



City of Olympia

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360-753-8447

Meeting Minutes Land Use & Environment Committee

Thursday, December 6, 2012

5:30 PM

Council Chambers

1. ROLL CALL

Present: 3 - Chair Steve Langer, Councilmember Julie Hankins and Councilmember Jeannine Roe

STAFF PRESENT

City Manager Steve Hall, Assistant City Manager Jay Burney, City Attorney Tom Morrill, Community Planning and Development Director Keith Stahley; Code Enforcement Officer Brian Wilson, Housing Program Manager Anna Schlecht, Police Chief Ronnie Roberts, and Prosecuting Attorney Paul Wohl.

2. CALL TO ORDER

Councilmember Langer called the meeting to order at 5:32 pm.

Councilmember Langer moved, seconded by Councilmember Roe, to modify the agenda to remove the Artesian Well and Comprehensive Plan items from the agenda. Motion passed unanimously.

3. APPROVAL OF MINUTES

3.A 12-0201 Approval of October 25, 2012 Land Use & Environment Committee Minutes

Attachments: [1. Minutes](#)

The October 25, 2012 Committee minutes were approved as presented.

4. COMMITTEE BUSINESS

4.A 12-0812 Voluntary Alcohol Impact Area Project Status Report

Attachments: [1. AIA Ordinance](#)
[2. Police Memo](#)
[3. Citizen Letter](#)

Code Enforcement Officer Brian Wilson addressed the Committee. Mr. Wilson stated that the voluntary ban on certain alcoholic beverages expired in November and that following his report he is seeking direction from the Committee on whether to forward the issue of a permanent ban to the full Council.

Mr. Wilson reported that of the 9 off-premise businesses in the voluntary program, 5 carried beverages on the banned list for the duration of the 6 month trial period. Police collected 3 months of data on alcohol-related incidents and found little difference between this year and last year. The Fire Department saw an 11 percent increase in medical calls to the downtown area. Staff conducted a beer can survey and found that 80 percent of the cans found were on the banned list.

Mr. Wilson stated that if the Committee forwards the issue of an alcohol impact area to the full Council, and if the Council elects to pursue the issue, then the Council would be required to petition the Washington State Liquor Control Board.

Councilmember Langer asked what the timeline would be for implementing an alcohol impact area. Mr. Wilson stated that the Liquor Control Board's process for approving a resolution that would establish an alcohol impact area is approximately 3 months.

Police Chief Ronnie Roberts confirmed Mr. Wilson's statements regarding downtown behaviors during the voluntary trial period for the program, stating that little difference has been observed.

Councilmember Langer asked what behaviors the program is intended to modify. Mr. Wilson stated that cheap alcohol is viewed as an enabling device for chronic inebriates, and that one of the objectives of the program would be to make cheap alcohol more difficult to obtain, and thus reduce drunken behaviors in the downtown area.

Councilmember Roe moved to recommend the establishment of an alcohol impact area to the full council, stating also that she believes this is a matter that the full council should consider.

Councilmember Hankins seconded, stating also that she would like to have supporting data available at the time of Council deliberation.

Councilmember Langer stated that he supports sending the proposal to Council and hopes that people will attend the Council's deliberations on the issue.

The motion passed unanimously.

4.B 12-0805

ORAL REPORT: Sidewalk Use and Pedestrian Issues

Community Planning and Development Director Keith Stahley stated that the consideration of pedestrian issues has been ongoing for the last two years and several programs have been implemented. Pedestrian access has been the last piece as the City monitors all the other efforts.

Prosecuting Attorney Paul Wohl provided the Committee an overview of existing ordinances that govern pedestrian behavior, including:

- 1. Pedestrian Interference ordinance, which regulates aggressive panhandling, obstructing traffic, sitting or lying in the pedestrian walking lane between 7am-10pm, etc.*
- 2. Busking ordinance.*
- 3. Park regulations that address camping in vehicles.*
- 4. An ordinance that prohibits erecting structures on sidewalks.*
- 5. Regulations that prohibit urinating and drinking in public.*

Mr. Wohl outlined some potential changes the City Council could take to modify existing regulations pertaining to pedestrian behavior, including:

1. *Repeal the busking ordinance.*
2. *Increase the pedestrian walking lane to include the entire sidewalk.*
3. *Increase the timeframe on sidewalk use rules - it is currently 7am-10pm*
4. *Add the requirement of a warning prior to issuing citations for violation of sidewalk use rules.*
5. *Regulate camping and building camping structures on city-owned property.*

At the conclusion of Mr. Wohl's presentation to the Committee, Chair Langer invited public comment.

