

**Important:** Any citizen may orally address the Council on non-agenda items during the Public Forum. Any citizen may submit written comments to the Council on any item on the Agenda, unless it is the subject of a public hearing and the record is closed. Time permitting, the Presiding Officer may allow oral testimony. If you wish to speak, please fill out the Speaker Request form located near the entrance to the Council Chambers. The chair will recognize you and inform you as to the amount of time allotted to you, if any. The time granted will be dependent to some extent on the nature of the item under discussion, the number of people who wish to speak, and the length of the agenda.

**DRAFT MINUTES FOR THE REGULAR MEETING  
ASHLAND CITY COUNCIL  
Tuesday, May 21, 2019  
Council Chambers  
1175 E. Main Street**

Note: Items on the Agenda not considered due to time constraints are automatically continued to the next regularly scheduled Council meeting [AMC 2.04.030.E.]

**7:00 p.m. Regular Meeting**

**I. CALL TO ORDER**

Mayor Stromberg called the meeting to order at 7:00 PM.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

Councilors' Slattery, Graham, Akins, Seffinger and Rosenthal were present. Councilor Jensen was absent.

**IV. MAYOR'S ANNOUNCEMENTS**

Mayor Stromberg announced the current Council and Community vacancies.

Division Chief Forestry Division Chris Chambers presented Fire Adapted Community Coordinator Alison Lerch with a Sparky Award. He explained this is an award that recognizes a member of the fire service for outstanding achievement in fire prevention or public safety education. He spoke to all of Lerch's great work. He announced that Lerch has recently accepted a job as the Wildfire Mitigation Program Manager for nonprofit Coalitions and Collaboratives in Salida, Colorado. Her last day will be May 31<sup>st</sup>. He thanked Lerch for all of her hard work and spoke that she will be missed. Lerch thanked Council and Staff for her opportunity here.

**V. CITY ADMINISTRATOR REPORT**

City Administrator Kelly Madding spoke that Jensen asked that Item XIV. 1 - First Reading of Ordinance No. 3176 Relating to Public Safety, Adding New Ashland Municipal Code Chapter 10.58 be continued to the next meeting in June.

**Seffinger/Rosenthal moved to move first reading of Ordinance 3176 to the June 18<sup>th</sup> Council Business Meeting. Discussion:** Seffinger explained that in general if a Councilor is absent Council brings back the item if requested. Rosenthal explained that as a Councilor you can postpone an item due to absence, and the request is typically accepted as a courtesy. Akins spoke that she had concerns that all the people who are here tonight would not be able to come back to a future meeting. Graham explained that there are several different ways for people to get thoughts and input to Council between now and the future meeting. **Roll Call Vote: Slattery, Graham, Seffinger and Rosenthal: YES. Akins:**

## **NO. Motion passed 4-1.**

Madding explained that there is a Q & A fact sheet that will be put online and for citizens to view regarding this topic.

**Akins/Rosenthal moved to allow those that those who are here want to speak to Ordinance 3176 can tonight.** Discussion: Akins spoke to the importance of allowing citizens who came to speak tonight to be able to. Mayor Stromberg reminded the Citizens that signs are not allowed in the Meeting. Rosenthal explained that we may not need a motion if we accept the public to speak in Public Forum. Madding spoke that if Council does allow public testimony that Staff be allowed to give a Staff report so people can hear that. Slattery suggested to add 15 minutes to Public Forum. **Akins withdraw her motion.**

**Council gave consensus to allow each speaker 3 minutes each during Public Forum.**

Police Chief Tighe O'Meara spoke that he is always available to talk face to face, by email and phone for anyone who has questions on this topic.

## **VI. APPROVAL OF MINUTES**

1. Study Session of May 6, 2019
2. Business Meeting of May 7, 2019

**Graham/Rosenthal moved to approve the minutes. Discussion: None. All Ayes. Motion passed unanimously.**

## **VII. SPECIAL PRESENTATIONS & AWARDS**

1. Annual Presentation by the Wildfire Safety Commission

Wildfire Safety Commission Chair Stephen Gange and Fire Adapted Community Coordinator Alison Lerch gave Council the annual presentation regarding the Wildfire Safety Commission.

Gange read a statement into the record (*see attached*).

Rosenthal questioned if the Commission knew what he was going to present tonight. Gange answered yes.

2. Annual Use of Force Presentation

Chief O'Meara gave the Annual Use of Force Presentation. He spoke that there has been a reduction of Use of Force in the last year from 359 to 215. He spoke that the goal is to keep the numbers going down.

## **VIII. MINUTES OF BOARDS, COMMISSIONS, AND COMMITTEES**

[Airport](#)

[Conservation](#)

[Forest Lands](#)

[Historic](#)

[Housing and Human Svcs.](#)

[Parks & Recreation](#)

[Planning](#)

[Public Arts](#)

[Transportation](#)

[Tree](#)

[Wildfire Mitigation](#)

**IX. PUBLIC FORUM** Business from the audience not included on the agenda.

(Total time allowed for Public Forum is 15 minutes. The Mayor will set time limits to enable all people wishing to speak to complete their testimony.) *[15 minutes maximum]*

Madding suggested a Staff report be provided by the Police Chief before Public Forum.

