



# Council Business Meeting Agenda

**ASHLAND CITY COUNCIL  
BUSINESS MEETING MINUTES  
Tuesday, December 19, 2023**

## **Executive Session**

Mayor Graham, Councilors Hyatt, Bloom, Dahle, Kaplan, DuQuenne and Hansen were present. Acting City Manager Sabrina Cotta was present.

- I. To consider the employment of a public officer, employee, staff member, or individual agent pursuant to ORS 192.660 (2)(a).**

## **Regular Business Meeting\***

### **I. CALL TO ORDER**

Mayor Graham called the meeting to order at 6:01 p.m. No employment decisions were made.

#### **1. Land Acknowledgement\*\***

Councilor Dahle read the land acknowledgement.

### **II. PLEDGE OF ALLEGIANCE**

Hansen led the pledge of allegiance.

### **III. ROLL CALL**

Mayor Graham, Councilors Hyatt, Bloom, Dahle, Kaplan, DuQuenne and Hansen were present.

### **IV. MAYOR'S/CHAIR OF THE COUNCIL ANNOUNCEMENTS**

Mayor Graham spoke about the ongoing installation of solar panels behind the council chambers. She added that the Transportation Advisory Committee was conducting a survey about bike parking inventory and improvement projects. The City is taking nominations for the James M. Ragland Memorial Ashland "Volunteer Spirit" Community Service Award. She finished with a reminder that the City's town hall meeting will be on January 24<sup>th</sup>, 2024, from 5:30 to 7:30.

### **V. APPROVAL OF MINUTES \*\*\***

- 1. Minutes of the December 4, 2023 – Study Session Meeting**
- 2. Minutes the December 5, 2023 – Business Meeting**

Hansen pointed out a correction on the December 5<sup>th</sup> minutes on page 8. A statement regarding Hyatt/ Bloom requiring the Homeless Services Master Plan conduct the review and report back in six months. Hyatt added that it was not an amendment but instead a standalone motion.

**Hansen/Hyatt m/s to approve the minutes of the December 4, 2023, Study Session and the minutes of December 5, 2023, Business Meeting with corrections.**



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**Roll Call Vote: Councilors Kaplan, Hansen, DuQuenne, Dahle, Bloom and Hyatt, YES. Motion passed.**

## VI. SPECIAL PRESENTATIONS

## VII. PUBLIC FORUM (15 minutes – Public input or comment on City business not included on the agenda)

- 1. Mark Brouillard/Ashland/**Asked about the investigation regarding the accident involving a recently acquired ambulance. Pointed out at clerical issue regarding Handyman Hardware. Spoke about fears of politicizing children in education.
- 2. Leda Shapiro/Ashland/**Voiced concerns about hiring practices within the City of Ashland for the Parks department. (See attached statement)
- 3. Sitka Moss/Ashland/**Requested the City to sign a letter calling for a ceasefire in Gaza. Read a poem by Zayna Azam.
- 4. Amanda Morehouse/Ashland/** Requested the City to sign a letter calling for a ceasefire in Gaza. Spoke against the ongoing war in Gaza.
- 5. Benjamin Ben-Baruch/**Spoke about his parents' experience during the Holocaust. Spoke against the ongoing war in Gaza. Read from a letter signed by the City of Talent, OR.

## VIII. CONSENT AGENDA

1. Acceptance of Moss Adams Audit Report
2. Authorization to apply for DLCD Climate Friendly Implementation Grant
3. Acceptance of a DLCD Technical Assistance Economic Opportunity Analysis Grant
4. Liquor License Approval for Beat Farm Coop & Ola Loa General Store at 38 Lithia Way
5. Liquor License Approval for Mason GochE (dba Mason's on Main, LLC) at 345 East Main Street
6. Liquor License Approval for Dangerous Lee LLC (dba Dangerous Lee's Local 31 Pub) at 31 Water Street, Suite 2
7. Liquor License Approval for Carlitos Italian Cuisine at 691 Fair Oaks Avenue
8. SERJ Appointments

DuQuenne requested to remove consent item #3 - Acceptance of a DLCD Technical Assistance Economic Opportunity Analysis Grant for further discussion with Senior City Planner Brandon Goldman

**Hyatt/DuQuenne m/s to approve the remaining items on the Consent Agenda. Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

DuQuenne asked Goldman about how the Department of Land Conservation and Development Grant (DLCD) works and what the fiscal impact will be. Goldman explained that the City of Ashland budgeted \$70,000 for an Economic Opportunity Analysis (EOA), with the last EOA having been conducted in 2007. Goldman also explained how the DLCD Grant would be applied and of a planned collaboration with the City of Medford for the forthcoming EOA which would be submitted to the Council sometime next year.



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**Hyatt/Bloom m/s to accept a DLCD Technical Assistance Economic Opportunity Analysis Grant and to authorize the City Manager to execute a final grant agreement with DLCD to help draft an economic opportunity analysis.**

**Discussion:** Hyatt thanked the Planning Commission for securing the DLCD grant.

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

## IX. PUBLIC HEARINGS

### 1. First Reading 3226 An Ordinance Establishing Hours of Parks Closure

Interim Parks & Recreation Director Leslie Eldridge provided a presentation. (See attached presentation)

Dahle asked about how the effectiveness of the ordinance would be measured. Eldridge responded that the effectiveness would best be seen by Ashland Police Department. Police Chief O'Meara responded it would be easy to track via data on police interactions with the public. Eldridge added that Parks would also be able to track their own interactions. Hansen asked if the park closure ordinance conflicts with the camping ordinance. Eldridge responded that the camping ordinance would supersede the park's hours ordinance.

**Hansen/Dahle m/s to approve the First Reading of Ordinance 3226 and send it to second reading.**

**DISCUSSION:** Hansen applauded the folks who brought this ordinance forward. He spoke that it would help to curb vandalism and lessen the burden on taxpayers. Dahle agreed that it is another tool adding that he hoped it would help solve problematic behavior. Hyatt thanked Eldridge for providing additional information regarding the skatepark.

