From: Drew Astolfi <drewastolfi67@gmail.com>
Sent: Monday, February 17, 2020 12:22 PM

To: citycouncil

Subject: on the homeless campaing issues

I really think this stuff is out of control. The crowds of homeless downtown are hurting and already struggling downtown commercial district. And pushing them into the neighborhoods is a trainwreck.

We all want a livable city, and that means there has to be some social and moral order to Salem. Clearly some people cannot provide for themselves - and these people need services, treatment and above all housing. But their needs cannot trump the collective need for Salem to be a good place to live, shop and grow up.

There are a ton of good ideas out there (might be worth separating them out by things that cost real money and things that cost very little). I think we need a comprehensive plan to address the total problem.

To me, a comprehensive plan marries the enforcement that some advocates object too with increased services and more affordable housing.

If I was in your shoes (and I am not envious!) I'd look at four broad policies:

- 1. Emergency housing things like the Conestoga huts in Eugene are cheap, easy and as long as they are paired with bathrooms and showers could make a dent in the street homeless. I think they cost \$500 per hut, and there are a lot of other options like this around. Services and security need to be provided on-site. And for God's sake don't put something like this in a neighborhood. Or downtown.
- 2.. Enforce the existing laws that are being violated by the street homeless. I've seen people shooting up and smoking meth downtown and once in my neighborhood (highland). Violators on probation should be put back in prison upon arrest. Violent arrests should not be booked and released back to the street immediately if we need more jail space, then let's make it or borrow it. Perhaps the police should go along with the city workers who have to clean up these sites. This includes dismantling the camps that have sprung up around the city, along the highway and river.
- 3. Address chronic mental illness issues. A whole bunch of street homeless are cycling in and out of the state mental facility, which can't keep them long enough for the treatment to really take hold. This is a problem of state law and Oregon is supposedly particularly bad about. Fix the law, its cheap and makes a significant dent in the problem.
- 3. Get serious about housing. Use the Housing Authority (we have a good one!) to increase the overall affordable supply, and bring in reputable high-quality nonprofit developers (here's an example: https://www.eahhousing.org/) to purchase and rehab the apartment slums that we have in town. Especially build permanent supportive housing for the broken people who will need services for the rest of their lives...this is expensive, but other cities have done it and there is still significant Federal support for it (Salem missed a chance to apply a year or so ago). Here's an example: https://www.mercyhousing.org/

From: Carlene Benson <bensonwc@mac.com>
Sent: Thursday, February 13, 2020 10:11 AM

To: citycouncil

Subject: Left with few options, the Salem City Council reconsiders banning sitting, lying on sidewalks | Salem

Reporter | News about Salem - In-depth, Accurate, Trusted

Attachments: WebPage.pdf

Councilors, I attended that Council meeting 1/21, and listened to Jimmy Jones and it appeared you all listened to him as well. However, now some of you seem to be going against what he suggests. He said he has a building for a navigation center. He said allowing camping in certain areas would empty out the downtown area, which is what you want. Instead you're spending time on the sit-lie ban which is problematic in all the ways already stated. At the meeting 1/21, Mayor Bennet called Jimmy Jones, "our expert". Then please listen to him, the man knows what you don't.

Respectfully,

Carlene Benson 545 Leslie St. SE

https://www.salemreporter.com/posts/1887/left-with-few-options-the-salem-city-council-reconsiders-banning-sitting-lying-on-sidewalks

Left with few options, the Salem City Council reconsiders banning sitting, lying on sidewalks

Salem's city councilors voted down a controversial sitlie ordinance in November, but voted to revisit the concept Monday after another council meeting dominated by homeless debate.

By Saphara Harrell - Salem Reporter

SALEM CITY GOVERNMENT

February 11, 2020 at 8:11am

Salem city officials have been grappling with how to deal with the persistent, visible homeless problem downtown.

They scrapped ideas to locate a shelter in a residential neighborhood, couldn't find a suitable location for a temporary, low -barrier shelter and most recently flirted with the idea of partially repealing the city's camping ban.

On Monday night, Salem city councilors discussed modifying the ban, but instead chose to revisit a controversial ordinance that would ban lying or sitting on sidewalks during the day.

The split vote came after another meeting punctuated by lengthy public testimony. Many councilors expressed concerns about logistical and enforcement issues with repealing the camping ban except in downtown, city parks and residential areas.

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"We have been kicking the can back and forth across the street because we've been trying to do what's right." Councilor Chris Hoy said. "My concern with this motion is I don't think it's manageable."

In November, the council chose to remove the controversial 'sit lie' aspect of the camping ban. Such a restriction is intended to prevent people from sitting or lying in public spaces from 7 a.m. to 9 p.m.

READ: Salem City Council approves sidewalk conduct ordinance without sitlie aspect

On Monday, City Attorney Dan Atchison addressed concerns over the constitutionality of a sit-lie ordinance.

The city of Portland tried to enact a sit-lie law in 2009 that was ultimately deemed unconstitutional. And, in 2018, the 9th Circuit Court of Appeals ruled the city of Boise couldn't ban sleeping on sidewalks without criminalizing homelessness.

Atchison said the current camping ordinance is not a criminal penalty and isn't affected by the federal court decision.

"As far as sit-lie, there is some language in there that talks about having a place for them to go essentially," he said. "It remains to be seen how the court would look at a daytime (ban)."

The place for homeless residents to go is a sticking point, as many say shelter beds are going unused because some campers prefer to stay on the streets.

But Salem Housing Authority Administrator Nicole Utz painted a different picture Monday night.

She said the city surveyed five shelters and only two have available space. She said Safe Sleep had one bed available and Simonka Place had four, all of which are on top bunks which can be inaccessible for people with mobility issues.

"We're finding that it is quickly getting to capacity now," Utz said.

Jimmy Jones, executive director of the Mid-Willamette Valley Community Action Agency, told councilors at a Jan. 21 meeting that his advice would be to repeal the camping ban in industrial parts of town, a statement that set the course for Monday night's discussion.

Jones also spoke at Monday's meeting and told councilors that if they offered space for people to camp it lead to a mass exodus from downtown.

"If the goal is to move people from downtown," Jones said. "I don't think necessarily that this is going to accomplish those goals."

Mayor Chuck Bennett said he didn't see any solutions other than sit-lie.

"Particularly when I found out that the solutions that we talk about still keep our downtown streets in the current condition," Bennett said.

Councilor Cara Kaser urged councilors not decide Monday.

"I think we need to pause and give this time outside of the council meeting," Kaser said. "I feel like we're being very reactionary."

Councilors Brad Nanke, Jim Lewis, Bennett, Hoy and Tom Andersen voted to consider a sit-lie restriction at the council meeting on Feb. 24

Kaser, Jackie Leung, Matt Ausec and Vanessa Nordkyke voted against it.

Have a tip? Contact reporter Saphara Harrell at 503-549-6250, <u>saphara@salemreporter.com</u> or @daisysaphara.

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From: noreply@cityofsalem.net on behalf of joepapa62@yahoo.com

Sent: Thursday, February 13, 2020 12:30 PM

To: citycouncil

Subject: Contact City Council

Attachments: ATT00001.bin

Your Name	joe p chace
Your Email	joepapa62@yahoo.com
Your Phone	5419144262
Street	940 20th st. S.E.
City	salem
State	OR
Zip	97301
Message	Pass a city wide "NO SIT/LIE DOWN ORDINANCE" !!!!! BACK IT UP WITH FORCED REHAB AND OUTPATIENT HELP. STOP SALEM FROM BECOMING A S#!+ HOLE

This email was generated by the dynamic web forms contact us form on 2/13/2020.

From: K. MARK CHAPMAN <chap65@comcast.net>

Sent: Monday, February 17, 2020 10:03 AM

To: citycouncil

Subject: homeless camping - Salem

To the members of City Council;

It is obvious that there is a growing issue with Homelessness in Salem and Oregon a a whole. This issue has escalated and now Oregon is ranked 4th in the nation for homelessness and much of this is due to mental health issues.

I moved my family and self to Salem - away from Portland - over 18 years ago because of the consistent decline of safety, cleanliness and security in the Portland area.

The increase of drug users and homelessness has grown in the Salem area as well but - in my opinion - zoning areas all over the city is NOT the answer.

I live in an area that was slated to be in a "Pink Zone" where safety, security and health of my family could very well be compromised.

We have seen time and again where the "campers" come into an area, pitch their habitat, trash the area and move on.

The last thing that we should have to endure is people coming into our neighborhoods, defecating in our yards and on our sidewalks, throwing garbage, needles and disease all over the place and moving on to infect the next place.

Please keep the ban in place against camping and do not allow this to occur in established good neighborhoods.

**Suggestion to send up to Kate Brown and the other members of State government: How about taking some of the funds that the State is getting and work on improving the mental health of those afflicted, providing shelter for them in a controlled environment (without subjecting the general populous to the risks that come from unabated invasion of those less fortunate than to be gainfully employed and able to sustain life for ourselves and families without the assistance of the government)?

Thank you for continuing to look out for those who voted you all into office of Public Service.

Regards, Kenneth Mark Chapman

From: dangelo8914@comcast.net

Sent: Sunday, February 16, 2020 9:42 AM

To: citycouncil

Subject: Homeless in Salem

Dear Council Members,

I realize that there is no easy answer to the homeless issue. A large part of the problem is when Barbara Roberts started closing mental hospitals. I know, because I worked at Dammasch State Hospital in the 80's and 90's. Many of those patients were unable to integrate with society because of their own serious mental health problems. Now they have become problems the police and corrections need to deal with, and they are just not equipped to do so. A good start would be determining which people choose this lifestyle and which ones truly want to get off the streets and take advantage of programs that are available. Unfortunately, money is siphoned away from the people who want help by the people who want to live that lifestyle. It is detrimental to the law abiding citizens who have to life with the crime, garbage and vandalism that goes along with these people trolling our neighborhoods. Parents are worried about their children. Businesses are negatively impacted. How hard would it be to develop a database that identifies those who have been contacted and do not want to work towards getting off the streets from those who are willing to take advantage of the programs that are offered? Having that information and making it available to the police and the organization's who are trying to help will help to better target services to those where resources are not wasted. It will also allow law enforcement know which people do not want help and want to live "free" and on the streets. Those are the people who are likely to commit most of the crimes committed by this population. Punishing law abiding citizens and businesses is neither fair nor effective. I ask that you consider this as you try to address the problem.