**Seffinger/Slattery moved that the Police Chief to be allowed to speak before Public Forum.**

**Discussion:** Seffinger spoke that it is a good idea to hear the facts. Slattery agreed. Akins spoke that she doesn't think people showed up uneducated. Graham spoke that it will be helpful for public process to hear from the Chief first. Rosenthal agreed. **Voice Vote: All Ayes.**

Chief O'Meara explained that this Ordinance would allow no additional authority. He explained the Chief and Officers already have the duty to enforce and investigate per the City Charter. He spoke that the only thing that this Ordinance does is gets us back to the place that the City was 2 years ago with the State. He explained that if caught breaking the rules you are obligated to say who you are otherwise there wouldn't be a way to write a ticket. He explained that this Ordinance does not elevate evidence to a crime. He explained if someone is doing something illegal they do not have to give anything except name and date of birth. He addressed concerns regarding minority communities. He explained that he and his Staff have taken aggressive training for this issue.

Connie Sue McGonagle - Ashland - Asking for a reconsideration of F&B tax forms being emailed out instead of mailed. She spoke that she has over 300 signatures from local business owners that feel the same way.

Jason Houk – Ashland – Spoke that he is from Southern Oregon Jobs of Justice. He spoke that he helps organize the Ashland Community Peace Meal and the Winter Shelter Program. He thanked the City Council for their support. He explained that they have been giving the meals out at Pioneer Hall for 4 years with a large turnout. He spoke that he is proud that the City is able to provide a hot meal to those in need. He spoke that there will need to be continued help to keep this going.

**PUBLIC FORUM REGARDING ORDINANCE 3176**

Jordan Marshall – Rogue Valley – Spoke opposed to Ordinance 3176. He spoke that the way we enforce is disproportionate. He spoke that he would like to think of Ashland as a great and wonderful Community. He spoke to not add addition crime. He spoke in concern of those who can't afford the ticket.

Alma Rosa Alvarez – Ashland – Spoke asking Council to not pass this Ordinance. Only need reasonable. She suggested to re-write section 1A of the Ordinance. She commended Chief for his diversity training. She spoke in concern of racial discrimination if this Ordinance was passed.

Amiko-Gabriel Blue – Ashland – Spoke against the Ordinance. Spoke to personal disabilities. Supports the right to remain silent. Spoke to all of those that may be affected by this Ordinance.

Rich Rohde – Ashland – Thanked Council for allowing Citizens to be able to speak tonight. He spoke in opposition of the Ordinance after a lot of research. He spoke that he is a father with children who have mental illnesses. He suggested to find a better way to address the issue.

CR Moreno - Ashland – legal of authority of this ordinance – sites ORS 153.008 as legal authority to

create this. Incomplete citation. 5 Separate criteria. No statutory authority.

Pauline Black – Ashland – Spoke she has lived here for 20 years. She spoke that this has always been a welcoming town but now considering an Ordinance like this seems racist much like Texas and New Mexico. She spoke that the group of people who will be affected most and feel further criminalized is minorities. She urged Council to vote no.

**X. CONSENT AGENDA**

1. EMS Billing Services Contract
2. Approval of Special Procurement for Ecoservices
3. Approval of Special Procurement for Neilson Research
4. Invitation to Bid for Chemicals for Water and Wastewater Treatment Plants
5. Award of Public Improvement Contract to VSS International, Inc. for Project No. 2018-37 Street Slurry Seal

**Rosenthal/Seffinger moved to approve the Consent Agenda. Discussion: None. All Ayes. Motion passed unanimously.**

**XI. PUBLIC HEARINGS** (Persons wishing to speak are to submit a “speaker request form” prior to the commencement of the public hearing. Public hearings shall conclude at 9:00 p.m. and be continued to a future date to be set by the Council, unless the Council, by a two-thirds vote of those present, extends the hearing(s) until up to 10:30 p.m. at which time the Council shall set a date for continuance and shall proceed with the balance of the agenda.)

1. Public Hearing on the 2019-2020 Social Service Grant Award

Housing Program Specialist Linda Reid and Housing and Human Services Commission Chair Rich Rhode presented a Staff report.

Rhode went over the process and spoke that the recommendations presented will best serve all people of Ashland.

Rosenthal thanked Staff and questioned the criteria that was applied. Reid explained that in 2014 a Strategic Plan was adopted by Council. Rosenthal questioned why some people didn’t get any funding. Reid explained that they looked at how many people each applicant served and administrative cost. Some of the applicants would not be able to function without this funding while others could.