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

### 2. Second Reading 3227 An Ordinance allowing Alcohol use in Parks.

Eldridge provided a presentation on the changes made between the first and second readings. (See attached presentation)

Bloom thanked Eldridge for the additional information. Dahle stated this was a paradigm shift and asked if there was a discussion on metrics to measure the outcomes. Eldridge answered that based on the wait for Oregon Liquor and Cannabis Commission (OLCC) permits, it would be some time before any data is available, adding that there will be a debrief before and after the first several events to determine how to best set practices moving forward. DuQuenne expressed concerns about smoking and that access to Lithia Park may be limited during events. Eldridge responded that the Japanese Garden has a Management Advisory Committee who is already working on several cultural events, with public events having park staff on hand to help with the marked-out areas. There is no smoking in any park. DuQuenne suggested critiquing the Japanese Garden event permits. Hansen asked if Eldridge thinks that applications would be available for events in the spring of 2024. Eldridge responded that the OLCC permits are in addition to City permits required to host events within the parks, although noted that there would be some wait time from OLCC. Deputy



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Director of APRC Rachael Dials added that new software for reservations had been implemented to help with permits beginning on January 2<sup>nd</sup>, 2024.

## **Bloom/DuQuenne m/s to approve Second Reading of Ordinance 3227.**

**DISCUSSION:** Bloom felt that people should have fun.

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

### **3. Second Reading CFEC Parking Code Ordinance 3229**

Goldman explained the findings of the Planning Commission as requested by the Council and the purpose of the ordinance. Hansen asked if there are opportunities for empty parking lots to be developed. Goldman confirmed that development would be able to happen. Dahle asked if there was a maximum street parking limitation? Goldman responded that the maximum is limited to the amount of space available.

**Bloom/Hyatt m/s to approve second reading of Ordinance 3229, which is titled, AN ORDINANCE AMENDING THE ASHLAND LAND USE ORDINANCE TO REMOVE AUTOMOBILE PARKING MANDATES AND AMEND PARKING STANDARDS SET FORTH IN ASHLAND MUNICIPAL CODE SECTIONS 18.2.2, 18.2.3, 18.3.14, 18.3.2, 18.3.4, 18.3.5, 18.3.9, 18.4.2, 18.4.3, 18.4.4, 18.4.6, 18.5.2, 18.5.3, 18.5.4, 18.5.5, AND 18.5.6**

**DISCUSSION:** Hyatt thanked Goldman and his team for their work. Graham expressed gratitude.

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

**Kaplan/Dahle m/s to approve the Findings of Fact and Conclusions of Law document dated November 28, 2023. DISCUSSION:** None

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

### **4. Second Reading Prohibited Camping Ordinance 3228**

Acting City Attorney Doug McGeary explained how the process for the second reading would go and highlighted the change on page 3 regarding the definitions of Occupancy. The change reads, "Occupy' or 'Occupancy' means to maintain physical control over a publicly owned area by a person's private property, wherein the effect is that the general public is excluded from the use of the public property for more than two (2) hours. Occupancy shall not include recreational park use."

He continued that the issue was not with people, but with property left, adding that the changes were to not limit those who are utilizing the space for recreation but to limit those who are taking up space with their personal property. Kaplan asked about the provisions of the designated space and how the ordinance would work with the Dusk to Dawn Lawn as a designated space. Assistant City Attorney Carmel Zahran said that the changes would help with property management when it comes to the apparent value/utility. O'Meara responded that the tents set up during the day in front of the Police Station would be a violation of this ordinance, however there isn't really a definitive answer when it comes to enforcing this part of the ordinance. O'Meara added that police officers see folks break the law daily and that enforcement action is not always taken. Kaplan stated one of his concerns was the lack of language regarding where the unhoused can go. He suggested that it would be better for an actual space to be designated for the unhoused to store their property during



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the day. O'Meara stated that it would be up to the Council to make that decision. McGeary added that there really isn't a way to prevent camping and that the ordinance is focused on behavior such as camping anywhere one wants within the city. He reminded the Council that the City Manager has the power to approve temporary places for the unhoused to stay if need be. DuQuenne voiced issues regarding stability from the local community around the night lawn. She asked if there was an opportunity for the unhoused to leave tents on the lawn during the day. Graham reminded the Council to keep their questions focused on the ordinance. O'Meara responded that APD had been given discretion by the City Manager to allow the unhoused to stay on the night lawn in instances of inclement weather.

McGeary spoke about the change to the section on prohibited occupancy, with the removal of the term "persons sleeping on benches between 9PM and 8AM" with Zahran adding that the change was made to better reflect enforcement. McGeary noted the change on the section regarding exceptions, with the change reading, "Camping prohibited within Lithia Park and parks with child or youth recreational equipment," Kaplan asked if the golf course was considered a park with youth or recreational equipment, which McGeary affirmed. Kaplan noted that the map within the ordinance would need to be updated to reflect Golf Course and Triangle Park. Zahran noted that the change was written to be flexible to reflect changes within parks, adding that the map is a guideline and not set in stone. Graham noted that the City could create a map of areas that the unhoused could go if the ordinance passes. Graham asked about the 250 feet buffer and if it would include the Willow Wind School, which sits outside of City limits but would have a buffer zone that would fall into City limits. McGeary responded that the ordinance would not apply to private property outside of the city's limits such as Willow Wind School. The ordinance would also not apply to public lands outside of the City's boundaries unless it is city property because our ordinances apply to city owned properties that sit outside of city limits. Hansen suggested that the Housing and Human Services Committee and the unhoused submit a list of places that the unhoused could stay before the second reading of the ordinance is approved. McGeary noted that the Council would have 30 days to draft up that map if the ordinance passes or they could table the second reading until the map could be drafted. Graham asked if any changes to the map would require the City Council to approve, with Zahran responding that the map was for information purposes only and was not part of the ordinance. Dahle noted that, beyond the specifically designated places where people cannot camp, that the rest of the places are based on the decision of the City regarding time, place and manner, with Zahran adding that the decision would be at the hands of the City Manager. McGeary spoke about the process for approving the amendments of the ordinance via individual motions.

