

City of Phoenix
Executive Session/City Council Meeting
Public Works Office
1000 S. "B" Street
Monday, September 19, 2016

CALL TO ORDER

Mayor Jeff Bellah called the executive session of the City Council to order on Monday, September 19, 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:

Mayor Bellah convened into executive session at 6:00 p.m. under ORS 192.660 (2)(a), which allows the City Council to meet in executive session to consider the employment of a public officer, employee, staff member or individual agent.

Discussion followed and no decisions were made. Mayor Bellah closed the executive session and convened into a general session at 6:39 p.m. Following the executive session, Mayor Bellah gave an overview of what was discussed.

CALL TO ORDER

Mayor Jeff Bellah called the regular meeting of the City Council to order on Monday, September 19, 2016 at 6:40 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, Finance Director/City Recorder
Derek Bowker, Chief of Police
J. Ryan Kirchoff, City Attorney

PLEDGE OF ALLEGIANCE

SWEARING IN OF OFFICERS

Matt Curtis has been working with the Phoenix Police Department for about a year. Chief Derek Bowker swore Mr. Curtis in as a duly appointed officer of the City of Phoenix.

UPDATES/REPORTS:

1) PHURA

Mr. Brinkley explained Dollar General has removed themselves from the proposed plans because the developer, Emery Group, has lost its territory in Jackson County. Dollar General was opposed to the high cost of rent from its developer and chose instead to build in Talent. However, there is still a letter of intent for the back half of the property for residential development. The developer for the land at the corner of 4th and Bear Creek Drive is still involved. The Home Power building still has a prospective tenant for suite C. Councilor C. Bartell inquired as to how long Dollar General was negotiating. Mr. Brinkley replied that Dollar General had been in negotiations for a couple of months and had not made the requested changes to the purchase and sale agreement. Therefore, no purchase and sale agreement was executed. Further discussion followed. Council was concerned about the amount of time spent in negotiations with Dollar General when the time could have been spent attracting other developers.

2) Parks and Greenway Commission

Councilor C. Bartell announced that at the upcoming Parks and Greenway Commission meeting on September 22, 2016, a rough draft of the Parks Master Plan will be presented. The Homecoming Parade is taking place on September 28, 2016 at 6:00 P.M. The Mayor of Talent is planning to be in the parade. In addition, some other members of the Talent community may also be involved.

3) Fiscal Year End Finance Report

Ms. Boothe presented the fiscal year end finance report. She noted the amounts may change once auditors review the report. Across general funds there was more revenue than expenditure throughout FY 2015-2016. The water fund revenues were at 99% of the original estimate for the FY. However, overall the City experienced higher revenues than anticipated in 2015-2016. Mayor Bellah asked if the increase in revenues were due to a one-time event. Ms. Boothe clarified much of the increase is due to one-time events. Further discussion followed.

PRESENTATIONS

1) Chamber of Commerce Request for Funds by Melissa Wagy

Ms. Wagy presented on the Chamber of Commerce's request for funds for their calendar. The calendar layout will be changing to include a 2 inch extension at the bottom which will be visible year round. For \$1,000, half of this space (approximately 5.5"x2") would be available for the City of Phoenix logo. Mayor Bellah clarified the City's meetings would be included in the calendar on the appropriate days. Ms. Wagy responded that the charge for each event is \$5/event listed or 12 events for \$50. Mayor Bellah requested staff work with Ms. Wagy to come up with a proposal for the next City Council meeting.

Approval of Five Year Extension of Rogue Disposal Franchise Agreement

This item was moved up by Mayor Bellah.

The documents presented by Rogue Disposal will need to be accepted by the City. Mr. Brinkley clarified the City is being asked to accept the documents. Mayor Bellah suggested Council accept the documents with the stipulation of accepting the audit as well. Councilor Sophie emphasized that all information needs to be made public and accessible to everyone. Further discussion followed. **MOVED BY SOPHIE, SECONDED BY LUZ, TO ADOPT**

RESOLUTION NO. 972, APPROVING A FIVE YEAR EXTENSION OF THE ROGUE DISPOSAL FRANCHISE AGREEMENT AND RATE INCREASE.

ROLL CALL VOTE AS FOLLOWS:

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

ORDINANCES

- 1) Second Reading and Public Hearing for an Ordinance Amending the Comprehensive Plan Pertaining to the Transportation System Element

Mayor Bellah opened the public hearing at 7:21 PM.

THOSE IN FAVOR OF AMENDING THE TRANSPORTATION SYSTEM ELEMENT OF ITS COMPREHENSIVE PLAN:

No one spoke in favor of the amendment to the transportation system element of the comprehensive plan.

THOSE IN OPPOSITION OF THE ORDINANCE AMENDING THE TRANSPORTATION SYSTEM ELEMENT OF ITS COMPREHENSIVE PLAN:

No one spoke in opposition of the amendment to the transportation system element of the comprehensive plan.

Mr. Brinkley brought up the one set of written comments from Paul Kay. Mr. Kay is requesting reprioritization of the S. Phoenix Gateway project, S10, which runs past his business, Rogue Water.

