

**City of Phoenix
City Council Executive Session/Meeting
Public Works Office
1000 S. "B" Street
Monday, February 1, 2016**

CALL TO ORDER

Mayor Jeff Bellah called the special meeting of the City Council to order on Monday, February 1, 2016 at 5:45 p.m. in the Public Works Office.

ROLL CALL

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

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

Mayor Bellah convened into executive session at 5:46 p.m. under ORS 192.660 (2)(i), to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open meeting.

Discussion followed and no decisions were made. Mayor Bellah closed the executive session and convened into regular meeting at 6:30 p.m.

CALL TO ORDER

Mayor Jeff Bellah called the regular meeting of the City Council to order on Monday, February 1, 2016 at 6:30 p.m. in the Public Works Office.

ROLL CALL

PRESENT: Stan Bartell, Bruce Sophie, 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
Matt Brinkley, Planning Director
J. Ryan Kirchoff, City Attorney

PLEDGE OF ALLEGIANCE

PRESENTATIONS:

- 1) 2015 Annual Fire District 5 Report by Fire Chief Darin Welburn. Fire Chief Welburn distributed a copy of the 2015 Annual Operations Report and pointed out highlights from 2015. Fire Chief Welburn noted there was an approximate 10% increase in calls over the prior year for service in the district. He encouraged everyone to visit the updated website for Fire District 5. Additionally, he reviewed some of the statistics displayed in the report as he took questions from Council.

UPDATES/REPORTS/APPOINTMENTS:

PHURA – Amy Weiser, Assistant Director, announced PHURA has a new and improved website and encouraged everyone to visit the site. She noted Jim Sharp is scheduled to provide a presentation regarding updating the 5 year plan at the upcoming Council meeting. She noted the survey that was sent out and available online, regarding suggestions for improving the City of Phoenix downtown area. She added some additional updates regarding the work that is currently being performed through PHURA.

MAYOR’S COMMENTS:

Mayor Bellah commented on the City Manager’s evaluation that took place in the executive session immediately preceding the meeting, noting the first session, held on January 20, 2016, was about gathering the evaluations from each of the individual councilors. He added that the second session held earlier in the evening was a summary of all the evaluations. He further noted a formal evaluation will be on the next agenda for Council approval.

Mayor Bellah announced the City has received a resignation from Karen Jones. He followed up with a request for advertising the position, noting this would be a 3 year term. Following discussion, Council’s consensus was to hold the position open for 60 days and review applications the first meeting in April.

UPDATES/REPORTS/APPOINTMENTS (continued):

Parks Commission – Councilor C. Bartell noted the upcoming Parks Commission meeting will be regarding prospective projects and the Bee City involvement.

Reappoint Lyla Heigl and Laura Bellah to the Parks Commission. Council’s consensus was to have the Mayor reappoint both members to the Parks Commission. Mayor Bellah requested the City require all volunteers provide an application for reappointment on their prospective committees in the future.

CONSENT CALENDAR:

- 1) Approval of Minutes from the January 19, 2016 Regular City Council Meeting.
- 2) Acknowledge Minutes from Parks Commission.
- 3) December 2015 Financial Report. Mayor Bellah requested the financial report be removed from the consent calendar for discussion. Councilor Luz requested an amendment to the January 19, 2016 minutes, noting that Councilor S. Bartell did not abstain, as he was not called in roll call. He explained he wanted the minutes to reflect that Councilor Jones was the only abstention. **MOVED BY SOPHIE, SECONDED BY C. BARTELL, TO**

APPROVE THE CONSENT CALENDAR WITH THE NOTED CORRECTION. There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH FIVE AYES

PRESENTATIONS (continued):

2) New Website Design by Steffen Roennfeldt. Mr. Roennfeldt distributed a mockup of the new website design and a list of the menu items. He presented a PowerPoint displaying all of the new features of the new website and noted the site is not ready for viewing purposes as of yet. He explained that staff would like Council feedback regarding any additions and/or corrections noted once the site is ready. Councilor Luz inquired about who to send these modifications to. Mr. Dahl replied he would like everyone to send them to Janette Boothe and copy him on the emails. Council also inquired about the estimated time frame for the website to be complete. Mrs. Boothe replied the site should be ready for review by the end of February.

ORDINANCES:

Second Reading and Public Hearing on an Ordinance Repealing the Moratorium Placed on Recreational Commercial Cannabis Cultivation. Mayor Bellah noted Council had discussed this proposed ordinance in length at the prior meeting. Mayor Bellah opened the public hearing at 7:26 p.m.

THOSE IN FAVOR OF THE ORDINANCE:

No one spoke in favor of the ordinance.

THOSE IN OPPOSITION TO THE ORDINANCE:

No one spoke in opposition of the ordinance.

Mayor Bellah closed the public hearing at 7:27p.m.

