

**Stammtisch and Kerns Neighborhood Association
DRAFT Good Neighbor Agreement
December 2, 2013**

1.0 Background

Stammtisch is a restaurant bar which is located at 401 Northeast 28th Avenue within the Kerns Neighborhood Association. The **parties to** this agreement are committed to minimize the negative impact of this business and it's customers on the livability of the neighborhood.

2.0 Formation of the Partnership

The following Good Neighbor Agreement is made between Stammtisch at 401 NE 28th Avenue, owned and operated by Dan Hart hereinafter referred to as the bar, the Kerns Neighborhood Association hereinafter referred to as the KNA, the Portland Police Bureau, and the Office of Neighborhood Involvement Crime Prevention (hereinafter referred to collectively as the "Parties"),

This Agreement is founded on the belief that a successful business relies, in part, on the strength, cooperation, and support of the neighborhood around it, and that the strength of the neighborhood relies, in part, on the responsibility, vitality, and strength of the businesses operating within it.

The issues addressed in this Agreement have been agreed upon by all of the parties mentioned above. We acknowledge that this document represents the good faith effort by all parties to resolve the issues identified herein.

So long as the owner continuously complies with each undertaking enumerated below, Kerns Neighborhood Association will not contest or oppose the granting or renewal of an alcohol license to Stammtisch.

3.0 Duration

The Agreement shall begin on January 1, 2014. The Parties shall meet approximately six months after the agreement is signed to review and evaluate this agreement. The Parties further agree to address issues as they arise after 6 months pursuant to section 7.02.

Neighbors living and/or working near the establishment will be invited to the meetings.

4.0 Goals of the Agreement

- 4.01 Maintain the livability and safety of the neighborhood.
- 4.02 Minimize nuisance issues, crime and fear of crime in and around the bar.
- 4.03 Develop and maintain clear communication channels between all parties and neighbors living or working near the bar.

5.0 Bar Operating Policies

5.01 Operations

Stammtisch is open daily Sunday to Saturday until 2:30 am. Opening time is 3 p.m. Monday – Friday and 10:00 a.m. Saturday and Sunday.

5.02 Outdoor Seating

When an outdoor seating plan is applied for Stammtisch agrees to meet with the Kerns Neighborhood Association and neighbors that live or work nearby to share the outdoor seating plan sketch. Discuss and air any issues about the layout, locations of planted , dimensions and details of enclosed smoking and open non-smoking areas.

Oregon Liquor Control Commission (OLCC) restrictions should stipulate that all outdoor seating at Stammtisch is allowed no later than 10:00pm. In the event that noise complaints arise as a result of the sidewalk seating, Owner agrees to work with the neighbors living or working near the bar and association to mitigate concerns. Providing an onsite smoking area will prevent loud disruptive conversations being carried out in front of neighbors houses and onto the street and cigarette butts not being properly disposed of. If a designated smoking area is not provided the Stammtisch staff will be responsible for seeing that all cigarette butt receptacles are used and emptied as needed. Employees, owners or patrons will not sit on the unimproved roof drinking beer and smoking cigarettes. Owner agrees to work with the neighbors living or working near the bar and the Kerns Neighborhood Association (KNA) to mitigate concerns.

5.03 Litter/Vandalism

Stammtisch shall keep the exterior of the premises and the sidewalk and street free of litter, garbage and graffiti. The Owner or employees shall make every effort to document any graffiti by taking pictures of the graffiti before cleaning it off of the premises. Stammtisch will report and share photos of any graffiti with the Graffiti Abatement Program (503-823-4TAG) and the Portland Police Bureau non-emergency **line** (503-823-3333).

Stammtisch shall utilize appropriate methods (such as locking cans and dumpsters) to minimize availability of garbage and recycling for transients after hours. Staff from Stammtisch will conduct a litter sweep every night immediately after closing and before opening and will clean up any cigarette butts, cans, bottles, paper debris, vomit and bodily fluids found. The “patrol area” included in the sweep will be curbs, street parking and sidewalks on NE 28th Ave, from ½ block west on Flanders to ½ block south of NE Glisan St.

In order to provide a long-term solution to the graffiti on the building wall directly facing adjacent neighbor on 28th , Dan Hart (Stammtisch) and homeowner plan to purchase or construct both a planter box the length of the wall and trellises to support plants of clematis vines. The wall planter(s) and trellis(es) should be constructed as weather permits. Homeowner will select type of planter, trellis and clematis varieties. This will serve two purposes: To prevent graffiti and beautify the view of the wall. Dan Hart has done something similar at his Interurban business.

