



McMinnville Police Department
121 SW Adams St, Training Room
McMinnville, OR 97128

Downtown Safety Task Force Meeting
Tuesday, November 7, 2017
11:00 am

Agenda

1. Welcome and Intros (p. 2-3)
2. Review & Check in on ranked Behaviors/Categories (p. 4-6)
3. Potential Survey Questions for businesses and residents (p. 7-8)
4. Additional Discussion about potential solutions (p. 9-16)
5. Next Meeting Agenda

Agenda Item 1

We have added one new committee member since the last meeting, contact info is below, welcome to Kelly Jacobs.

DOWNTOWN SAFETY TASK FORCE *(revised 10.30.2017)*

Established by Resolution Nos. 2017-63 & 2017-64

9/26/17-3/31/17

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Laura Van Houte, Community Member

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Susan Muir

Kelly Jacobs, Community Member (new)

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Agenda Item 2 – Ranked Behaviors/Categories

The following behaviors were raised as part of the July 11th & 25th City Council meetings, the behaviors were then grouped into 7 Categories of behavior. The number of times each behavior was raised was counted and the categories are ranked from the most commented on to the least:

1. Safety
2. Garbage/trash/needles/graffiti
3. Communication (tie)
3. Camping/Loitering/Row issues (tie)
4. Drugs/Alcohol/Smoking
5. Urine/Human Waste
6. Other

Action: The Task Force should decide if these categories are complete and prioritized in the correct order.

Background: (Full Testimony County/Groupings)

Safety (S) - 31

Downtown employees not feeling safe
Does not feel safe.
Lack of a police presence
Doesn't feel safe.
No police presence
Safety concerns
Verbal and physical harassment & intimidation
Safety Concerns
Employees being harassed inside stores
Safety concerns of employees getting to cars
Harassment
Drunk and belligerent panhandlers harassing customers
Park Rangers lack some clout
No safe and welcoming place to go.
Disturbances in the middle of the night, yelling, etc.
Cars broken into
No safe place for people to go
Criminal justice system creates a problem because people get caught here due to slow courts
Panhandling
Harassment
Broken windows
Teens don't feel safe downtown

Lack of safety
Safety concerns
Lack of public safety resources
Lack of safety
Safety issues
Reduced quality of life
Fights
Yelling/Cussing
Threatening behavior

Drugs/Alcohol/smoking (D) - 10

Drugs
Public use of illegal drugs
Smoking
Fortified Alcohol
Drug Use
Alcohol
Fortified alcohol/drinking
Drugs & alcohol
Smoking ordinance has no teeth
Drug Deals

Using downtown as restroom (R) - 7

Urine and feces
Urine smell
People lying and using 3rd st as a restroom
Lack of sanitation facilities.
Urinating
Urinating
Urinating

Communication (C) - 13

People are coming to McMinnville knowing they will be taken care of.
Busline from Portland to McMinnville
Not trained to know what to do, property owners don't know how to address behaviors
Lack of message when people ask what is being done about hygiene issues and feeling of alarm?
Lack of communication about what we can and can't do
Lack of one point of contact/accountability
Lack of coordination on sweeps that impact everyone
Negative outside perception of downtown
Lack of communication w/ community
Lack of communication
What resources are there

Lack of courage to solve problem
Lack of communication and connecting volunteers to need

Garbage/trash/needles/graffiti (G) - 14

Garbage
Graffiti
Needles
Syringes
Urban blight
Graffiti
Vandalism
Littering
Disrespect for public spaces
Condoms and needles in public places
Garbage
Refuse, trash, messes
Youth vandalism
Needles

Camping/Loitering/ROW issues (L) - 13

Sleeping outside
Unconscious people in the neighborhoods
People on sidewalks or people's property
Camping
Loitering
Skateboarding and biking on sidewalks
Camping
Trespassing
Taking over right of ways
Camping
Sleeping in downtown
Camping
Car Camping

Other (O) - 6

Kids & Teenagers Hanging out
Rudeness
Public nudity
Minimum wage is too low to live on.
Visual impact of vagrant population and perceptions impacts businesses
Repetitive issue Repetitive issue

Agenda Item 3 – Potential Survey Questions
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At the October 24 Downtown Safety Task Force meeting there was a brief discussion about gathering data through a survey. The questions asked would relate to the categorized behaviors and be sent to business owners and residents in the downtown area. Here is a draft survey for the Task Force to review/alter/edit/discuss:

The McMinnville City Council appointed a Downtown Safety Task Force to address behaviors in the downtown that have been detrimental to businesses, visitors and residents. The Task Force would like to do a baseline survey to measure our current situation, and plans on following up and measuring again next summer after potential solutions have been put into place to ensure the solutions are moving the needle towards improvement. This is a short, 11 question survey that should take no more than 5 minutes of your time. For more background, please go to www.mcminnvilleoregon.gov/dstf. We appreciate your time and your perspective.