## Public Comments

- 1. Tam Masdon/Ashland/**Expressed opposition to the camping ordinance. Spoke that the Council was not listening to the appeals of the unhoused and their supporters. Appealed to the humanity of the Council.
- 2. Heron Boyce/Ashland/**Spoke that the Council did not care about the unhoused. Expressed opposition to the camping ordinance. Spoke about a lack of safe spaces within the city for the unhoused to go, including the Night Lawn and shelters.
- 3. Debbie Neiswander/Ashland/**Spoke that the ordinance was about punishing people and not working to solve the cause of the unhoused issue within the area. Agreed that



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Ashland PD needed a stronger presence downtown. Mentioned that Ashland lacked the resources needed to effectively work with the unhoused. Raised concerns about the lack of a day shelter and a place for the unhoused to place their belongings.

- 4. Trina Sanford/Ashland/**Brought up the works of Kim John Payne regarding the “guarding phase” and considering needs. Praised the work of the Council on the ordinance. Expressed opposition to the people speaking out against the ordinance.

**Hansen/Kaplan m/s to table the second reading of Ordinance 3228 upon review from the Housing and Human Services Advisory Committee in coordination with Legal and APD to incorporate input from Housing and Human Services and to revisit first reading within six months.**

**Discussion:** Hansen spoke about the sensitivity of the greater issue around the unhoused. Spoke that the ordinance still needed work. He was concerned that the ordinance was drafted without input from the Housing and Human Services Committee and the unhoused. He spoke that the language of the ordinance was not clear and could possibly cause liability issues. He continued that the ordinance had not defined where the unhoused could stay well enough and welcomed input from Housing and Human Services and the unhoused. Dahle spoke on the clarity of the ordinance. He stated that it would help the City create their own definitions of time/place/manner. The Housing and Human Services Committee would be more effective working on the issues of housing. Bloom agreed with Dahle, stating that it would be a mistake to send it back to the houseless committee. DuQuenne stated that being unhoused is not a crime. She said that the ordinance was not perfect, but it was the only thing available. She felt that the ordinance would be a way to hold APD, the City and the Council accountable for providing shelter and a space for the unhoused.

**Roll Call Vote: Councilor Hansen, Kaplan, YES. Hyatt, DuQuenne, Dahle, and Bloom, NO. Motion fail.**

**Dahle/ Bloom m/s to approve the Second Reading of Ordinance No. 3228, an Ordinance Relating to Prohibited Camping and Prohibited Occupancy; Amending AMC section 10.46.020 through AMC 10.46.030, including section 10.46.010H “Occupy’ or ‘Occupancy’ means to maintain physical control over a publicly owned area by a person’s private property, wherein the effect is that the general public is excluded from the use of the public property for more than two (2) hours. Occupancy shall not include recreational park use,” Section 10.46.020C “Regardless of exceptions in subsection B above, camping is prohibited under any circumstance in which the act of camping includes existence of a fire or gas stove, or when the campsite exceeds 100 square feet, or when located on, attached to, or within Sidewalks, bike-paths, and walk-ways, Lithia Park and parks with child or youth recreational equipment, The Enhanced Law Enforcement Area(s) defined in AMC 10.120.010 250 feet of a preschool, kindergarten, elementary or secondary school, or a childcare center licensed, certified or authorized under ORS 329a.250– 329a.460, ORS 418.205 to 418.970: OAR 419–410–0010 to OAR 419–490--0170, 250 feet of a Designated Space or Shelter, 250 feet of freeway entrance or exits, 150 feet of other campsites, 100 yards of any river or stream; and any fence, trees, building, or vehicle,” and Section 10.46.030A “Prohibited Occupancy.**



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**A. Subject to AMC 10.46.020 or authorized permit, no person shall occupy street furniture or a public area according to the "Occupancy" definition in AMC 10.46.010 H. Property owned by violators shall be subject to the removal process in 10.46.040."**

**DISCUSSION:** Dahle mentioned the incredible difficulty with the process of creating the ordinance. He spoke that the ordinance provided clear guidance and would help find solutions to the housing problem. Bloom agreed with Dahle, while also expressing support for the ongoing homeless masterplan. Kaplan stated that he would like to make an amendment to the preamble.

**Kaplan/Hasen m/s to amend the motion to delete the sentence, "The objective of this ordinance is to differentiate between those who genuinely lack alternatives and use public spaces out of necessity, and those who have access to suitable alternative spaces and shelter but instead willfully exploit public spaces for personal gain or advantage, to the detriment of the general public that includes the involuntarily homeless population" from the preamble.**

**Discussion:** Kaplan spoke that the statement contradicted the previous paragraph and that the statement was not fulfilled via enforcement listed within the ordinance. Hansen had no additional comments. Dahle spoke that the deletion was reasonable and aligned with the intent and value.

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Amendment passed.**

Hansen continued the discussion of the original motion. Expressed support to ongoing efforts in south Ashland. He mentioned that this would be the first step towards solving the larger issue of housing. Kaplan was not convinced the ordinance addresses what the City needs. He spoke that the old ordinance needed improvement but was enforceable within the limits of the Ninth Circuit Court. Expressed concern over language and lack of definition of areas where the unhoused could stay, while also expressing support for connecting the unhoused to social services. Bloom spoke that the current shelters in place were adequate, adding that he'd like to call to question discussion.

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle and Bloom, YES. Hansen NO. Call to Question passed.**

**Roll Call Vote on original motion: Councilor Hyatt, DuQuenne, Dahle, and Bloom, YES. Hansen, Kaplan, NO. Motion passed.**

Graham expressed interest in directing staff to create a "positive map" for the unhoused to use that would show where the unhoused could go. The Council agreed to the idea, with Acting City Manager Sabrina Cotta adding that it could be done within 30 days.

