

**City Council Regular Meeting
220 N. Main St.
Phoenix Plaza Civic Center
Monday, May 18, 2020**

1. CALL TO ORDER

Mayor Luz called the regular meeting of the City Council to order on Monday, May 18, 2020, at 6:30 p.m. at the Phoenix Plaza Civic Center.

ROLL CALL

PRESENT: Chris Luz, Stuart Warren, Angie Vermillion, Jim Snyder, Robert Crawford, and Sarah Westover

STAFF PRESENT: Eric Swanson, Interim City Manager
Bonnie Pickett, City Recorder
Derek Bowker, Police Chief
Doug McGeary, City Attorney
Matias Mendez, Public Works Superintendent

2. PLEDGE OF ALLEGIANCE

3. APPOINT COUNCIL VICE – PRESIDENT

Councilor Warren nominated Councilor Westover

NOMINATION APPROVED BY UNANIMOUS VOTE

4. PUBLIC COMMENTS

Mayor Luz read the written comments received from Al Muelhoefer (copy of comments attached to the minutes).

Mayor Luz noted that he did not intend to tell Council that they are not allowed to contact RVCOG. He wanted to make clear that Council members are not to be reaching out to the RCVOG regarding the City Manager or staffing issues.

Doug McGeary, City Attorney, noted that it is okay for the Council member to contact RVCOG about programs that they offer. He noted that it is not okay for Council members to be contacting RVCOG about current negotiations or current City operations.

Councilor Westover noted what she is understanding is that the Council needs to be careful when reaching out to RVCOG so there isn't the appearance that they are giving direction versus asking questions.

Councilor Warren suggested that if a Councilor wants to reach out to an outside entity that they ask another Councilor, the City Manager, or the City Attorney before doing so, to see if it is a good idea to be doing so.

5. CONSENT AGENDA

a. Reports for Information & Possible Action:

1. Resolution No. 1054 – Declaring a Local State of Emergency
2. RVCOG IGA City Manager Recruitment Services
3. Resolution 1053 – A Resolution Establishing City Officials for the Purpose of Signing on Behalf of the City of Phoenix for City Funds
4. Declaring a Vacancy on the City Council
5. Integrated Pesticide Management (IPM)

b. Minutes to Approve and File:

1. Minutes from City Council Meeting, May 04, 2020
2. Minutes from Executive Session May 04, 2020

All written comments on IPM are attached to the minutes.

Councilor Vermillion requested item 5a1 be pulled from the consent agenda.

Councilor Warren requested item 5a5 be pulled from the consent agenda.

Councilor Westover requested item 5a4 be pulled from the consent agenda.

Motion: To approve the consent agenda with amendments expect for 5a1, 5a4, and 5a5. MOVED BY WARREN, SECONDED BY VERMILLION. No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

6. Consent Agenda Items Pulled for Discussion

Consent agenda item 5a1

Councilor Vermillion noted she was concerned about the length of time for the declaration. She wanted to have it come back to the Council at the second scheduled meeting in June.

Mr. Swanson noted that we chose indefinitely instead of addressing this at each Council meeting. He suggested setting the date out three months for review by the Council.

Motion: I moved to approve Resolution No. 1054. declaring a local state of emergency in the City of Phoenix as a result of COVID-19 pandemic with an amended date of August 03, 2020, MOVED BY WARREN, SECONDED BY VERMILLION. No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

Consent agenda item 5a5

Councilor Warren noted that about a year ago, Council had directed staff to create an IPM and to bring it back to Council for approval. The thought was that Parks and Recreation would have a say in the IPM before it was approved. He noted he would also like to get comments from Bee City USA being they are familiar with chemicals used in the City.

Councilor Westover agreed with Councilor Warren that the IPM should go to the committees for comment before the Council makes a decision.

Mayor Luz agrees that it should go to the Parks and Recreation Committee for comments.

Mr. Swanson commended Matias Mendez, Public Works Superintendent, for all the good work he put into the new IPM. He noted that there has been a huge improvement in the reduction of chemicals used in City Parks.

Councilor Warren commended Matias and the Public Works crew for all the hard work they are doing to deal with weeds instead of the use of chemicals.

Motion: I move that we postpone any decision making on the IPM at this point in time and allow the Parks and Recreation Committee as well as Bee City USA to gather information and make comments on the content of it, then it can be brought back to City Council for approval. **MOVED BY WARREN, SECONDED BY WESTOVER.** No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

Consent agenda item 5a4

Councilor Westover noted she made a mistake pulling this item and is prepared for approval.

Motion: I move to approve consent agenda item 5a4. **MOVED BY WESTOVER, SECONDED BY WARREN.** No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

8. NEW BUSINESS

a. Discussion – City Council Roles Facilitation by League of Oregon Cities.

Mr. Swanson noted that staff was directed to contact the League of Oregon Cities (LOC) to request City Councilor roles facilitation. He noted that he and Mr. McGeary contacted Patty Mulvihill with LOC to set up the training recommendations. Mr. Swanson noted that the training would not be scheduled until late July early August. He noted that the training will be tailored to fit the Council, it isn't an off the shelf training session.

Councilor Westover suggested that the training be scheduled for a weekend day instead of during the week being that all the Councilors work full time.

Mr. Swanson noted that they could work to have the training on a weekend to ensure 100% participation.

