

**City Council Regular Meeting
220 N. Main St.
Phoenix Plaza Civic Center
Monday, July 20, 2020**

1. CALL TO ORDER:

Mayor Luz called the regular meeting of the City Council to order on Monday, July 20, 2020, at 6:45 p.m. at the Phoenix Plaza Civic Center.

ROLL CALL:

PRESENT: Chris Luz, Stuart Warren, Angie Vermillion, 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. PRESENTATIONS:

4. PUBLIC COMMENTS:

Andrea Adams, Medford, thanked the Council for discussing translation services during the study session. She requested that the meeting be attenable online for citizens and that the Council considers using non-binary or non-gender language in the materials put out to the public. Ms. Adams noted any limitations in the public comment will make citizens feel the Council doesn't want to hear from them.

Christine Totten, Medford, noted that the cancellation of the previous Council meeting was intentional and stifled the forward progress of the citizens.

Trish Castillo, Medford, noted two examples of incidents with the Phoenix Police Department. She expressed her disgust with how the actions of the Mayor have made Phoenix look.

Cil Stengel, Phoenix, expressed her disappointment in Mayor Luz's behavior at the protest in Medford on June 1, 2020. Ms. Stengel asked the Council to show that they don't support his behavior.

5. CONSENT AGENDA:

a. Reports for Information & Possible Action:

1. 2020/2021 SRO Contract with Phoenix-Talent School District.
2. IGA with City of Talent for Shift Police Coverage.
3. IGA with Jackson County for Financial Services.
4. Awarding Contract for B Street Waterline and Road Improvement.

b. Minutes to Approve and File:

1. Minutes from City Council Meeting, June 15, 2020

Mayor Luz pulled items 5a1, 5a2, and 5a3 from the consent agenda.

Motion: To approve the consent agenda items 5a4 and 5b1. **MOVED BY WARREN, SECONDED BY VERMILLION.** No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

6. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION:

2020/2021 SRO Contract with Phoenix-Talent School District.

Mayor Luz noted that there was some discussion that the City would be pulling the SRO from the school.

Mr. Swanson noted that the School and the City are happy with the relationship and plan to continue with the SRO program.

Councilor Crawford noted that the SRO is there to make sure that the students are getting to class like they need to. He noted that the SRO gets to know the students and help the ones that need the nudge to get to class.

Councilor Westover noted that other schools are taken surveys regarding student's interactions with SRO's. She noted that studies are showing that early interactions with the criminal justice system have created a pipeline of further involvement with the criminal justice system.

Ms. Adams read a statement about the effects of SRO's on students.

Ms. Totten continued to read the statement about the effects of SRO's on students.

IGA with City of Talent for Shift Police Coverage.

Mr. Swanson noted that this is a mechanism to allow the Phoenix officers to cover shifts for the City of Talent. He noted this is a continuation of the mutual agreement to assist with coverage.

IGA with Jackson County for Financial Service.

Mr. Swanson introduced Shannon Bell, Finance Director for Jackson County to the Council. He noted she has been instrumental in helping the City move forward in the face of staffing issues in our finance department.

Motion: To approve consent agenda items 5a1, 5a2, and 5a3. **MOVED BY VERMILLION, SECONDED BY WARREN.** No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

Motion: I move that the Mayor resign. **MOVED BY WARREN. NO SECOND MOTION FAILED FOR LACK OF SECOND**

Mayor Luz noted that he will not be resigning.

Mayor Luz suggested changing the order of new business.

The Council agreed to maintain the order of new business as presented.

7. NEW BUSINESS:

a. Interview/Appointment of Councilors.

Damon Brown answered questions for the Council. He also gave a brief background about himself. Mr. Brown noted that he would accept either open Council seats.

Al Muelhoefer answered questions for the Council. He also gave a brief background about himself. Mr. Muelhoefer noted he is interested in the shorter term of open Council seats.

Andrew Barrow answered questions for the Council. He also gave a brief background about himself. Mr. Barrow noted that he would accept either open Council seats.

Mike Shunk answered questions for the Council. He also gave a brief background about himself. Mr. Shunk noted that he would accept either open Council seats.

Ms. Totten noted that she advocates for Mr. Shunk to be appointed to the City Council.

Ms. Adams noted that she supports Mr. Muelhoefer and Mr. Shunk for appointment to City Council.

Ms. Stengel noted that she supports Mr. Muelhoefer and Mr. Shunk for appointment to City Council.

Carolyna Marshall, Phoenix, noted that there are four good candidates for the two open seats. She noted that if you don't get selected, please continue to come to the meeting and be involved in your community.

Councilor Westover thanked all of the candidates for their interest in the Council. She recommended anyone that doesn't get appointed go to the City Website and follow the steps to run for election. Councilor Westover noted that she supports Mr. Muelhoefer and Mr. Shunk for Council.

Councilor Vermillion noted that she supports Mr. Barrow and Mr. Brown.

Councilor Warren noted that he supports Mr. Shunk and Mr. Muelhoefer.

Councilor Crawford thanked all four individuals for coming out and noted the decision is going to be difficult.

