



CITY COUNCIL STUDY SESSION
DRAFT MINUTES
Monday July 16, 2018
Council Chambers, 1175 E. Main Street

Mayor Stromberg called the meeting to order at 5:32 PM

Councilor Slattery, Morris, Bachman, Seffinger, Rosenthal and Jensen were present.

I. Public Input (15 minutes, maximum)

Huelz Gutcheon-Hwy 99-Spoke regarding historic buildings and the need for solar panels. He explained that new construction needs to have the solar panel options. He spoke regarding the importance of electric cars.

II. Video Arraignment and Jail Bed Usage Report

Ashland Municipal Judge, Pamela Turner and Ashland Municipal Court Lead Clerk, Darla Case presented a PowerPoint to Council (*see attached*).

Judge Turner introduced Ms. Case.

Ms. Case went over the PowerPoint presentation.

Items discussed were:

- Jackson County Jail beds.
- Video arraignments.
- Number of inmates.
- Contracts with the jail and county.
- Amount of video arraignments.
- Video arraignment set-up time and procedure.

Judge Turner spoke regarding the video arraignment process. She spoke regarding the time constraints and the need for additional staff.

Council discussed other options for setting up the video arraignment.

Ms. Case discussed the reasoning for the need of additional staff.

Police Chief, Tighe O'Meara spoke that Ms. Case has done a great job with the video process. He explained that there has been a 40% drop in the downtown behavior issues. He spoke that he cannot say for sure if there is a direct connection with the drop of negative behavior and the video arraignment but thinks it is important to keep the video arraignment process. Chief O'Meara discussed the pros of having video arraignment.

III. Review and Proposed Revisions to Council Rules (continued)

City Attorney, David Lohman gave a staff report.

Mr. Lohman went over questions 13-15:

13. Question: How should time limits on speakers on scheduled agenda items be determined?

Staff-Suggested Conclusion: Retain current AMC 2.04.050G.2, which makes the presiding officer responsible for setting time limits on public testimony on scheduled agenda items.

Points and Authorities:

- a. Current AMC 2.04.050G.2 says, “The presiding officer will set time limits for people to ask to speak on agenda items. In general, the time limits should be set to enable all people who wish to present testimony. Time limits shall not be so short as to not allow speakers to address their topics.”
- b. The time available for public testimony depends on multiple variable factors, such as time required for other items on the agenda, and the number of submitted “speaker request forms.”
- c. Especially on controversial issues, many members of the public may wish to be heard at Council meetings.
- d. Especially on controversial issues, elected decision-makers may well need significant meeting time for thoughtful deliberations among themselves.
- e. The standard time limit for public testimony at Study Sessions is 15 minutes, but a majority of Councilors can vote to extend that time. AMC 2.04.050D.2.
- f. Public testimony at Regular Council business meetings is only one of the available forms of input from citizens. Correspondence and direct personal conversations with Councilmembers (except on quasi-judicial land use matters) can be at least as helpful to elected decision-makers as necessarily time-limited statements at formal Council meetings.

Alternative Conclusions to Consider:

- a. As with Study Sessions, make 15 minutes the standard time for public testimony at business meetings, but allow a majority of Councilors to vote to extend that time.
- b. Allow citizens the 15 minutes for presentation, but allow Councilmembers unlimited time for follow-up dialogue with and exploratory questioning of presenters.
- c. Invite multiple citizen advocates for a particular position to testify “together” under an agreement to take less overall time than if each one signed up to speak separately.

Council gave consensus to keep it as is.

14. Question: At what point during consideration of a scheduled agenda item, should members of the public be invited to present their views on the item?

Staff-Suggested Conclusion: Following staff's initial presentation on an agenda item and Councilmembers' opportunity to ask staff clarifying questions, members of the public should be invited to present their views. Then Council should begin deliberation on the agenda item, either in the form of general colloquy or in the form of specific motions and debate. During this period of Council deliberation, members of the staff or invited "experts" may present additional information to the Council in response to a specific request from a Councilmember; during such Council deliberation, additional testimony from members of the public should be allowed only after a successful motion to suspend the rules.

