

**City of Phoenix
City Council Meeting
Public Works Office
1000 S. "B" Street
Monday, March 4, 2013**

CALL TO ORDER

Mayor Jeff Bellah called the regular meeting of the City Council to order on Monday, March 4, 2013 at 6:30 p.m. in the Public Works Office.

ROLL CALL

PRESENT: Bruce Sophie, Karen Jones, Carolyn Bartell, Terry Helfrich, Jeff Bellah

ABSENT: Stan Bartell

Staff Present: Eli Naffah, City Manager/Recorder
Janette Boothe, Deputy City Recorder
Derek Bowker, Chief of Police
Steve Weber, Finance Director
Dale Schulze, Planning Director
Jeff Ballard, City Engineer
Kurt Knudsen, City Attorney

PLEDGE OF ALLEGIANCE

PRESENTATIONS:

ODOT Presentation on Fern Valley Interchange by Dick Leever and Gary Leaming. Dick Leever and Gary Leaming gave a PowerPoint presentation. Mr. Leever gave a brief background of the project and explained the projected schedule for the project. He explained that now through the fall the right of way staging will be finalized, during which time the brochure will be updated with the current scheduled dates. Additionally, he explained ODOT is working on producing a Diverging Diamond Interchange video that is reflective of what will be constructed in Phoenix. As discussion progressed, he explained the project bids are scheduled to open October 31, 2013. He added that construction is planned to begin January 2014 with an estimated completion time of the year 2016. Mr. Leever and Mr. Leaming took questions from council and expressed the reason for the delay in construction progress is due to right of way acquisition.

CONSENT CALENDAR:

- 1) Approval of the Minutes of the January 30, 2013 City Council Study Session
- 2) Approval of the Minutes of the February 7, 2013 City Council Study Session

- 3) Approval of the Minutes of the February 13, 2013 City Council Study Session/Special Meeting. Mayor Bellah suggested the removal of the last item on the consent calendar. **MOVED BY SOPHIE, SECONDED BY C. BARTELL, TO APPROVE THE CONSENT CALENDAR WITHOUT ITEM 4.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Sophie, C. Bartell, Jones, and Helfrich
MOTION APPROVED WITH FOUR AYES

- 4) Appoint Steve Weber as Budget Officer for FY 2013/14. **MOVED BY JONES, SECONDED BY SOPHIE, TO APPOINT STEVE WEBER, FINANCE DIRECTOR, AS THE CITY OF PHOENIX BUDGET OFFICER FOR FY 2013-2014.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: C. Bartell, Jones, Helfrich, and Sophie
MOTION APPROVED WITH FOUR AYES

CITIZEN'S COMMENTS:

- 1) David van de Velde, Phoenix, came forward to report his concern for fireworks being lit outside the time frame allowed within the City limits. He suggested City Council consider banning the use of fireworks within City limits, due to the fire hazard and pollution in citizen's yards. Further discussion followed.
- 2) Adam Lewis, Phoenix Police Officer, came forward to recommend an applicant from County who is highly qualified and is fluent in Spanish, to take the position Officer Tom Bailey is leaving, should council decide to fill the open position.

STAFF REPORTS:

- 1) City Attorney's Report:
 - a) Attorney Knudsen expressed he had nothing new to report on either of the pending litigation cases. Mayor Bellah inquired about the settlement La-Z-Boy is seeking with ODOT. Attorney Knudsen gave a brief description of the situation with the remaining amount due for SDC's from La-Z-Boy. Further discussion followed, as Mayor Bellah suggested Mr. Naffah place an update on this item in the action log.
- 2) City Engineer's Report:
 - a) Mr. Ballard reported he is working with ODOT regarding money in lieu of overlay work for part of the Fern Valley Interchange Project. He further explained the agreements need to be updated. Further discussion followed.
 - b) He commented he contacted ODOT regarding the potholes on Fern Valley discussed at the prior meeting and received information from them suggesting there will be some work performed on the potholes, prior to the beginning of construction on the interchange project. Further discussion followed.
 - c) He informed council the utility worker that is out on worker's compensation will be out at least one more week. Further discussion followed.