**Mayor Stromberg opened the Public Hearing at 8:39 PM.**

**Mayor Stromberg closed the Public Hearing at 8:39 PM.**

**Slattery/Graham moved to approve the 2019-2020 social service grant funding allocations recommended by the Housing and Human Service Commission at its regular meeting on April 25, 2019. Discussion:** Slattery spoke that he watched this group during their preparation and felt confident it was a good process. He spoke to the quality of people on the Commission and thanked them for their work. Graham spoke that by working for a non-profit she understands the difficulties on the funding side of the process. She spoke in appreciation of their work. Seffinger spoke to the importance of this funding and acknowledging the age friendly goal. **Roll Call Vote: Seffinger, Akins, Graham, Slattery and Rosenthal: YES. All Ayes. Motion passed unanimously.**

**XII. UNFINISHED BUSINESS**



### **XIII. NEW AND MISCELLANEOUS BUSINESS**

1. Use of Aerial Drones Using Infrared Cameras to Monitor Public Lands for Illegal Camping and Use of Fire During Summer Fire Season.

Chris Chambers presented Council with a PowerPoint Presentation (*see attached*).

Items discussed were:

- Reasons for a drone detection program:
  - Resource damage caused by camping
  - Wildfire
  - Actual fires resulting from illegal camping.
  - Sanitation issues.
- Illegal Camping Dangers
- Proposed areas to cover with a Drone.
- Privacy concerns.
- Estimated costs.

Council discussed funding.

#### **Public Input:**

Eric Navickas – Ashland – Spoke that he doesn't think the cost analysis is correct. He spoke that there are much better solutions to these problems. He spoke that if the City continues the course of these policies they are criminalizing the poor and this is militaristic policies. Psychology of being homeless and now we are bringing this to a new level to haunt the poor. He suggested real solutions such as a homeless shelter instead of criminalization.

Rosenthal questioned Chief O'Meara if there would be constraints with budget and asked his opinion on this technology. Chief O'Meara agreed that Staff would be stretched thin but he stated the importance of this technology and the partnership between Fire and Police.

**Graham/Seffinger moved to approve the use of aerial drone detection via infrared camera for the purpose of fire detection and enforcement of the City's camping ordinance and pertinent fire prevention codes and regulations on City-owned lands and adjacent public lands as agreed for a pilot program of one fire season. Discussion:** Graham spoke that this is a difficult discussion to have and is not a fan of drones. She spoke that in extreme fire situations things can quickly get out of hand with devastating consequences. She spoke that she doesn't think we can properly deal with this issue with foot patrol. She spoke that it would be worth a pilot program. Seffinger spoke that this was a recommendation from the Forest Land and Wildfire Commission and spoke in support. She spoke regarding clean-up of camps. Slattery spoke that he will vote no on this motion due to funding. He spoke that he would like more of a comprehensive plan presented.

Akins spoke in appreciation of Staff. She spoke in agreement with Slattery. She spoke that the most important thing is to stop the fire wildfire from spreading and joining with the Police Department. Rosenthal spoke that he would be in support of a pilot program. Mayor Stromberg spoke in support of the program. **Roll Call Vote: Graham, Seffinger and Rosenthal: YES. Slattery and Akins: NO. Motion passed 3-2.**

### **XIV. ORDINANCES, RESOLUTIONS AND CONTRACTS**

1. First Reading of Ordinance No. 3176 Relating to Public Safety, Adding New Ashland Municipal Code Chapter 10.58

**Moved to June 18<sup>th</sup>.**

2. First Reading of Ordinance No. 3177 Amending AMC CH 2.18 Conservation Commission to the Conservation and Climate Outreach Commission
3. First Reading of Ordinance No. 3178 Creating the Climate Policy Commission; Adding New AMC CH 2.27

Assistant to the City Administrator Adam Hanks gave a Staff report.

**Slattery/Graham moved to amend the purpose, membership, powers and duties of the Conservation Commission and re-name the Commission as the Conservation and Climate Outreach Commission with the approval of first reading of Ordinance 3177. Discussion: None. Roll Call Vote: Akins, Seffinger, Rosenthal, Slattery and Graham: YES. Motion passed unanimously.**

**Slattery/Akins moved to create the Climate Policy Advisory Commission with the approval of first reading of Ordinance 3178. Discussion: None. Roll Call Vote: Slattery, Graham, Akins, Seffinger and Rosenthal: YES. Motion passed unanimously.**

**XV. OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS**

**XVI. ADJOURNMENT OF BUSINESS MEETING**

The Council Business Meeting was adjourned at 10:01 PM.

Respectfully submitted by:

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City Recorder Melissa Huhtala

Attest:

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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).*

## WSC Recommendations — Presentation to City Council May 21, 2019

The last year has been a lively one for our commission. We have a wide range of projects currently in the works towards increased wildfire safety. I'm happy to say our commission has grown into an extraordinarily well qualified body, including landscapers, building contractors, realtors, experienced wildfire consultants, FireWise leaders, as well as business and media professionals.

Together we're exploring some kind of Fire Safe Business License or certification for local building and landscape contractors. We're investigating how to best change the illegal camping culture that utilizes the woodlands surrounding our town during fire season. We're looking into the safety of the feeder electric lines surrounding our area beyond Ashland Electric's jurisdiction. We have one or two other small but important fire-related town ordinance change requests we'll be sharing with you in coming months.

On a typical year, this also might be the time for me to share details of our various accomplishments, such as the new "wildfire preparedness campaign" that we now expect to be an annual event. But I'm not going to talk about that tonight.