Patty Mulvihill, General Counsel League of Oregon Cities, thanked the Council for letting her participate in the meeting. She noted that completing the training on the weekend may push the date out a way due to staffing issues. Ms. Mulvilhill noted that the training will be tailored to the needs of the Council which will be done through answers from questions received from people participating in the training.

Motion: I move to authorize the Interim City Manager to sign the proposal with the LOC for facilitation services. **MOVED BY WARREN, SECONDED BY VERMILLION.** No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

b. Discussion – City Council Vacancy Appointment Process

Mr. Swanson noted the process for filling a vacancy on the City Council. He noted that candidates can also run for election in November.

Councilor Westover questioned the date the elected person would take office. She noted that having a window open for two months is too long to gather applications for the open seat.

Mayor Luz noted that one month is not a long enough period for a prospective candidate to decide if they want to be on the Council.

Councilor Warren understands Councilor Westover wanting a shorter period; however, he is okay with the two months.

Councilor Snyder noted that it does take time to gather more options to choose from for the appointment.

Councilor Westover noted that she is fine with leaving the position open for two months, however, she is concerned that there are some important decisions to be made over the next few months and that having another person on the Council would give a more citizen representation in their decision making is important.

Motion: I move to direct the ICM to proceed with advertising the vacancy as set for in the attached document entitled “Phoenix City Council Seeks Applicants for Vacant Position”. **MOVED BY WARREN, SECONDED BY VERMILLION.** No further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Warren, Vermillion, Crawford, Snyder, Westover

MOTION APPROVED WITH FIVE AYES

9. Ordinance Reading/Adoption

10. STAFF REPORTS:

Doug McGeary, City Attorney, no report.

Eric Swanson, Interim City Manager, noted that we have opened up our City parks while educating citizenry about social distancing requirements. He noted that at Public Works they have a locked gate that allows control over visitors at that location. Mr. Swanson noted at City Hall plastic shielding has been put in place to protect staff from people that may enter City Hall. He noted that they may look into controls for the front door of City Hall to limit the number of people entering the building.

Derek Bowker, Police Chief, noted that he is following what is being done at City Hall. His Records Clerk will be behind glass and will only allow one person at a time in the building. He noted that if someone wants to speak to an officer, this can be done by phone since the officers are out in the field on patrol. Chief Bowker also noted that the service of fingerprinting will remain suspended.

Mr. Swanson noted that there are educational pieces that can be posted at locations that may receive the public. He noted that through the whole pandemic process, we have been lucky to have all of our employees come to work safely.

Councilor Vermillion asked if members of the same family may be able to enter the building at the same time. She asked if the City will be doing contact tracing.

Mayor Luz asked if the temperature of people entering the buildings is going to be taken.

Chief Bowker noted that the police department doesn't have a thermometer at this time, but this is something we could look into.

Mr. Swanson noted that we are asking people if they don't feel well not to go to any of our facilities. He noted that he doesn't think anyone on staff is trained to be taking temperatures of visitors.

Councilor Warren noted that he has received several comments about the meeting not being live-streamed and wanted to know when we go back to our regular meeting if streaming will continue as usual.

Mr. Swanson noted that yes, we will go back to streaming the meetings.

Mayor Luz noted that he received two emails today from constituents with misinformation they received from Facebook, stating that we were not recording meetings anymore. He noted this is incorrect we are recording meetings and will continue to record them. The only thing that has changed is the streaming of meetings which is not required by law, this is something the Council has chosen to do.

Mr. Swanson noted that we don't have any topics for our next meeting so we are going to forgo the meeting on June 01, 2020, and the next Council meeting will be June 15, 2020. He noted we are working with City Engineers to get projects out to bid to move things forward. Mr. Swanson thanked everyone involved in the budget process.

11. MAYOR AND COUNCIL COMMENTS/ REPORTS:

Councilor Warren thanked the community for their patience while we are working through the difficult time of COVID-19. He knows that the community would like to be at the meeting to say their peace, and he would like that to happen again as well. Councilor Warren noted that he is upset about the Mayor booing when Councilor Snyder noted during the Budget Committee meeting that the name of the Mayor's newsletter is now called The Voice. He noted that this type of behavior is not appropriate and unbecoming of a Mayor. Councilor Warren noted that the people that work on The Voice newsletter deserve an apology.

Mayor Luz apologized for his behavior, he stated that it was not appropriate behavior.

Councilor Snyder no comment.

Councilor Westover noted that Facebook live works well when it works. She noted that at this time she doesn't feel comfortable being in large group settings. Councilor Westover noted that audible copies of the audio need to be on the website for people to listen to.

Councilor Crawford no comment.

Councilor Vermillion noted she would like the employee handbook updated under nepotism rules that need to be addressed to protect the City in the future.

Councilor Warren noted that he agrees that they need to take a look at the City handbook to ensure there is no potential risk for liability.

Mayor Luz suggested the staff look into this and bring it back to the Council.

Mr. Swanson noted that the collective bargaining agreements have just been completed. He noted that he will look into this and back to the Council.

Mr. McGeary noted that he would be happy to look into employment relations with Mr. Swanson.

Mayor Luz noted that the dog park at Colver Park has been completed and that there is a section for small dogs only. He noted we will need to look into a name for the dog park as well as a dedication date. He asked that people keep it local and patronize the local businesses. Mayor Luz noted that last Thursday the Budget Committee passed the budget. He noted that he is looking forward to having normal meetings instead of virtual ones.

12. ADJOURNMENT

The meeting adjourned at 8:00 p.m.



Bonnie Pickett
City Recorder