

City of Phoenix
City Council Executive Session/Meeting
Public Works Office
1000 S. “B” Street
Monday, August 3, 2015

CALL TO ORDER

Mayor Jeff Bellah called the special meeting of the City Council to order on Monday, August 3, 2015 at 6:00 p.m. in the Public Works Office.

ROLL CALL

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

Staff Present: Steve Dahl, City Manager
Ryan Kirchoff, City Attorney

Invited Affiliates: Jim Sharp, PHURA Executive Director

Mayor Bellah convened into executive session at 6:01 p.m. under ORS 192.660 (2)(e), to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Discussion followed and no decisions were made. Mayor Bellah closed the executive session and convened into regular meeting at 6:28 p.m.

CALL TO ORDER

Mayor Jeff Bellah called the regular meeting of the City Council to order on Monday, August 3, 2015 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
Janette Boothe, City Recorder
Derek Bowker, Chief of Police
Steve Weber, Finance Director
Kevin Caldwell, Public Works Superintendent
J. Ryan Kirchoff, City Attorney

PLEDGE OF ALLEGIANCE

UPDATES/REPORTS:

- 1) Phoenix Urban Renewal Agency – Jim Sharp prepared a presentation and distributed handouts regarding the proposed project costs for a five year plan. He reviewed the Phoenix Plaza Internal Road project and referred to the handout, as he took questions from Council. Additionally, he reviewed the South Couplet project. For both projects, he discussed the comparison of the project costs to the 5-year budget. Continued discussion followed.

CONSENT CALENDAR:

- 1) Approval of the Minutes of the July 20, 2015 City Council Meeting.
- 2) Temporary Liquor License for Veggie Jam. Mayor Bellah removed item 2 from the Consent Calendar for discussion. **MOVED BY JONES, SECONDED BY C. BARTELL, TO APPROVE THE MINUTES FROM JULY 20, 2015 CITY COUNCIL MEETING.** 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

Kendra Smith, Veggie Jam representative, came forward to provide an update on the Veggie Jam that will take place at the Blue Heron Park on August 15, 2015. She reported that everything is pretty much the same as the previous year's event. She added that one change would be handling the alcohol versus having a beer garden like last year. She assured Council that the music volume will be lower this year. Additionally, she noted she plans to visit the Bear Lake Estates to inform everyone about the event, to hopefully avoid the confusion that took place in the previous year. She further noted there will be no smoking allowed at the event. She left a copy of the poster and flyers to be placed at City Hall.

UPDATES/REPORTS (continued):

- 2) Water Commission – Jim Snyder came forward to present the Water Commission Report from June 2015. Mr. Snyder reviewed the report and briefly described the research involved with presenting a City of Phoenix Water Bill Hardship Policy and noted the recommendation from the Water Commission is to implement the policy as soon as it is feasible. Further discussion followed as he took questions from Council.

PRESENTATIONS:

Parks and Greenway Commission Recommendations – Councilor C. Bartell summarized the proposed projects suggested by the Parks Commission outlined in a handout she distributed at the Council meeting. The recommendations included Colver Park, by repairing the ball field, adding swings and a dog park. Additionally, parking at Blue Heron Park is considered an essential upgrade and adding a Splash Pad. She distributed a map to show where possible additional parking could be available at Blue Heron Park. Discussion followed, as Mr. Dahl noted that many of these items may be considered with the Parks Master Plan.

NEW BUSINESS:

- 1) Resolution for PHURA Bond Issue – Mr. Weber described the details related to the bond issue and Mr. Sharp addressed any additional questions from Council. Mayor Bellah expressed his apprehension, as the IGA between the City and PHURA had not been completed prior to this resolution. Mr. Weber explained that if there was any reason the Council did not feel comfortable after the IGA is completed, there would be a final step that the Council could choose not to take, before the Bond can be issued. Mr. Dahl and Mr. Sharp agreed that there would not be anything in the IGA that the Council has not already agreed to. **MOVED BY SOHIE, SECONDED BY LUZ, TO ADOPT RESOLUTION NO. 931, AUTHORIZING THE ISSUANCE AND NEGOTIATED SALE OF FULL FAITH AND CREDIT OBLIGATIONS TO FINANCE PROJECTS IN THE CITY’S URBAN RENEWAL AREA; 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: Sophie, C. Bartell, Jones, S. Bartell, Luz, and Helfrich
MOTION APPROVED WITH SIX AYES

Mayor Bellah recessed the meeting for a short break at 7:58 p.m.

CITIZEN’S COMMENTS:

- 1) Don Green, representative from Southern Oregon Community Service Association, came forward to explain he is part of a group that is funding projects to improve parks in Southern Oregon and he brought a check for two thousand dollars to the City of Phoenix.
- 2) Lyla Heigl, Phoenix, expressed her appreciation to the Council for their service to the community.