Recess taken. Council returned at 8:16 pm

## X. UNFINISHED BUSINESS

### 1. Clarification and Detailed Direction on a Six-Month Review of Ordinance 3228

**Hyatt/Kaplan m/s would like to offer a motion to redirect consideration of the direction of the six-month review that moved and approved unanimously on December 5th, 2023.**



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**Discussion:** Hyatt spoke that the motion deserved additional conversation and reconsideration. Kaplan expressed support to Hyatt's motion.

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

Hyatt presented the reason for the agenda item and why it was important to review it. She spoke that it would create undue burden on the homeless master plan and the people working on it, adding that the discussions over the six-month period would help make the ordinance more workable and prevent unintended consequences. Bloom also asked the Council what a six-month check-in would look like. Bloom suggested it could come back as a study session item, which the Council agreed with. Hansen added that it was essential for the community to have input moving forward regarding the ordinance, with the discussions serving to fix any possible mistakes.

Public Comments:

**Debbie Neisewander/Ashland/**Withheld comments until Study Session.

**Hyatt/Kaplan m/s to amend the original motion, directing a six-month review of Ordinance 3228, to include: The review be completed by the Ashland City Council, with the use of the Housing and Human Services Subcommittee Houselessness Master Plan recommendations, and key data from the Ashland Police Department, to inform updates to Ordinance 3228, as appropriate.**

**Discussion:** Hyatt spoke to the imperfect work that the Council was doing and thanked Kaplan for expressing his concerns regarding the review. Kaplan thanked Hyatt for making this revision. Dahle spoke to the importance of having the right people in the right places working towards the end goal. Hansen expressed hope that people can get housing to help deal with the unhoused issue. He expressed frustration at the glacial pace new housing efforts were moving.

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

## 2. City Charter Amendments for May Election

Cotta provided a presentation (see attached.) She stated that the resolutions would be shown on the January 16 meeting. Dahle asked about Article 14 and if the City Manager and Chief of Police would be able to decide required qualifications, rank, and leadership levels for the proposed Sergeant at Arms. Cotta confirmed that they would be the ones in charge of setting those criteria. Kaplan asked if the exact job description of the City Recorder would be ready by January 16<sup>th</sup>, adding that he'd also like to have the new salary range compared with the current salary range. Cotta agreed that those requests would be ready by that date. Kaplan also asked about what descriptions would be removed from the City Recorder's job description. Cotta responded that the change was related to financial oversight, which was originally written in 1908. DuQuenne asked if the recorder would be either an elected position or an appointed position, which Cotta confirmed would be up to the decision of the voters. DuQuenne added that she would like language to reflect that in the resolution, which Cotta confirmed would be there. Bloom stated that the council seemed to agree that the new City Recorder position would fall under the Legal Department as opposed to the City Manager's office and asked if language would need to be added to reflect that. Cotta stated it that was up for discussion. McGeary added that he saw it more fitting under City Manager as opposed to Legal. Bloom noted that some of reasons are due to the legal requirements of licenses and records request





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as well as dividing up responsibilities, adding that he was wondering when the appropriate time to have this conversation would be. McGeary said he would create a pro/con list on where to put the position, with Graham adding that if this position was hired it would fall under the City Manager's purview to determine which department the position would fall under. Hyatt spoke to her sentiment that documents and records are for the people to maintain accountability. She asked about how to best clean up the job duties if the position stays as an elected position.

### 3. Council Chambers Audio-Video- Broadcast Updates

Cotta discussed the agenda item. The IT Department found a more cost-effective vendor than was originally quoted for and would like permission to move forward with a new contract. DuQuenne asked if the contract was budgeted for. Cotta explained that the cost would be absorbed within the administration budget. DuQuenne spoke that the dollar amount was too high, and the current equipment still met the state's meeting law requirements.

**Hyatt/Bloom m/s to approve the contract with Keycode Media and pursue the Council Chambers audio/video upgrade project.**

**DISCUSSION:** Hyatt spoke to the need for people to understand the conversations occurring within the chambers. She spoke that the upgrade was important to address the needs of the community.

**Roll Call Vote: Councilor Kaplan, Hyatt, Dahle, Hansen, and Bloom, YES. DuQuenne, NO. Motion passed.**

## XI. NEW BUSINESS

### 1. Support letter for Oregon Jail Medicine for Opioid-Use Disorder Grant Program Legislation (See attached letter)

Mayor Graham spoke about the two support letters being presented to the Council and their purposes. The first letter focused on expanding jail-based counseling for opioid use disorder.

**Kaplan/DuQuenne m/s to support the letter drafted to Representative Pam Marsh with Council Support.**

**Discussion:** Kaplan thanked Graham for bringing the issue forward and spoke that the program and resources would be of great use. DuQuenne expressed similar sentiments. Hyatt thanked Marsh for her work in this area.

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

### 2. Consideration of League of Oregon Cities' Recommendations for Revisions to Measure 110 (See attached letter)

Graham stated that the considerations were formed based off work done by several organizations regarding how best to revise the measure. Graham brought up concerns about reverting measure 110 without proper support systems in place, with the letter expressing these concerns but adding a special note for curtailing fentanyl. Kaplan spoke to the complexity of the issue and praised Graham



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for taking the initiative with the letter, specifically on the different treatment proposals. Hansen praised Graham for her efforts in helping to explain the intricacies of the issue and the proposals.

**Bloom/Hansen m/s to direct the mayor to send the drafted letter to Sen. Golden and Rep. Marsh on behalf of the City Council with regard to ballot measure 110.**

**Discussion:** Bloom spoke that the letter was a well-balanced approach to the issue, and agreed with the sentiment that a proper treatment system must be put in place, which Hansen agreed with. Dahle appreciated the spirit in which the letter was drafted. DuQuenne spoke to the importance of the letter, while understanding that the issue is beyond the scope of the Council. Kaplan expressed support for community-based treatment solutions part of the letter but felt that he could not support the letter in full.

