

**City of Phoenix  
City Council Meeting  
Public Works Office  
1000 S. "B" Street  
Monday, June 16, 2014**

**CALL TO ORDER**

Mayor Jeff Bellah called the regular meeting of the City Council to order on Monday, June 16, 2014 at 6:30 p.m. in the Public Works Office.

**ROLL CALL**

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

**ABSENT:** Bruce Sophie

**Staff Present:** Steve Dahl, City Manager/Recorder  
Janette Boothe, Deputy City Recorder  
Derek Bowker, Chief of Police  
Steve Weber, Finance Director  
Kevin Caldwell, Public Works Superintendent  
J. Ryan Kirchoff, City Attorney

**PLEDGE OF ALLEGIANCE**

**SWEARING IN OF NEW POLICE OFFICER AND VOLUNTEER OFFICERS:**

Chief Bowker announced there are three new reserve officers for the City. Following a brief introduction, he requested Terry Koch, David Miles, and Justin Hall. Chief Bowker explained these new graduates of the reserve program chose to volunteer for the City of Phoenix. Chief Bowker performed the swearing in of the three appointed reserve police officers. Following the swearing in ceremony, Chief Bowker announced he believes the City of Phoenix has the most successful reserve program in the valley and expressed his gratitude for the service of the newly appointed volunteer officers.

Chief Bowker introduced Officer Josh Kell as the newly hired police officer for the City. Following the brief introduction and a glowing review of his performance as a volunteer for the City, Officer Kell was sworn in as a police officer.

**APPOINTMENT OF TWO MEMBERS TO THE PARKS COMMISSION:**

Mayor Bellah requested Dempsey Haller to come forward to introduce himself and explain his interest in the Parks Commission. Mr. Haller gave a brief explanation of his background and his reasons for applying.

Mayor Bellah requested Pam Cooper to come forward for her introduction. Following a brief description of herself and her interests, Mayor Bellah inquired whether Council had any questions. There were no further questions. **MOVED BY JONES, SECONDED BY C. BARTELL, TO APPOINT DEMPSEY HALLER AND PAM COOPER TO THE PARKS COMMISSION.** Council concurred, as Mayor Bellah announced their appointment.

**UPDATE BY URBAN RENEWAL DIRECTOR AND PRESENTATION OF PLAQUE:**

Marla Cates came before Council to give an update and answer questions submitted prior to the meeting by the Council (on file). Ms. Cates explained the dates are set for the upcoming Market Hall Studies meetings as follows: July 30, 2014 and tentatively, August 20, 2014. She further explained there is not a written report for Study C; however, the entire report with steps A through D will be issued at least one week prior to the July 30, 2014 meeting.

She further addressed questions regarding potential developers for the Market Hall, as she explained she has met with two developers and plans to meet with another shortly; however, she explained she views them as mentors at this point, allowing their interest to grow with further discussions, rather than asking them to say yes or no to the project. She added there would be a brief generalized summary of these discussions at the July meeting.

Additionally, she addressed the questions regarding the Furry House, as she explained she views the Furry House as a possibility for being relocated to Urban Renewal land next to The Dive Shop on Main Street as a potential, temporary Urban Renewal office and possibly a small barista type coffee house on the ground floor, with commercial office spaces above. She further explained the Market Hall Project identifies that site as a good place for a commercial building and this would be an extremely cost effective alternative to constructing a new building. Additionally, she noted that this a private project for Urban Renewal.

Finally, she updated Council on the search for a new director and took final questions.

Mayor Bellah presented her a plaque in recognition of her service as the Urban Renewal Director since 2009.

**PRESENTATIONS:**

- 1) Ford Family Leadership Cohort 3 Project. Lyla Heigl gave a brief background and described the project chosen for the City. She identified the project as free libraries to be placed on three public sites within the City and explained the Ford Family Leadership program is seeking Council approval for these sites. She further detailed these libraries as a space designed to allow for people to take a book and leave a book. She explained these libraries are permanent stations, as Dempsey Haller gave the specifications for the design, as he is the one constructing them. Council's consensus was to support the project for public sites.
- 2) Larry Masterson, Earthquake Preparedness. *(Needs to be rescheduled)* Mayor Bellah announced that Councilor Jones attended a meeting related to this topic and asked her to share the information she learned. Councilor Jones expressed she attended a meeting put on by FEMA and the Emergency Management Department in Medford. She explained she is hoping to gather interest to participate in the Great American Shake Out, the world's largest

earthquake drill, on October 16, 2014 at 10:16 a.m. Additionally, she displayed the contents of an earthquake kit inside of a five gallon bucket. She went on to describe how people would be impacted by a large earthquake and explained the resources for education on how to prepare for an earthquake. Further discussion followed.