I'm here representing your Wildfire Safety Commission to applaud the high priority your council has recently given to emergency preparedness. Expanding on that theme, our report tonight is focused on the reality of Ashland's increasing risk of a large-scale fire and what would be an appropriate investment to avoid that future.

The Wildfire Safety Commission has given this much thought and developed recommendations I will share tonight. These recommendations outline how to reverse course and reduce Ashland's risk on multiple fronts. Several involve imminent City Council budget deliberations.

- 1) We commend the Budget Committee for affirming the importance of maintaining the current Fire Department staff size. One thing that caught our attention on this question was the staff Budget Committee presentation May 1, suggesting a Fire Department staff reduction could be offset by "Staffing Up" during Red Flag days. At the scale suggested in this proposal, this would lower department effectiveness and morale by requiring excessive overtime. A staff reduction would also impact the safety of our citizens year round, not just during fire season.
- 2) We do, however, urge reinstatement of the \$100,000 overtime fund cut that's under consideration. We believe it is critical that our Fire Department has the resources to respond with full effectiveness, given Ashland's increasing fire risk.
- 3) Illegal campers pose a significant fire threat. Our fire department has dealt with a number of wildfires started accidentally by campfires in our woodlands. One of these could easily spread into our town surprisingly quickly in the right wind conditions. Later tonight the fire department will be presenting a way to locate camps and campfires using infrared equipped drones that spot fires while protecting the privacy of Ashland residents. Our commission fully supports this plan.
- 4) Emergency preparedness is clearly one of your highest priorities. Towards that goal, our commission recommends your council fund the Sim Table purchase. A Sim Table uniquely offers staff detailed emergency planning information *before* an emergency. This is not just for Wildfires.

But. Considering how Ashland's risk of a major urban fire has actually increased in the last decade — due to the trifecta of changes in climate, the state of southern Oregon's forests, and Ashland's beautiful but dense landscaping, our recommendation is that reducing risk of widespread fire is important enough to justify having your council, city staff, and budget committee work together to find a solution.

Our commission believes Ashland's citizens, if made aware of the potential consequences of just maintaining the status quo, would be willing to support a well thought out plan to reduce our risk, much as our population voted to pay for improving Ashland's library services recently, and school bonds.

We offer our full support in doing our part to help educate our citizens.

So far tonight, I've been speaking mostly about current budget issues.

Once the current budget is resolved, however, we believe it's critical that we work together in new conversations, exploring ways to increase our town's resistance to wildfires and urban fires.

Ashland has thousands of homeowners that need guidance — and other help — making their properties safer. We need a bigger conversation in our town to sort out how to accomplish this in a relatively short period of time.

A measure pertinent to this discussion was just voted in by the City Council in Redding, due to the Carr Fire that destroyed 170 homes in West Redding last year. Earlier this month Redding's Council approved an \$8 million package to beef up their fire department.

They decided that in the long run, this investment will *save* their city money. A kind of insurance.

We're also learning about unexpected hidden costs in the aftermath of major urban fires. Before the Camp Fire, Paradise was a bit larger than Ashland. Their population, and so the town's tax base, is expected to take decades to recover. Last report has it at around a thousand. Only 6 percent of the toxic debris has been hauled away to date, 6 months later.

And — even deeper down than the toxic debris layer — it turns out big fires can compromise city water supply piping. In Paradise they're looking at up to 173 miles of now contaminated pipeline due to cancer-causing benzene and other volatile organic compounds. Their city water isn't safe to drink even after boiling. Paradise's estimated cleanup cost is 2 Billion.

It's impossible to project what a major urban fire would do to our town's financial health, but it seems safe to assume, even with outside disaster aid, it would be devastating.

Considering the number of lives at risk, as well as our financial exposure, we urge your council to get out ahead of this, instead.

We hope you'll agree that it just does not make any sense to wait until after we've experienced a significant urban fire before we make sure Ashland has what it needs to be properly prepared, and start lowering our risk in significant ways.

At our Wildfire Safety Commission's meeting last week, as we were reaching consensus on what I would be saying tonight, the group urged me to close by reminding us all that...

...as much as we might enjoy all the services and benefits Ashland's town government offers us, the essential, core purpose of town government is to keep its citizens safe.

# Proposed Drone Infrared Detection on City Forestlands

Wildfire Safety, Watershed Protection, and Resource Protection



# Why a Drone Detection Program?

- Resource Damage Caused by Camping
- Wildfire Ignition Risks as Climate Warms Resulting in More Severe Fires
- Actual Wildfires from Illegal Camps and Campfires
- Impractical and Uneconomical to Cover Steep, Difficult Terrain with Regularity
- What's at Risk? Adjacent homes, upslope Ashland Watershed, trails, wildlife habitat.



