

**City of Phoenix
Special City Council Meeting
Public Works Office
1000 S. “B” Street
Tuesday, September 23, 2014**

CALL TO ORDER

Mayor Jeff Bellah called the special meeting of the City Council to order on Tuesday, September 23, 2014 at 6:30 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
Kevin Caldwell, Public Works Superintendent
Matt Brinkley, Planning Director
J. Ryan Kirchoff, City Attorney
Jeff Ballard, City Engineer

PLEDGE OF ALLEGIANCE

MAYOR’S COMMENTS:

Mayor Bellah commented on the Veggie Jam held at the Blue Heron Park on September 20, 2014.

PROCLAMATIONS:

Mayors United to Help Fight Hunger Proclamation. Mayor Bellah read a proclamation declaring October 2014, as Mayors United to Help Fight Hunger Month. He presented a framed proclamation to Pam Slater from ACCESS and requested she explain the event being held by ACCESS to raise funds for assisting in fighting hunger in Jackson County.

ORDINANCES:

Second Reading and Public Hearing on an Ordinance Amending the City of Phoenix Municipal Code by Adding Chapter 3.17 Cannabis Facility Tax. Mayor Bellah noted the Council is undecided regarding whether this tax will be enforced if adopted. He further explained adoption of the ordinance would give the City the ability to impose a tax, should they decide to enforce a tax on these facilities. He further noted this type of ordinance is being adopted in many of the cities in the region. He added the Cannabis Facility Tax ordinance is being adopted in other cities in preparation for the General Election on November 4, 2014, should the vote be in favor of the use of recreational marijuana. Mr. Brinkley commented Ashland decided to adopt an ordinance that would tax only recreational marijuana not medicinal. Further discussion followed regarding the possible incurred expense to inspect the facilities. As discussion continued, Mayor

Bellah inquired whether the tax on medical marijuana if removed from the ordinance at this time, could be revised to include a tax on medical marijuana. Attorney Kirchoff advised that it could be changed at a later date.

As discussion continued regarding whether to remove medicinal marijuana from the ordinance, Councilor C. Bartell inquired whether the ordinance could state that the medicinal marijuana tax is zero percent. Attorney Kirchoff replied the ordinance could be changed in that manner and would provide an avenue for a very slight change to the ordinance as is. Additional discussion continued, as Attorney Kirchoff advised that if all of the references to medicinal marijuana need to be removed, the modified ordinance would require being read out loud at a following meeting. Further discussion followed, as Council's consensus was to continue the second reading of the ordinance on September 29, 2014 with reference to medicinal marijuana removed from the ordinance.

Mayor Bellah announced the Medford Water Commission has agreed to pay \$155,000 for the prior ten years of water charged with an improper meter. Further discussion followed, as he requested a motion to approve the negotiated amount. **MOVED BY JONES, SECONDED BY SOPHIE, TO APPROVE THE NEGOTIATED AGREEMENT WITH MEDFORD WATER COMMISSION CONCERNING AN OVERPAYMENT DUE TO A FAULTY WATER METER.** Councilor Sophie inquired whether a resolution would come before Council at the next regular City Council meeting. Mr. Dahl replied that a resolution regarding this matter would come before Council to accept unanticipated funds. Additional discussion followed.

ROLL CALL VOTE AS FOLLOWS:

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

STAFF REPORTS:

1) City Attorney's Report:

- a) Attorney Kirchoff reported he has no further updates on the legal proceedings regarding The Greenery. Further discussion followed regarding the upcoming vote in the General Election regarding the Charter Amendment.

2) City Manager's Report:

- a) Mr. Dahl briefly updated Council on the damage to the police car involved in an accident on September 19, 2014 was approximately \$2,500. The police officer involved in the accident only missed one day of work for rest and returned to work the following scheduled day.
- b) He reported the injury to the newly hired officer while at the police academy has rendered him to perform light duty for two weeks; however, the injury will not keep him from completing the training at the academy.
- c) He reported the police department is preparing to assist in the upcoming parade, as the City's responsibility is to provide traffic assistance for the parade route.

Council requested an update on the TAP waterline. Jeff Ballard, City Engineer, explained the plan was to replace the meter between Talent and Phoenix on September 16, 2014; however, the meter sent was the incorrect size and style. He further noted it was discovered the bypass around the meter has been open, which may be part of the reason water usage in Talent has been recorded improperly. He further reported he expects to have a date of arrival for the new meter very soon. Further discussion followed regarding the TAP waterline and how it operates. As discussion progressed, Mayor Bellah commented he feels the City should prepare a letter addressing the issue of the water loss to the Mayor and Council of the City of Talent.

NEW BUSINESS:

Discussion of the City of Phoenix Capital Improvement Plan FY 2013/14 – 2017/18. Both the City Engineer and Public Works Superintendent presented the capital improvement projects planned for over a four year span. They noted the goal of the presentation was to request Council's assistance in prioritizing the projects. Staff reviewed several projects planned for the upcoming years.

During discussion, Council suggested rescheduling some of the projects to coincide with Urban Renewal projects. As discussion progressed, Council inquired about the chip seal work that was proposed for the fiscal year. Staff reassured Council the chip seal work is scheduled to be completed before the end of the fiscal year. Additionally, Council inquired about sidewalk placement in the downtown area, specifically on Coral Circle.

EXTENSION OF MEETING:

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

ROLL CALL VOTE AS FOLLOWS:

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

Additional discussion followed, as Mayor Bellah confirmed Council would like periodic updates from the City Engineer on the projects scheduled in the fiscal year. Mr. Dahl expressed he would work with staff to provide regular updates to Council.

COUNCIL ITEMS, COMMENTS/REPORTS:

- 1) Councilor C. Bartell announced Joyce Paxson donated \$1,000 to the City's Parks Department. She further commented on the unveiling ceremony of the plaque in honor of Darrell Paxson.
- 2) Councilor Luz inquired about an update on a Christmas tree to plant. Mr. Caldwell replied he has been working on this project.
- 3) Mayor Bellah suggested inviting prior Council members to be in the upcoming parade. Further discussion followed.

The meeting adjourned at 9:14 p.m.

Respectfully submitted,

Attest:

Janette Boothe
Deputy City Recorder

Steve Dahl
City Manager/Recorder