Please answer the questions related to the timeframe of summer 2017 – (May 31, 2017- August 31, 2017)

1. How many times did *you personally* feel unsafe in our downtown?
(never, seldom, sometimes, often, always)
2. How many times did *your patrons or guests communicate to you* that they felt unsafe in our downtown?
(never, seldom, sometimes, often, always)
3. How many times did you see or deal with garbage, trash, needles or graffiti on your property?
(0, 1-5x, 6-10x, 10 or more)
4. How many times did *your patrons or guests make negative comments to you* about garbage, trash, needles or graffiti in our downtown?
(0, 1-5x, 6-10x, 10 or more)
5. How much communication did you personally read, see or hear about regarding what efforts are currently underway to improve downtown issues?
(None, some but too little, about right, too much)
6. How many times did you see or deal with camping or loitering on your property?
(0, 1-5x, 6-10x, 10 or more)
7. How many times did your patrons or guests make negative comments about camping or loitering in our downtown?
(0, 1-5x, 6-10x, 10 or more)

8. How many times did you see or deal with someone who was visibly or noticeably high or drunk?
(0, 1-5x, 6-10x, 10 or more)
9. How many times did your patrons or guests make negative comments about visibly high or drunk people in our downtown?
(0, 1-5x, 6-10x, 10 or more)
10. How many times did you see or deal with urine or human waste on your property?
(0, 1-5x, 6-10x, 10 or more)
11. How many times did your patrons or guests comment on urine or human waste issues in our downtown?
(0, 1-5x, 6-10x, 10 or more)

Action: The Task Force should decide if these questions capture the information we want to measure for a baseline and that we will use to measure progress over future years. Each question/measure should relate to a proposed solution which ultimately addresses a negative behavior.

Agenda Item 4 – Additional Discussion & background about potential solutions

To help ensure we connect solutions to the behaviors, we propose tracking solutions by the categories of behaviors and need to ultimately connect them to data points:

Category of behavior	Potential Solution	Measure/data point
Safety	Panhandling Ordinance (see below) Broaden EID geographically and programmatically Park a police car downtown Park Ranger enhancements Post better or more signs related to biking and skateboarding on sidewalks Install video cameras	Decrease in crime statistics Decrease in unsafe feelings of business owners, residents and visitors (from survey)
Garbage/trash/needles/graffiti		
Communication	Posting weekly call logs online (see below) Start guest editorials on existing smoking laws, donating to social service providers instead of panhandlers	Increase in community awareness of city efforts in downtown
Camping/Loitering/ROW Issue	Parking Garage Ordinance/improvements	
Drugs/Alcohol/Smoking	Smoking Ordinance (see below) Fortified Alcohol Ban/ Ordinance	
Urine/Humane Waste		

The Task Force asked for additional information related to several of the items above, we have put the attached information together:

Panhandling Ordinance

From the City of Ashland’s Police Chief O’Meara:

The ord. was adopted in 2016 and has not been challenged as far as he knows. “This ord has had a positive impact, but is not, by itself, a game changer. The single biggest stand-alone game changer for us was the smoking prohibition. The rest of the tools, while allowing us an “in” to make contact and mitigate negative behavior, have played supporting roles, so to speak. Also, the

Enhanced Law Enforcement Area has been a great tool and allowed us to ban some chronic trouble makers from even stepping foot in downtown.”

Additional info:

City News

City of Ashland

Homepage News

Council acts on downtown behavior ordinances

The city Council has approved an ordinance to prohibit "intrusive solicitation" and has given its initial approval to an ordinance that will prohibit people from obstructing sidewalks and walkways. The city's current sidewalk obstruction ordinance prohibits obstructing walkways with dogs or objects.

The intrusive solicitation ordinance prohibits panhandling within 20 feet of an ATM or the entrance of a financial institution, or requesting money from people seated at an outdoor or indoor area of a restaurant. A proposal to prohibit passing money from a vehicle to a person in a public right-of-way was removed from the ordinance before the Council voted to approve it. This ordinance will become effective on May 17.

The sidewalk obstruction ordinance prohibits intentionally blocking a sidewalk. Obstruction is generally defined as leaving less than 6 feet of clear passage space on a sidewalk. Intent is proven by failure to within five minutes of being warned by a law enforcement officer. This ordinance was approved on first reading and will return to the Council for second reading and final approval at the Council business meeting on May 3, 2016. The Council meeting begins at 7 PM in the Council chambers at 1175 East Main St. Additional public input will be taken only on changes that are made to the ordinance between first and second reading.