Respectfully,

John D'Angelo

From: Lindsey Graham < lindseygraham7@gmail.com>

Sent: Friday, February 14, 2020 8:32 AM

To: citycouncil

Subject: Sit/lie ordinance adjustment

I am a downtown business owner and have concerns regarding the newest adjustment to the sit/lie ordinance. "Allowing" loiterers and homeless to occupy our sidewalks at ANY time allows them to create dirt, waste, fecal matter and urine on our public sidewalks in front of our businesses. There is no ordinance mandating that these vagrants clean up after themselves so businesses will be left to do so. We will need to adjust our employee hours to arrive early to attend to the messes that are inevitable. We will pay that employee additional wages to do so. And we will in turn lose those quality employees who's job description is not to "clean up feces". I'm speaking from experience. In my previous location in the liberty plaza, my employees were forced to remove human poop from our front entry regularly. We could choose not to, yes, and in return, lose all our business and clients entirely.

By continuing to advocate for these people, instead of punish them, we give them more leniency to destroy our streets and sidewalks. Ruin our downtown atmosphere. Destroy our reputation. Completely disrupt every business owners ability to run a successful business. Compromise the safety of all downtown patrons and staff. Create more taxes and funds necessary to accommodate the clean up and disposal of the waste these people create.

You also destroy your own reputation as a political figure and upright citizen by honoring the "rights" of the homeless over the ACTUAL rights of the tax paying, respectful and respectable businesses and residents of downtown.

There is not a single justifiable reason to continue to look for ways to adjust this ordinance that will accommodate and not offend those who have no respect for our city sidewalks. Period.

Let's instead look for a way to BAN THEM from loitering in groups of two or more on ANY public or private property for over 30 minutes.

They have come together in mass now to unite against the city, the residents and the businesses. They should be broken up, left to find their own way without the ongoing support of the city or each other to make their living. They should do so without disrupting the general populations well being.

Saying this does not make anyone unkind, unsympathetic or hateful. It simply means this:

I have chosen to work hard and invest my time, money and hardships into my business. I value the care of my own children and family. If my business is destroyed by these people, so Is my livelihood and my income. And by allowing them to do so, you ironically make me and my family one step closer to joining them. I will not sugar coat the idea that it is empathy that allows us to let them run our streets. It is not. It is fight or flight. If you continue to allow them to destroy our city, you will find yourself with fewer tax paying citizens and more homeless. It's a vicious cycle you are creating by continuing to adjust ordinances to accommodate homeless instead of advocate for the citizens.

Lindsey Graham @lindseygraham7

"Imperfection is beauty. Madness is genius. And it is better to be absolutely ridiculous than to be boring." -Marilyn Monroe

From: noreply@cityofsalem.net on behalf of mjjrhadley@comcast.net

Sent: Monday, February 17, 2020 1:01 PM

To: citycouncil

Subject: Contact City Council

Attachments: ATT00001.bin

Your Name	Marilyn J Hadley
Your Email	mjjrhadley@comcast.net
Your Phone	5033997019
Street	2623 Arroyo Ridge Dr NW
City	Salem
State	OR
Zip	97304
Message	I just want to point out again, as so many others have done, by allowing the homeless to stay along Center, either by Nordstrom Center or across the street, or for that matter by Rite-Aid, you are going to kill the downtown business trade. I no longer will park anywhere around that area, but go to Macy's and park and walk across on the covered bridge. And I, now, do not go downtown to shop unless I have a specific need. I shop Macy's, Kohls and Christopher and Banks a lot. But my safety and comfort level comes before "just shopping". This problem is taking too long, and there will be no going back when the damage reaches it limit.

This email was generated by the dynamic web forms contact us form on 2/17/2020.

From: Allen Henry <labrobox@hotmail.com>
Sent: Friday, February 14, 2020 3:22 PM

To: citycouncil
Subject: No Sit Lye

I oppose sit lye ordinance.

All we have to decide is what to do with the time God has given to us.

From: Sarah Hillman <salempurepilates@gmail.com>

Sent: Friday, February 14, 2020 7:53 PM

To: citycouncil

Subject: NO to sit/lie ordinance!!

I am a downtown business owner and have concerns regarding the newest adjustment to the sit/lie ordinance. "Allowing" loiterers and homeless to occupy our sidewalks at ANY time allows them to create dirt, waste, fecal matter and urine on our public sidewalks in front of our businesses. There is no ordinance mandating that these vagrants clean up after themselves so businesses will be left to do so. We will need to adjust our employee hours to arrive early to attend to the messes that are inevitable. We will pay that employee additional wages to do so. And we will in turn lose those quality employees who's job description is not to "clean up feces". I'm speaking from experience. In my previous location in the liberty plaza, my employees were forced to remove human poop from our front entry regularly. We could choose not to, yes, and in return, lose all our business and clients entirely.

By continuing to advocate for these people, instead of punish them, we give them more leniency to destroy our streets and sidewalks. Ruin our downtown atmosphere. Destroy our reputation. Completely disrupt every business owners ability to run a successful business. Compromise the safety of all downtown patrons and staff. Create more taxes and funds necessary to accommodate the clean up and disposal of the waste these people create.

You also destroy your own reputation as a political figure and upright citizen by honoring the "rights" of the homeless over the ACTUAL rights of the tax paying, respectful and respectable businesses and residents of downtown.

There is not a single justifiable reason to continue to look for ways to adjust this ordinance that will accommodate and not offend those who have no respect for our city sidewalks. Period.

Let's instead look for a way to BAN THEM from loitering in groups of two or more on ANY public or private property for over 30 minutes.

They have come together in mass now to unite against the city, the residents and the businesses. They should be broken up, left to find their own way without the ongoing support of the city or each other to make their living. They should do so without disrupting the general populations well being.

Saying this does not make anyone unkind, unsympathetic or hateful. It simply means this:

I have chosen to work hard and invest my time, money and hardships into my business. I value the care of my own children and family. If my business is destroyed by these people, so Is my livelihood and my income. And by allowing them to do so, you ironically make me and my family one step closer to joining them. I will not sugar coat the idea that it is empathy that allows us to let them run our streets. It is not. It is fight or flight. If you continue to allow them to destroy our city, you will find yourself with fewer tax paying citizens and more homeless. It's a vicious cycle you are creating by continuing to adjust ordinances to accommodate homeless instead of advocate for the citizens.

Lindsey Graham

Brandon Lamma
Danna Grace Ward
Jessica Parker
Lacey White
Tracy Hofer- Gannaway

From: Lacey White lacey White lacey White lacey White laceywhitephotography@gmail.com

Sent: Friday, February 14, 2020 9:40 AM

To: citycouncil

Subject: Urgent: Sit/Lie Ordinance Adjustment

To whom it should concern,

I am a local resident and local family portrait photographer. I utilize a studio downtown in the Gray Building for 80% of my work. I also work as a private investigator and run the majority of my business out of the co-working space in that same building. I have been utilizing and *trying* to enjoy downtown Salem for the majority of life and career. I have concerns regarding the newest adjustment to the sit/lie ordinance as the current issue is greatly affecting my business and my client experience and I fear that the adjustment to the sit/lie ordinance will only propel the issue to further destruct our downtown atmosphere.

"Allowing" loiterers and homeless to occupy our sidewalks at ANY time allows them to create dirt, waste, fecal matter and urine on our public sidewalks and to accumulate their personal belongings and garbage in front of our businesses. There is no ordinance mandating that these vagrants clean up after themselves so business owners will be left to do so. That is not in our job descriptions or worked into my pricing and budget but sadly, it is in our best interest as business owners so that our clientele feel safe and our businesses don't appear unkept. We are often forced to take time out of our clients experience to attend to the messes that are inevitably left behind by the homeless population occupying our sidewalks and alley's downtown. Allowing them to gather and accumulate only during specific hours will not prevent them from leaving their garbage behind and "setting up their camp" in certain areas.

Often, these messes are not just the garbage they leave behind but are their personal belongings and a bio-hazard. Recently, I have had clients refuse to work with me downtown for their photo sessions because they do not want to bring their children downtown or leave their vehicles parked and left unattended in front of herds of homeless where criminal activity and feces is scattered about. I used to be able to bring my young children with me to my sessions when I knew they would be safe walking around downtown with me while I photograph my clients but sadly, that is not the case anymore. I refuse to subject my own children to the unsanitary filth of downtown as it is in it's current state and I cannot blame my clients for doing the same. However, in turn, I lose those clients who would rather postpone their photo session for another (warmer) month when other outdoor locations are an option or who would rather conduct business in another city where the issue is far less of an impact to the workability and sustainability of my business and the clients livelihood.

I'm speaking from my own personal experience in conducting business in downtown Salem for the past ten years but as I'm sure you know, the downtown community is pretty close knit in that every business owner is friends with or acquaintances with at least a dozen other local business owners. Words cannot express to you the disappointment I feel when I hear the stories my friends and local business owners are forced to deal with on a daily basis with regard to the homeless population occupying our city streets. To highlight a few issues as of recently, there have been rocks smashed through storefront windows, human feces smeared on door handles, uncapped drug needles strewn about, personal belongings scattered haphazard along the sidewalks and blocking access to business entries, people sleeping (and high) on and under piles of soggy cardboard in the alleys around the business trash cans and camps set up and panhandling on every corner (hassling us and our clients every time we pass by). The overall feeling of disarray and danger in these unsanitary conditions is hugely impacting our client experience and the general experience of downtown Salem.

