ASHLAND CITY COUNCIL
STUDY SESSION MINUTES
June 17, 2024

I. CALL TO ORDER

Mayor Graham called the meeting to order at 5:30 p.m.

Mayor Graham and Councilors Hyatt, Dahle, Bloom, Hansen, and Kaplan were present. Councilor DuQuenne appeared via Zoom.

II. PUBLIC FORUM

15 minutes – Public input or comment on City business not included on the agenda

Debbie Neiswander/Ashland - Neiswander spoke of prohibited camping violations on the night lawn from January through May. It is difficult to track who has been expelled as there is no case number on the citations, and there was also an individual who was expelled and submitted an appeal within the timeline but was still not allowed on the premises. Neiswander asked that these items be included in the Police Chiefs annual report.

III. APD Annual Report

Police Chief Tighe O'Meara provided a summary of the presentation (see packet). O'Meara corrected some information in the use of force section of the report: 10 of the 11 suspects, not nine as written in the report, were male with one female; and one of the suspects identified as Hispanic while the rest identified as white, which was information the Council previously asked to be included.

Graham noted the trend of the use of force declining over the years while the number of police contacts is increasing and would like to see the data on that in the future.
Kaplan asked if the use of force was spread throughout the department or focused on a few individual officers. O'Meara explained this kind of report could be pulled and emphasized the need for context related to officer assignment when interpreting this information.

O'Meara spoke about the downtown Enhanced Law Enforcement Area (ELEA) put in place in 2012 to address chronically negative behavior in the downtown area. Graham asked O'Meara for a report to council in six months before taking up conversation about forming a new ELEA in the area around the new police sub-station. Bloom expressed appreciation for data that was broken down quarterly. Hansen asked what seasons showed higher criminal activity and O'Meara responded that Summer and Fall have higher incidents compared to Winter and Spring.

O'Meara noted the overall downward trend in criminality within the downtown ELEA since 2023. O'Meara then presented a data set for incidents in the parks noting mostly ordinance violations. Hyatt asked about the increase in ordinance violations in the parks and O'Meara noted to examine that in the next report.

O'Meara continued his report covering camping ordinance enforcement, noting 80 ordinance violations, 12 misdemeanor citations, and five people taken into custody. O'Meara expressed confidence that officers were not issuing misdemeanor citations or taking people into custody until after receiving more than two violation-level citations. Hansen asked if the population on the night lawn is remaining the same or changing. O'Meara provided his sense that there was less overall presence. Kaplan asked about the nature of the citations on the night lawn. O'Meara responded that the majority was for refusing to leave the night lawn when asked to do so after the allowed camping hours. Kaplan asked if officer discretion in issuing citations is monitored and O'Meara responded that every complaint is considered seriously by himself or another senior officer.

Kaplan asked if the policy regarding the night lawn is working given the increase in citations. Graham noticed the increase in citations was during the rainy months and discussed how the decision to allow campers to stay longer due to rain was made. Dahle asked O'Meara about the consistency in discretion made by the department and for his feedback to Council on the effectiveness of the night lawn ordinance. O'Meara spoke of feeling confident the department has been consistent with applying discretion. O'Meara heard of frustration with a lack of consistency in early-morning decision-making (regarding campers being allowed to stay longer due to rain). He added that his officers have been consistent, but they are still learning how to best enforce the new ordinance.

O'Meara continued his presentation by comparing activity at the Exit 14 area, which is generally trending up, to activity downtown, which is generally trending down. Graham asked if the recent addition of the new police sub-station and increase in police patrol on the East side was contributing to the recent drop-in activity there. O'Meara responded that could be a contributing factor, adding other factors include the closing of the 2200 Ashland Street shelter and/or the presence of Opportunities for Housing, Resources, and Assistance (OHRA).

Kaplan mentioned this was helpful information and asked that it become available on the City of Ashland website. Hansen asked if volunteer police department presence has contributed to a decrease in crime. O'Meara spoke of no significant correlation.
Graham appreciated that the report included time before the pandemic for a broad look at the trends.

Graham asked if the provision for a lawn expulsion to be stayed during an appeal process was a question for the court and how communication is made between the court system and the officers. O-Meara clarified that the appeal officer is the City Manager and recalled an instance where an expulsion was made on a Monday, with an appeal filed on Friday which was ruled on that same day and was not granted. Graham asked if proper communication was in place between the City Manager's office and the Police in general as the City navigates this new ordinance. O'Meara spoke that the process regarding appeals of expulsions from public spaces such as parks is not new and has been in place for a long time.

IV. Utility Billing Update

Finance Director Mariane Berry and Deputy Finance Director Bryn Morrision provided an annual overview of utility billing (see council packet).