Chapter 10.130
INTRUSIVE
SOLICITATION

Sections:

10.130.010 Findings and Purpose

10.130.020 Prohibited Intrusive Solicitation

10.130.030 Penalty for Violation

10.130.010 Findings and Purpose

A. *Findings.*

1. Solicitations for immediate donations of money or any other item of value in certain areas of Ashland have caused solicited persons to feel their freedom to move away to avoid solicitation was restricted.
2. The City has a significant governmental interest in maintaining a safe and inviting environment in public spaces for all residents and visitors, but especially for tourists, because Ashland's economic vitality depends in large part on its status as a singular destination for tourists.
3. To retain the unique character of Ashland, preserve its status as a tourist attraction, foster commercial and cultural activity, and ensure the safety of residents and visitors, the City has a significant governmental interest in reasonable, specific locational limitations on request for money or any other item of value from another person, regardless of the solicitor's purpose or intended use of the money or other item of value.

B. *Purpose.* The purpose of this chapter is to protect residents and visitors from intimidating discomfiture arising from solicitation at specified locations.

10.130.020 Prohibited Intrusive Solicitation

A. No person shall orally or in any other manner request a donation of money or other gratuity from another person if the person to whom the request is made is:

1. Seated at an outdoor or indoor dining area of a restaurant or other establishment serving food for immediate consumption.
2. Within 20 feet of an automatic teller machine or the entrance to a bank, credit union or similar financial institution.

B. No person shall be cited under this section unless the person engages in intrusive solicitation as defined in Section 10.130.020 (A) after having been notified by the law enforcement official that such conduct violates this Chapter.

C. *Exemptions.* Section 10.130.020 (A) does not apply to solicitations related to business on the subject premises which is being conducted by or with approval from the owner or the lawful tenants of the premises.

10.130.030 Penalty for Violation

Any person who violates any provision of this Chapter shall be punished as set forth in Section 1.08.020 of the Ashland Municipal Code. Intrusive Solicitation is a Class IV violation. (Added, Ord. 3123, 2016)

Smoking Ordinance

Ashland's smoking prohibition ordinance

Chapter 9.30

PROHIBIT SMOKING IN PLACE OF EMPLOYMENT, IN ENCLOSED AREAS OPEN TO PUBLIC, AND IN DOWNTOWN ASHLAND

Sections:

9.30.010 Definitions

- 9.30.020 Smoking Prohibited**
- 9.30.030 Smoke Free Place of Employment**
- 9.30.040 Exemptions from Smoking Prohibition**
- 9.30.050 Penalties for Violation**

9.30.010 Definitions

The following words and phrases whenever used in this chapter shall be construed as defined this section:

- A. "Cigar bar" has the meaning provided in ORS 433.835(1).
- B. "Downtown" has the meaning provided in AMC 10.120.010.B.1.
- C. "Enclosed area" means all space between a floor and a ceiling that is enclosed on two or more sides by permanent or temporary walls or windows, exclusive of doors, passageways or gaps. If no ceiling is present, "enclosed area" means all space that is included by three or more sides by permanent or temporary walls or windows, exclusive of doors, passageways or gaps.
- D. "Inhalant" means nicotine, a cannabinoid or any other substance that is in a form that allows the nicotine, cannabinoid or substance to be delivered into a person's respiratory system by inhalation and is not approved by, or emitted by a device approved by, the United States Food and Drug Administration for a therapeutic purpose.
- E. "Inhalant delivery system" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device.
- F. "Place of employment" means every enclosed area under the control of a public or private employer that employees frequent during the course of employment, including but not limited to

work areas, employee lounges, vehicles that are operated in the course of an employer's business that are not operated exclusively by one employee, rest rooms, conference rooms, classrooms, cafeterias, hallways, meeting rooms, elevators and stairways. "Place of employment" includes privately owned enclosed areas where volunteers perform work typically done by employees. "Place of employment" does not include a private residence unless it is used as a child care facility as defined in ORS or a facility providing adult day care as defined in ORS 410.490.

G. "Plaza" means the area bounded by and including East Main Street, North Main Street, and Winburn Way.

H. "Smoke shop" means a business that is certified with the authority as a smoke shop pursuant to the rules adopted under ORS 433.847.

I. "Smoking instrument" means any cigar, cigarette, pipe or other instrument or inhalant deliver system used to smoke tobacco, marijuana or any other inhalant.