**Roll Call Vote: Councilor Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Kaplan, NO. Motion passed.**

### 3. Authorization to accept potential grant money- Emergency Order Shelter

Cotta spoke that since the Council will not be meeting for a while, it is important that she be given the authority to accept any potential grant money for the extension of the Emergency Order Shelter. Cotta stated that an extension of the emergency declaration, restamped facility plans, additional operational funds, and an agreement with OHRA would all be needed to continue services at the shelter. DuQuenne asked about the timeline for installing fire alarms and smoke detectors in the shelter. Cotta explained that the shelter already had those but it did not have a sprinkler system. Kaplan noted that there was a possibility that the extension and the grants would not be received until the very end of the year, with Cotta noting that any grant funds would not apply to the severe weather portion of the shelter. Hansen asked if Cotta knew when the Governor would make the decision regarding the extension. Cotta responded that she does not know but was in contact with her office. Graham asked about what would happen to the shelter after the March 31<sup>st</sup>, 2024 deadline. Cotta stated that the 31<sup>st</sup> would have to be the end date, and suggested discussions happen closer to the deadline. DuQuenne asked for clarification of the future of the property, which Cotta explained was based on time limited occupancy permits provided by the Fire Marshall. Graham added that the shelter will either close on Jan 10<sup>th</sup> 2024, or March 31<sup>st</sup> 2024, depending on if the extension is granted. The housing master plan will be unveiled sometime in June of 2024, with the severe weather shelter at the site being unaffected. Hyatt asked for clarification regarding OHRA's efforts to provide long term housing for shelter occupants which Cotta confirmed had happened. Hyatt asked for clarification regarding who is currently being sheltered, which Cotta stated included mothers and children.

**Bloom motioned for the Mayor and the City Council to call an emergency meeting to review the terms of any potential grant and contracts with service providers related to the continued operation of the 24/7 Emergency Order Shelter until March 31, 2024.** Motion was not seconded. Motion dies.

**Kaplan/Hyatt m/s to grant the City Manager authority to accept grant funds, contract service providers, and execute related agreements for the continued operation of the 24/7 Emergency Order Shelter until March 31, 2024.**



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**DISCUSSION:** Kaplan expressed his support for Cotta and her team. Hyatt expressed the same, adding that the forethought being put in would go a long way to help prevent any possible issues. Dahle spoke that keeping the shelter open would help meet the requests and needs of the community. Bloom expressed concerns over the possible conditions of the grant. Hansen spoke that running/maintaining the shelter must be done right in order to maintain the trust of the people involved in the shelter. He felt that the City Manager would make the right call regarding which grants to accept.

**Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, YES. Bloom, No. Motion passed.**

## 4. Severe Weather Temperature Thresholds

Due to time constraints Graham decided to move this item to the next meeting but wanted to ensure those who signed up for public comment had a chance to speak.

**Rich Rohde/Ashland/**Expressed opposition to lowering threshold temperature to 25°F. Spoke that changing the threshold would continue to cause harm to the unhoused people.

**Caren Caldwell/Ashland/**Expressed opposition to lowering the threshold temperature to 25°F. Spoke that the changes would cause harm to the unhoused people. Stated her intention to be outside during the next two nights that the shelter announced would be open to feel the cold firsthand.

**Brigid Herron/Ashland/**Expressed opposition to lowering the threshold temperature to 25°F. Spoke that the change would be "inhuman." Spoke about the difficulty of the unhoused getting proper cold weather gear.

**Helena Turner/Ashland/**Spoke about her experience as an OHSU street nurse. Spoke about the health issues of cold exposure. Expressed opposition to lowering the threshold temperature to 25°F.

**Debbie Neiswander/Ashland/**Expressed opposition to lowering the threshold temperature to 25°F. Brought up concerns about the Council citing "Public Safety" as a reason to lower the threshold. Spoke to the experience of people currently living in the Night Lawn in the cold.

XII. **ORDINANCES, RESOLUTIONS AND CONTRACTS**

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

XIV. **ADJOURNMENT OF BUSINESS MEETING**

**Meeting adjourned at 9:30 pm.**



# First Reading – 3226 – Parks Hours

12/19/23

PARKS HOURS

## Parks Hours

Parks have experienced:

- Increased vandalism
- Increased damage to public property
- Public safety concerns

- Many of these incidents occur during nighttime hours.
- Managing these issues has resulted in significant maintenance and financial burdens to APRC, as well as challenges to the Ashland Police Department (APD) enforcement efforts for public safety.



Currently, the Ashland Municipal Code 10.68.380 provides a “curfew” for exclusively Lithia park from 11:30PM to 5:30AM.

The proposed amendment to the AMC would establish hours of parks closure in all City parks *between the hours of 12:00AM (midnight) and 5:00AM.*

The Ashland Municipal Code (10.68.010) defines the term “Parks” as inclusive of all parks, trails, and open space lands.



## Parks Hours

### Key Points

- The proposed ordinance establishes baseline hours of closure that apply to all parks, trails and open spaces. It does **not** prevent APRC from establishing operating hours or additional restrictions on specific parks, facilities, or equipment.
- The proposed ordinance has been developed in collaboration with Ashland Police and Legal Departments and will not affect, impact or interact with the proposed camping ordinance.



# Parks Hours

## Benefits

- The proposed ordinance allows for transit through park lands during nighttime hours, as well as sanctioned after-hours activities with a special event permit.
- Potential reduction in vandalism and other abuses of public property
- Potential increase in nighttime public safety
- Provides a tool for APD to initiate conversations with park users at night
- Will not put increased burden on APD officers



QUESTIONS?





CITY OF  
**ASHLAND**  
*Better Together*



# First Reading – 3227 – Alcohol Use in Parks

11/7/23

Alcohol Use in Parks

## Alcohol Use in Parks

### APRC Biennium Goal #9

Seek out and support opportunities for community building through programs and events in our parks, open spaces and trail networks that celebrate art, music, sports and nature.

### Council Priorities

- Community Investment: Downtown revitalization
- Quality of Life: Arts and Entertainment
- Economic Opportunity/Vitality: Diversify the local economy; broaden options for tourism/visitors; attract more families to live in Ashland.