Morrison spoke that staffing is now at capacity after losing nearly all staff in the summer of 2023. Graham asked about restricted in-person hours. Morrison spoke that since the department moved out of City Hall, the office space is currently limited, and that staff are still undergoing training. Graham asked if the long-term plan was for more open hours. Morrison responded that since phone lines have opened the in-person traffic has drastically decreased. Berry added that the facility use plan will help guide future plans and will include reviewing American Disability Act requirements. Hyatt asked if the current staffing level was sufficient to deliver the desired services. Berry spoke that the department is evaluating similar operations in other municipalities to consider options. A pending application for the Rural Energy Savings Plan (RESP) loan from the USDA, upcoming upgrades to the Tyler Munis system, and exploration of other available software are other factors that may influence the future organization of the department.

Morrison spoke that internal functionality improved with scheduled upgrades to the Tyler-Munis system in December 2023, and that the next upgrade should improve the customer's experience. Morrison spoke that the current budgeted staffing level for the Utility Billing department is 4.75 FTE and it manages about 14,000 accounts over four utilities: Electric, Water, Sewer, and Internet (co-managed with Ashland Fiber Network). The department also administers conservation, solar, and assistance programs. Berry compared the City's utility administration to other similar municipalities and spoke of the option to outsource assistance programs to volunteer organizations. Hyatt clarified that other similar municipalities are running on 4-6 FTE while handling one to two utilities and outsourcing assistance programs.

Berry compared other available software costs to consider how these would integrate with online billing. Graham asked how many customer service calls were about functionality of the existing software and if investment in more functional software would alleviate the need for more staff. Kaplan asked if the current system with its December upgrade and scheduled upgrade could handle on-bill financing and net-metering. Morrison spoke that the current system can handle the on-bill financing with staff training and the new upgrade could help the net-metering be less of a time-intensive process. Berry added that very few municipalities offered net-metering. Morrison presented the upcoming upgrade that will increase functionality of resident access. Dahle asked if this would allow payment for other types of charges. Morrison clarified that Parks has its own portal, but this could include other payments such as OLCC license endorsement fees.

Morrison summarized the Solar programs that the new system upgrade aims to automate. The Grandfathered Solar Program credits the utility account at current retail rate for unused Kilowatt-hours (kWh). The Roll Over Solar Program rolls over the unused kWh for future months and credited the utility account at the wholesale rate on March 31 for accumulated unused kWh. The Virtual Net Meter program allows Solar kWh generated at one location to be allocated to other locations and unused KWh are credited after March 31.

Berry discussed the delinquent billing process which restarted March 2024 with large outstanding accounts that total $1.4 million over 777 accounts. Berry requested an update to Ashland Municipal Code 14.02 to clarify and streamline the delinquent processing. Sabrina Cotta added that staff's concern is around bringing individual delinquent accounts into a public hearing. Bloom asked if these delinquent accounts started during COVID. Morrison confirmed that is when the Governor's order was implemented to prevent pursuit of delinquent accounts. Graham spoke that staff did a great job letting customers know about resources for assistance with expenses. Dahle spoke about the need to review the AMC to limit what is reviewed in a public hearing. Kaplan asked about the timelines for changes to ORD 14.02 and Berry responded it would take about two months. Bloom asked if staff explored a forgiveness program and Morrison spoke of the long-term payment plan option that was not previously offered. Graham asked how much has been resolved since this process began in March. Morrison spoke that in the month of May, the department saw $127,000 come in from the effort. Graham clarified with Morrison that the 777 accounts mentioned earlier do not include those that have arranged for a payment plan.

Kaplan asked if staff received the direction they needed. Berry asked for guidance if it was prudent to continue with the resident access software, and about the delinquent utility processing as discussed. Graham spoke the software selection seemed like an administrative decision. Kaplan spoke of trusting staff to make that decision, and asked when discussion would resume around assistance programs. Berry spoke of a current water-rate study and suggested coming back in the fall. Bloom spoke in favor of moving to discuss a forgiveness program to clear the backlog of delinquent accounts. Cotta clarified the delinquent account process is a regular process but was deferred for several years, which is why the volume is so high. Cotta added that a forgiveness program would be a larger discussion for the Utility Board. Graham spoke of continuing with the current plan of addressing delinquent accounts and then considering options if there are remaining amounts. Hansen agrees with Graham and is open to the conversation down the road. Hansen wants to share solar energy to help folks who have a hard time paying bills. Kaplan spoke of wanting to discuss the discount program, which could include a forgiveness program component. Graham extended her gratitude for all the work Utility Billing has completed and is looking forward to the new utility billing interface.

V. ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

Respectfully Submitted by:

Alissa Kolodzinski

City Recorder Alissa Kolodzinski

Attest:

Tonya Graham

Mayor Tonya Graham