# Natural Resource Damage from Illegal Camping





















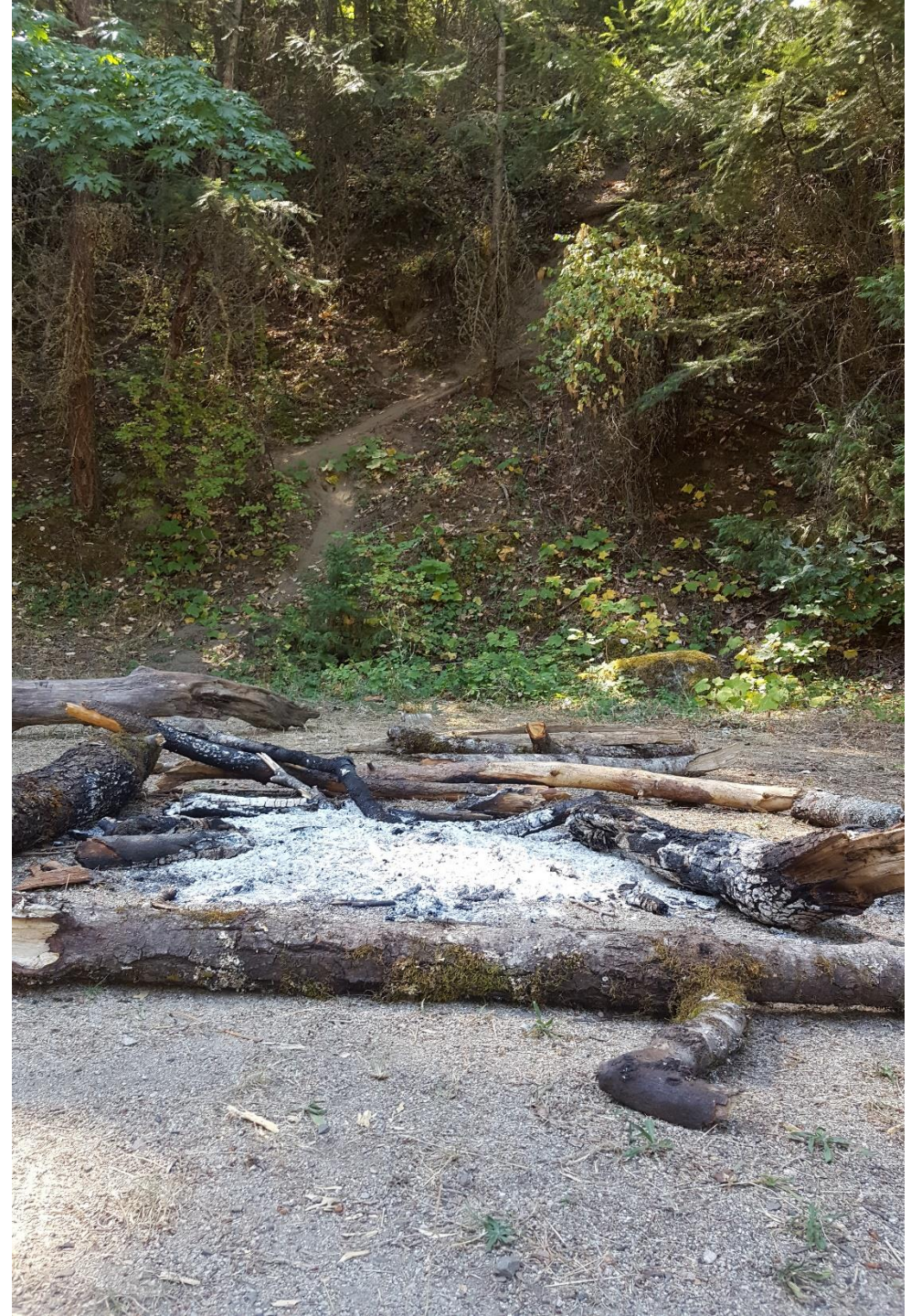
# Fire Ignition Risks from Illegal Camping





