**CONSENT CALENDAR:**

- 1) Approval of the Minutes of the June 2, 2014 City Council Meeting. Councilor Jones noted a typographical error. **MOVED BY JONES, SECONDED BY C. BARTELL, TO APPROVE THE MINUTES AS CORRECTED.** There was no further discussion.

**ROLL CALL VOTE AS FOLLOWS:**

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

**PUBLIC HEARING:**

- 1) Resolution Declaring the City's Election to Receive State Shared Revenues. Mayor Bellah declared the public hearing. Mr. Weber explained the requirements to receive state shared revenue.

Mayor Bellah opened the Public Hearing at 7:16 p.m.

**THOSE IN FAVOR OF THE RESOLUTION:**

No one spoke in favor of the Resolution.

**THOSE IN OPPOSITION TO RESOLUTION:**

No one spoke in opposition to the Resolution.

Mayor Bellah closed the public hearing at 7:16 p.m.

**MOVED BY JONES, SECONDED BY LUZ, TO ADOPT RESOLUTION NO. 894, DECLARING THE CITY'S ELECTION TO RECEIVE STATE SHARED REVENUES.**  
There was no further discussion.

**ROLL CALL VOTE AS FOLLOWS:**

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

- 2) Resolution Adopting the FY 2014/15 Budget. Mayor Bellah declared the public hearing. Mr. Weber explained the differences in format for the resolution and the notice in the Mail Tribune. Additionally, he expressed the Budget Committee approved the proposed budget on May 20, 2014. Further discussion followed.

Mayor Bellah opened the Public Hearing at 7:20 p.m.

**THOSE IN FAVOR OF THE FY 2014/15 BUDGET:**

No one spoke in favor of the FY 2014/15 Budget.

**THOSE IN OPPOSITION TO THE FY 2014/15 BUDGET:**

No one spoke in opposition to the FY 2014/15 Budget.

Mayor Bellah closed the public hearing at 7:20 p.m.

Councilor Jones inquired about the Intertie Debt Reserve fund. Mr. Weber explained this fund does not have any appropriations for the year. **MOVED BY JONES, SECONDED BY LUZ, TO ADOPT RESOLUTION NO. 895, ADOPTING THE BUDGET, MAKING APPROPRIATIONS AND AUTHORIZING FUND TRANSFERS AND LEVYING AND CATEGORIZING TAXES FOR FISCAL YEAR 2014/15 FOR THE CITY OF PHOENIX.** There was no further discussion.

**ROLL CALL VOTE AS FOLLOWS:**

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

**NEW BUSINESS:**

- 1) Resolution Certifying that the City of Phoenix Provides Four or More Municipal Services. Mayor Bellah described this resolution as more of a housekeeping item. Mr. Weber added that this item is an additional requirement to receive state shared revenue. **MOVED BY LUZ, SECONDED BY S. BARTELL, TO ADOPT RESOLUTION NO. 896, CERTIFYING THAT THE CITY OF PHOENIX PROVIDES FOUR OR MORE MUNICIPAL SERVICES.** There was no further discussion.

**ROLL CALL VOTE AS FOLLOWS:**

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

- 2) Resolution Authorizing the Transfer of Appropriations to Prevent Over-Expenditure of Appropriations for FY 2013/14. Mr. Weber explained as certain issues come up over the year within certain departments, some may cause over-expenditure if there is not a transfer of appropriations. He cited specifically one of the items of note was the significant increase in building activity in the fiscal year and as a result, the building inspector had more work than anticipated; however, he added the revenue from the increase outweighed the expenditure for the building department. Additionally, he noted approximately \$7,700 is required from contingency in the General fund to avoid over-expenditures. **MOVED BY S. BARTELL, SECONDED BY JONES, TO ADOPT RESOLUTION NO. 897, AUTHORIZING THE TRANSFER OF APPROPRIATIONS TO PREVENT OVER-EXPENDITURE OF APPROPRIATIONS FOR FISCAL YEAR 2014/15.** There was no further discussion.

**ROLL CALL VOTE AS FOLLOWS:**

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

Mr. Dahl commended Mr. Weber on his work with the budget.

- 3) Resolution Amending the Traffic Citation Administrative Fee. Chief Bowker expressed he conducted a survey sent out to Police Chiefs in Oregon that have municipal courts and found that Phoenix has the lowest administrative fee. He further expressed that this additional revenue would allow the purchase of new and improved enforcement equipment. Further discussion followed. **MOVED BY JONES, SECONDED BY C. BARTELL**, TO ADOPT RESOLUTION NO. 898, TO INCREASE THE TRAFFIC CITATION ADMINISTRATIVE FEE FROM THE CURRENT \$5.00 TO \$25.00. There was no further discussion.

