

**City of Phoenix
City Council Meeting
Public Works Office
1000 S. "B" Street
Tuesday, September 6, 2016**

CALL TO ORDER

Mayor Jeff Bellah called the regular meeting of the City Council to order on Tuesday, September 6, 2016 at 6:00 p.m. in the Public Works Office.

ROLL CALL

PRESENT: Stan Bartell, Bruce Sophie, Carolyn Bartell, Terry Helfrich, Chris Luz, Jim Snyder, Jeff Bellah

Staff Present: Matt Brinkley, Interim City Manager
Janette Boothe, Interim Finance Director/City Recorder
Derek Bowker, Chief of Police
J. Ryan Kirchoff, City Attorney

Mayor Bellah convened into executive session at 6:00 p.m. under ORS 192.660 (2)(d), which allows the City Council to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Discussion followed and no decisions were made. Mayor Bellah closed the executive session and convened into a general session at 6:25 p.m. Following the executive session, Mayor Bellah gave an overview of what was discussed.

CALL TO ORDER

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Staff Present: Matt Brinkley, Interim City Manager
Janette Boothe, Interim Finance Director/City Recorder
Derek Bowker, Chief of Police
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PLEDGE OF ALLEGIANCE

SWEAR IN NEW POLICE OFFICER:

Chief Bowker suggested waiting until a meeting when both officers would be present.

PRESENTATIONS:

- a) Update on Rogue Disposal's Franchise Agreement Renewal by Garry Penning – Rogue Disposal has a franchise agreement with the City of Phoenix which is reviewed every five years. Rogue Disposal has had a 25% increase over the past five years within their recycling market. Cardboard makes up a large portion of recyclables while comingle is the fastest growing portion.

Rogue Disposal's company's revenues have increased in recent years as the economy improves. China's economy affects the recycling prices locally. Due to market factors, Rogue Disposal's revenue did not catch up to their projection until 2015. They will increase their prices by a small portion in January of 2017 to help cover operating expenses such as a missed growth rate projection, DEQ costs, CPI, and some other miscellaneous costs. The increase will be \$2.05 per customer.

Rogue Disposal is requesting renewal of the five year franchise agreement with the City of Phoenix. Further discussion followed. Mayor Bellah suggested having the franchise agreement on the agenda for September 19, 2016 at which point there will be a vote.

UPDATES/REPORTS:

- a) PHURA – Mr. Brinkley discussed PHURA's meeting last week. PHURA approved a contract with the architect after resolving questions. The lease for suite C in the Home Power building was discussed. The tenant will be a yoga studio which will open in October of 2016. The building will be a mixed use property - both commercial and residential. Dollar General is in negotiation with Dollar General Corporate regarding finances.
- b) Parks and Greenway Commission – The next Parks meeting is on September 22, 2016. The Parks Master Plan is still being finalized. The High School Homecoming parade is set for September 28 at 6:00 PM. Fire trucks will be in the parade.
- c) Fire Department - Chief Darin Welburn from the Fire Department discussed the open house on October 12 from 5:00-7:00 PM as well as giving an overview of the wildfires in the area and progress on their containment. Further discussion followed.

MAYOR'S COMMENTS:

The annual ACCESS fundraising event is on October 8, 2016. On Thursday, September 8, 2016, there will be interviews for the City Manager position. At the next Council meeting, there will be a potential sale of the Fire District Five building. There is a signed contract with the new Public Works Superintendent.

ORDINANCES:

First Reading by Title Only of an Ordinance Amending the Comprehensive Plan Pertaining to the Transportation System Element. Second Reading and Public Hearing Scheduled for Monday, September 19, 2016 – City staff recommended Council approve the first reading of this ordinance amending the transportation element of the Comprehensive Plan. At the previous City Council meeting on August 15, 2016, this item was tabled to ensure that the correct staff report was included with the proposed ordinance.

MOVED BY SOPHIE, SECONDED BY C. BARTELL, THAT THE PROPOSED ORDINANCE, ALSO KNOWN AS CP15-01, BE READ BY TITLE ONLY AND THAT A SECOND READING AND PUBLIC HEARING BE SET FOR SEPTEMBER 19, 2016. There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

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

Mayor Bellah gave an overview of the executive session. Council discussed potential bargaining positions for the City of Phoenix for the Teamsters Union – police union, administrative, and public works. Mayor Bellah requested staff publish the letter soon and set up a meeting with the bargaining units.