Glen Wells stated businesses downtown can't succeed because people do not want to shop downtown, and a new ordinance should prohibit sleeping on sidewalks everywhere and not just on City-owned properties.

Bob Woolf stated he is a business owner and partner in downtown buildings. Recently, a sidewalk camper assaulted someone in one of his buildings. Also, garbage and litter removal left by campers has been a big issue, and last year it cost \$40,000 for sidewalk maintenance. He said the sidewalks have become predatory areas and indicated support for all the proposed changes mentioned by the City Attorney. He said he also believes the ordinance should not be limited to just City-owned properties. He stated that Tacoma has been effective in addressing this issue.

Jenna Craig stated that we do not need to criminalize homelessness and poor people, and the real issue here is poverty.

Darryl Bullington stated that the City is far too empathetic in letting people express opinions and that probably one half of the people are doing "guerilla theater". He stated the City needs to provide jobs to keep people busy.

Ken Adney, a downtown business owner, stated that he supports the options presented by the City Attorney.

Terrance Zander stated that ordinances accomplish little other than to anger people and would like to see a solution that does not involve an ordinance. He believes the City should talk to homeless individuals face-to-face. Mr. Zander stated he would like any action to be postponed until after a bigger conversation with the community has taken place.

Mindy Chambers stated that the draft ordinance she reviewed has no definition of camping and does not define the difference between camping and sleeping. Ms. Chambers asked for some clarification on the differences between a camping structure, a tent, a sleeping bag, etc. She also stated that the expense of cleaning up downtown is a tradeoff for expenses related to crimes that would be committed elsewhere.

Meg Martin stated that she is a Homeless Advocate in Olympia. She would like to see alternatives proposed for where the homeless would go if an ordinance is passed that bans them from certain areas. Ms. Martin stated that the City needs to hear the voices of the people who will be affected.

Jefferson Doyle stated that he is also a Homeless Advocate in Olympia. He stated that the antisocial behaviors of certain homeless are linked to people's needs not being met. He stated there needs to be a creative solution to cut red tape and to use vacant properties and a downtown service center to provide for showers and hygiene. He stated that the community needs Low Restriction Shelters and the City should apply Harm Reduction principles in managing homeless issues. Lastly, he stated that funding should be made available to lease a warehouse for sanctioned camping.

Selena Kilmoyer stated she does not want a new ordinance to affect the homeless population's need for safety. She stated she agrees that people's basic needs are not

being met, and this is a county-wide problem and not just a City or City Manager problem.

Mary Corso stated she is a business owner of nine years and is located across from City Hall. She stated the problem is getting worse, and that people sitting and sleeping on the sidewalks have become more aggressive, both physically and vocally.

Emmeline Mead stated she lives across the street and does not feel threatened by homeless people and panhandlers. She believes the City should allow the homeless to sleep inside City Hall and that she likes the idea of sanctioned camping areas. She stated that the City should involve the homeless in the conversation.

Laurian Weisser stated that there is a need for a two to three thousand square foot structure with a bathroom and kitchen. He stated that money needs to be made available to supplement the work of church network volunteers, more needs to be heard from the business community, and that community churches also should support the effort by providing help and services.

Chester (no last name given) stated that he is currently homeless and that the discussion of public safety should also include his own personal safety. He stated there is a need for bathrooms.

Peter (no last name given) stated he is a native of Olympia and has been homeless. He asked where people should go if they can't sleep in the places they are currently using and stated that before any ordinance is adopted, there should be alternatives for where people can go.

Phil Schulte stated he is the President of the Hidden Creek Neighborhood Association and supports an ordinance, but thinks the ordinance should provide for public camping under certain conditions. He stated that the ordinance should apply to all City properties, and this is a city-wide problem.

At this time the public comment period concluded.

Councilmember Langer asked staff if there is any information available about current vacancy rates in local homeless shelters.

City of Olympia Housing Program Manager Anna Schlecht distributed a handout of a recently compiled draft report on occupancy rates in the urban hub of Olympia. She stated there are 223 permanently available beds and 158 are occupied, which is a 71 percent occupancy rate. She noted that shelter is very limited for youth and families with children.