By continuing to advocate for these people, instead of punish them, we give them more leniency to destroy our streets and sidewalks and ruin our downtown atmosphere. The reputation of downtown Salem is being destroyed.

People are boycotting it completely which is disrupting every business owners ability to run a successful business. Not only is the filth unmanageable, but the safety of all downtown patrons and staff is greatly compromised as well.

By allowing this to continue, you also destroy your own reputation as a political figure and upright citizen by honoring the "rights" of the homeless over the ACTUAL rights of the tax paying, respectful and respectable businesses and residents of downtown. There is not a single justifiable reason to continue to look for ways to adjust this ordinance that will accommodate and not offend those who have no respect for our city sidewalks. Period.

Let's instead look for a way to BAN THEM from loitering in groups of two or more on ANY public or private property for over 30 minutes and ban them from accumulating their personal belongings on our public sidewalks. They have come together in mass now to unite against the city, the residents and the businesses. They should be broken up, left to find their own way without the ongoing support of the city or each other to make their living. They should do so without disrupting the general populations well being. Saying this does not make anyone unkind, unsympathetic or hateful. It simply means this:

I have chosen to work hard and invest my time, money and hardships into my business. I value the care of my own children and family. If my business is destroyed by these people, so Is my livelihood and my income. And by allowing them to do so, you ironically make me and my family one step closer to joining them. I will not sugar coat the idea that it is empathy that allows us to let them run our streets. It is not. It is fight or flight. If you continue to allow them to destroy our city, you will find yourself with fewer tax paying citizens and more homeless. It's a vicious cycle you are creating by continuing to adjust ordinances to accommodate homeless instead of advocate for the citizens.

Sincerely,

Lacey White

Lacey White Photo Co. 125 Liberty St. NE Salem, OR

From: DeeDee LeBaron <deedeel@dressforsuccessoregon.org>

Sent: Monday, February 17, 2020 12:42 PM

To: citycouncil; dana.vugteveen@am.jll.com; logan.burt@am.jll.com

Cc: Shannon Jones; Anne Mersereau; Diana Gernhart; Heidi Eggert; Katherine Cowan; Kristina Leinwand;

Linda Zhang; Marci Ozawa; Traci Ray (tray@barran.com); Tracy Bowles; Sonja McKenzie; Shari Dunn; Joanie Slavik; Anne Nakagawa; Deona Waters; Erica Garcia; Jen Robanske; Joanie Slavik; Kim Dealy;

Lindsey Norlander; Rachel Branson; Sylvia Estraviz

Subject: Dress for Success Oregon Salem Branch: Downtown Salem Sidewalk Camps

My name is DeeDee LeBaron and I am the Satellite Manager for Dress for Success Oregon-Salem Branch. Our store is located in the Salem Center Mall-Downtown Salem.

Dress for Success Oregon provides professional attire in an empowering environment to women who are ready to work. Once employed, she can return for more clothing and additional mentorship services. Our Workforce Development Programs include providing interview and work clothing, job search training, job retention workshops, and ongoing support and mentorship.

In Oregon, we help about 1,500 women a year, and have served more than 25,000 since opening our doors.

I would like to add our voice to the issue of sidewalk camping in downtown Salem. I am no stranger to houselessness and understand this is a complex issue. I have worked with the economically challenged for many years and as a single mother have struggled with poverty myself. Housing has always been the thin line that can make or break those who are barely holding on. In recent years, we have seen more and more of the people we work with end up on friends couches, in cars, in shelters and finally, on the streets.

The Salem downtown camping issue started exactly when the homeless camps at ARCHES were swept. I noticed that day that there were people just "wandering" not know what to do next. Within a day or so, there was a visual presence of people finding shelter under the eaves of the mall on Center St. I assumed at that time, there was a plan to help people find safe, dry, warm shelter. As the days go on, I have realized that these people have nowhere else to go. There was no "Plan B". There is no judgement, I understand some of the other issues that go along with houselessness including addiction, mental and emotional issues, stress related issues, cleanliness and safety. Those same issues have just moved from ARCHES to the Salem Center Mall.

How this impacts us? We are noticing an increase of agitation, drug use, garbage, and use of sidewalks as bathrooms. We have begun to worry about safety for our customers, volunteers, and employees. Below are some experiences we have reported. We have had to issue specialty safety protocols and are unable to provide some of our employment services on-site as we can no longer feel safe holding programs that fall outside of daytime hours. We are not able to use our back entryway to take donations of work clothing for our services due to our donation area is now a public toilet.

The Mall personnel are handing this situation with as much patience and care as possible, I have watched them work patiently de-escalating fights and domestic violence, calming people who are worried LOUDLY about being poisoned, calmly attending to youth groups who refuse to show ID, daily/hourly waking those who use mall seating for their only sleep of the day/night, cleaning up relentlessly after those who leave behind their trash or bodily functions, and pressure washing the sidewalks DAILY to make sure we all have a clean place to walk.

I can't even imagine not having anywhere I can find a place to lay my head and close my eyes safely, no way to escape the cold, the wet, to have a place to prepare food or keep my belongings safe? I do not know what the answer is, I know there is no easy solution. I feel for all involved and I hope desperately there is a solution coming soon. Please let us know how we can help.

Staff Observations/DFSO Impact

Open drug use/deals

Staff getting yelled at by groups of people when they tried to take pictures to document what is going on.

Masturbation

Full camps are being set up as opposed to previous sleeping areas

Threatening behaviors

We cannot be open after mall hours for programs

We have had to cut our workday short

Urine puddles consistently in our walking path

Cleaning efforts are creating respiratory issues

Dee Dee Le Baron

Program and Satellite Manager **Dress for Success Oregon-Salem Branch**

401 Center St NE, Salem, OR 97301

Email: deedeel@dressforsuccessoregon.org

Office: 971.915.1005 x201

dressforsuccessoregonsalembr.org

Pronouns: she/her/hers

This email has been scanned for spam and viruses. Click here to report this email as spam.

From: Jackie Mayes-Pehl <pehl@frontiernet.net>

Sent: Sunday, February 16, 2020 7:23 PM

To: citycouncil **Subject:** Homeless

Far be it for me to know where or how to go about it but there does need to be somewhere for the homeless to camp. That way the police will know where to watch yet the homeless will have somewhere to live and won't have to be going on private property to find a safe place to sleep. Thank you for listening!

Jacqueline Pehl

Sent from Frontier Yahoo Mail on Android

From: Larry Nasset <larrynasset@hotmail.com>
Sent: Wednesday, February 19, 2020 6:35 PM

To: CityRecorder

Subject: Positive Response to Sit-Lie

To the Mayor and City Council of Salem, Oregon

I'll start with two major problems, those of the downtown merchants and those caused by homelessness, and then some suggestions for addressing both.

One: We live in a dynamic, rapidly changing world. The problems facing downtown Salem are serious and must be successfully addressed. The vitality of downtown is critically important to all of Salem.

Two: The problems of and those caused by homelessness must be solved. Failure to do so will continue to harm the homeless and tear apart Salem. Sit-Lie has too many known risks and legal questions and who knows what the unintended consequences would be?

In response to the concerns of downtown city council should:

Create a subcommittee, working group, task force, whatever you want to call it, to implement and redouble efforts to support downtown Salem. Work with Travel Salem, Salem Main Street Assosciation, The Salem City Club, and other groups to build on the strengths of downtown and its importance to the whole Salem community and region.

Online shopping is lonely!

Downtown Salem needs to be a gathering place of shared community, of excitement and pleasure. We need to increase and emphasize the idea that we are a community and we are "all in this together". Downtown needs to be communal, lively, a place we want to be.

Examples of things to expand, support, consider, try:

A downtown trolley?

Increase support for, co-operation with the Salem Main Street Association.

More support for Saturday and Wednesday markets, perhaps add in store/mall specials and sales.

Schedule and advertise meals with the Mayor and Council members. Have the Mayor and Council members dine with constituents in various downtown restaurants – perhaps quarterly or even monthly.

During the holidays the downtown mall could hold a "Celebrate Salem" weekend when they would emphasize sales, do things like provide free cider or cocoa and, if it's still vacant, use the old Nordstrom space for craft vendors, Christmas music and holiday displays.

Volkswalks ending in downtown Salem with food, beverages and sales available.

Perhaps seek an intern from Willamette University's Atkinson School of Business to help\lead these efforts.

As much as possible, move/connect sales, events, celebrations that occur around Salem to the downtown core. Much of this is already being done but we need to increase, redouble, our efforts, find ways to do even more. The very life of Salem is at stake.

With regards to the problems of homelessness the council should create a subcommittee, working group, task force, to develop steps, proposals, actions that address specific issues surrounding the problem of homelessness. This group would work with the State, service providers, businesses, churches, neighborhood associations and other groups to address and solve problems one by one. Small steps, large ones, just keep at it. They would bring proposals to the City Council as needed.

The current situation did not develop overnight and there are no simple solutions, but the problems experienced by and caused by the unhoused homeless can and must be solved. Recently a baby was born on the streets of Salem. Are we going to wait until people die on the streets? The problem downtown will not be solved overnight but there are positive ways to address it.

A few examples of things to support, complete and to try:

Complete the sobering center

Establish a "Cahoots" team

Have projects planned and ready to go when State funds become available.

Find ways to assist and ease the burden on Church in the Park.

Find ways to bring Safe Sleep up to capacity.

Establish more day centers, expand existing facilities and extend their hours. Currently in Salem there are no day centers open on weekends and the weekday hours are short.