**ROLL CALL VOTE AS FOLLOWS:**

**Ayes: C. Bartell, Jones, S. Bartell, Luz, and Helfrich**

**MOTION APPROVED WITH FIVE AYES**

- 4) Resolution Approving ODOT Grant Application. Mr. Caldwell explained the process for the grant application and the need for this grant. He further explained the area of West 1<sup>st</sup> Street determined for this grant was designated resulting from discussions with the City Engineer and City Manager. Further discussion followed. **MOVED BY JONES, SECONDED BY HELFRICH**, TO ADOPT RESOLUTION NO. 899, APPROVING THE CITY MANAGER TO SIGN THE SMALL CITIES ALLOTMENT GRANT. There was no further discussion.

**ROLL CALL VOTE AS FOLLOWS:**

**Ayes: C. Bartell, Jones, S. Bartell, Luz, and Helfrich**

**MOTION APPROVED WITH FIVE AYES**

Mayor Bellah recessed the meeting at 7:42 p.m. for a five minute break.

**STAFF REPORTS:**

1) City Attorney's Report:

- a) Attorney Kirchoff had nothing to report. Mayor Bellah requested Attorney Kirchoff to describe a preliminary injunction and what is involved for the permanent injunction to take effect on the business in violation of the moratorium on medical marijuana facilities. Attorney Kirchoff explained a temporary injunction has been granted and is applicable and enforceable until the hearing on the permanent injunction. Mayor Bellah further remarked on the judge's comment regarding federal law enforcement by the City. Further discussion followed.

2) City Manager's Report:

- a) Mr. Dahl addressed the list of steps set forth in the current moratorium in effect. He noted staff is in the process of developing an ordinance for City Council to review. He further noted staff is continuing to review the current municipal code on an ongoing basis. Additionally, he discussed the process and deadlines for a citizen vote on the ballot. He further suggested developing a committee to design the question for the voters. He added that he was unable to address all of the necessary steps completely in the timeframe allotted in the moratorium; however, staff is focused on continuing to complete everything in a timely manner.
- b) He addressed a petition the City received for an initiative involving medical marijuana facilities. He noted the petition failed to meet the proper constitutional requirements and

he responded to the petition by notifying the chief petitioners of the determination. Attorney Kirchoff explained some of the reasons that resulted in the decision that the initiative did not comply. Further discussion followed.

- c) He invited Matt Brinkley to come before Council to introduce himself as the new Planning Director. Mr. Brinkley described his background and took questions from Council.

**COUNCIL ITEMS, COMMENTS/REPORTS:**

- 1) Councilor S. Bartell made a suggestion regarding the format of the agenda bill for public testimony. He followed up with commenting on his appreciation for the tone of the meeting.
- 2) Councilor C. Bartell announced the upcoming park event to be held on Saturday, July 26, 2014 at Colver Park from 10 to 12 p.m. Additionally, she commented on the potential idea for a parade for this year. Further discussion followed, regarding possible routes for the parade.
- 3) Councilor Jones requested everyone to link their Fred Meyer rewards card to the First Presbyterian Church, so that every time the rewards card is used, the nonprofit is benefited.
- 4) Councilor Jones commented she spoke with someone who turns in all of her volunteer hours to RVCOG. She suggested everyone track their volunteer hours, as RVCOG sends this information to the State to receive funding.
- 5) Councilor Jones commented approximately 3100 pounds of food were picked up on Saturday for the Green Bag program.
- 6) Councilor Luz announced the Water Commission meets next week. He added the commission needs volunteers, as there are four vacant positions.
- 7) Mayor Bellah requested Council consider how to receive more funds for the parks. He offered a suggestion of funding park improvements through the water bills. He added that it may be possible to reduce the water rates by \$2.00, and add a \$2.00 park fee on to the water bills. He further mentioned the City needs to be thinking about improvements, rather than simply maintenance.

**UNFINISHED BUSINESS:**

Discussion of City Council Rules of Procedure. Mayor Bellah suggested potentially constructing some posters to display to maintain decorum to follow for both the Council and citizens at the meetings. Further discussion followed, as Mayor Bellah suggested holding a study session for this topic. Mr. Dahl recommended the third or fourth week of July. Additional discussion followed.

The meeting adjourned at 8:47 p.m.

Respectfully submitted,

Attest:

Janette Boothe  
Deputy City Recorder

Steve Dahl  
City Manager/Recorder