# Wildfires Caused by Illegal Camping











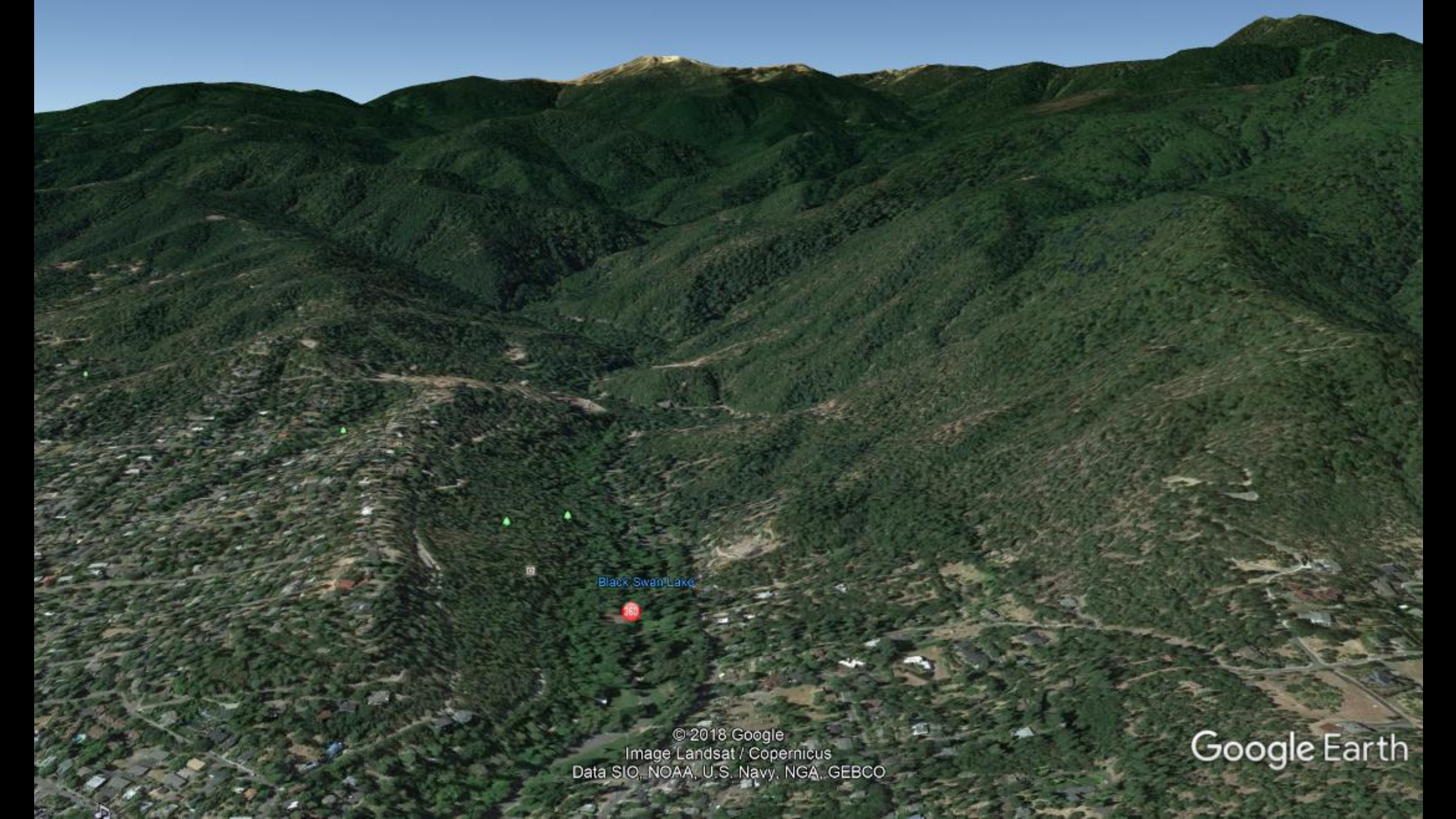












Black Swan Lake

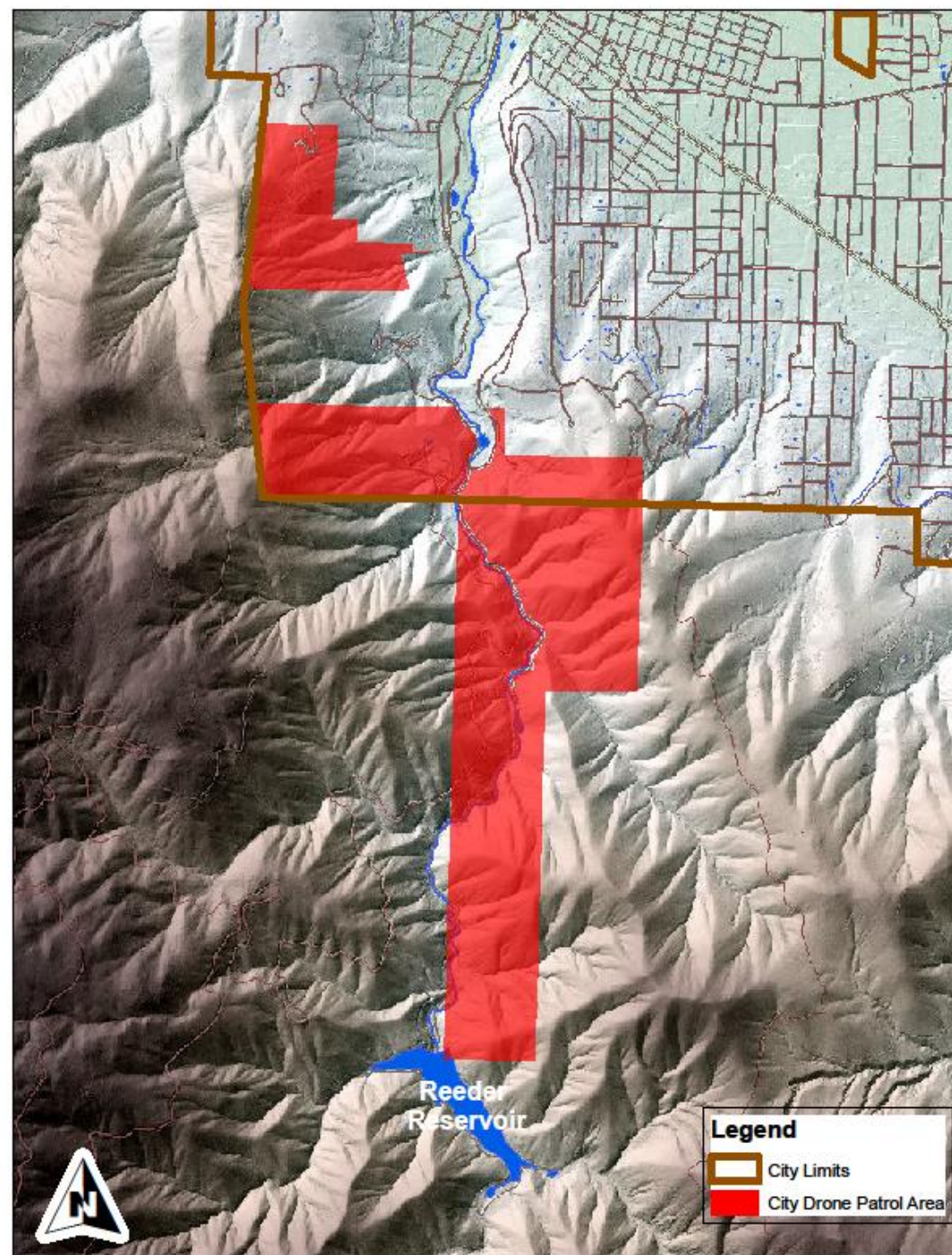
160

© 2018 Google  
Image Landsat / Copernicus  
Data SIO, NOAA, U.S. Navy, NGA, GEBCO