Currently, Ashland Municipal Code 10.68.090 does not allow any person to take any intoxicating liquor or beverage into any portion of the public parks of the City with some exceptions (Calle Guanajuato and the Oak Knoll Golf Course).

**Staff proposes amending AMC 10.68.090 to allow for alcohol in parks as authorized by the Ashland Parks and Recreation Director or designee, consistent with established parks rules and regulations.**



## Key Points

1. Security Requirements
2. APCR Policy vs. Ordinance Language
3. Fees for Services





## Benefits

- Attracts event organizers to choose Ashland parks for their events
- Enables revenue generation
- Provides opportunities for fundraisers
- Potential to bring increased visitation and economic activity to local businesses



QUESTIONS?



## Ballot

- No fiscal impact to the City of Ashland
  - Primary/General Election in even numbered years-County Clerk budget
- Recorder
  - Update to current professional standards
  - Reduce risk
  - Change in job over time not reflected in current charter language
  - Ensure qualifications beyond voter residing within city limits
  - Ensure job compensation matches position responsibilities
- Sergeant-at-Arms
  - Allows increased operational discretion to the Chief of Police
    - Operational needs
    - Work & training needs



QUESTIONS?





December 19, 2023

Dear Representative Marsh,

Thank you for your long-standing efforts to improve health care for all Oregonians. I am writing on behalf of the Mayor's office and the Ashland City Council to express our support for your legislation to establish the Oregon Jail-Based Medication for Opioid-Use Disorder (MOUD) Grant Program. The Council appreciates this proposal as it will fund the creation or expansion of jail-based counseling and MOUD programs serving adults in custody with opioid use disorder.

Opioid addiction is a serious problem across Oregon, and the Ashland community is feeling the impacts. The time when an adult who has opioid use disorder is in jail is a critical time for intervention – an opportunity that is almost always lost due to the lack of jail-based counseling and MOUD programs in Oregon.

With this legislation, you are inviting the Oregon Legislature to invest in a cost effective, evidence-based program that will save lives and help Oregonians suffering from opioid use disorder while reducing the cost to society that results from untreated addiction.

The Ashland City Council is pleased to support this legislation and thanks you for your good work on behalf of all Oregonians.

Sincerely,

Tonya Graham

Mayor of Ashland on behalf of the Ashland City Council

**OFFICE OF THE MAYOR**

20 East Main Street  
Ashland, Oregon 97520  
[ashland.or.us](http://ashland.or.us)





December 19, 2023

Dear Senator Golden and Representative Marsh,

I am writing on behalf of the Ashland City Council to express the Council's support for the Oregon Legislature to revise certain provisions of Ballot Measure 110 and put additional provisions in place to help address the significant rise in fentanyl overdose-related deaths and protect public safety across Oregon. Specifically, the Council supports the immediate adoption of 10 of the 11 attached policy recommendations developed by the League of Oregon Cities, the Oregon Association of Chiefs of Police, Oregon District Attorneys Association, and the Oregon State Sheriff's Association.

We understand that addiction is, first and foremost, a health issue and must be addressed as such. It is also very complex in that effective help must be available and people suffering from addiction must decide to accept that help in order for our society to make substantial progress in addressing addiction.

While well-intentioned, Measure 110 adjusted the legal consequences of drug use before adequately building out recovery resources to address the need. It is important that we not repeat that error in revising the program.

Therefore, of the attached recommendations, we ask that you prioritize the treatment and community-focused solutions to ensure that programs are immediately available to assist people who suffer from addiction. Without treatment programs in place and properly supported, public safety solutions designed to help people suffering from addiction re-claim their lives will simply be punitive without the long-term benefits that are clearly important to Oregonians.

Any effort to re-classify possession of a controlled substance to a misdemeanor (Recommendation 1) should be considered only after the state has put in place adequate treatment programs statewide to ensure that people who are charged with a misdemeanor can immediately access the help they need through a diversion program. Until that time, we support the remaining 10 recommendations (numbered 2-11).

Sincerely,

Tonya Graham

Mayor of Ashland on Behalf of the Ashland City Council

**OFFICE OF THE MAYOR**

20 East Main Street  
Ashland, Oregon 97520  
[ashland.or.us](http://ashland.or.us)



# Speaker Request Form

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- 7) Speakers are solely responsible for the content of their public statement.

Tonight's Meeting Date	<u>12/19/23</u>
Name	<u>MARK BEAUCARD</u> (please print)
Address (no P.O. Box)	<u>ASHLAND</u>
Phone	[REDACTED] Email

## Regular Meeting

Agenda topic/item number \_\_\_\_\_ OR

Topic for public forum (non-agenda item) \_\_\_\_\_

## Land Use Public Hearing

Please indicate the following:

For: \_\_\_\_\_

Against: \_\_\_\_\_

### Challenge for Conflict of Interest or Bias

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Written Comments/Challenge: \_\_\_\_\_

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Tonight's Meeting Date	<u>12/19/23</u>
Name	<u>Leda Shapiro</u>
Address (no P.O. Box)	[REDACTED]
Ph	[REDACTED]
Email	[REDACTED]

Regular Meeting

Agenda topic/item number \_\_\_\_\_ OR

Topic for public forum (non agenda item) HIRING PRACTICES

Land Use Public Hearing

Please indicate the following:

For: \_\_\_\_\_

Against: \_\_\_\_\_

**Challenge for Conflict of Interest or Bias**

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Written Comments/Challenge: \_\_\_\_\_

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12/19/23.

I am coming to this Council to bring up a concern about the City's hiring practices and my rights as a citizen and resident of Ashland.

At the end of November I sent in a PRR asking for information regarding an employee promotion, and questions about our hiring practices. After several weeks of not getting a response, I only received part of what I requested. I was then told that the City had no obligation and would not be answering my query about hiring practices. In addition, I am now told by the City attorney that I must discontinue questions about this subject.

