

**City of Phoenix
City Council Meeting
Public Works Office
1000 S. “B” Street
Tuesday, September 3, 2013**

CALL TO ORDER

Mayor Jeff Bellah called the regular meeting of the City Council to order on Monday, September 3, 2013 at 6:00 p.m. in the Public Works Office.

ROLL CALL

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

Staff Present: Steve Dahl, City Manager/Recorder
Steve Weber, Finance Director
Jeff Ballard, City Engineer
Kurt Knudsen, City Attorney

PLEDGE OF ALLEGIANCE

PRESENTATIONS:

Rob Sullivan, reviewed the guidelines regarding decisions made through the Urban Renewal Agency, as he went over the answers for questions members of the Council had prepared and sent him, prior to the presentation. Mr. Sullivan took questions from Council as he presented information he gathered regarding the Urban Renewal agency and its board. As discussion progressed, he discussed constructing a city center plan that is flexible, so that Urban Renewal has room to accomplish the plan with room for slight changes, without coming before council. He further explained Council has the authority to appoint members to the Urban Renewal Board, and the Council additionally has the authority to replace the board, by taking over the Board and removing the members through a nonemergency ordinance. He warned that replacing the members of the board comes with its own challenges as well. He gave examples of how the different Urban Renewal agencies were set up throughout Oregon.

As discussion progressed, he explained the City’s Urban Renewal Agency is set up with the requirement of Council’s approval to make real property acquisitions; however, the Urban Renewal Agency is autonomous in many ways and does not need to seek approval for many of the actions Urban Renewal will need to take to complete the City Center Plan. He added that this practice is very common, as real property acquisition is controversial, and because it is controversial, the tax payers prefer the elected officials make those acquisition decisions, rather than an appointed private Board making these decisions. He added, all other decisions fall under

the Urban Renewal Board's authority. Further discussion followed, as Mr. Sullivan explained the process of borrowing funds for Urban Renewal projects.

As Mr. Sullivan reviewed the research he gathered, the discussion moved towards the possible Urban Renewal agency involvement in the cost of constructing a new City Hall or improving an existing City Hall. Mr. Sullivan explained that the Urban Renewal agency has to meet the legal requirement of being able to explain how the public building serves the Urban Renewal requirements. He added that he is unaware of a specific percentage regarding how much of the cost of the project can be funded by Urban Renewal. Further discussion followed, as the Mayor asked questions prepared by members in the audience. Discussion turned towards financing projects and the time frame for completing Urban Renewal projects.

As questions came up regarding whether to revise the Urban Renewal City Center Plan to include residential area, as Urban Renewal has lost part of the land in the district, due to the Fern Valley Interchange Project, Mr. Sullivan advised creating a separate plan for areas outside the City Center. To summarize, Mr. Sullivan added that he felt Marla Cates knows what she is doing, and the major issue at this point seems to be a disconnect in the communication between City Council and Urban Renewal.

Mayor Bellah called for a 5-minute recess.

CONSENT CALENDAR:

- 1) Approval of the Minutes of the August 19, 2013 Regular City Council Meeting. Councilor Helfrich asked for clarification on some statements in the minutes. **MOVED BY S. BARTELL, SECONDED BY JONES, TO APPROVE THE CONSENT CALENDAR.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Sophie, C. Bartell, Jones, S. Bartell, Chris Luz, and Helfrich
MOTION APPROVED WITH SIX AYES

CITIZEN'S COMMENTS:

- 1) Jody Fleming, Phoenix came forward seeking support for keeping the Phoenix Library open and commented on the facilities uses for the public, as there will be a measure on the ballot regarding funding for libraries in Jackson County.
- 2) Diana Nelson, Phoenix came forward to discuss the past discussions regarding the property at 2nd and Main that Urban Renewal was attempting to purchase and requesting that Council reconsider the purchase of the property by Urban Renewal for the purpose that Urban Renewal has suggested.
- 3) Andrea Adams, Talent, owner of property at 310 N Main St, Executive Director of The Greenery, explained she is a Medical Cannabis Advocate. She further explained she purchased the property, as she is interested in this community. She further went on to explain the recent legislation that has passed regarding medical marijuana distribution. She added that she would like to begin a safe, licensed facility to distribute medicine to registered patient cardholders at The Greenery at 310 N Main Street.

