bike Co.

Prineville Elk's Lodge No 1814

Crabby's Bar & Grill

Prineville Market

Cowboy Market

Prineville Chevron

The Waterhole Tavern

Gee's Family Restaurant

American Legion Post #29

Barney Prines

Prineville Quick Stop

PROCLAMATION

Constitution Week

WHEREAS: It is the privilege and duty of American people to commemorate the two hundred and thirty-fifth anniversary of the drafting of the Constitution of the United States of American with appropriate ceremonies and activities; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of American designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Jason R. Beebe by virtue of authority vested in me as Mayor of the City of Prineville do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

And urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Prineville to be affixed this 23rd day of August of the year of our Lord two thousand twenty two.



Rodney J. Beebe, Mayor



STAFF REPORT

MEETING DATE:	8/23/2022	PREPARED BY:	Lori Hooper
SECTION:	Staff Reports and Requests	DEPARTMENT:	Finance Department
CITY GOAL:	Fiscal Responsibility, Transparency and Effective Communication		
SUBJECT:	Prineville Economic Development of Central Oregon (PEDCO) Support Increase		

REASON FOR CONSIDERATION: PEDCO is asking for an increase in financial support from the City of Prineville in FY 23 of \$10,000. This would bring the support from \$35,000 to \$45,000. They are also requesting an increase in FY 24 of \$5,000. This would bring the support from \$45,000 to \$50,000.

BACKGROUND: The City of Prineville is a partner in supporting PEDCO. Costs have increased significantly over the past year. PEDCO did a presentation at the council meeting on 8/9/22 discussing these cost increases and the projects that they are currently working on.

The City of Prineville has budgeted \$35,000 for support to PEDCO for FY 23. It has been six years since PEDCO has asked for an increase in support.

FISCAL IMPACT: Increasing support would likely require a budget adjustment in FY 23 and would increase expenses \$10,000. During the next budgeting cycle for BN 24-25, \$50,000 in support in each year could be budgeted in the Administration Fund. In order to cover this cost an increase in transfers would be needed. This transfer can be supported and would come from the General Fund.

RECOMMENDATION: City staff recommends approving the requested increase in support to PEDCO.



STAFF REPORT

MEETING DATE: 8/23/2022 **PREPARED BY:** Mike Kasberger

SECTION: Staff Reports and Requests **DEPARTMENT:** Public Works

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

SUBJECT: 2nd Street Storm Water Project

REASON FOR CONSIDERATION:

The City has identified the 2nd Street Storm Water Project as one of our Capital Improvement Projects.

BACKGROUND:

The City's Mill Race storm water pipe line currently outfalls into Ochoco Creek and is at capacity in the area of SW 2nd Street. This project will take the stormwater in this neighborhood and send it a different route that will outfall into the Crooked River which will ease the demand on the Mill Race.

FISCAL IMPACT:

This is a budgeted item. We sent this project out to public bid on August 9, 2022 and received 4 bids. The results are as follows:

Taylor Northwest	\$210,171.04
York Bros.	244,570.60
SMAF	250,425.10
K&E	263,464.00

RECOMMENDATION:

Staff recommends that council approve the intent to award the 2nd Street Storm Water project to Taylor Northwest in the amount of \$210,000.04.



STAFF REPORT

MEETING DATE: 8/23/2022 **PREPARED BY:** Mike Kasberger

SECTION: Staff Reports and Requests **DEPARTMENT:** Public Works

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

SUBJECT: Intent to award Ochoco Avenue from Oregon to Jordan waterline replacement.

REASON FOR CONSIDERATION:

The City has identified a section of water transmission line on Ochoco Avenue from Oregon to Jordan as needing to be replaced.

BACKGROUND:

This section is currently a 6" OD&W pipe and our water masterplan identifies it to be replaced with an 8" C-900 pipe.

FISCAL IMPACT:

This project is a budgeted item, has been publicly bid, and will come out of the capital improvements budget. We received 4 bids on August 17th, and the results are as follows:

Taylor Northwest	\$398,141.75
K&E Excavation	\$415,645.00
York Bros.	\$448,696.00
SMAF	\$460,269.70
Engineers Estimate	\$450,000.00

RECOMMENDATION:

We have done considerable work with Taylor Northwest in the past and they do quality work in a timely fashion. Therefore, staff recommends that Council approve the intent to award the Ochoco Avenue from Oregon to Jordan waterline replacement project to Taylor Northwest in the amount of \$398,141.75.