Points and Authorities:

- a. Clear guidelines on when members of the public and staff can make oral presentations on agenda items would likely facilitate efficient decision-making and reduce frustrations.
- b. To avoid distraction, once Council deliberation begins, additional external input should be limited to specific information requested by Councilmembers for purposes of making a well-considered decision, and not for advocacy purposes.

Alternative Conclusion to Consider:

- a. A successful motion to suspend the rules could be required for any presentation of additional information by anybody not on the Council during the period of Council deliberation. Question: If a person goes to the trouble to provide public input on a matter, should the Council respond to that input immediately after? During Council's deliberation on the matter?

Staff-Suggested Conclusion: Council members should refrain from responding to Public Forum or agenda item testimony by members of the public, except upon approval by the presiding officer in response to a Councilor's request to correct a potentially misleading error in a purported statement of fact. Points and Authorities:

- a. Unless an erroneous statement needs to be corrected in order to avoid public misunderstanding or confusion, engaging in dialogue or debate with members of the public at Council meetings would likely increase the contentiousness and duration of meetings.
- b. Allowing dialogue on some topics with some presenters but denying that opportunity in other instances would be inequitable.
- c. Members of the general public have opportunities for oral and written input at public meetings, and in other venues; Council members are elected to make their best judgments on Council business matters after personally weighing both public input and other considerations.

Council agreed with Staff suggestions.

15. Question: Should follow-up questioning of speakers be permitted without suspension of Council Rules?

Council Conclusion (11/20/17): Follow-up questions or responses by Councilmembers should be allowed without suspension of the rules (1) in Study Sessions; and (2) when the speaker is a subject matter expert invited by staff or Council to make a presentation. Follow-up questions or responses by Councilmembers should not be allowed with respect to testimony by members of the public during Public Forum or during testimony on agenda items except in unusual circumstances and after suspension of the rules. However, Councilmembers or City staff may be recognized by the presiding officer following testimony by members of the public for purposes of correcting for the record any patent errors of fact.

Council gave consensus to the Council conclusion on 11/20/17.

IV. Executive Session – Immediately following conclusion of study session *

*Purpose of Executive Session Item - Conduct deliberations for labor negotiations, pursuant to **ORS 190.660(2)(e)**.

The Executive session was cancelled.

The Study Session was adjourned at

Respectfully submitted by:

City Recorder, Melissa Huhtala

Attest:

Mayor Stromberg

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at (541) 488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title I).

Ashland Municipal Court

**Presentation of
Video Arraignment and Jail Beds
July 16, 2018**

Overview

1. Jackson County Jail bed space
2. Ashland Municipal Court Video Arraignments
3. What it takes to do a video arraignment
4. Overview of what has been accomplished thus far
5. Questions and Answers

Jackson County Bed Space

- ▶ Jackson County has a capacity of 290 inmates.
- ▶ AMC contract - 2 Jail Beds
 - Medford Municipal Court 2 jail beds
 - US Marshal contract jail bed not specified

Ashland Municipal Court Video Arraignments

- ▶ 1st Video Arraignment
Monday, May 14, 2018 and 4 persons
were arraigned with 13 cases.
- ▶ Video Arraignments
Monday and Tuesday at 10:00am

Types of cases from video arraignment from May 14th to July 9th?

▶ RESOLVOED CHARGES

Criminal Trespass - 11

Disorderly Conduct - 9

Theft - 14

Interfering with Police - 2

Harassment 1

Deposit Trash in Waterways - 1

Violations to criminal companion case - 5

TOTAL:

- ▶ 43 cases Resolved
- ▶ 4 cases were continued
- ▶ 4 cases were new cases with no charging instrument filed with the court
- ▶ 26 people were released prior to video arraignment

Who gets to be arraigned by video?

- ▶ Defendants lodged at the jail on a warrant
Includes other open cases the person may have

Example: Person lodged on a failure to appear from a Criminal Trespass II offense and also has 12 other misdemeanor offenses -
TOTAL OF 13 CHARGES ARRAIGNED.