Establish more emergency beds. There are currently less than half the number of shelter beds needed to accommodate those willing and able to sleep inside.

Establish safe storage for belongings - even a place where people could leave their belongings short term while they went to or applied for jobs, or went to doctor and other appointments, would be a tremendous help.

There are many, many pieces to the problem of homelessness and we must address and solve them as we can. There are no shortcuts, just lots of hard work that must be done.

Larry Nasset 525 Oregon Ave. Salem, Or 97301 503 390 3708

From: Larry Nasset <larrynasset@hotmail.com>
Sent: Tuesday, February 18, 2020 2:41 PM

To: citycouncil

Subject: Problems facing Salem

To the Mayor and City Council of Salem, Oregon

I'll start with two major problems, those of the downtown merchants and those caused by homelessness, and then some suggestions for addressing both.

One: We live in a dynamic, rapidly changing world. The problems facing downtown Salem are serious and must be successfully addressed. The vitality of downtown is critically important to all of Salem.

Two: The problems of and those caused by homelessness must be solved. Failure to do so will continue to harm the homeless and tear apart Salem. Sit-Lie has too many known risks and legal questions and who knows what the unintended consequences would be?

In response to the concerns of downtown city council should:

Create a subcommittee, working group, task force, whatever you want to call it, to implement and redouble efforts to support downtown Salem. Work with Travel Salem, Salem Main Street Assosciation, The Salem City Club, and other groups to build on the strengths of downtown and its importance to the whole Salem community and region.

Online shopping is lonely!

Downtown Salem needs to be a gathering place of shared community, of excitement and pleasure. We need to increase and emphasize the idea that we are a community and we are "all in this together". Downtown needs to be communal, lively, a place we want to be.

Examples of things to expand, support, consider, try:

A downtown trolley?

Increase support for, co-operation with the Salem Main Street Association.

More support for Saturday and Wednesday markets, perhaps add in store/mall specials and sales.

Schedule and advertise meals with the Mayor and Council members. Have the Mayor and Council members dine with constituents in various downtown restaurants – perhaps quarterly or even monthly.

During the holidays the downtown mall could hold a "Celebrate Salem" weekend when they would emphasize sales, do things like provide free cider or cocoa and, if it's still vacant, use the old Nordstrom space for craft vendors, Christmas music and holiday displays.

Volkswalks ending in downtown Salem with food, beverages and sales available.

Perhaps seek an intern from Willamette University's Atkinson School of Business to help\lead these efforts.

As much as possible, move/connect sales, events, celebrations that occur around Salem to the downtown core. Much of this is already being done but we need to increase, redouble, our efforts, find ways to do even more. The very life of Salem is at stake.

With regards to the problems of homelessness the council should create a subcommittee, working group, task force, to develop steps, proposals, actions that address specific issues surrounding the problem of homelessness. This group would work with the State, service providers, businesses, churches, neighborhood associations and other groups to address and solve problems one by one. Small steps, large ones, just keep at it. They would bring proposals to the City Council as needed.

The current situation did not develop overnight and there are no simple solutions, but the problems experienced by and caused by the unhoused homeless can and must be solved. Recently a baby was born on the streets of Salem. Are we going to wait until people die on the streets? The problem downtown will not be solved overnight but there are positive ways to address it.

A few examples of things to expand, support, consider, try in solving the problems of homelessness:

Complete the sobering center

Establish a "Cahoots" team

Have projects planned and ready to go when State funds become available.

Find ways to assist and ease the burden on Church in the Park.

Find ways to bring Safe Sleep up to capacity.

Establish more day centers, expand existing facilities and extend their hours. Currently in Salem there are no day centers open on weekends and the weekday hours are short.

Establish more emergency shelter beds. There are currently less than half the number of shelter beds needed to accommodate those willing and able to sleep inside. Even when the warming centers are activated the bed supply is totally inadequate.

Establish safe storage for belongings - even a place where people could leave their belongings short term while they went to or applied for jobs, or went to doctor and other appointments, would be a tremendous help.

There are many, many pieces to the problem of homelessness and we must address and solve them as we can. There are no shortcuts, just lots of hard work that can and must be done.

Sincerely, Larry Nasset

Larry Nasset 525 Oregon Ave. Salem, Or 97301 503 390 3708

From: MARILYN NICHOLS <nichols33@msn.com>

Sent: Saturday, February 15, 2020 7:29 PM

To: citycouncil

Subject: Homeless Camping in Salem

Dear City of Salem Council Members:

The whole situation is sad indeed. But please understand that there must be something done to help the living on the streets issue. These people using the sidewalks as a bathroom is hurting not only the people themselves but our city & businesses as well. I will NOT go shop downtown because of fear of illness and of being robbed. Having this problem be placed on tax payers is unfair. I hear many of these people don't trust government, yet they will pitch a tent directly on city property. The idea they could be camping outside of my house Is ludicrous. You might consider getting mobile clinics, counseling to help these people. There is systems in place such as adult services that can help people. The housing is out there but how is someone supposed to be able to afford it with no income or making so little they can't afford it. HUD is an absolute joke making people wait for years. City, County & State officials need to call this a crisis and fix it.

Marilyn Nichols Tax Payer

Sent from my iPhone

From: Hazel Patton <ptn1363@msn.com>
Sent: Tuesday, February 18, 2020 9:04 PM

To: citycouncil **Subject:** Try again

Evidently my first email to you left out a sentence and may not have made good sense. So thanks for reading this again.

Dear Councilors,

I strongly support the passing of the proposed sit-lie ordinance. We have worked so hard to revitalize our downtown. It truly is the heart of our City. And right now it is very fragile and businesses are struggling. I am saddened when I hear my friends say they will no longer shop downtown because they do not feel safe or are very uncomfortable. Whether you agree with this thought or not, it is a reality. Some businesses have left and I am afraid more will follow unless we can come up with a solution now. Future plans to build more affordable housing or centers are wonderful but the huge problem exists right now. Evidently the social service agencies ,who unfortunately all seem to be near the downtown core, do not seem to have the capacity to effectively solve this and in some cases are struggling to work together. (their words, not mine). Several of us from Salem Main Street attended the Good Neighbor meetings and while we learned what each organization does, there seemed to be a lack of coordination

I believe the last time this ordinance was brought before Council one of the big issues was where do folks go after they must leave at 7 am? Evidently not all agencies are open to accommodate the campers. My question: Would it be possible to let them use Marion Square Park just until the City finds a more permanent place? Maybe for 5-6 months? Maybe put in porta potties? Hopefully folks would rather be in a park than on city streets.

Thank you Councilors for your consideration and for all you do for our City.

Hazel Patton

Sent from Mail for Windows 10

From: noreply@cityofsalem.net on behalf of joannepfau@yahoo.com

Sent: Tuesday, February 18, 2020 8:46 PM

To: citycouncil

Subject: Contact City Council

Attachments: ATT00001.bin

Your Name	Joanne Pfau	
Your Email	joannepfau@yahoo.com	
Your Phone	503-302-4305	
Street	4420 Labish Garden Rd NE	
City	Salem	
State	OR	
Zip	97305	
Message	As a life long Salem resident, it grieves me deeply to see what the downtown area has become. I grieve not only for the homeless but equally for the businesses and towns people. I no longer feel safe/comfortable shopping in the downtown area and honestly am embarrassed by what it has become. The other day while at a stop signal, I watched as a woman on the sidewalk by Rite Aid went around the corner and, in front of heavy traffic, pulled down her pants to relieve herself! How can this be ignored or allowed? Things seems to have gone from bad to worse by restricting tents. Please, before downtown is irreparably damaged, find a better solution. At the least, can't we find a more suitable location for those who opt for this lifestyle? I have and will continue to financially support UGM and other such agencies. I know the problem is complex and I appreciate your service to the community but believe this issue cannot continue without our city paying a heavy price. I appreciate your time and the opportunity to share my concerns.	

This email was generated by the dynamic web forms contact us form on 2/18/2020.

From: John L. Poole <jlpoole56@gmail.com>
Sent: Sunday, February 16, 2020 4:09 PM

To: citycouncil

Cc: SALEM Manager; CityRecorder

Subject: Bill 10-19 Sit-Lie Repeal/Modifications – Hearing Date Not Set

Attachments: CouncilLetter_February_16_2020_signed.pdf

(RRR)

re: Bill 10-19 Sit-Lie Repeal/Modifications – Hearing Date Not Set

Dear Mayor Bennett and Members of the Salem City Council,

Attached please find my letter in PDF format consisting of 20 pages as file CouncilLetter_February_16_2020_signed.pdf.

Cordially,

John L. Poole

--

John Laurence Poole 1566 Court ST NE Salem OR 97301-4241 707-812-1323 office

John L. Poole 1566 Court Street NE Salem OR 97301 jlpoole56@gmail.com 707-812-1323

Sunday, February 16, 2020

Re: Bill 10-19 Sit-Lie Repeal/Modifications - Hearing Date Not Set

Dear Mayor Bennett and Members of the Salem City Council,

I reside at 1566 Court Street NE. Our house is a contributing member to Court-Chemeketa National Register District $^{\rm l}$ and the former

residence of City Manager Robert Moore (d. 2005).

I am also the owner, through Peck Cottage LLC, of the adjacent property, 1552 Court Street NE, which was the former residence of Morton Peck, Oregon's preeminent botanist who authored the Manual of the Higher Plants of Oregon. Peck Cottage also is within the National Register District. I take great pride in contributing to the ambiance of our historic district.



Figure 1: 1566 Court Street NE

I am concerned that the possible action I understand that is being considered is to modify the Engrossed Ordinance Bill No. 10-19 which you adopted on December 2, 2019. The definitive local newspaper, The Statesman Journal, published an article this morning Homelessnessin Salem: City Council to revisit controversial sit-lie ordinance wherein they state:

The council voted 5-4 to craft a proposal and discuss sit-lie — and possibly vote on it — at their next meeting Feb. 24.