The City of Ashland states our hiring practices on the Ashland City website as follows:

*All employment opportunities with the City of Ashland and Parks & Recreation are posted on our **EMPLOYMENT PAGE** first  
The City of Ashland is an equal opportunity employer and will not discriminate against an employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, age, marital status, national origin or mental or physical disability unless based on a bonafide occupational qualification*

Despite these stated policies, I am aware that vacant positions have been filled, without posting them on the job opportunities

page first and without accepting applications from the public. I have been told that it is not legally required to supply me this information.

Not that there is anything wrong with hiring from within... everyone should be able to apply

This may seem to you as an unimportant detail since we have been able to fill vacant positions with interim staff. But if the goal is to have a diverse, experienced, competent staff, we need to actually open all vacancies to the public to apply.

As a city that professes progressive ideals, we will never achieve our goals of diversity if we continue to withhold these job opportunities from people.

And Isn't the public entitled to know whether the City's own procedures are being followed?

Leda Shapiro  
Ashland



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(Comments can be added to the back of this sheet if necessary)
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Tonight's Meeting Date Dec 19, 2023

Name SITKA MOSS  
(please print)

Address (no P.O. Box) [REDACTED]

Phone [REDACTED] Email \_\_\_\_\_

Regular Meeting

Agenda topic/item number \_\_\_\_\_ OR

Topic for public forum (non agenda item) Call for Lease fire / Letter

Land Use Public Hearing

Please indicate the following:

For: \_\_\_\_\_

Against: \_\_\_\_\_

Challenge for Conflict of Interest or Bias

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Tonight's Meeting Date	<u>12/19/23</u>
Name	<u>Amanda Morehouse</u>
Address (no P.O. Box)	<u>[REDACTED]</u>
Phone	<u>[REDACTED]</u>
Email	<u>[REDACTED]</u>

## Regular Meeting

Agenda topic/item number \_\_\_\_\_ OR

Topic for public forum (non agenda item) ceasefire in Gaza / end military aid to Israel

## Land Use Public Hearing

Please indicate the following:

For: \_\_\_\_\_

Against: \_\_\_\_\_

### Challenge for Conflict of Interest or Bias

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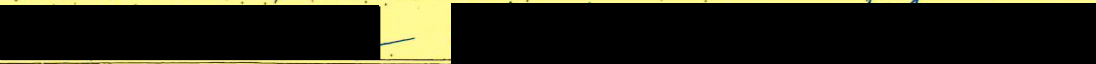
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Tonight's Meeting Date 2023/12/19  
 Name Benjamin Ben-Baruch  
 Address (no P.O. Box)   
 Phone 

Regular Meeting

Agenda topic/item number \_\_\_\_\_ OR

Topic for public forum (non agenda item) Proposed letter from Council

Land Use Public Hearing

Please indicate the following:

For: \_\_\_\_\_ Against: \_\_\_\_\_

**Challenge for Conflict of Interest or Bias**

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Written Comments/Challenge: \_\_\_\_\_  
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Camping

### Speaker Request Form

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Tonight's Meeting Date <u>12/19/23</u>	
Name <u>Tam Masdon</u>	
(please print)	
Address (no P.O. Box) _____	
Phone <span style="background-color: black; color: black;">[REDACTED]</span>	Email _____

#### Regular Meeting

Agenda topic/item number Camping ordinance 3228 OR

Topic for public forum (non agenda item) \_\_\_\_\_

#### Land Use Public Hearing

Please indicate the following:

For: \_\_\_\_\_

Against: \_\_\_\_\_

##### Challenge for Conflict of Interest or Bias

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Camping

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Tonight's Meeting Date <u>12-19-2023</u>	
Name <u>Herson Boyce</u>	<u>Herson Boyce</u>
(please print)	
Address (no P.O. Box) _____	
Phone _____	Email _____

### Regular Meeting

Agenda topic/item number \_\_\_\_\_ OR

Topic for public forum (non agenda item) Camping Ordinance - Human Rights Violation

### Land Use Public Hearing

Please indicate the following:  
For: \_\_\_\_\_ Against: ✓

#### Challenge for Conflict of Interest or Bias

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## City council music play list;

*Phil Collins: I don't care anymore*

*David Rovics : Occupation – the commons – We just want the world – Here at the end of the world – Resistance – Hang a flag in the window – Rent Control – Standing Rock – Don't pay the rent -there use to be a city – strike a blow against the empire – Make planet Earth great again*

*Woody Guthrie: Hard travelin' – Dust Bowl Ballard's – I ain't got no home – Hobos lullaby – which side are you on*

*Peter Seeger: banks of marble – Solidarity forever*

*Pearl Jam: Society – Guaranteed – Here's to the state*

*Bob Dylan: a hard rains gonna fall*

*Rage Against the Machine: Ghost of tom Joad*

*Shocking as it was to find the city council risking further lawsuits by lowering the acceptable cold weather shelter temperature to 24 degrees (when there are already so many elderly unhoused suffering hypothermia at temperatures in the 40s), it was startling obvious why these human beings are overlooked, to save money. A more sustainable method of saving money would be to cut the wages of the city council to a third of their bloated budget, for this obviously volunteer public service position. what I mean to say is, remove the funds of an bias and corrupt set of self-serving city officials, who already have multiple impending lawsuits forming, for grievous human rights violations, including influencing groups like OHRA to put money aside for a temporal winter shelter, which is overspending, so it will "spontaneously end" in early January, thrusting people from 80 degree rooms to 30 degree streets, ensuring sickness and hardship. Any given night, many of the beds in this facility are empty, due to occupants being out on the town, while those who desperately need the housing are waiting in droves to get in, but have no options, but to be ticket by police officers on the street for freezing in graveyards or hidden along ditch banks, in fear of possible warrants for being unable to pay these fines.*

*There seems to be no consideration on behalf of the city council for the spiritual or mental well being of homeless in the community of Ashland. They are not uniquely perceived as human, nor allowed to integrate. Due to lack of finances alone, they are seen as all but expendable. But they are still equal to you, be they a more traumatized and degraded population, they have every bit of the emotional capacity, pain and suffering as the city council. If anything, they are less likely to compromise others well-being for their own survival... Where as the lies and deception of the elite, so smooth and rehearsed, are barely distinguishable, except by the inauthenticity of the information conveyed, and the obvious lack of accountability. It is concerning how a group of self-proclaimed ruling class can be so slyly self-aggrandizing, looking not to actualize their own speeches of equality, but rather to substantiate the stratification of their deceptive rule in this financially based society.*