- ▶ New Offense - Depends if the court has a charging instrument or not.

Preparing for Video Arraignment



To This.









Preparing for Video Arraignment First Report

06/18/2018 01.59	[REDACTED] 100 ASHLAND TRANSIENT ASHLAND OR 97520	[REDACTED]	M W	[REDACTED] 28	ADP LOWE.A	05- THEFT LOST PRPAM - Cr ADM 06/24/2018 2128 Agency Case # 180001709	JC1168		
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06/23/2018 02.04	[REDACTED]	[REDACTED]	M W	[REDACTED] 29	ADP ADP	01- FIA FP DWS - Cr CIRC-WRNT- Case: 16CR46033 06/23/2018 0204 Agency Case # 180001776 02- FIA DUI ALCOM - Cr CIRC-WRNT- Case: 13CR08934 06/23/2018 0204 Agency Case # 180001776 05- FIA THEFT SERVICE - Cr ADM Case: 18F00070-1 06/23/2018 0204 Agency Case # 180001776	JC1184		
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Second Report

Jackson County Sheriff's Office

Inmate List

6/25/18

Housing	Prisoner Name	SO #	Arrest Agency	Court Case #	Charge	Bail	Status	Lodging Date	Release Date
WEST	[REDACTED]	[REDACTED]	PXP	18CR05922	FTA STRANGULATION	25,000	PT	05/24/2018	
			PXP	18CR05922	FTA HARASSMENT	0	PT	05/24/2018	
			PXP	18CN02255	CONTEMPT VIOL NC	10,000	PT	05/24/2018	
			PXP	18CN01874	CONTEMPT VIOL NC	10,000	PT	05/24/2018	
			PXP	18CR27718	HARASSMENT BM	5,000	PT	05/24/2018	
			PXP	18CR35060	COERCION	50,000	PT	05/24/2018	
			PXP	18CR35060	HARASSMENT BM	0	PT	05/24/2018	
			PXP	18CR35060	DIS COND 2	0	PT	05/24/2018	
			PXP	18CN02449	CONTEMPT VIOL NC	10,000	PT	05/24/2018	
			PXP	17CR67928	FTA PCS/METH AM	5,000	PT	05/25/2018	
			PXP	18CR35060	COERCION	0	PT	05/24/2018	
HLD	[REDACTED]	[REDACTED]	MFP	18CR39232	RECK BURNING	35,000	PT	06/20/2018	
			MFP	18D07083	DIS COND 2	NO BAIL	MM	06/20/2018	09/07/2018
			MFC	17CR52356	AG HARASSMENT	35,000	PT	06/21/2018	
			MFC	17CR52356	HARASSMENT BM	0	PT	06/21/2018	
			MFC	18CR15121	CRIM MISCHIEF 1	35,000	PT	06/21/2018	
			MFC	18CR15121	CRIM MISCHIEF 2	0	PT	06/21/2018	
			MFC	18CR15121	TRESPASS 2	0	PT	06/21/2018	

Almost ready for video arraignment:

- ▶ Docket for Judge and City Attorney
- ▶ Call the Jail
- ▶ Pull the case or cases for the Judge to review