Google Earth



# Proposed Initial Coverage Area





# Examples of Infrared Detection Imagery on Ashland Watershed Burning Projects

AFR Pile Burn - 75a - UAV IR Flight - 11-30-2018

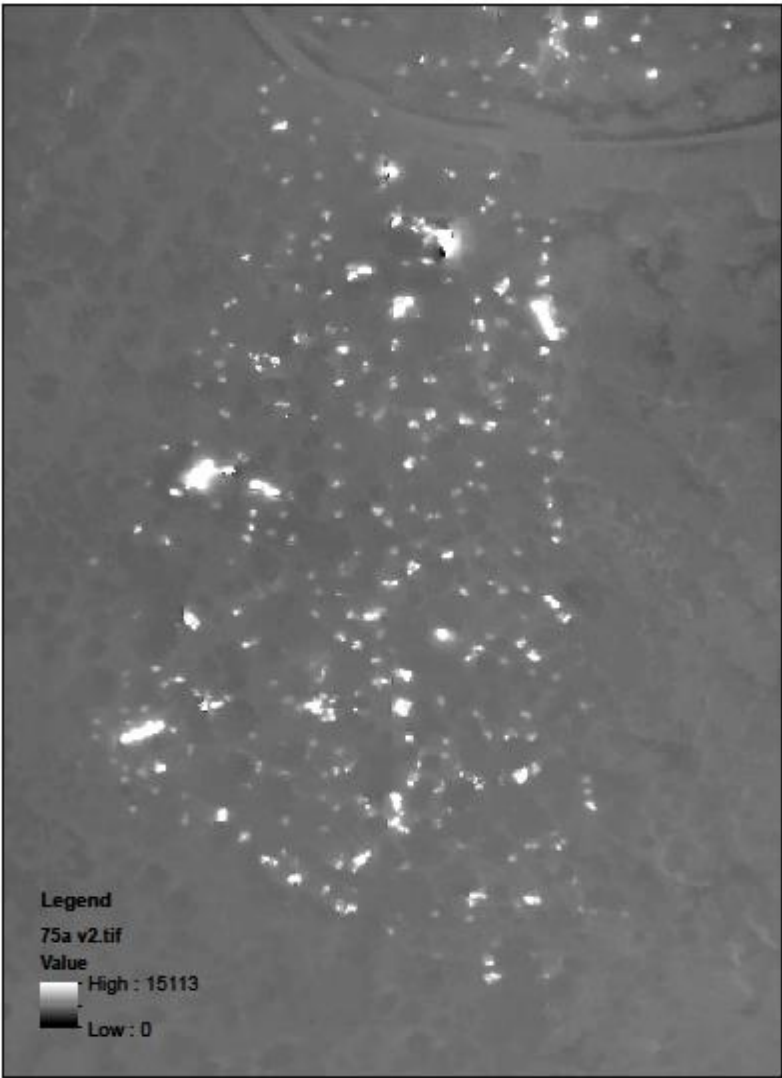


Legend

0 50 100 200 300 400 Feet



AFR Pile Burn - 75a - UAV IR Flight - 11-30-2018



Legend

75a v2.tif

Value

High : 15113

Low : 0

0 50 100 200 300 400 Feet



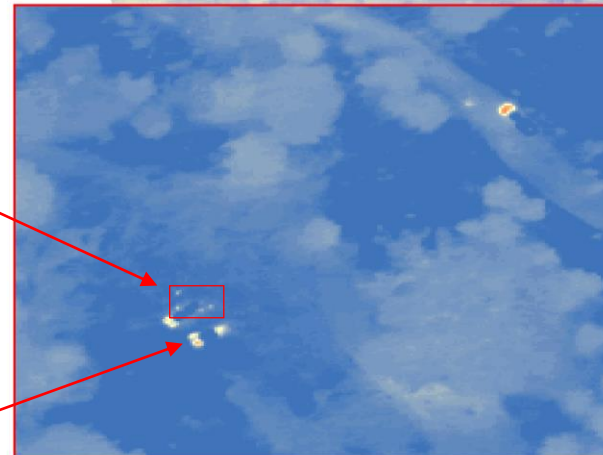


2003 TOLMAN IR FLIGHT - 05/07/2019

Heat signatures of  
vehicles and  
