

## Mayor's Downtown Advisory Commission

(DRAFT)

### Minutes

November 5, 2013

**Commission Members in Attendance:** Melinda Mason (WMMHC), Margaret Borg (Retired Attorney), Ginny Merriam (City of Missoula), Eran Fowler Pehan (Poverello Center), Keithi Worthington (City Attorney), Sue Wilkins (Missoula Correctional Services), Dan Cederberg (Downtown Representative), Paige Livingston (One Eleven), Jenny Montgomery (Montgomery Distillery), Barbara Wickel (Missoula Interfaith Collaborative) Rob Scheben (Police Department), Laurie Johnson (BID), Michele Landquist (County Commissioner), Melissa Gordon (Grants), Travis Mateer (Poverello Center), Melanie Brock (MDA), and Caitlin Copple (Council Representative)

**Commission Members Absent:** Susan Hay Patrick (United Way)

**Others in Attendance:** Michael Moore (United Way), John Engen (Mayor), Heidi Bakula

**Approval of Minutes:** The minutes of October 1, 2013 were approved as corrected.

**Special Presentations:** None

#### Committee Updates:

- Crime and Prevention –Keithi Worthington and Rob Scheben

Keithi discussed the proposed changes to the Pedestrian Interference Ordinance (Ch. 9.34) and the Aggressive Solicitation Ordinance (Ch. 9.36).

- There will be a 90-day warning period before implementation of the changes to both ordinances.
- The definition of “sit.” Webster’s Dictionary states “in a position with your bottom on a chair and with back upright.” (Pedestrian Interference Ord.) This will address people who function right outside the current limits of the current ordinance.
- After speaking to other government agencies in Seattle it was noted that the “sit” rule was very helpful in moving individuals along and there seems to be less conflict in parks and parking lots.
- The agency in Seattle also recommended making the hours longer – 6am to 11pm – since several places are open late into the evening and there are more conflicts in the later hours.
- The only real tool the City of Missoula has currently is jail time and it isn’t very appropriate in these situations. The question is what is a meaningful consequence?
- One idea would be to implement a Community Service Court at the jail or downtown; however the cost of implementation is very high.

- Wet housing might be an option but no services are offered and location could be an issue.

Other comments from commission members:

- The new ordinance could increase traffic to the emergency room.
- Should look at a way to proceed without EMT's responding to an intoxicated person lying on the sidewalk.
- Need to think of some way to relocate folks passed out on the sidewalk.
- There should be uniformity in all services.
- There is support for the ordinance but it needs to be clarified for those on the sidewalk who work right outside the requirements.
- Will this ordinance push people to lie out in the street? That needs to be avoided.
- 90% of problems occur after the bars close.
- There was commission support to change the hours from 6am to 11pm.
- Ordinances need to be crafted to help those who want help and move along those who don't.
- One concern was where the people will go if they are no longer allowed on the sidewalk. Will the city have enough law enforcement to enforce the 6am to 11pm rule?
- There are two groups downtown that cause problems, alcoholics and the mostly transient population such as the Rainbow Gathering folks.
- Many folks have dogs which can cause a public safety hazard if they fight. The other issue with animals is that it's harder to house a person who has a pet.
- A year round downtown officer would really help especially to address open container issues.
- A referral will soon be sent to council to have it pass before the new council members are seated since there is currently support for the changes.
- Due to some issues downtown with women being harassed one member asked to include more information on the sexual harassment issue in the ordinance.
- A wet house/rooming house would be a good consideration since each person could have their own room but share communal space so they do not have too much to take care of.

Comments from the Mayor:

- The current ordinances do not have a great impact on the downtown and it was time to go to the next level with the new changes.
- The new ordinance may cause some unforeseen consequences and they may have to be changed or tweaked in the future.
- The main question to ask ourselves of the folk's downtown is "why are you laying on the sidewalk?" Need to look at the reasons and address them.
- Extending the hours is a good idea but staffing will need to be discussed.
- The community service component is still a good idea to discuss to get people plugged in to services.

- Real Change Promotion – Ginny Merriam – Tabled due to lack of time
- Built Environment – Margaret Borg - Tabled due to lack of time
- Human Services – Jason Wiener and Susan Hay Patrick - Tabled due to lack of time

**Miscellaneous business and discussion:** None

Respectfully Submitted,  
Heidi J. Bakula

**Date of Next Meeting**  
**Jack Reidy Conference Room**  
**December 3, 2013**