¹ National Historic Preservation Act (NHPA; Public Law 89-665; 54 U.S.C. 300101 et seq.) §300311. National Register

Mayor Bennett and Members of the Salem City Council Sunday, February 16, 2020
Page 2

The <u>City of Salem's web site for your agendas</u> does not have any Agenda posted for the February 24th meeting at this time. I have no opinion about keeping or repealing the ordinance, *in toto*, and believe you are entitled to do either option based on current notice provisions. However, I do have concern that what seems to be a third alternative, to wit: modifying the ordinance to cherry-pick areas that would allow or proscribe certain use of property is a different type of action akin to a zoning decision and therefore entitled to the notice provisions of Oregon Revised Statutes. Zoning decisions require that properties affected be given notice. Oregon Revised Statutes 227.186.ⁱ I only learned of your actions through a recent Nextdoor.com posting entitled <u>Is your home or school in the pink zone?</u>

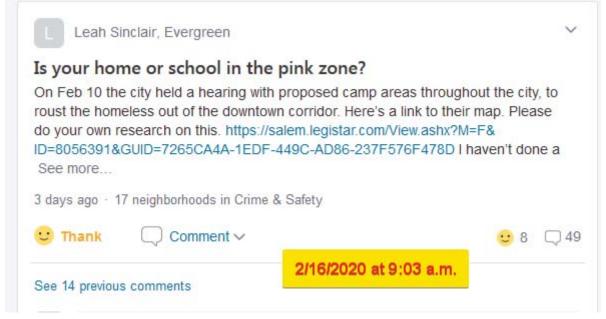


Figure 2: Nextdoor.com Topic "Is your home or school in the pink zone?"

The posting contains a link at the City's web site to a PDF file entitled "Camping Areas.pdf". This letter is, in part, based upon the contents of the City's Camping Areas.pdf which depicts a Map apparently generated by ESRI [Environmental Systems Research Institute] which is the City's proprietary mapping software product.

As a preliminary point, I share with you the fact that the PDF contains Scalable Vector Graphics (SVG) of "shapes" representing

Mayor Bennett and Members of the Salem City Council Sunday, February 16, 2020 Page 3

blocks and streets. SVG are formulas for drawing a shape and allows one the benefit of zooming into detail to particular areas while always maintaining crisp detail of lines and edges. With SVG, definition of lines is never lost as in binary format images such as JPEG or PNG. I think is very helpful that the City generates maps in SVG format allowing a reader to see, in detail, what is contained and I hope this practice will continue. The PDF's properties show no provenance:

Description Sec	curity Fonts Initial View Custom A	dvanced	
Description			
File:	Camping Areas.pdf		
<u>T</u> itle:			
<u>A</u> uthor:			Ê
<u>S</u> ubject:			
<u>K</u> eywords:			c
	2/3/2020 12:03:40 PM		Additional <u>M</u> etadata
	2/3/2020 1:10:18 PM Esri ArcMap 10.6.1.9270		
Advanced	A-0		
PDF Produce	G)		
PDF Version	1.6 (Acrobat 7.x)	Cam	ping Areas.PDF
Location		end.	
File Size	: 1,018.75 KB (1,043,201 Bytes)		
Page Size	: 8.50 x 11.00 in	Number of Pages:	1
Tagged PDF	: No	Fast Web View:	Yes
Help			OK Cancel

Figure 3: "Camping Area.pdf" Document Properties Dialog Box

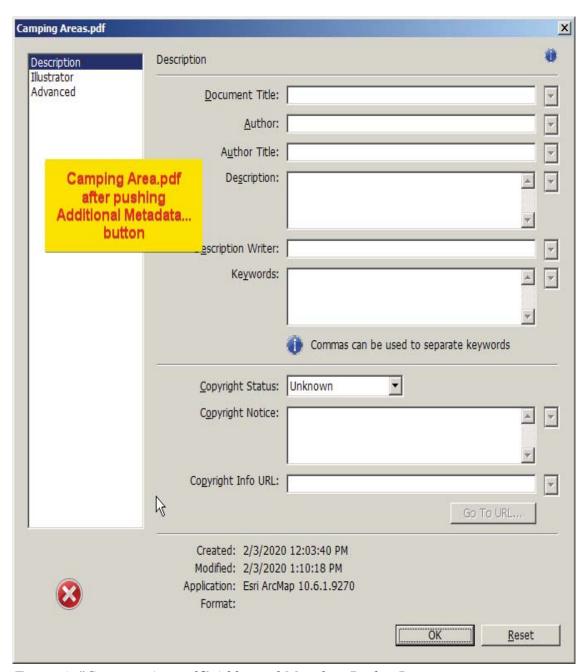


Figure 4: "Camping Area.pdf" Additional Metadata Dialog Box

Mayor Bennett and Members of the Salem City Council Sunday, February 16, 2020 Page 5

I submit the City should document their PDFs, especially ones used for legislative consideration. I zoomed in to 1600x to see if the alley way between Court Street and State Street going south of 14th Street, also known as "Penny Lane", would be within the ambit of the pink zone. Unfortunately, the alley ways were not included as shapes in the map, or they are being hidden by overlays. The bottom line is that the map does not indicate if the alley would be subject to allowed camping. Here is screenshot showing the block I live on and that the alley between Court Street and State Street is missing.

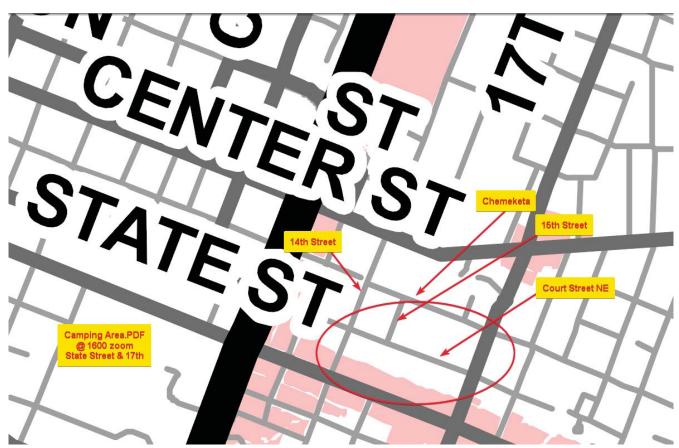


Figure 5: Missing alley in "Camping Areas.pdf" zoomed to 1600x at State Street & Court Street NE

By contrast, <u>Google Maps for 1566 Court Street NE</u> and <u>Open Street Maps for 1566 Court Street NE</u> depicts the alley at similar zoom levels.

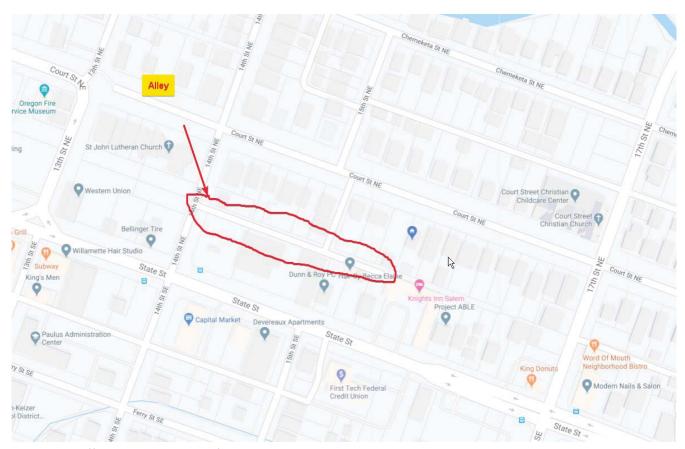


Figure 6: Alley Appears - Google Maps

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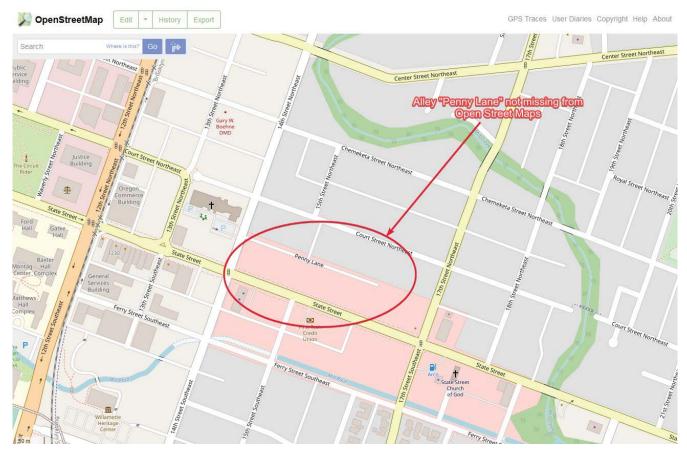


Figure 7: Alley Appears - Open Street Maps

I submit the residents who are within 100 feet of the area you plan to allow camping for be given an accurate map in SVG format containing the alleys and the shapes you would be used to define the areas where camping would be, or not be, allowed. It is paramount that if you are going to carve out exceptions to the broad coverage of your recently enacted ordinance that you do so with precision and without ambiguity.

The situation for residents who live on the south side of Court Street NE between 14th and 17th street is unique. There is an alley that runs from 14th street part way down the block. The Penny Lane alley is suppose to be "dead end" south of the 15th street intersection.

<--15th street -->|

Figure 8: "Dead End" Sign at Penny Lane and 15th Street

Mayor Bennett and Members of the Salem City Council Sunday, February 16, 2020
Page 8

However, the alley is being used as a thoroughfare. The use of the terminal properties where the right-of-way traverses towards the end at the east is currently being used by a non-profit Project Able and the use of the alleyway has been to freely allow people to cross over the parcels hosting Project Able on State Street to the alley and use this pathway as if it were a street.