Ms. Schlecht explained what constitutes a "low barrier shelter" and stated that because these shelters are more tolerant of certain behaviors, such as alcohol use, personal safety of the occupants of the shelters is an ongoing concern.

Councilmember Roe asked what the shelter situation might be for the people who sleep in front of City Hall. Ms. Schlecht responded that it is fair to say that the people sleeping in front of City Hall have barriers to placement in shelters and there are a variety of reasons for those barriers.

Councilmember Roe asked for an explanation of the "Sidewalk Program". Ms. Schlecht stated that the program is housed at the 1st United Methodist Church and provides information and placement assistance services to the homeless community. She stated that there is limited funding, so the services provided are also limited.

Ms. Schlecht stated the 2012 Homeless Census found there are about three homeless persons in the community for every available bed in a shelter.

Councilmember Roe stated that the public must support taxes if there are to be more programs.

Councilmember Hankins stated there is a need to address the larger issue of poverty but that this is also a safety issue. She stated the public needs access and that includes the people on the sidewalks. She stated this is also a health and safety issue, that the purpose of ordinances is to protect the public, and that the City needs to act now.

Councilmember Langer stated he agrees with Councilmember Hankins, that people must be held accountable for their behaviors, and that if they are not held accountable, it is the equivalent of being condescending. He stated that the people in this community deserve mutual respect and he is not in favor of punishing people who behave properly. He stated that he is looking to eliminate an "unmanaged problem" and views it as the Council's obligation to do so.

The Committee agreed to forward the following recommendations to the City Council:

- 1. Repeal the busking ordinance.**
- 2. Increase the pedestrian walking lane on sidewalks.**
- 3. Increase the timeframe for application of sidewalk use rules.**
- 4. Add a requirement of a warning before issuing citations.**
- 5. Regulate camping and building camping structures on City-owned property.**

Councilmember Roe stated she would like to see a list of City-owned properties.

Councilmember Langer stated he thinks there should be signage on City properties so people know camping is prohibited. He stated that the ordinance should also be flexible enough to accommodate special circumstances.

The Committee agreed the recommendations should be presented to Council as a list and not as a draft ordinance.

4.C 12-0806 ORAL REPORT: Artesian Well Design Process

This item was pulled from the agenda.

4.D 12-0787 Comprehensive Plan Implementation Strategy

Attachments: **[1. Part A - Crafting the First Action Plan](#)**
 [2. Part B - 2013 CPD Long-Range Planning Priorities](#)

This item was pulled from the agenda.

4.E 12-0807 ORAL REPORT: Year End Report - Putting the Puzzle Together

Code Enforcement Officer Brian Wilson gave a presentation to the Committee on the progress and status of the Downtown Project.

- *Best Management Practices for Bars/Tavern Owners were established.*
- *Downtown Ambassador Program was established*
- o *Over 450 bags of trash removed from downtown*
- o *Assist with pedestrian recycling program*
- o *Over 2,000 contacts with visitors and store owners*
- o *Over two dozen individuals referred to social services*
- *Placemaking*
- o *Two Parklets installed in 2012*
- o *Two decorative and original tree benches installed on 4th Avenue*
- o *Artesian well mosaic improvements*
- *Alcohol Impact Area*
- o *6-month voluntary period complete*
- o *Presenting data results to Council on December 11, 2012*
- *Community Oriented Policing*
- o *OPD has assigned a Lieutenant who is responsible for downtown*
- o *Community groups have been formed to address specific issues around downtown Olympia*

Wilson explained that the downtown project is a multi-directional approach to create a safe and welcoming environment for all users of downtown. No single program within the downtown project is a silver bullet. Rather, all of these programs working in unison toward the same goal are having a positive impact downtown.

The report was received.

OTHER BUSINESS

Amy Tousley, Chair of the Olympia Planning Commission, presented a letter to the Committee on behalf of the Planning Commission. By a vote of 7-2 the Planning Commission elected to draft a letter to request a meeting with the City Council. The reason for the proposed meeting is the Planning Commission's need for clarification about their Charter with respect to completing the Comprehensive Plan.

5. ADJOURNMENT

The meeting was adjourned at 8:30.

Next meeting is scheduled for January 24, 2013.