UNFINISHED BUSINESS:

- a) Liquor License Application for Pizzatori – The liquor license for Pizzatori would encompass growler fills and to go orders; there would be no consumption on premises. Alcohol would be in the form of secured containers with malt beverages or wine. Pizzatori is a take-and-bake pizza, subs, and growlers business that offers delivery. Chief Bowker has reviewed and approved the application. **MOVED BY SOPHIE, SECONDED BY LUZ TO AUTHORIZE THE MAYOR TO SIGN THE LIQUOR LICENSE FOR PIZZATORI LLC FOR OFF PREMISES SALES ON SEPTEMBER 6, 2016.**

ROLL CALL VOTE AS FOLLOWS:

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

- b) Liquor License for Sushi and Bento – Sushi and Bento has applied for a limited on premise license which involves the sale of beer and wine. There is no carry out for alcoholic beverages. Chief Bowker has reviewed and approved the application. **MOVED BY LUZ, SECONDED BY SOPHIE TO AUTHORIZE THE MAYOR TO SIGN THE LIQUOR LICENSE FOR SUSHI AND BENTO FOR LIMITED ON PREMISE SALES ON SEPTEMBER 6, 2016.**

ROLL CALL VOTE AS FOLLOWS:

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

CONSENT CALENDAR:

- a) Approval of Minutes from August 8, 2016 Special City Council Meeting
b) Approval of Minutes from August 15, 2016 Regular City Council Meeting
c) Approval of Minutes from August 17, 2016 Special City Council Meeting

MOVED BY S. BARTELL, SECONDED BY SNYDER, TO APPROVE THE CONSENT CALENDAR. There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

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

NEW BUSINESS:

- a) Approve Bid 1st Street Sidewalk and Stormwater – This will be between Church and Rose streets. The alternative would be to wait until fall and open the bid process for a spring project start. The current bid is from Kogap Enterprises, Inc. for \$163,307. This is outside of the estimated cost of \$100,000 to \$150,000. The issue with prolonging the process is the risk of flooding in the area, particularly with heavier rainfall. There is no sidewalk in that particular section of 1st street. Further discussion followed. **MOVED BY SOPHIE, SECONDED BY HELFRICH, TO ACCEPT THE 1ST STREET SIDEWALK AND STORMWATER BID AS PROPOSED.**

ROLL CALL VOTE AS FOLLOWS:

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

Nays: Luz

MOTION APPROVED WITH FIVE AYES AND ONE NAY

- b) Approval of Personnel Agreement with Finance Director/City Recorder – Mr. Brinkley brought a redlined copy of the agreement to distribute at the meeting. The main change within the document was to change the position title to Finance Director/City Recorder. Councilor C. Bartell raised a question regarding the direction the proposed salary went. Mr. Brinkley clarified that the proposed salary of \$70,000 was countered by Ms. Boothe, and the salary of \$72,500 was agreed upon. It is up to Council whether or not to approve the salary and personnel agreement. **MOVED BY C. BARTELL, SECONDED BY SOPHIE, TO APPROVE THE PERSONNEL AGREEMENT WITH THE FINANCE DIRECTOR/CITY RECORDER.**

ROLL CALL VOTE AS FOLLOWS:

Ayes: Sophie, C. Bartell, S. Bartell, Luz, Helfrich, and Snyder

MOTION APPROVED WITH SIX AYES

Mayor Bellah suggested that the next Council in January form specific parameters for interactions and directions between Council and staff. This is in reference to the scheduled meetings with the City Manager, Mayor, Council President, and Council Vice President. He also suggested putting this topic on the action log.

STAFF REPORTS:

1) City Attorney's Report:

- a) Attorney Kirchoff had nothing to report for the open session.

City Manager's Report:

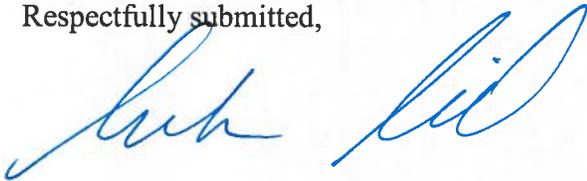
a) Mr. Brinkley announced further testing of homes for lead is taking place within the city. The vacant house which had an excess of lead and copper was retested and the retesting showed that the house met parameters. Homes built before 1950 are the focus of the tests at this time since they are more likely to have lead in their construction. Further discussion followed. For the Homecoming parade, all the necessary information has been relayed to ODOT.

COUNCIL ITEMS, COMMENTS/REPORTS:

Councilor Luz wanted to thank the Mormon missionaries who have been volunteering to take care of the Phoenix Cemetery.

Councilor Sophie discussed the Oregon Transportation Plan and the updates they are planning to do in the next year.

The meeting adjourned at 8:10 PM.
Respectfully submitted,



Sarah Lind
Executive Assistant

Attest:



Janette Boothe
Finance Director/City Recorder