NEW BUSINESS (continued):

- 2) Resolution on Ballot Title for City Charter Revision. Mayor Bellah highlighted the recommended changes to the City Charter by the Committee. As discussion continued, Councilor Jones suggested avoiding using the term “office” when referencing the position of City Manager and using a different word in its place. Further discussion followed, as Council’s consensus was to leave language as is regarding the City Manager. Councilor Jones noted some other minor corrections. **MOVED BY LUZ, SECONDED BY C. BARTELL, TO APPROVE RESOLUTION NO. 932, CALLING FOR AN ELECTION WITHIN THE CITY REFERRING TO THE VOTERS A MEASURE TO ADOPT A 2015 CITY CHARTER.** 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

- 3) Approval of Crack Seal Contract for Hwy 99. Mr. Caldwell came forward to present the contract and address Council's concerns. He gave a brief outline of the project and took questions from Council.

Councilor C. Bartell mentioned as a side note that the cracks needed to be sealed prior to the chip sealing that was performed on the recent chip seal project. Councilor S. Bartell added that Council explicitly stated that the crack sealing needed to be performed before doing the chip sealing for that project. Mr. Dahl noted the contractor he spoke with was under the impression that the work done prior to chip sealing was sufficient. As discussion continued, Councilor Sophie suggested having an engineer come out and determine the best course of action to proceed to address the oil that has not yet set on the street.

Discussion continued, as Council's attention returned to the Crack Seal project. **MOVED BY S. BARTELL, SECONDED BY SOPHIE, TO APPROVE THE BID OF MUSSER SEALCOAT AND STRIPING FOR THE 2015 PHOENIX CRACK SEAL PROJECT, NOT TO EXCEED \$20,500.** 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

- 4) Discussion on MWC Rate Study. Mayor Bellah briefed Council on the situation and the meeting amongst the surrounding cities that was held prior to the Council meeting attended by him, Mr. Dahl, and Mr. Weber. Mr. Dahl distributed the rough draft letter prepared by Central Point. As Council reviewed the letter, Councilor Luz requested Mr. Dahl forward some information he gathered in support of all of the cities. Mr. Dahl replied he would forward that on the following day.

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

Continued discussion followed regarding the next steps towards proposing some changes to the rate structure suggested in the Medford Water Commission rate study.

- 5) Approval of TAP contract with RVCOG for Accounting Services. Mr. Dahl expressed the reasoning behind outsourcing the accounting services is in part due to adding the City of Ashland. He further explained the trust level for all cities involved suggests a preference to use an outside source. He added that the cost is approximately \$200 more than the cost was for Talent to perform the bookkeeping. **MOVED BY JONES, SECONDED BY SOPHIE, TO ALLOW THE CITY MANAGER TO SIGN THE AGREEMENT ALLOWING FOR**

THE ROGUE VALLEY COUNCIL OF GOVERNMENTS TO ACT AS THE ACCOUNTING AGENCY FOR THE TAP LINE. 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**

STAFF REPORTS:

1) City Attorney's Report:

a) Attorney Kirchoff had nothing to report.

2) City Manager's Report:

a) Mr. Dahl commented on the discussion held with Councilor S. Bartell and Mayor Bellah regarding PHURA and confirmed that there will be no changes to the project plans without Council approval.

b) He announced Mr. Brinkley is out on vacation this week.

Councilor C. Bartell inquired about the plan for marijuana ordinance implementation that was discussed would be brought to this meeting. Mr. Dahl apologized and explained he would get together with Mr. Brinkley and bring this information to the next meeting.

Councilor C. Bartell inquired about once the ordinance becomes effective, if a citizen has a complaint about the odor, can this person call and report that and expect that the City will follow-up to enforce proper regulations. Mr. Dahl replied that the City would respond to those complaints by sending out the Code Enforcement Officer to investigate and enforce the regulations as necessary.

Additionally, Councilor C. Bartell inquired about RVS figures regarding the amount of franchise fees owed to the City. Attorney Kirchoff responded that he has been in touch with the RVS attorney and expects an answer within the next couple of days. He added he will forward that information on as soon as it is received.

She further inquired about when the agenda will address commercial marijuana grows. Mr. Dahl replied that it will be in approximately two months from now. He explained that the planning department needs to concentrate in other areas for now, and the ordinance does address regulations for commercial grows. Following further discussion, Council's consensus was to wait for further regulations from the State, before preparing an ordinance. Continued discussion followed, as Councilor S. Bartell inquired about the current enforcement regarding the commercial grows that are in the City. Mr. Dahl responded the City is currently in the process of enforcing the regulations and further detailed some of the situations the Code Enforcement Officer is investigating.

COUNCIL ITEMS, COMMENTS/REPORTS:

- 1) Councilor Helrich commented on the revision of the City logo and where the City is at regarding a new logo.
- 2) Councilor Luz spoke about the hemp festival he attended and noted the interest on medical marijuana.
- 3) Councilor Sophie reported on the funding for United Way for bicycles.
- 4) Councilor C. Bartell announced there was a nice turn out for the Dog Days of Summer event. She further noted that the Sprinkler Night is going well with an average of 18 to 20 children in attendance.
- 5) Mayor Bellah announced the second Executive Session scheduled will be postponed for the following City Council meeting.

The meeting adjourned at 9:22 p.m.

Respectfully submitted,

Janette Boothe
City Recorder/Assistant Finance Director