Motion: I moved to nominate Al Muelhoefer for the shorter vacancy. **MOVED BY WESTOVER, SECONDED BY WARREN.** No further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Westover, Warren, Crawford, Vermillion

MOTION APPROVED WITH FOUR AYES

Motion: I moved to nominate Damon Brown for the shorter vacancy. **MOVED BY VERMILLION, NO SECOND.**

MOTION FAILED FOR LACK OF SECOND

Motion: I moved to nominate Mike Shunk for the longer vacancy. **MOVED BY WESTOVER, SECONDED BY WARREN.** No further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Westover, Warren

Nays: Crawford, Vermillion, Luz

MOTION FAILED WITH TWO AYES and THREE NAYS

Motion: I moved to nominate Andrew Barrow for the longer vacancy. **MOVED BY CRAWFORD, SECONDED BY VERMILLION.** No further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Crawford, Vermillion, Westover, Warren

MOTION APPROVED WITH FOUR AYES

Mayor Luz gave the Oath of Office to Andrew Barrow and Al Muelhoefer. The two new Councilors joined the rest of the Council at the dais.

b. Resolution No. 1059 – City of Phoenix Social Equity Policy.

The Council agreed to have a completed resolution brought back for approval at the next Council meeting.

Councilor Vermillion read a public statement regarding the Social Equity resolution. (Comment are attached to the minutes)

Ms. Adams noted that she was disappointed in some of the language that was removed from the resolution. She feels a strongly worded resolution will further the work that Chief Bowker has started in recognizing bias within our local governmental institutions.

Ms. Totten agreed and supported the statements made by Ms. Adams. She noted that the Council lacks knowledge and understanding of social bias. Ms. Totten noted that the Council needs to take time and be thoughtful in the creation process of the resolution, but still understand that there is an urgency to it as well.

Ms. Marshall noted that we as individuals have biases. She noted that this a tough topic that we all need to put effort into addressing.

c. Consideration of Quasi-judicial Hearing for Censure of Mayor.

Doug McGeary, City Attorney, advised the Council of the process of Quasi-judicial hearing for Censure of the Mayor.

Mayor Luz asked if anyone on the Council will be asked to excuse themselves due to conflict of interest. He asked about the hearing being done in a closed executive session or an open meeting. Mayor Luz if they will be accepting public comment regarding the hearing and be able to defend himself during the process.

Councilor Westover expressed what she thought the process of censure of the Mayor should be per Roberts Rules.

Mayor Luz requested that the person that conducts the quasi-judicial hearing be impartial and not some that have been attacking him.

Motion: I move to extend the meeting until 9:30 p.m. **MOVED BY MUELHOEFER, SECONDED BY WARREN.** No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

Councilor Westover noted that the Mayor in the past has presided over the meeting discussing topics that he may not have been impartial to. She believes that the Council President would be able to preside over the hearing while being impartial.

Councilor Warren noted that there are people here that want to comment and he will give them the opportunity.

Motion: I move the Council President Chair the meeting specific on the Mayor Censure item. **MOVED BY WESTOVER, SECONDED BY CRAWFORD.**

The Council agreed that the Council President chair this portion of the meeting.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Crawford, Vermillion, Westover, Warren, Muelhoefer, Barrow

MOTION APPROVED WITH SIX AYES

Council President Warren read a statement from Tony Chavez. Comments are attached to the minutes)

Ms. Adams noted that moving forward with the hearing is the least the Council could do to make the Mayor accountable for his actions. She noted that policies should be created to make the meetings a safe place for people to come to speak their minds.

Ms. Marshall stated that the Mayor is decisive and is not working with the Council to move Phoenix forward.

Mr. Shunk noted the Mayor doesn't take responsibility for his actions, blames others, and has had his behavior be a topic of review by the Council before. He stated Mayor Luz needs to step down and not run again.

Motion: I move to extend the meeting another 20 minutes. **MOVED BY WESTOVER, SECONDED BY VERMILLION.**

ROLL CALL VOTE AS FOLLOWS:

Ayes: Crawford, Barrow, Vermillion, Westover, Warren, Muelhoefer

MOTION APPROVED WITH SIX AYES

Clarence Carr, Medford, expressed his opposition to the Mayor being a representative of the City of Phoenix.

Trinity Ari, Grants Pass, expressed her embarrassment about the Mayor being the face of Phoenix. She noted that she is responsible for organizing the protesting in Medford.

Lizzy Parkhurst, Phoenix, noted that the Mayor was not cleared of hitting one of the protestors, he was cleared of not harming them. She expressed her concern about the Mayor's actions during the Council meeting.

Councilor Muelhoefer noted a letter he sent to the Council requesting the Mayor step aside so they can move forward. He stated that the Mayor used poor judgment during the protest.

Councilor Westover noted that there is enough evidence to move forward with the hearing. She stated that they need to address the behavior or it will continue to happen.

Motion: I move that the Council find the allegations of the Mayor's violation of the City of Phoenix Code of Ethics, Chapter 2.30 are sufficient to merit further review, findings, and conclusion of violation. **MOVED BY WESTOVER, SECONDED BY VERMILLION.**

ROLL CALL VOTE AS FOLLOWS:

Ayes: Crawford, Barrow, Vermillion, Muelhoefer, Westover, Warren

MOTION APPROVED WITH SIX AYES

Mayor noted that the notion that he invited people to come to the meeting open carrying is ludicrous. He noted that it never happened, it will never happen.

d. City of Phoenix Sponsored Community Conversations/Town Hall Events.

The Council agreed to table this item until the next meeting.

8. STAFF REPORTS:

City Attorney no report

City Manager no report

9. MAYOR AND COUNCIL COMMENTS/ REPORTS:

No Council comments.

10. ADJOURNMENT:

The meeting adjourned at 9:58 p.m.

Respectfully submitted by,



Bonnie Pickett

City Recorder