- d) He suggested the City may be moving away from performing backflow testing by Public Works, as it has become a question of whether this is a valuable service to offer citizen's by the City. Further discussion followed.

3) Finance Director's Report:

- a) Mr. Weber reported he received a letter from Oregon Employee Teamsters Trust regarding a payment plan for the remainder of the interest owed from the audit performed. As discussion followed, council's consensus was to forego the payment plan and pay all of the remaining interest in the current fiscal year.
- b) He reported the contract with the bond counsel has been signed and he gave a brief update on the remaining steps to complete the bond refinance.

4) Planner's Report:

- a) Mr. Schulze reported he received an application for modification of a site design review. Further discussion followed.
- b) He commented on the site design review for Brookside Village and Rose Court Apartments.
- c) He gave a brief update on the status of the sign for Blue Heron Park band shell in honor of Carlos DeBritto and distributed a mockup of the sign for council to review. Council approved of the design for the sign.
- d) He reported the RPS plan should be approved by the state soon. Further discussion followed.
- e) Mayor Bellah inquired about the property that has been demolished by the City. A question was raised regarding whether the City has invested any time or monetary value into the cleanup of the property at 1st and Main Street. As discussion followed, Council directed staff to inquire about what needs to happen for the City to be put a lien on one or both of the properties.

5) Police Department's/Public Safety Report:

- a) Chief Bowker reported Officer Janet Bailey will be on light duty through March 28, 2013. Further discussion followed.
- b) He announced Officer Tom Bailey's last day will be March 15, 2013.
- c) He commented that the Police Department has received complaints regarding fireworks each year; however, the issue is difficult to maintain. Further discussion followed.

6) City Manager's Report:

- a) Mr. Naffah announced the water rate study update requires rescheduling and council reached a decision to move the meeting to Tuesday, March 26, 2013 at 6:30 p.m. Mr. Naffah inquired whether to hold the meeting at the high school. Council's consensus was to hold the meeting at the high school to ensure a large enough venue for the anticipated attendants.
- b) He commented Marla Cates had inquired about holding a joint session with Urban Renewal to discuss possible boundary lines. As discussion followed, Council agreed to schedule a study session for March 19, 2013; however, it was unclear whether council will hold a study session on the joint session or another item that is of higher importance on the action log. Further discussion followed.

- c) He announced there will be a small cities meeting held in Winston on March 7, 2013 from 11:00 to 1:00 p.m
- d) He reported the action log has been updated and emailed to council for review.

NEW BUSINESS:

- 1) Appointments to Planning Commission and Water Commission. Mayor Bellah requested Micki Summerhays come forward to discuss her position on the Planning Commission. **MOVED BY SOPHIE, SECONDED BY JONES, TO REAPPOINT MICKI SUMMERHAYS TO THE PLANNING COMMISSION FOR A FOUR-YEAR TERM ENDING DECEMBER 31, 2016.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: C. Bartell, Jones, Helfrich, and Sophie
MOTION APPROVED WITH FOUR AYES

Mayor Bellah requested Diana Nelson to come forward, as she was in attendance. Both applications for water commission were reviewed by council. **MOVED BY SOPHIE, SECONDED BY JONES, TO APPOINT DIANA NELSON AND ROBERT PASHA TO THE WATER COMMISSION.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Jones, Helfrich, Sophie, and C. Bartell
MOTION APPROVED WITH FOUR AYES