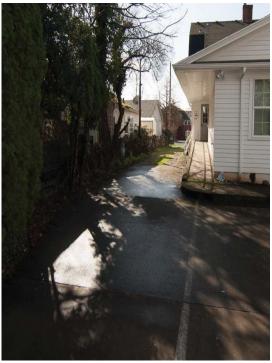


Figure 9: Driveway of 1607 State Street



Figure 10: Driveway of 1599 State Street

There are two facts which further compound our situation: 1) the alley way south of the Knights Inn appears to have been abandoned by the City and is currently being used by the Project Able parcels for parking, and 2) the properties directly east of eastern terminus of the alley are locations where homeless people congregate and camp out.



Figure 11: Alley Way Used As Parking (Facing Northwest to Knights Inn)



Figure 12: Alley Facing East At Common Corner of Mangini & Escobar/Barajas

Mayor Bennett and Members of the Salem City Council Sunday, February 16, 2020 Page 10



Figure 13: Example Of Encampment

Mayor Bennett and Members of the Salem City Council Sunday, February 16, 2020 Page 11 $\,$



Figure 14: Example of Trespassers



Figure 15: Alley Right-of-way Abandoned & Used By Trespassers and Squatters

Following is an assessor map with several overlaying graphics showing more details.

The green ovals represent right-of-way that is no longer used for traffic. The left green oval is now used as parking for Project Able. The right green oval appears to be part of the Willit-Mack property at 1611 State Street, the right oval also is adjacent to the southern boundary of the Lobban/Hayward parcel at 1642 Court Street NE.

The orange area represents the parking lot for Project Able.

The pink dotted lines represent two-way traffic for vehicles and pedestrians.

The red rectangle (shaded red) represents the problem area were trespassers have camped out. Neighbors have experienced trash being thrown into their own yards, noise, and conduct better kept private

for a latrine and/or bedroom. There also has been overnight camping in vehicles. The Salem Police Department is fully aware of the growing problem with this area and can advise further about the calls they have responded to if inquiry is warranted.



Figure 16: Encampment Area on City and Private Properties

Here is a photo of a man who pitched a tent on my driveway pad on January 16, 2020, at 12:15 p.m. The Salem Police diligently responded and the tent was promptly removed within hours of it being set up.



Figure 17: Pitching A Tent on Private Property Adjacent To Penny Lane (1/16/2020)

The concern I have is that if the alleyways come within the pink zone, camping in areas where the City has arguably abandoned its use will become protected havens for camping and the Salem Police will not be able to move them out. The problem our neighborhood has been experiencing in recent years will be exacerbated.

I have not received any form of official notice from the City of Salem. The properties being in zone RD would not be changed, nonetheless I am entitled notice by virtue of ORS 197.763ⁱⁱ.



Figure 18: Trespasser Pitching Tent (1/16/2020)

In conclusion, I ask that:

- 1) there be notice to affected property owners as required by law should you spot zone,
- 2) that the map you use to deliberate and adopt any ordinance contain alley and right-of-way shapes to clearly delimit what comes under, or does not come under, the ambit of your decision, and

3) that you continue the prohibition of camping on alley and right-of-ways.

Yours very truly,

very erary,

John L. Poole

Links Referenced:

Digitally signed by John Poole

DN: cn=John Poole, o,

ou,

email=jlpoole56@gma

il.com, c=US

Date: 2020.02.16 16:06:29 -08'00'

Robert Moore:

https://www.legacy.com/obituaries/statesmanjournal/obituary.aspx?n=robert-scott-moore&pid=115099785

Morton Peck:

https://oregonencyclopedia.org/articles/peck_morton_1871_1959_/

<u>Homelessness in Salem: City Council to revisit controversial sit-lie ordinance:</u> https://www.statesmanjournal.com/story/news/2020/02/11/salem-city-council-revisit-controversial-sit-lie-ordinance-homeless/4695497002/

<u>City of Salem's web site for your agendas</u> <u>https://salem.legistar.com/Calendar.aspx</u>

<u>Google Maps for 1566 Court Street NE</u> https://www.google.com/maps/@44.9366867,-123.0229804,18z

Open Street Maps for 1566 Court Street NE
https://www.openstreetmap.org/#map=17/44.93672/-123.02112

https://nextdoor.com/post/137097720?init_source=copy_link_share

Camping Areas.pdf

https://salem.legistar.com/View.ashx?M=F&ID=8056391&GUID=7265CA4A-1EDF-449C-AD86-237F576F478D

End notes

i	227.186 Notice to property owners of hearing on certain zone change; form of notice; exceptions; reimbursement of cost. (1) As used in this section, "owner" means the owner of the title to real property or the contract purchaser of real property, of record as shown on the last available complete tax assessment roll. (2) All legislative acts relating to comprehensive plans, land use planning or zoning adopted by a city shall be by ordinance. (3) Except as provided in subsection (6) of this section, at least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to amend an existing comprehensive plan or any element thereof, or to adopt a new comprehensive plan, a city shall cause a written individual notice of a land use change to be mailed to each owner whose property would have to be rezoned in order to comply with the amended or new comprehensive plan if the ordinance becomes effective. (4) At least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to rezone property, a city shall cause a written individual notice of a land use change to be mailed to the owner of each lot or parcel of property that the ordinance proposes to rezone. (5) An additional individual notice of land use change required by subsection (3) or (4) of this section shall be approved by the city and shall describe in detail how the proposed ordinance would affect the use of the property. The notice shall: (a) Contain substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:
_	This is to notify you that (city) has proposed a land use regulation that may affect the permissible uses of your property and other properties.
	(b) Contain substantially the following language in the body of the notice:
	On (date of public hearing), (city) will hold a public hearing regarding the adoption of Ordinance Number The (city) has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property. Ordinance Number is available for inspection at the City Hall located at A copy of Ordinance Number also is available for purchase at a cost of For additional information concerning Ordinance Number, you may call the (city) Planning Department at
	(6) At least 30 days prior to the adoption or amendment of a comprehensive plan or land use regulation by a city pursuant to a requirement of periodic review of the comprehensive plan under ORS 197.628, 197.633 and 197.636, the city shall cause a written individual notice of the land use change to be mailed to the owner of each lot or parcel that will be rezoned as a result of the adoption or enactment. The notice shall describe in detail how the ordinance or plan amendment may affect the use of the property. The notice also shall: (a) Contain substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:
_	This is to notify you that (city) has proposed a land use regulation that may affect the permissible uses of your property and other properties.
	(b) Contain substantially the following language in the body of the notice:
	As a result of an order of the Land Conservation and Development Commission, (city) has proposed Ordinance Number (City) has determined that the adoption of this ordinance may affect the permissible uses of your

property, and other properties in the affected zone, and may change the value of your property.

Ordinance Number _____ is available for inspection at the _____ City Hall located at _____. A copy of Ordinance

Ordinance Number _____ will become effective on (date).

Number _____ also is available for purchase at a cost of _____.

End notes

For additional information concerning Ordinance Number	, you may call the (city) Planning Department
at	

- (7) Notice provided under this section may be included with the tax statement required under ORS 311.250.
- (8) Notwithstanding subsection (7) of this section, a city may provide notice of a hearing at any time provided notice is mailed by first class mail or bulk mail to all persons for whom notice is required under subsections (3) and (4) of this section.
- (9) For purposes of this section, property is rezoned when the city:
- (a) Changes the base zoning classification of the property; or
- (b) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.
- (10) The provisions of this section do not apply to legislative acts of the governing body of the city resulting from action of the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under ORS 197.047 or resulting from an order of a court of competent jurisdiction.
- (11) The governing body of the city is not required to provide more than one notice under this section to a person who owns more than one lot or parcel affected by a change to the local comprehensive plan or land use regulation.
- (12) The Department of Land Conservation and Development shall reimburse a city for all usual and reasonable costs incurred to provide notice required under subsection (6) of this section. [1999 c.1 §3; 1999 c.348 §11; 2003 c.668 §3]
- **197.763** Conduct of local quasi-judicial land use hearings; notice requirements; hearing procedures. The following procedures shall govern the conduct of quasi-judicial land use hearings conducted before a local governing body, planning commission, hearings body or hearings officer on application for a land use decision and shall be incorporated into the comprehensive plan and land use regulations:
 - (1) An issue which may be the basis for an appeal to the Land Use Board of Appeals shall be raised not later than the close of the record at or following the final evidentiary hearing on the proposal before the local government. Such issues shall be raised and accompanied by statements or evidence sufficient to afford the governing body, planning commission, hearings body or hearings officer, and the parties an adequate opportunity to respond to each issue.
 - (2)(a) Notice of the hearings governed by this section shall be provided to the applicant and to owners of record of property on the most recent property tax assessment roll where such property is located:
 - (A) Within 100 feet of the property which is the subject of the notice where the subject property is wholly or in part within an urban growth boundary;
 - (B) Within 250 feet of the property which is the subject of the notice where the subject property is outside an urban growth boundary and not within a farm or forest zone; or
 - (C) Within 500 feet of the property which is the subject of the notice where the subject property is within a farm or forest zone.
 - (b) Notice shall also be provided to any neighborhood or community organization recognized by the governing body and whose boundaries include the site.
 - (c) At the discretion of the applicant, the local government also shall provide notice to the Department of Land Conservation and Development.
 - (3) The notice provided by the jurisdiction shall:
 - (a) Explain the nature of the application and the proposed use or uses which could be authorized;
 - (b) List the applicable criteria from the ordinance and the plan that apply to the application at issue;

End notes

- (c) Set forth the street address or other easily understood geographical reference to the subject property;
- (d) State the date, time and location of the hearing;
- (e) State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the board based on that issue;
- (f) Be mailed at least:
- (A) Twenty days before the evidentiary hearing; or
- (B) If two or more evidentiary hearings are allowed, 10 days before the first evidentiary hearing;
- (g) Include the name of a local government representative to contact and the telephone number where additional information may be obtained;
- (h) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;
- (i) State that a copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost; and
- (j) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.
- (4)(a) All documents or evidence relied upon by the applicant shall be submitted to the local government and be made available to the public.
- (b) Any staff report used at the hearing shall be available at least seven days prior to the hearing. If additional documents or evidence are provided by any party, the local government may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by an applicant shall result in a corresponding extension of the time limitations of ORS 215.427 or 227.178 and ORS 215.429 or 227.179.
- (5) At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:
- (a) Lists the applicable substantive criteria;
- (b) States that testimony, arguments and evidence must be directed toward the criteria described in paragraph (a) of this subsection or other criteria in the plan or land use regulation which the person believes to apply to the decision; and
- (c) States that failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the board based on that issue.
- (6)(a) Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. The local hearings authority shall grant such request by continuing the public hearing pursuant to paragraph (b) of this subsection or leaving the record open for additional written evidence, arguments or testimony pursuant to paragraph (c) of this subsection.

