

**City of Phoenix
City Council Meeting
Public Works Office
1000 S. "B" Street
Monday, March 18, 2013**

CALL TO ORDER

Mayor Jeff Bellah called the regular meeting of the City Council to order on Monday, March 18, 2013 at 6:30 p.m. in the Public Works Office.

ROLL CALL

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

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:

- 1) Phoenix High School FFA Team GMO Presentation. Rachel Kostman, the FFA Program teacher, introduced the Agriculture Issues team that will be presenting at the State finals. The team put on a fifteen-minute skit presenting both sides of the issue. The skit was followed up by questions from the Council and the audience.

NEW BUSINESS:

Mayor Bellah announced he was moving the following two items up before the second presentation.

- 1) Reappointment of Nancy Peterson to the Parks and Greenway Commission. Mayor Bellah commented that this is housekeeping item that was missed and with council's approval he will reappoint.
- 2) Appoint Laura Bellah and Biron Carithers to the Parks and Greenway Commission. Mayor Bellah called for consent from the council. All five members of the Council voted in favor of the reappointment of Nancy Peterson and the addition of Laurah Bellah and Biron Carithers.

PRESENTATIONS (continued):

- 2) RVCOG Annual Review, Presented by Mike Cavallaro. Mike Cavallaro briefly described the background of RVCOG and reviewed the Program and Financial Update handout, highlighting issues that may be of particular interest to Phoenix. He further detailed the RVCOG programs, as he took questions.

CONSENT CALENDAR:

- 1) Approval of the Minutes of the February 19, 2013 Regular City Council Meeting.
- 2) Approval of the Minutes of the March 4, 2013 Regular City Council Meeting.
- 3) Appoint Terry Helfrich to Urban Renewal. Mayor Bellah removed item three for possible discussion. **MOVED BY SOPHIE, SECONDED BY JONES, TO APPROVE THE MINUTES AS PUBLISHED.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH FIVE AYES

Mayor Bellah announced he had nominated Terry Helfrich to be appointed to Urban Renewal. Further discussion followed. **MOVED BY SOPHIE, SECONDED BY JONES, TO APPOINT TERRY HELFRICH TO URBAN RENEWAL.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH FIVE AYES

Mayor Bellah requested a volunteer from the Council to attend the Medford Water Commission meetings. He asked to be contacted by email for this position. Additionally, Councilor S. Bartell expressed the importance of regular attendance from council at these meetings. Further discussion followed.

STAFF REPORTS:

- 1) City Attorney's Report:
 - a) Attorney Knudsen expressed he has no further updates on the pending litigation cases. Further discussion followed, as Attorney Knudsen briefed council on the current status of each.
- 2) City Engineer's Report:
 - a) Mr. Ballard expressed the City is entertaining the possibility of contracting out the landscaping required at Blue Heron Park, due to staffing constraints. He further expressed that the City is currently researching estimates for this project. Additional discussion followed.
 - b) He explained the valve cleaning project is underway and being performed efficiently.
 - c) He outlined a brief update on the repairs that need to be performed on S. Phoenix Road.

- d) He reported there have been some issues with the TAP production. Further discussion followed, as Mr. Ballard expressed he would have further details shortly.
- e) Mr. Ballard updated council on the water conservation project. Further discussion followed, as the cause for water loss was debated.

Council's discussion turned towards the Fern Valley Interchange project and contacting ODOT regarding the construction process. As discussion progressed, Mr. Ballard suggested contacting ODOT before the construction process goes any further to resolve some of the concerns.

3) Finance Director's Report:

- a) Mr. Weber expressed he had nothing to report. Mayor Bellah inquired about the status of the motel that has taxes in arrears. Further discussion followed.

4) Planner's Report:

- a) Mr. Schulze reported he has inquired about an estimate for the cost of the Carlos DeBritto sign for the band shell at Blue Heron Park.
- b) He gave an update on the Greater Bear Creek Plan status in the approval process.
- c) He reported he spoke with the State's Park and Recreation Department regarding the Steadman House. Additionally, Mr. Schulze stated he provided council's decision and the Planning Commission's recommendation to the owners of the property and to the Southern Oregon Historical Society. He further reported he planned to follow up with a phone call or email to the owners, as he is unaware of whether the owners have received this information.
- d) He reported he and Mr. Naffah met with Mike Montero regarding the Industrial Lands property on the west side of the rail road tracks, as the agreement for this land will reach a deadline in August of the current year concerning its use. Further discussion followed.

5) Police Department's/Public Safety Report:

- a) Chief Bowker reported there is an amended staff report regarding overtime in the agenda packets, as it was later discovered the overtime projections were incorrectly stated.
- b) He reported Officer J. Bailey has been approved for 8 hours of light duty daily.
- c) He briefly updated council on the hiring process for the replacement of Officer T. Bailey's position that recently became available; however, he just received a message from T. Bailey requesting to be reinstated in his position. Further discussion followed, as council approved staff's decision regarding this position.