City Manager Update to Council

Council Meeting August 23, 2022

Public Safety / Dispatch

As mentioned previously our new lateral officer from Burns starts next week. The Police Department is teaming up with the Sheriff's office to implement an officer wellness program.

Public Works

They are working through capital improvements. The 2022 paving projects have wrapped up and work has begun on paving a portion of trails at the Barnes Butte Recreation Area (BBRA). Waterline replacement projects will begin soon.

Rail Road

The economy is in transition and the type of railroad activity is a good indicator of that. The railroad is picking up storage cars. As mentioned before, Superior has doubled their footprint at the junction which increases lease revenue. There are a couple of bridges that will have to be addressed in the next couple of years that will require increasing pilings weight capacity.

Meadow Lakes Golf

August so far is up 30% from the prior year and last August was another record breaker. The weekends are completely booked with events through September. Ron's Comfort Food is continuing with their Wednesday – Saturday restaurant schedule due to staffing shortages and the snack bar is open Sunday – Tuesday to serve our golfers.

Airport

The tankers have been really busy with recent thunderstorms. The airport is working on a north side development plan. There is a business from Portland that has interest in developing at the airport. Thanks to a successful grant, the airport will be getting a new tractor that will assist in ground and snow maintenance. The city and county are looking to extend the IGA for airport management.

Planning

The multi-family development on Madras Highway will begin Phase I of developing that site on the north side. Industrial activity is still going strong and housing is still moving along thanks to a couple of well established developers.

Human Resources – No Update

Information Technology

IT is busy with radio update that was started last week as well as site maintenance and installing a telemetry system at the 4th Street well.

Finance

The auditors are gearing up for their annual audit. They have sent questionnaires out to Council and those need to be completed and returned to the auditors as part of the audit.

City Recorder/Risk Management

The SEL 802 referring the psilocybin ordinance to the voters in November has been filed with the county clerk last Friday.

City Legal – No Update

EDCO

EDCO has had a couple of inquiries the last couple of week including a tech manufacturing company. There are three possible sites that would work for this company. Kelsey is working with Kelly on a possible aviation manufacturing company that has interest in the airport area.

Public Relations

The city has received quite a few photo entries for the Barnes Butte Recreation Area photo contest which has helped increase the BBRA social media followers.

Mayor/Council

Just a reminder that registration for the LOC conference in October is open. A Council workshop/retreat will be scheduled in September regarding long term rural enterprise zone (LTREZ) and what that means as those exemptions start expiring.

Other

As I initially reported to you on August 5, I wanted to give you an update regarding the potential bird flu. Staff has been working with Oregon Department of Fish & Wildlife (ODF&W). There have been a couple of birds that were found deceased at the wetlands. ODF & W gathered them and tested for the flu. The good news is that it is not the most aggressive flu strain where other large flocks of birds had to be confined or sometime euthanized to prevent the spread in other parts of the state. It is a milder strain and is mostly related to water fowl. It should fizzle out, but a couple more birds may still show up deceased here and there. ODF&W will continue to respond and monitor and does not have any concerns at this time.

**RESOLUTION NO. 1536
CITY OF PRINEVILLE, OREGON**

**A RESOLUTION AUTHORIZING THE CITY OF PRINEVILLE TO APPROVE
AMENDMENT 3 TO INTERGOVERNMENTAL AGREEMENT BETWEEN CROOK
COUNTY AD THE CITY OF PRINEVILLE FOR MANAGEMENT OF CROOK
COUNTY/PRINEVILLE AIRPORT**

Whereas, City of Prineville (“City”) and Crook County (“County”) executed an Intergovernmental Agreement effective September 23, 2011 (“Agreement”), for City to provide services with respect to the management of the Crook County/Prineville Airport (“Airport”); and

Whereas, the Agreement has been modified and extended pursuant to Intergovernmental Agreement Extension with Respect to Management of the Crook County/Prineville Airport and Amendment 2 to Intergovernmental Agreement for Management of the Crook County/Prineville Airport; and