COUNCIL DELIBERATION

Mr. Brinkley gave the staff report on the TSP. There were no significant changes made since the last update. Mayor Bellah noted the priorities on projects are not intended to be restrictive; items can change from low to high priority as needed. Councilor C. Bartell noted the TSP is very thorough and detailed. Councilor Sophie suggested involving the Oregon Transportation Commission (OTC) as needed. **MOVED BY SOPHIE, SECONDED BY S. BARTELL, TO APPROVE ORDINANCE NO. 976, AMENDING THE TRANSPORTATION SYSTEM ELEMENT OF ITS COMPREHENSIVE PLAN.**

ROLL CALL VOTE AS FOLLOWS:

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

City Manager Selection

This item was moved to earlier in the meeting by Mayor Bellah. Council has met twice in executive session regarding finding a City Manager. They have decided to interview a couple more candidates and reach out once more to League of Oregon Cities within the next couple of weeks. A final decision would be reached by Election Day. **MOVED BY LUZ, SECONDED BY SOPHIE, TO CONTINUE THE SEARCH FOR A CITY MANAGER WITH LEAGUE OF**

OREGON CITIES AND HEADHUNTERS, AND TO HAVE THE INTERVIEW PROCESS TAKE PLACE AND A DECISION MADE BY ELECTION DAY.

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH SIX AYES

City Council Issue Tracking Log

This item was moved to this place in the meeting by Mayor Bellah. Lead testing has been done at 10 occupied homes. Public Works is waiting on the results of those tests. Further discussion followed on some of the items in the action log.

CONSENT CALENDAR:

- 1) Approval of Minutes from September 1, 2016 Regular City Council Meeting
- 2) Approval of Minutes from September 6, 2016 Regular City Council Meeting
- 3) Approval of Minutes from September 8, 2016 Regular City Council Meeting
- 4) Approval of Minutes from September 13, 2016 Regular City Council Meeting

MOVED BY SOPHIE, SECONDED BY LUZ, 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

- 5) Approval of a Temporary Liquor License for the Phoenix Clubhouse

The Phoenix Clubhouse is hosting a Halloween event on October 31, 2016 from 8:00 PM to 2:00 AM on November 1, 2016. Council expressed concern about the event serving alcohol til 2:00 AM. Chief Bowker verified he did not have an issue with the hours of the event. **MOVED BY SOPHIE, SECONDED BY LUZ, TO AUTHORIZE THE MAYOR TO SIGN THE TEMPORARY SALES LIQUOR LICENSE FOR THE PHOENIX CLUBHOUSE'S HALLOWEEN EVENT.**

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH SIX AYES

NEW BUSINESS:

- 1) Discuss New Contract for Planning Director

Mr. Brinkley is requesting his contract be reconsidered with some different terms. Mr. Brinkley has been acting as Interim City Manager since May of 2016. Mr. Brinkley renegotiated for 90 day severance package, three weeks of vacation instead of two, and requested an increase in salary to be equal to the salary for Interim City Manager. The salary would be reflective of the responsibilities Mr. Brinkley fulfills in his position. Discussion followed regarding the terms Mr. Brinkley requested for his contract. Mayor Bellah suggested deciding upon all the terms at this time is premature because the position of City Manager has not yet been filled. **MOVED BY LUZ, SECONDED BY SOPHIE, TO AMEND THE PLANNING DIRECTOR'S**

CONTRACT FOR A 90 DAY SEVERANCE PACKAGE AND THREE WEEKS OF VACATION.

ROLL CALL VOTE AS FOLLOWS:

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

2) Update on Status of City Manager Contract

This item was tabled by Council because they have reopened the search for a City Manager.

3) Consider Contract Renewal with Medford Water Commission

Mayor Bellah noted that Medford Water Commission does not want to change the recitals of the contract at this time. Councilor Sophie voiced concern about the sale of surplus water. If Phoenix requires surplus water, the City may purchase it as needed. Mr. Brinkley stated there is enough water for the Urban Reserve areas based on the 2007 Master Water Plan. Further discussion followed regarding water usage in the City. **MOVED BY LUZ, SECONDED BY SOPHIE, TO APPROVE THE MEDFORD WATER COMMISSION AGREEMENT AND AUTHORIZE THE MAYOR AND CITY MANAGER TO SIGN IT ON BEHALF OF THE CITY COUNCIL OF THE CITY OF PHOENIX.**

ROLL CALL VOTE AS FOLLOWS:

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

4) Resolution Approving Real Estate Agreement Between the City of Phoenix and Fire District 5 to Purchase the Property at 116 W 2nd St.

Council tabled this item because there was no response from Fire District Five's attorney regarding the agreement. Fire District 5 may want to make some minor changes to the agreement prior to returning it.

STAFF REPORTS:

1) City Attorney's Report:

Attorney Kirchoff had nothing to report.

2) City Manager's Report:

Mr. Brinkley covered the items he wanted to discuss earlier in the meeting.

COUNCIL ITEMS, COMMENTS/REPORTS:

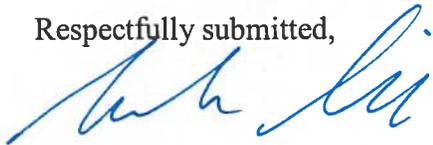
Councilor Luz asked Attorney Kirchoff if the City can sponsor the Christmas tree lighting this year, when it is normally sponsored by the First Presbyterian Church. Councilor Helfrich mentioned the Chamber of Commerce wants to be involved with the tree lighting ceremony. Attorney Kirchoff noted that, in order to avoid any possible conflict, it may be better to call it holiday tree lighting.

MAYOR'S COMMENTS

Mayor Bellah said he has been receiving a number of comments about the one lane on Main St. He would like to organize a study session to evaluate the time frame of the project and where and how to get input in order to attain the best outcome: one lane or two.

The meeting adjourned at 8:52 P.M.

Respectfully submitted,



Sarah Lind
Executive Assistant

Attest:



Janette Boothe
Finance Director/City Recorder