6) City Manager's Report:

- a) Mr. Naffah announced the Intergovernmental Agreement between the Phoenix/Talent School District has been signed regarding the collection of the construction excise tax the school district will receive.
- b) He reminded everyone of the Statement of Economic Interest form requirement.
- c) He announced a regional meeting will be hosted by the League of Oregon Cities in Grants Pass, on April 4, 2013 at 12:00 p.m.
- d) He announced Earthquake Training will be held Saturday April 13, 2013.

- e) He inquired about a date available for meeting with Urban Renewal, regarding extending the boundary for Urban Renewal. Councilor Jones suggested adding this meeting to an upcoming regularly scheduled Urban Renewal meeting.
- f) Mr. Naffah commented he sent out an email to council regarding the local Oregon capital assistance program, as there are grant opportunities available.

CITIZEN'S COMMENTS:

Mike Stitt, Phoenix, came forward to express he, along with David Lewin, represents Phoenix at the MPO meetings. He further went onto update the Council the current topics of discussion. Additional discussion followed.

EXTENSION OF MEETING:

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

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH FIVE AYES

NEW BUSINESS:

- 3) Bond Refunding Resolution. Mr. Weber explained the purpose of the resolution is to begin the bond refunding process that council approved in the prior month. **MOVED BY SOPHIE, SECONDED BY JONES, AUTHORIZING THE ISSUANCE AND NEGOTIATED SALE OF FULL FAITH AND CREDIT OBLIGATIONS TO REFUND THE CITY'S WATER REVENUE BOND PHASE 1, SERIES 2000 AND WATER REVENUE BOND PHASE 2, SERIES 2000; DESIGNATING AN AUTHORIZED REPRESENTATIVE, ESCROW AGENT, SPECIAL COUNSEL, AND UNDERWRITER; AUTHORIZING THE EXECUTION AND DELIVERY OF A FINANCING AGREEMENT, ESCROW AGREEMENT AND ESCROW DEPOSIT AGREEMENT; AND RELATED MATTERS.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH FIVE AYES

- 4) Appointment of Council Member. Mayor Bellah expressed council interviewed Al Muelhoefer for this position at a prior meeting, as he had a prior engagement for the regularly scheduled council meeting and the only other applicant for this position was Chris Luz. He requested Mr. Luz come forward to express his interest in the position.

Chris Luz expressed his reasons for applying and noted his experience on the different committees in the City.

Councilor C. Bartell noted she appreciates Chris is willing to go door to door to gain insight on the public's point of view on specific topics. Further discussion followed.

Mayor Bellah called for a vote:

Councilor C. Bartell: Chris Luz
Councilor Jones: Chris Luz
Councilor Helfrich: Chris Luz
Councilor S. Bartell: Chris Luz
Councilor Sophie: Chris Luz

Mayor Bellah announced he would contact Mr. Muelhoefer with council's decision and invite him to be a part of Urban Renewal, as several councilors made the suggestion that they would like see him involved with the City.

ORDINANCES:

Modifications to Business License Ordinance. Attorney Knudsen expressed he prepared this ordinance due to the discussions he had with Mr. Schulze, regarding the updating of some of the language to meet the City's current needs. Further discussion followed. **MOVED BY SOPHIE, SECONDED BY C. BARTELL, TO MODIFY THE CITY'S BUSINESS LICENSE ORDINANCE.** Councilor Helfrich inquired about whether the requirement for a home occupation permit includes a business license or if the business license is separate. Further discussion followed, as Councilor Sophie described the differentiation of each. As discussion progressed, council debated what qualifies for the requirement of a home occupation permit.

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, S. Bartell and Helfrich
MOTION APPROVED WITH FIVE AYES

Further discussion followed, as Council requested staff research the issue further for clarification on home occupation permits to provide consistency. Discussion moved towards enforcing the business license requirements. Mayor Bellah called for the vote.

ROLL CALL VOTE AS FOLLOWS:

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

NEW BUSINESS (continued):

5) Appointment Process for Committees and Commissions. Mayor Bellah expressed that a question came up regarding the Mayor's role in appointing an individual to a committee. For clarification purposes he felt it was necessary to bring before council. Further discussion followed, as Mayor Bellah expressed he would like to see consistency as well. Mayor Bellah suggested the Mayor nominate an individual and bring before council for consent. Further discussion followed.

COUNCIL ITEMS, INCLUDING MAYOR’S COMMENTS/REPORTS:

- 1) Councilor C. Bartell announced the Parks Commission has discussed holding a bike day on May 4, 2013. She will have more information later.
- 2) Councilor C. Bartell announced the Parks Commission is planning a cleanup day at Colver Park on June 1, 2013.
- 3) Councilor C. Bartell commented the Community Garden is looking to expand and they are scheduled to discuss this at the Parks Commission on April 9, 2013.
- 4) Mayor Bellah announced next Tuesday night is the study session scheduled for the results of the water rate study performed by RosAnna Noval of RCAC at the high school.

Respectfully submitted,

Attest:

Janette Boothe
Deputy City Recorder

Eli Naffah
City Manager/Recorder