Whereas, the City and County are negotiating a new Intergovernmental Agreement and require an extension to the Agreement;

Whereas, County has prepared an Amendment to Intergovernmental Agreement (“Amendment”) for City’s consideration; and

Whereas, City staff believes it is in the best interest of the City to approve and execute the Amendment;

Now, Therefore, the City of Prineville resolves that the Amendment 3 to Intergovernmental Agreement Between Crook County and the City of Prineville attached to this Resolution between the City and County is hereby approved and that the Mayor and the City Manager are authorized and instructed to sign such Agreement on behalf of the City.

Approved by the City Council this ____ day of August, 2022.

Rodney J. Beebe, Mayor

ATTEST:

Lisa Morgan, City Recorder

**AMENDMENT 3 TO
INTERGOVERNMENTAL AGREEMENT BETWEEN
CROOK COUNTY AND THE CITY OF PRINEVILLE**

This Amendment 3 to Intergovernmental Agreement between Crook County and the City of Prineville (Amendment 3) is made and entered into the date last signed below and effective July 1, 2021, by and between the City of Prineville, a municipal corporation in the State of Oregon, hereinafter referred to as "City," and Crook County, a political subdivision of the State of Oregon, hereinafter referred to as "County."

WITNESSETH

WHEREAS, the parties hereto executed Intergovernmental Agreement between Crook County and the City of Prineville effective September 23, 2011 (Agreement), for City to provide services with respect to management of the Crook County/Prineville Airport (Airport); and

WHEREAS, the Agreement has been modified and extended pursuant to Intergovernmental Agreement Extension with Respect to Management of the Crook County/Prineville Airport and Amendment 2 to Intergovernmental Agreement for Management of the Crook County/Prineville Airport; and

WHEREAS, the Agreement, as modified, terminates on June 30, 2021; and

WHEREAS, the parties hereto desire to extend the term of the Agreement.

AMENDMENT TERMS

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. Extended Term.

The term of the Agreement shall be extended through December 31, 2022, unless sooner terminated in accordance with Section 2 of the Agreement.

2. Reaffirmation of Intergovernmental Agreement.

Except as modified by this Amendment 3, all terms and conditions of the Agreement and any prior amendments are reaffirmed and remain unmodified and in full force and effect.

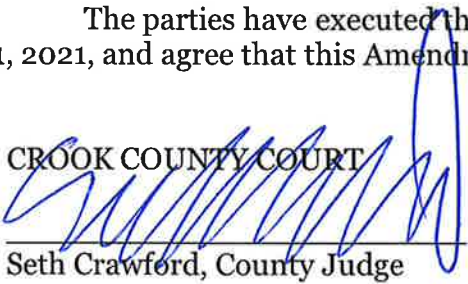
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3. Counterparts.

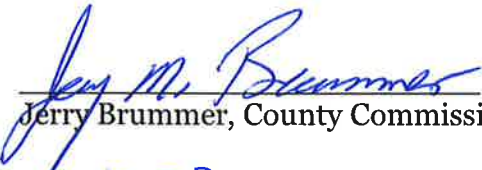
This Amendment 3 may be executed in one or more counterparts, including electronically transmitted counterparts, which when taken together, shall constitute one in the same original. Facsimiles and electronic transmittals of signed documents shall be binding as though they were an original as such signed document.

The parties have executed this Amendment 3 as of the dates below, effective July 1, 2021, and agree that this Amendment 3 shall be attached to the Agreement.

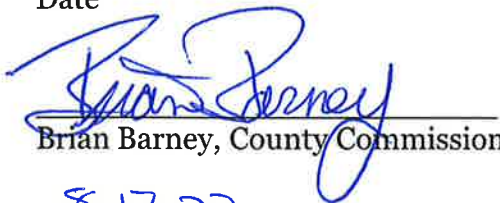
CROOK COUNTY COURT


Seth Crawford, County Judge

8-17-22
Date


Jerry Brummer, County Commissioner

8-17-22
Date


Brian Barney, County Commissioner

8-17-22
Date

CITY OF PRINEVILLE

Jason Beebe, Mayor

Date

Steve Forrester, City Manager

Date