personnel standing  
nearby

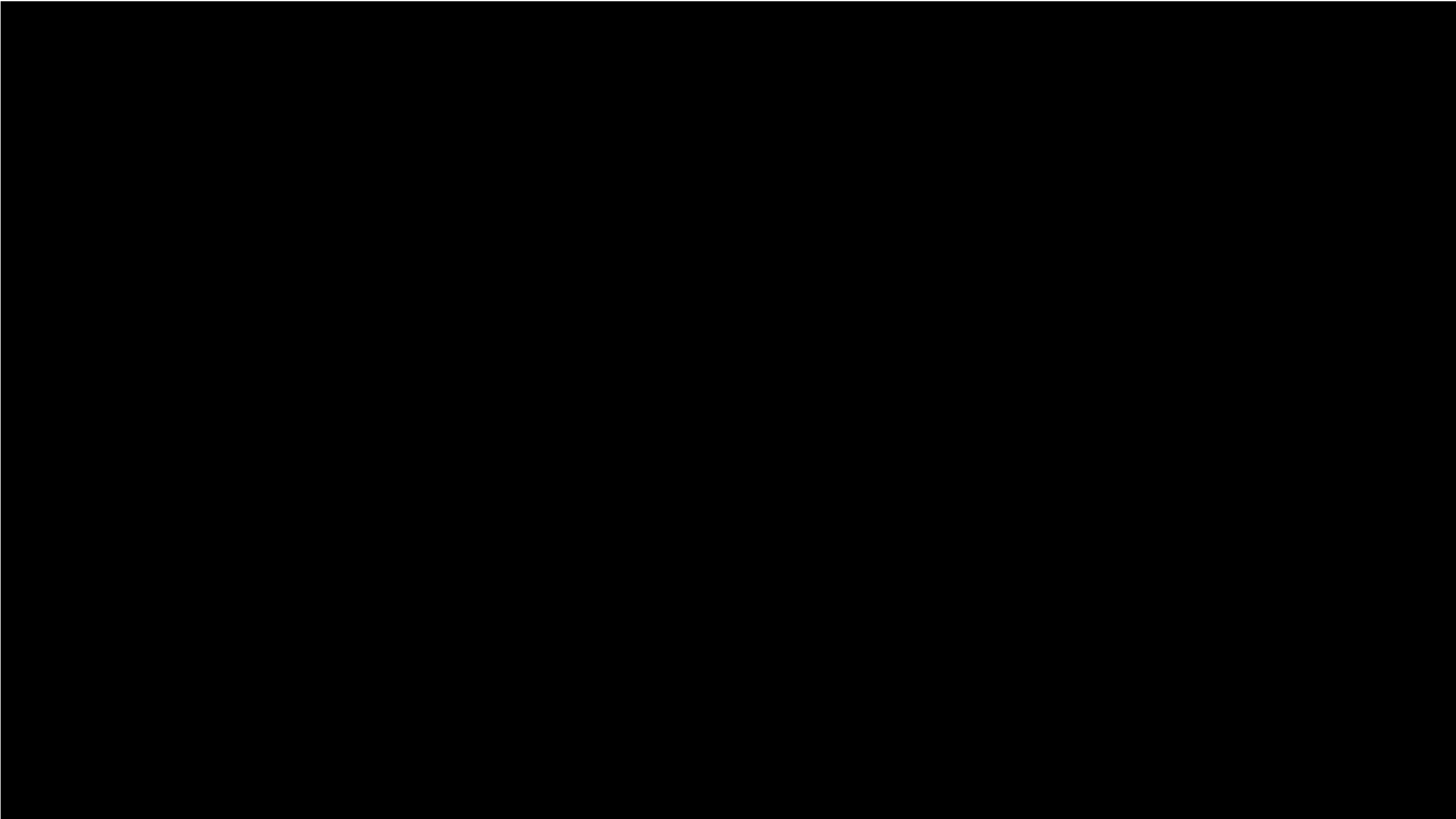
Human heat signature

Vehicle



0 125 250 500 750 1,000 Feet





# Costs of the Program

- Utilize currently allocated \$13,000 for watershed patrol program for drone detection services,
- Ashland Police Department would enforce illegal camping on City lands inside and outside the City limits.
- Leaves US Forest Service law enforcement to pursue issues on federal lands (currently patrolled by City sponsored JCSO Patrol 2X week)