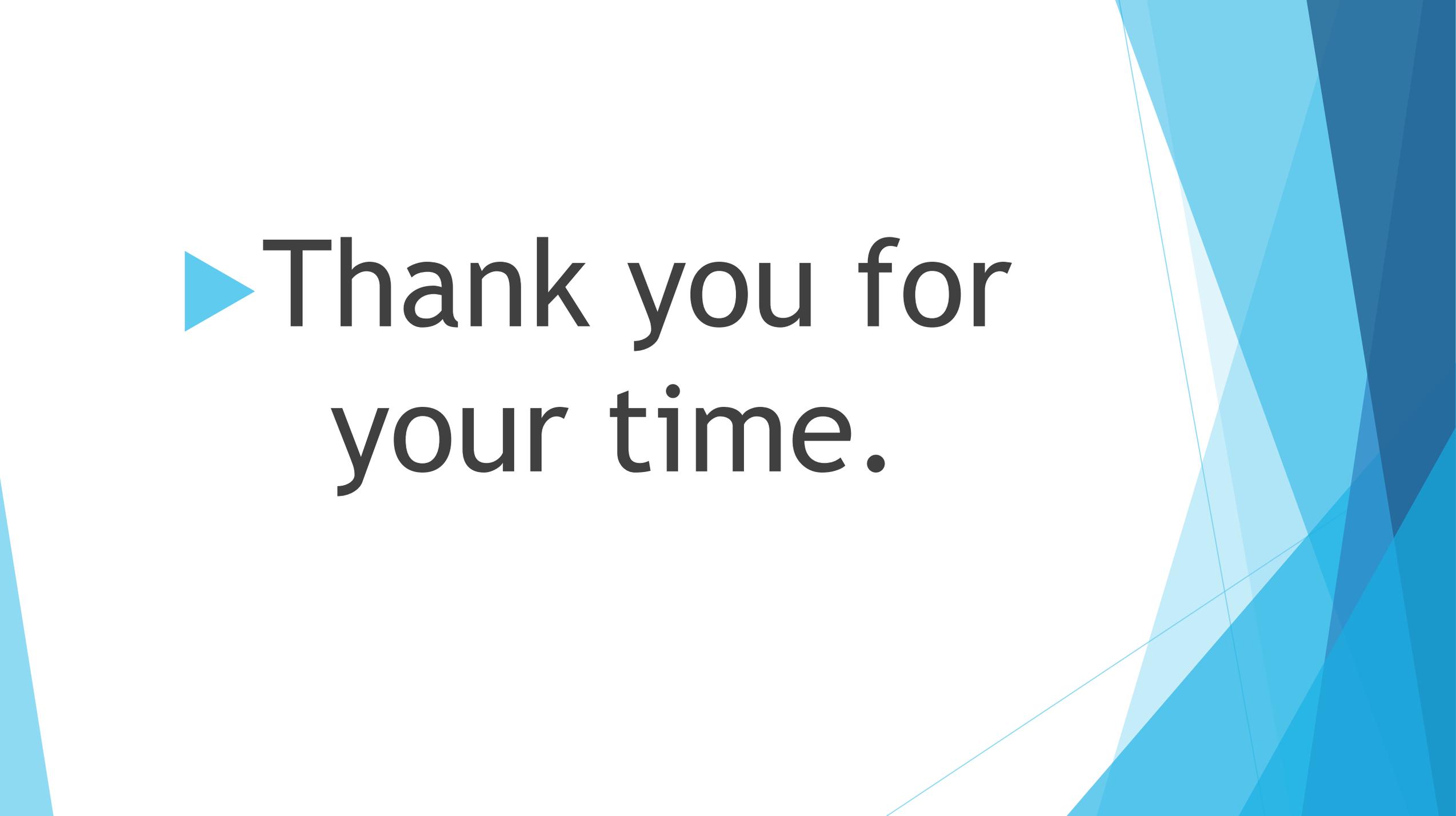
Now we're ready to begin

- ▶ The defendant is brought up before the jail's camera.
- ▶ The Judge and defendant can see and hear each other.
- ▶ The charge is read and defendant is asked if they understand the charge
- ▶ The City Attorney offers a recommendation.
- ▶ Whether or not a case has been resolved, the defendant's paperwork must sent to the jail within 30 minutes and a copy sent to the city attorney's office. If an attorney is requested and assigned, the paperwork will be sent to that attorney as well.

Almost done...

- ▶ Now that everything has been concluded for the morning, its time to take everything down and return the room back to normal, and as if we were never there. Everything is put away in reverse order as the set up procedure and now the room is ready for the next meeting.



The background features abstract, overlapping geometric shapes in various shades of blue, ranging from light sky blue to deep navy blue, creating a modern, layered effect.

▶ Thank you for
your time.