*Heron Boyce*

Camping

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Tonight's Meeting Date 12/19

Name Debbie Neisewander

Address (no P.O. Box) Ashland (please print)

Phone [REDACTED] Email \_\_\_\_\_

Regular Meeting

Agenda topic/item number \_\_\_\_\_ OR \_\_\_\_\_

Topic for public forum (non agenda item) homeless ordinance

Land Use Public Hearing

Please indicate the following:

For: \_\_\_\_\_ Against: \_\_\_\_\_

**Challenge for Conflict of Interest or Bias**

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Tonight's Meeting Date <u>12/19/23</u>	
Name <u>Trina Sanford</u>	(please print)
Address (no P.O. Box) <u>Ashland</u>	
Phone _____	Email _____

#### Regular Meeting

Agenda topic/item number Camping Ordinance

Topic for public forum (non agenda item) \_\_\_\_\_

#### Land Use Public Hearing

Please indicate the following:

For: \_\_\_\_\_

Against: \_\_\_\_\_

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Written Comments/Challenge: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Tonight's Meeting Date <u>12/19</u>	
Name <u>Debbie Heiswander</u>	
(please print)	
Address (no P.O. Box) _____	
Phone _____	Email _____

**Regular Meeting**

Agenda topic/item number \_\_\_\_\_ OR

Topic for public forum (non agenda item) Detailed Direction - 6mo

**Land Use Public Hearing**

Please indicate the following:

For: \_\_\_\_\_

Against: \_\_\_\_\_

**Challenge for Conflict of Interest or Bias**

If you are challenging a member (a city councilor or a planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Presiding Officer will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.

Written Comments/Challenge: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Comments and statements by speakers do not represent the opinion of the City Council, City Officers or employees or the City of Ashland.

### Speaker Request Form

THIS FORM IS A PUBLIC RECORD

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- 1) Complete this form and return it to the City Recorder prior to the discussion of the item you wish to speak about.
- 2) Speak to the City Council from the table podium microphone.
- 3) State your name and address for the record.
- 4) Limit your comments to the amount of time given to you by the Mayor, usually 3 or 5 minutes.
- 5) If you present written materials, please give a copy to the City Recorder for the record.
- 6) You may give written comments to the City Recorder for the record if you do not wish to speak. (Comments can be added to the back of this sheet if necessary)
- 7) Speakers are solely responsible for the content of their public statement.

Tonight's Meeting Date <u>Dec 17, 2023</u>	
Name <u>Rich Ronde</u>	
Address (no P.O. Box) <span style="background-color: black; color: black;">[REDACTED]</span>	
Phone <span style="background-color: black; color: black;">[REDACTED]</span>	Email <span style="background-color: black; color: black;">[REDACTED]</span>

#### Regular Meeting

Agenda topic/item number 111-4 OR severe weather temperature threshold

Topic for public forum (non agenda item) \_\_\_\_\_

#### Land Use Public Hearing

Please indicate the following:  
For: \_\_\_\_\_

Against: \_\_\_\_\_

##### Challenge for Conflict of Interest or Bias

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Written Comments/Challenge: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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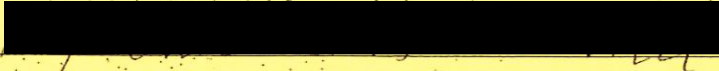

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Tonight's Meeting Date 12.19.23  
 Name Caren Caldwell  
 Address (no P.O. Box)   
 Phone \_\_\_\_\_ Email 

Regular Meeting

Agenda topic/item number III 4 OR \_\_\_\_\_  
 Topic for public forum (non agenda item) \_\_\_\_\_

Land Use Public Hearing

Please indicate the following:  
 For: \_\_\_\_\_ Against: \_\_\_\_\_

**Challenge for Conflict of Interest or Bias**

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Written Comments/Challenge: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
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weather

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Tonight's Meeting Date 12/19/23

Name BRIGID HERRON

Address (no P.O. Box) [REDACTED]

Phone [REDACTED] Email [REDACTED]

#### Regular Meeting

Agenda topic/item number \_\_\_\_\_ OR

Topic for public forum (non agenda item) CHANGING TEMP THRESHOLD for COLD WEATHER SHELTER

#### Land Use Public Hearing

Please indicate the following:

For: \_\_\_\_\_

Against: \_\_\_\_\_

#### Challenge for Conflict of Interest or Bias

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Written Comments/Challenge: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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weather

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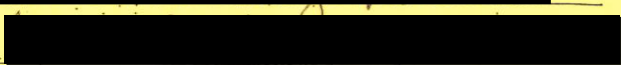
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Tonight's Meeting Date 12/19/23

Name Helena Turner

Address (no P.O. Box) 

Phone  Email 

### Regular Meeting

Agenda topic/item number \_\_\_\_\_ OR

Topic for public forum (non agenda item) Severe weather temperature thresholds

### Land Use Public Hearing

Please indicate the following:  
For: \_\_\_\_\_

Against: \_\_\_\_\_

#### Challenge for Conflict of Interest or Bias

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Written Comments/Challenge: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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(Comments can be added to the back of this sheet if necessary)
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Tonight's Meeting Date <u>12/19</u>	
Name <u>Debbie Hessewender</u> (please print)	
Address (no P.O. Box) _____	
Phone _____	Email _____

### Regular Meeting

Agenda topic/item number \_\_\_\_\_ OR  
 Topic for public forum (non agenda item) Temp Change 32<sup>o</sup> - 25<sup>o</sup>

### Land Use Public Hearing

Please indicate the following:

For: \_\_\_\_\_

Against: \_\_\_\_\_

#### Challenge for Conflict of Interest or Bias

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