End notes

- (b) If the hearings authority grants a continuance, the hearing shall be continued to a date, time and place certain at least seven days from the date of the initial evidentiary hearing. An opportunity shall be provided at the continued hearing for persons to present and rebut new evidence, arguments or testimony. If new written evidence is submitted at the continued hearing, any person may request, prior to the conclusion of the continued hearing, that the record be left open for at least seven days to submit additional written evidence, arguments or testimony for the purpose of responding to the new written evidence.
- (c) If the hearings authority leaves the record open for additional written evidence, arguments or testimony, the record shall be left open for at least seven days. Any participant may file a written request with the local government for an opportunity to respond to new evidence submitted during the period the record was left open. If such a request is filed, the hearings authority shall reopen the record pursuant to subsection (7) of this section.
- (d) A continuance or extension granted pursuant to this section shall be subject to the limitations of ORS 215.427 or 227.178 and ORS 215.429 or 227.179, unless the continuance or extension is requested or agreed to by the applicant.
- (e) Unless waived by the applicant, the local government shall allow the applicant at least seven days after the record is closed to all other parties to submit final written arguments in support of the application. The applicant's final submittal shall be considered part of the record, but shall not include any new evidence. This seven-day period shall not be subject to the limitations of ORS 215.427 or 227.178 and ORS 215.429 or 227.179.
- (7) When a local governing body, planning commission, hearings body or hearings officer reopens a record to admit new evidence, arguments or testimony, any person may raise new issues which relate to the new evidence, arguments, testimony or criteria for decision-making which apply to the matter at issue.
- (8) The failure of the property owner to receive notice as provided in this section shall not invalidate such proceedings if the local government can demonstrate by affidavit that such notice was given. The notice provisions of this section shall not restrict the giving of notice by other means, including posting, newspaper publication, radio and television.
- (9) For purposes of this section:
- (a) "Argument" means assertions and analysis regarding the satisfaction or violation of legal standards or policy believed relevant by the proponent to a decision. "Argument" does not include facts.
- (b) "Evidence" means facts, documents, data or other information offered to demonstrate compliance or noncompliance with the standards believed by the proponent to be relevant to the decision. [1989 c.761 §10a (enacted in lieu of 197.762); 1991 c.817 §31; 1995 c.595 §2; 1997 c.763 §6; 1997 c.844 §2; 1999 c.533 §12]

From: noreply@cityofsalem.net on behalf of salemrmcf@gmail.com

Sent: Sunday, February 16, 2020 1:26 PM

To: citycouncil

Subject: Contact City Council

Attachments: ATT00001.bin

Your Name	R. Little
Your Email	salemrmcf@gmail.com
Your Phone	5038516088
Street	401 Center St. SE Ste. 285
City	Salem
State	OR
Zip	97301
Message	Dear City Council, I am writing again regarding the homeless in downtown near Rite Aide and the Salem Center Mall. I have been a business owner for many years. Although the issue seems to be at the forefront of dialogue, the action regarding it appears to be lacking immediacy. I continue to hear about housing development and shelters but the reality it that these solutions are months or years away if even possible and thus are not appropriate for an immanent issue. Even if a reality, most of the homeless folks are not interested in help of any kind. As of this past weekend (2/15/20), the area downtown remains a threat to citizens health and well being. The garbage, urine, and feces are a danger to others. Citizens are unable to access the public sidewalks. The homeless continue to be rude and hostile to others. I find it amazing that our officials and others have allowed a few folks to override the rights of the many and the pro-social. I am respectfully requesting immediate action by the city to pass a sit/lie ordinance and clean the area. While I have been advised of legal challenges within the courts, I do not believe that any Court ruling was in the spirit of allowing the homeless to impede upon the rights of others and cause a hazardous and hostile situation. As I have stated previously, the damage to commerce is happening daily and thus impeding upon the rights of business owners to conduct commerce. Please cease the dialogue and take action to protect all citizens. Best regards, R. Little

This email was generated by the dynamic web forms contact us form on 2/16/2020.

From: Hannah Reinke <hannahkreinke@gmail.com>

Sent: Monday, February 17, 2020 9:11 AM

To: citycouncil
Subject: Homeless Camps

To whom it should concern,

I am a local resident and local family portrait photographer. I utilize a studio downtown in the Gray Building for 80% of my work. I also work as a private investigator and run the majority of my business out of the co-working space in that same building. I have been utilizing and *trying* to enjoy downtown Salem for the majority of my life and career. I have concerns regarding the newest adjustment to the sit/lie ordinance as the current issue is greatly affecting my business and my client experience and I fear that the adjustment to the sit/lie ordinance will only propel the issue to further destruct our downtown atmosphere.

Allowing loiterers and homeless to occupy our sidewalks at ANY time allows them to create dirt, waste, fecal matter and urine on our public sidewalks and to allows them accumulate their personal belongings and garbage in front of our businesses. There is no ordinance mandating that these vagrants clean up after themselves so business owners will be left to do so. That is not in my job description or worked into my pricing and budget but sadly, it is in my best interest as business owner so that my clientele feel safe and my business doesn't appear unkept. We are often forced to take time out of our client's experience to attend to the messes that are inevitably left behind by the homeless population occupying our sidewalks and alleys downtown. Allowing them to gather and accumulate only during specific hours will not prevent them from leaving their garbage behind and "setting up their camp" in certain areas.

Often, these messes are not just the garbage they leave behind but are their personal belongings and a bio-hazard. Recently, I have had clients refuse to work with me downtown for their photo sessions because they do not want to bring their children downtown or leave their vehicles parked and left unattended in front of herds of homeless where criminal activity, garbage and feces is scattered about. I used to be able to bring my young children with me to my sessions when I knew they would be safe walking around downtown with me while I photograph my clients but sadly, that is not the case anymore. I refuse to subject my own children to the unsanitary filth of downtown as it is in it's current state and I cannot blame my clients for doing the same. However, in turn, I lose those clients who would rather postpone their photo session for another (warmer) month when other outdoor locations are an option or who would rather conduct business in another city where the homeless issue is far less of an impact to the workability and sustainability of my business and the clients livelihood.

I'm speaking from my own personal experience in conducting business in downtown Salem for the past ten years but as I'm sure you know, the downtown community is pretty close knit in that every business owner is friends with or acquaintances with at least a dozen other local business owners. Words cannot express to you the disappointment I feel when I hear the stories my friends and local business owners are forced to deal with on a daily basis with regard to the homeless population occupying our city streets. To highlight a few issues as of recently, there have been rocks smashed through storefront windows, human feces smeared on door handles, uncapped drug needles strewn about, personal belongings scattered haphazard along the sidewalks and blocking access to business entries, people sleeping (and high) on and under piles of soggy cardboard in the alleys around the business trash cans and camps set up and panhandling on every corner (hassling us and our clients every time we pass by). The overall feeling of disarray and danger in these unsanitary conditions is hugely impacting our client experience and the general experience of downtown Salem.

By continuing to advocate for these people, instead of punish them, we give them more leniency to destroy our streets and sidewalks and ruin our downtown atmosphere. The reputation of downtown Salem is being destroyed. People are

boycotting it completely which is disrupting every business owners ability to run a successful business. Not only is the filth unmanageable, but the safety of all downtown patrons and staff is greatly compromised as well.

By allowing this to continue, you also destroy your own reputation as a political figure and upright citizen by honoring the rights of the homeless over the ACTUAL rights of the tax paying, respectful and respectable businesses and residents of downtown. There is not a single justifiable reason to continue to look for ways to adjust this ordinance that will accommodate and not offend those who have no respect for our city sidewalks. Period.

Let's instead look for a way to BAN THEM from loitering in groups of two or more on ANY public or private property for over 30 minutes and ban them from accumulating their personal belongings on our public sidewalks. They have come together in mass now to unite against the city, the residents and the businesses. They should be broken up, left to find their own way without the ongoing support of the city or each other to make their living. They should do so without disrupting the general populations well being. Saying this does not make anyone unkind, unsympathetic or hateful. It simply means this:

I have chosen to work hard and invest my time, money and hardships into my business. I value the care of my own children and family. If my business is destroyed by these people, so is my livelihood and my income. By allowing them to do so, you ironically make me and my family one step closer to joining them. I will not sugar coat the idea that it is empathy that allows us to let them run our streets. It is not. It is fight or flight. If you continue to allow them to destroy our city, you will find yourself with fewer tax paying citizens and more homeless. It's a vicious cycle you are creating by continuing to adjust ordinances to accommodate homeless instead of advocate for the citizens.