J. "Within 20 feet of" means no closer than 20 feet away from a physical feature specified in this chapter, as measured horizontally and fewer than eight feet above ground level. (Ord. 3140, amended, 04/18/2017; Ord. 3127, 2016)

9.30.020 Smoking Prohibited

A. Except as allowed in AMC 9.30.040, a person may not smoke, aerosolize or vaporize an inhalant or carry a lighted smoking instrument in a place of employment, in an enclosed area open to the public, on any sidewalk or on any public or private property within 20 feet of a sidewalk in Downtown Ashland, on the City property commonly referred to as the Theater Corridor Walkway (Assessor's Map No. 391E09BC, Tax Lot 901) except for that portion of the property controlled by leasehold right of the Oregon Shakespeare Festival (commonly known as the Thomas Theater); on the sidewalk on North Main Street between Granite Street and the Plaza, on sidewalks on Winburn Way abutting Lithia Park, in the public walkway between 150 and 166 East Main, on the Plaza; on the area at the corner of East Main Street and South Pioneer Street known as Chautauqua Square; or in the public parking lot at 130 N. Pioneer Street.

B. A person may not smoke, aerosolize or vaporize an inhalant or carry a lighted smoking instrument within 20 feet of the following parts of places of employment or enclosed areas open to the public:

1. Entrances;
2. Exits;
3. Windows that open;
4. Ventilation intakes that serve an enclosed area; and
5. Outdoor dining areas.

C. A person may not smoke or carry any lighted smoking instrument in a room during the time that

jurors are required to use the room. (Ord. 3140, amended, 04/18/2017; Ord. 3127, 2016)

9.30.030 Smoke Free Place of Employment

- A. An employer shall provide a place of employment that is free of tobacco smoke for all employees.
- B. Except in those places described in AMC 9.30.040 A to E, an employer shall post signs that provide notice of the provision of ORS 433.835 to 433.875. (Ord. 3127, 2016)

9.30.040 Exemptions from Smoking Prohibition

- A. The owner of person in charge of a hotel or motel may designate up to 25 percent of the sleeping rooms of the hotel or motel as rooms in which smoking is permitted.
- B. Smoking of noncommercial tobacco products for ceremonial purposes is permitted in spaces designated for traditional ceremonies in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996.
- C. Smoking is permitted in a smoke shop.
- D. Smoking is permitted in a cigar bar that generated on-site retail sales of cigars of at least \$5,000 for the calendar year ending December 31, 2006.
- E. A performer may smoke or carry a lighted smoking instrument that does not contain tobacco while performing in a scripted stage, motion picture or television production if:
 - 1. The production is produced by an organization whose primary purpose is producing scripted productions; and
 - 2. Smoking is an integral part of the production. (Ord. 3127, 2016)

9.30.050 Penalties for Violation

Violations of this chapter are Class IV violations as described in AMC 1.08. (Ord. 3127, 2016)

Posting weekly call logs online

We have assigned one officer Tuesday-Saturday to spend at least 2 hours from 4:00 pm – midnight (in addition to regular patrol staff) to be visible and be present in downtown. As of October 30, 2017 we have also started posting a report (example below) of police department activity downtown on the following web page: www.mcminnvilleoregon.gov/dstf

From the Downtown Patrol Officer who works 4:00 PM to Midnight

10/17 to 10/24 2017

Parking Structure:

During the date and times identified above, there were 7 area checks (self-initiated proactive patrol by officers) at the parking structure, and (1) one call for service from a citizen.

The call for service occurred on 10/19/17 at 9:25 AM. A citizen reported suspicious person(s) – Officers went to a report of 2 males looking in car windows on the 2nd level, including a Newberg Dundee Police patrol vehicle. The caller was alone and uncomfortable getting out of her car. No further information available.

There are still very few persons sleeping in the structure overnight, even with the cooler and wet weather. The downtown patrol officer estimates between 2 and 3 people are in sleeping bags and 1 or 2 vehicles parked in the structure overnight.

3rd Street Patrol by designated Foot Patrol Officer:

On 10/17 Tuesday A downtown merchant reported a suspicious subject. The downtown officer conducted follow up, but nothing seemed out of the ordinary. Officer contacted an individual who is a disabled Veteran who recently moved here from Keizer, OR.

On 10/18 Wednesday No reported issues occurred downtown by designated officer

10/19 Thursday A report of a disturbance in front of the Former Cornerstone Coffee. 2 individuals contacted and identified, no further action taken (non-criminal).

10/20 Friday No reported issues occurred downtown by designated officer

10/21 Saturday No reported issues occurred downtown by designated officer

Of Note: The officer routinely checks the side streets and alleys as well as churches and parking lots as well.