- 4) Melanie Barniskis, Phoenix, expressed she is a medical marijuana patient and she would like to see The Greenery operate with a business license as a medical marijuana dispensary in the City of Phoenix to allow those in Jackson County to have safe, local access to the medicine that has been to described to them.

NEW BUSINESS:

- 1) Request for Waiver of Variance Fee – 115 S. “C” Street. Mr. Dahl explained the reasons for the request and noted the special circumstances pertaining to the property. **MOVED BY SOPHIE, SECONDED BY C.BARTELL**, TO ADOPT RESOLUTION NO. 874 TO WAIVE THE APPLICATION FEE FOR A TYPE III VARIANCE IN CONJUNCTION WITH THE APPLICATION FOR CONDITIONAL USE PERMIT FILE NO. CUP13-02, EXCEPT THAT APPLICANT SHALL PAY THE COST FOR CITY STAFF TO PREPARE AND MAIL PUBLIC RE-NOTIFICATION.

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH SIX AYES

QUESTIONS FOR STAFF:

- 1) City Attorney’s Report:
 - a) Attorney Knudsen commented he is still working on resetting the hearing regarding the La-Z-Boy case. Further discussion followed.
 - b) He added there is no new information regarding the RVS case.
- 2) City Manager’s Report:
 - a) Mr. Dahl announced he plans to continue with the weekly updates from staff in the same format he has been preparing.
 - b) Mr. Dahl announced the individual chosen to fill the position of Public Works Superintendent came earlier in the day to meet staff and go over more details of the position. He added that once a contract agreement is reached, he will be set to begin the beginning of October.
 - c) He announced he hired Samantha Carter in a fulltime position as the Utility Clerk, as he reviewed the staff reports for the week.
 - d) He commented he has been discussing working together on long-term planning issues with RVCOG.
 - e) Mayor Bellah requested Chief Bowker’s report include the number of calls to outside the city limits.
 - f) Councilor S. Bartell commented on the cost for the City to put up an infrastructure at PH-5 and possibly working with Urban Renewal regarding this area. Further discussion followed.

MAYOR’S COMMENTS:

- 1) Mayor Bellah announced ACCESS is hosting their annual fundraising dinner soon.

- 2) He announced Annegret Topel resigned from the Water Commission and requested Mr. Dahl attend the next meeting to inform them that they need to have a new Chair and remind them of their deadline for their recommendation to council regarding the water rates.

EXTENSION OF MEETING:

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

ALL IN FAVOR

NEW BUSINESS (CONTINUED):

- 2) Phoenix City Council Tracking Log. Mr. Dahl reviewed the log item-by-item with Council, as Council made suggestions and updates to the log. During review, Council requested quarterly revenue and expense reports. As discussion progressed, Council requested staff prepare something for the planning commission to recommend to the Council regarding downtown parking.

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, Chris Luz, and Helfrich

MOTION APPROVED WITH SIX AYES

COUNCIL ITEMS, COMMENTS/REPORTS:

- 1) Councilor S. Bartell inquired whether there was anything new regarding the Steadman House. Councilor Jones replied there was not.
- 2) Councilor Jones gave an update on the food pantry and requested volunteers to help with the delivery of food from the grant purchase of food from Ray's market.
- 3) Councilor Jones proposed the idea of the City working towards cleaning up the City by way of assisting with elderly community members with their yards and cleaning up the blighted homes in the City during the month of October 2014.
- 4) Councilor Sophie gave an update on the Chamber activities.
- 5) Councilor Luz noted that the Water Commission should have a recommendation for the Council by the end of the month.
- 6) Councilor Helfrich mentioned an update on Urban Renewal regarding the facade rehab grant.
- 7) Councilor Helfrich noted that there is a business interested in the sign grant program.
- 8) Councilor Helfrich gave additional updates on the City Center Plan.
- 9) Councilor Jones mentioned the Public Works Superintendent is retiring from Talent and she was interested in whether the City wanted to revisit the idea of a shared superintendent for

both cities. Mr. Dahl responded that the subject did come up; however, it is not something the City will pursue at this time.

- 10) Mayor Bellah proposed holding a study session the following week to go over what was discussed at the meeting in Talent and the information given during the meeting with Rob Sullivan earlier in the meeting to figure out how to move forward with Urban Renewal. Council's consensus was to meet at 6:00 p.m., Thursday, September 12, 2013.

Respectfully submitted,

Attest:

Janette Boothe
Deputy City Recorder

Steve Dahl
City Manager/Recorder