Sincerely, Lacey White Lacey White Photo Co --Hannah Reinke

From: Teresa Robb <robbteresa58@gmail.com>
Sent: Sunday, February 16, 2020 7:15 AM

To: citycouncil

There needs to be somewhere for the homeless to camp. I see the downtown area and it's not a good sight to see. The homeless need shelter and safe places to sleep. I've been in a camp and it was well taken care of and clean. There are empty buildings in the Salem area that can be used to provide safe places for the homeless. People are afraid of homeless people. I have met many and have known many of the homeless. I have been homeless and I am now. I have family that understand that it's hard. Homeless people need the care and understanding. They need jobs and some just need stable housing to get there feet back on the ground so they can do better. Please I beg you help the homeless don't hurt them. They hurt enough just by being out there with no one but themselves. Help the homeless. Not everyone has family that can help.

Thank you for listening Teresa Robb

From: noreply@cityofsalem.net on behalf of elaine@eksanchez.com

Sent: Monday, February 17, 2020 2:40 PM

To: citycouncil

Subject: Contact City Council

Attachments: ATT00001.bin

Your Name	Elaine Sanchez
Your Email	elaine@eksanchez.com
Your Phone	503-949-2464
Street	2725 Prominent Court South
City	Salem
State	OR
Zip	97302
Message	Dear Council Members I appreciate what each one of you is doing to make Salem a great place to live and do business. I also understand that the homeless situation is an extraordinarily difficult challenge. My husband and I were in favor of the sit/lie law, and I'm sorry you couldn't get the necessary support for that. However, something has to be done to get these people and their campsites off of our city streets. We feel that allowing them to set up a space inside Marion Square Park is a reasonable temporary solution. We understand that it will be unsightly, but we don't think it will have the same detrimental impact as having them blocking access to businesses. Their presence on the streets is intimidating to business owners and shoppers. I love Salem, and I want everyone who comes here to see all of the wonderful things this city has to offer. By allowing the homeless to take control of the streets in our downtown business district, I am afraid people will choose not to live, shop, or do business here. I am not a business owner. My husband and I moved her e from New Mexico in 1998. We have seen many wonderful improvements in our community in the last 22 years. However, we fear that other people will only see the homeless situation and be turned off by it. Please find a solution before we lose more local businesses, potential businesses, and downtown shoppers.

This email was generated by the dynamic web forms contact us form on 2/17/2020.

From: noreply@cityofsalem.net on behalf of elaine@eksanchez.com

Sent: Monday, February 17, 2020 2:34 PM

To: citycouncil

Subject: Contact City Council

Attachments: ATT00001.bin

Your Name	Elaine Sanchez
Your Email	elaine@eksanchez.com
Your Phone	503-949-2464
Street	2725 Prominent Court South
City	Salem
State	OR
Zip	97302
Message	Dear Mayor Bennett, I appreciate all you are doing to make Salem a great place to live and do business. I also understand that the homeless situation is an extraordinarily difficult challenge. My husband and I were in favor of the sit/lie law, and I'm sorry you couldn't get the necessary support for that. However, something has to be done to get these people and their campsites off of our city streets. We feel that allowing them to set up a space inside Marion Square Park is a reasonable temporary solution. We understand that it will be unsightly, but we don't think it will have the same detrimental impact as having them blocking access to businesses. Their presence on the streets is intimidating to business owners and shoppers. I love Salem, and I want everyone who comes here to see all of the wonderful things this city has to offer. By allowing the homeless to take control of the streets in our downtown business district, I am afraid people will choose not to live, shop, or do business here. Please find a solution before we lose more of our valuable, local businesses.

This email was generated by the dynamic web forms contact us form on 2/17/2020.

From: noreply@cityofsalem.net on behalf of gmabarb137@gmail.com

Sent: Thursday, February 13, 2020 1:45 PM

To: citycouncil

Subject: Contact City Council

Attachments: ATT00001.bin

Your Name	Barbara Sandberg
Your Email	gmabarb137@gmail.com
Your Phone	9712271715
Street	283 Delmar Drive N.
City	Salem
State	OR
Zip	97303
Message	I am in favor of the sit/lie ordinance.

This email was generated by the dynamic web forms contact us form on 2/13/2020.

From: Denise Svendsen <denise@denise.biz>
Sent: Saturday, February 15, 2020 4:26 AM

To: citycouncil

Subject: Downtown Situation

It used to be enjoyable to walk downtown and shop at small shops, grab a coffee, sit outside and enjoy the ambiance. Not anymore. I refuse to park my car there, I get tired of being sworn at and try to avoid trash and faces. What happened to making our downtown area vibrant and a place to enjoy? The piles keep getting bigger and the homeless population encroaching on more sidewalk areas daily. MY tax dollars paying for cleanup every week? Really? And businesses moving away? Shame on the city for allowing this.

Every day I drive over the bridge and see the masses, the ugliness and no cars parked because of it. Businesses moving. I am sympathetic to the plight of those that truly have mental health issues, but for those who 'choose' to live on the streets, by their own admission in the Statesman Journal, have made or downtown area a cesspool and eyesore.

Let's clean it up and stop forcing the taxpayers (who will be taxed right out of their homes) to pay for their addictions and garbage.

A Tax Paying Citizen

From: noreply@cityofsalem.net on behalf of mickivwvl@gmail.com

Sent: Saturday, February 15, 2020 7:31 AM

To: citycouncil

Subject: Contact City Council

Attachments: ATT00001.bin

Your Name	Micki Vander Linden
Your Email	mickivwvl@gmail.com
Street	1511 St Helens St NW
City	Salem
State	OR
Zip	97304
Message	I had two interesting conversations this week. One with a student at Willamette, who is from Washington DC. She said she had no idea Salem was as skuzzy as it is. She stated she had never seen homelessness in DC and was shocked by Salems. I told her a couple of years ago it wasn't like this. But with Arches and lame policies came a mess. Second conversation with a good friend in West Salem who owns multiple businesses in the valley, a rather large one in NE Salem. She said she no longer goes downtown, or shops at the mall. She is frightened and feels intimidated by what is going on downtown. How sad is that. She said she saw a woman pull down her pants on the corner and pee. What the hell? I told her to call me that I would accompany her downtown as I can handle myself. Wow, wow, wow. A woman with millions, now unwilling to support downtown business out of fear. Really?

This email was generated by the dynamic web forms contact us form on 2/15/2020.

From: noreply@cityofsalem.net on behalf of Karen@votaws.com

Sent: Sunday, February 16, 2020 9:23 AM

To: citycouncil

Subject: Contact City Council

Attachments: ATT00001.bin

Your Name	Karen Votaw
Your Email	Karen@votaws.com
Your Phone	503-559-6224
Street	1810 Cottage st ne
City	Salem
State	OR
Zip	97301
Message	I know you have been talking about Salem's homeless people. I wondered if you had read about what Finland is doing. Please read and consider this as a solution. The homeless need our help. https://www.theguardian.com/cities/2019/jun/03/its-a-miracle-helsinkis-radical-solution-to-homelessness

This email was generated by the dynamic web forms contact us form on 2/16/2020.

From: noreply@cityofsalem.net on behalf of paulw@wsfpa.com

Sent: Thursday, February 13, 2020 12:47 PM

To: citycouncil

Subject: Contact City Council

Attachments: ATT00001.bin

Your Name	Paul Weaver
Your Email	paulw@wsfpa.com
Your Phone	5035813898
Street	West Salem Family Practice Assoc
City	Salem
State	OR
Zip	97304
Message	Dear City Council members, I support the Mayor's sit/sleep ordinance for Salem and encourage your vote in support. Thank you! Paul Weaver

This email was generated by the dynamic web forms contact us form on 2/13/2020.

From: Sheryl WestfallDawson <dawsons1120@gmail.com>

Sent: Friday, February 14, 2020 12:33 PM

To: citycouncil

Subject: Homeless Housing Issues

Hi City Councilor and Mayor Bennett,

I am a concerned citizen of Salem and resident of the ward represented by Brad Nanke. I am very concerned about the situation of the homeless in Salem.

I do not think most of the homeless persons in Salem choose to be living in their cars or on the streets, and I believe they should be treated with compassion. This should include not only efforts to address developing more shelters and more affordable housing, but the underling issues of mental illness and drug abuse, unemployment and the myriad individual circumstances that cause individuals to end out in homelessness.

However, when I read comments on the nextdoor network, it seems like the majority of the comments on this subject are designed to foster fear and hatred of the homeless. Recently, photographs of homeless encampments, together with virulent comments directed toward the homeless, were circulating on that site. While I fully support free speech, I think there is a danger in dehumanizing the homeless in this way.

I do not have any quick and easy answers, but I am writing to ask that you continue to work toward a humane solution to this issue. I would also like to draw to your attention a recent court case from the Ninth Circuit that the US Supreme Court let stand. (Boise v. Martin, December 2019). I have not read the full decision, but the substance of the decision appears to be that the Eight Amendment barring cruel and unusual punishment prohibits punishing homeless people because are no available shelter beds. I don't know that criminal prosecution of the homeless would be considered by the City of Salem, but also wonder whether the concept of "punishment" might include other actions that have been proposed, such as a sit-lie or camping ban ordinance.

Thank you all for your work on this difficult issue.

Sheryl W. Dawson 510 Snow White Way, SE Salem OR 97302

From: Sharon White <swhite1744@gmail.com>
Sent: Thursday, February 13, 2020 12:25 PM

To: citycouncil **Subject:** Sit/Lie Ordinance

Please pass the ordinance. We don't want to continue to look like San Francisco. I work at a law firm where we represent Trespass criminals and I ask them why they're living on the streets or out in the woods and they say because the drugs are so cheap here. Please clean up the streets. This used to be an All-American City. Now it's starting to look like a third world slum.

Sharon White