- 2) Cost Impact of Overtime/Furloughs/Vacancy on Police Budget. Chief Bowker presented the cost analysis spreadsheet created for the purpose of consideration of whether to fill the position and/or to continue with furlough days, as with limited staffing, overtime would be an issue. Further discussion followed, as Mayor Bellah commented that the furlough days were a sticking point that both the City and Union had agreed upon. As discussion progressed, council requested Chief Bowker's recommendation. Chief Bowker commented he would like to see the position filled by one of the officers from the layoff from the County, as the training costs would be avoided. Additionally, he noted that he has held off on furlough days for the month of March awaiting the outcome of this discussion, as it would not be cost effective to pay overtime to cover shifts for furlough days. Mr. Naffah's suggestion was to fill the position and keep the furloughs in place. Mayor Bellah suggested that the timing puts the City in a unique position with the layoff of Jackson County officers and suggested taking advantage of the opportunity to hire an officer without having the additional training costs involved. Further discussion followed. **MOVED BY SOPHIE, SECONDED BY C. BARTELL, TO ALLOW THE POLICE CHIEF TO ENTER INTO NEGOTIATIONS TO FILL THE OPEN POSITION OF A POLICE OFFICER AND TO MAINTAIN THE FURLOUGH DAYS.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Helfrich, Sophie, C. Bartell, and Jones
MOTION APPROVED WITH FOUR AYES

Council directed Mr. Naffah to follow up with his suggestion of postponing a furlough day for some of the officers, so as to avoid paying overtime to cover shifts while the Police Department is under staffed.

EXTENSION OF MEETING:

MOVED BY SOPHIE, SECONDED BY C. BARTELL, TO EXTEND THE MEETING UNTIL 9:30 P.M. There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Helfrich, Sophie, C. Bartell, and Jones

MOTION APPROVED WITH FOUR AYES

- 3) Business License Language Additions and Revisions. Attorney Knudsen gave a staff report highlighting the information he supplied in the agenda bill for this item. Additionally, council suggested further changes to the ordinance. As discussion followed, Council's consensus was to direct staff to submit a complete draft with all of the changes as discussed at the following meeting. In addition, Mayor Bellah suggested holding a discussion regarding areas where the business license is not being enforced as it should be.

MAYOR AND COUNCILOR'S REPORTS AND COMMENTS:

- 1) Mayor Bellah distributed a draft copy of a newsletter he constructed for the citizens in Phoenix. Further discussion followed regarding the most cost effective manner to send this out to the citizens, as attaching it to the water bill will not reach all of the residents in the City. Council's consensus was to send the letter out as drafted.
- 2) Mayor Bellah announced he will be available at City Hall on Tuesdays and Thursdays to hear citizen's concerns and ideas. In addition, he has added an extension at City Hall to have a voicemail for the community members to reach Mayor Bellah. Further discussion followed.
- 3) Mayor Bellah discussed the MPO meeting he attended the prior week and described some projects that were proposed at surrounding cities. He added that with the strategic planning, he hopes to propose ideas for funding assistance for projects for Phoenix.
- 4) Mayor Bellah announced he will attend the Mayor's Breakfast for Access.
- 5) Mayor Bellah announced he has contacted the Mayor of Talent to hold the Mayor Contest for students to be hosted by Talent this year.
- 6) Councilor Helfrich had nothing to report.
- 7) Councilor Sophie reported that he attended a Highway 99 Corridor Study meeting and spoke about Rose Street regarding traffic flow.

EXTENSION OF MEETING:

MOVED BY SOPHIE, SECONDED BY JONES, TO EXTEND THE MEETING UNTIL 10:00 P.M. There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Sophie, C. Bartell, Jones, and Helfrich

MOTION APPROVED WITH FOUR AYES

MAYOR AND COUNCILOR'S REPORTS AND COMMENTS (continued):

- 8) Councilor Jones announced Urban Renewal will be holding an Open House on both Thursday and Saturday.
- 9) Councilor Jones announced the green bag project picked up 2800 lbs in food donations in February.
- 10) Councilor C. Bartell announced she was planning to attend the upcoming school board meeting to represent council.
- 11) Councilor C. Bartell inquired about expanding the property line for the Community Garden. Further discussion followed.
- 12) Councilor C. Bartell reported Councilor S. Bartell suffered a mild heart attack recently; however, he is recovering very well and she gave a brief update on his status.

The meeting adjourned at 9:37 p.m.

Respectfully submitted,

Attest:

Janette Boothe
Deputy City Recorder

Eli Naffah
City Manager/Recorder