COUNCIL DELIBERATION:

Councilor S. Bartell expressed further concerns about the strong, unpleasant odor that is emitted from marijuana plants. Councilor Sophie explained the City will have control over issues presented before, as the City now has the ability to remove their license to cultivate if they are not following expressed guidelines. He also noted he did not want to eliminate the possibility of revenue to the City. Continued discussion followed. **MOVED BY LUZ, SECONDED BY HELFRICH, TO ADOPT ORDINANCE NO. 973, REPEALING ORDINANCE NO. 965.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Sophie, Luz, and Helfrich

Nays: C. Bartell, S. Bartell

MOTION APPROVED WITH THREE AYES TO TWO NAYS

December 2015 Financial Report. Mr. Weber noted the General Fund is trending better than budgeted for this time of year as he reviewed the highlights of the fund. Discussion continued regarding personnel costs and the line items that need to be monitored closely, so as not to go too far over budget in those areas.

Mr. Weber reviewed his analysis of the Street Fund to date and noted the health of the fund is in good standing, despite the missing revenue from ODOT for the jurisdictional exchange and the SCA grant. Further discussion continued, as Mr. Weber took questions from Council.

He reviewed the highlights of the Water Fund. Continued discussion followed, as Councilor S. Bartell inquired about the fund balance carryover. Mr. Weber confirmed he would send out the amount of the current carryover via email before the next Council meeting. **MOVED BY SOPHIE, SECONDED BY C. BARTELL, TO APPROVE THE DECEMBER 2015 FINANCIAL REPORT.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH FIVE AYES

NEW BUSINESS:

- 1) Resolution establishing City Officials for the purpose of signing on behalf of the City of Phoenix for City funds. Mayor Bellah explained this was a requirement, due to the enactment of the new City Council Vice President. **MOVED BY SOPHIE, SECONDED BY LUZ, TO ADOPT RESOLUTION NO. 950, ESTABLISHING CITY OFFICIALS FOR THE PURPOSE OF SIGNING ON BEHALF OF THE CITY OF PHOENIX FOR CITY FUNDS.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH FIVE AYES

- 2) Resolution Authorizing the City Manager to Execute an Agreement for a Grant from the Jackson Soil and Water Conservation District. Mr. Brinkley noted all of the pertinent information is presented in his staff report in the agenda packet. Councilor C. Bartell expressed her gratitude to Mr. Brinkley, informing him he did a great job for going after the grant. **MOVED BY SOPHIE, SECONDED BY C. BARTELL, TO ADOPT RESOLUTION NO. 951, AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT AGREEMENT WITH THE JACKSON SOIL AND WATER CONSERVATION DISTRICT.** There was no further discussion.

ROLL CALL VOTE AS FOLLOWS:

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

MOTION APPROVED WITH FIVE AYES

- 3) Rose Street Waterline Project. Mr. Dahl explained there is a significant difference in the amount of distance for waterline connection than originally anticipated. He added that the decrease in distance would essentially decrease the cost estimate for the project. Mayor Bellah commended Matias Mendez for his initiative in locating a 6 inch pipe that will save the City money. Discussion continued regarding the transfer of funds from the street fund, as this is a water fund project. Mr. Weber explained the amount of the contract award that is over the amount budgeted will be allocated to the source of funding (i.e., water fund and street fund) as originally budgeted.
- 4) Discussion of How to Process Requests for Funding by Nonprofits. Mayor Bellah explained the City has been asked for funds from nonprofits, and the City needs to decide how to respond to these requests. Councilor Sophie suggested ear marking marijuana license revenue to fund these types of requests. Mr. Weber explained there is very little room to fund anything from the current resources and the only place it could come from is the General Fund. He added that this is the fund the City is looking at potential significant increases in the near future.

Mayor Bellah inquired whether the City would like to entertain requests for funds from nonprofits. Continued discussion followed, as Mr. Dahl was requested to look into what other cities are doing regarding this funding. Following further discussion, Council's consensus was to hold a study session and invite the nonprofits that have already requested funds to attend and present their requests formally. Council further requested Mr. Weber give an estimate for the amount of revenue that will be obtained from transient tax in the upcoming fiscal year.

STAFF REPORTS:

- 1) City Attorney's Report:
 - a) Attorney Kirchoff had nothing to report.
- 2) City Manager's Report:
 - a) Mr. Dahl announced it is the time of year to evaluate the City Attorney.
 - b) He noted the Goal Setting Facilitator is scheduled to come for individual meetings with Council members before the meeting on Friday.
 - c) He noted there is an updated Council Action Log.
 - d) He explained he was asked when he feels comfortable moving forward with spending funds and his response is that he is comfortable with funding certain items under his spending authority that have been approved by Council previously.
 - e) Councilor C. Bartell inquired about the Bee City Committee. Mr. Dahl replied the City is currently reviewing their request to discover if it is in line with the Bee City Agreement.

Discussion continued regarding the Council Action Log. Council's consensus was to discuss this item further at the next City Council meeting.

COUNCIL ITEMS, COMMENTS/REPORTS:

- 1) Councilor Luz noted he wanted to remind Council to approach County Commissioners regarding setbacks for marijuana growth. Discussion continued, as Council's consensus was to direct Mr. Dahl to draft a letter requesting a 500 foot setback from the City boundary.
- 2) Councilor Sophie noted the League of Oregon Cities has a letter regarding the impacts of property taxes.
- 3) Mayor Bellah mentioned the Regional Economics Opportunities Study and his concern for their statistical information regarding the demographics in the City.

The meeting adjourned at 8:56 p.m.

Respectfully submitted,

Janette Boothe
Assistant Finance Director/City Recorder