5.04 **Delivery Trucks/Garbage Haulers**

Delivery trucks and garbage haulers shall not provide services to Stammtisch between the hours of 10:00 p.m. and 7:00 a.m.

5.05 **Noise**

The Owner shall take reasonable actions to manage and control the noise level of patrons inside and outside Stammtisch. Encourage patrons who exit the bar to use their cell phones to walk to the sidewalk on Burnside or to Glisan make their calls, not in front of neighbors homes. Neighbors living or working near the bar that are disturbed by noise caused by Stammtisch or patrons of the bar should **call the bar staff first and then the owner on his cell phone. The bar staff or owner will immediately address the problem.** The police and/or Noise Control, Office of Neighborhood Involvement Liquor Licensing (ONI). Office will be notified by neighbors of any situation that is not responded to by the staff or the owner of Stammtisch.

Stammtisch shall post signs inside and outdoors and make announcements for departing parties (if appropriate) reminding patrons to be considerate of residents and keep the noise down in the neighborhood. "Please Be Considerate And Quiet To Our Neighbors." "Please Do Not Litter In Our Neighborhood."

5.06 **Entertainment**

Per OLCC restrictions Stammtisch will not have live music unless there is a specific waiver by the OLCC. In the event that noise from recorded music creates complaints from neighbors the base and volume shall be turned down, and the bar shall attempt to mitigate concerns and meet with neighbors to discuss resolution if appropriate (set a lower music base and volume, employing security, etc).

5.07 **Bike Rack**

If Stammtisch obtains a bike rack for a parking space it is their responsibility to keep the area free of loud conversations, cigarette butts, bottles, glasses, litter, garbage and graffiti.

5.08 **Troubleshooting**

Stammtisch shall utilize appropriate methods to diffuse and eradicate any problems:

- The bar staff, bar business owner will address any problems immediately.
- All types of disturbances, inside and outside the premises related to bar customers and bar operations.
- Phone calls to law enforcement. If not called to respond, or slow response neighbors will also call.

6.0 Roles/Duties of Parties

6.01 Stammtisch agrees to:

- Provide a copy of the Good Neighbor Agreement to the OLCC.
- Starting at 10:00 pm, Staff from Stammtisch will walk the "Patrol Area" (described in 5.03 Litter/Vandalism above) every 15 minutes, and make every attempt to persuade potential incoming or outgoing bar patrons to arrive and depart silently.

- Utilize the main bar line for complaints from neighbors living or working near the bar. If there is not a satisfactory response, the owner agrees **to provide his cell phone number in advance to the parties to this agreement and to neighbors living or working near the bar for follow-up. The bar staff or owner** will record all neighbor complaints in the incident log.
 - Encourage patrons who exit the bar to use their cell phones to do so quietly and walk to the sidewalk near Burnside to make their calls.
 - Staff from the Standard who are escorting patrons or conducting patrols will wear shirts prominently identifying them as bar staff.
 - Follow the operation guidelines agreed upon in the previous section.
 - Maintain an ongoing relationship and open communication with neighbors and parties.
 - Participate in follow up meetings.
 - Follow up promptly on neighbor concerns related to the bar or its customers.
 - Provide all employees with a copy of this agreement.
- 6.02 Kerns Neighborhood Association agrees to:
- Not Oppose the granting and renewal of Stammtisch liquor license so long as the owner continually complies with each undertaking using the procedures in 6.01.
 - Report any nuisance issues to Stammtisch management.
 - Report any crime issues to the police and Stammtisch management.
 - Document incidents occurring in and around Stammtisch and forward documentation to the appropriate partner and/or agency.
 - Participate in follow up meetings when appropriate.
- 6.03 Neighbors living or working near the bar agree to:
- Report any nuisance issues to Stammtisch management **using the procedures in 6.01.**
 - Report any crime issues to the police and Stammtisch management.
 - Document incidents occurring in and around Stammtisch and forward documentation to the appropriate partner and/or agency.
 - Participate in follow up meetings when appropriate.
- 6.04 Office of Neighborhood Involvement Crime Prevention Program agrees to:
- Maintain a copy of the Good Neighbor Agreement and provide copies to the parties upon request.
 - Provide technical assistance.
 - Facilitate meetings and mediate minor disputes among parties if requested.
 - Provide information and updates to parties regarding problems in the area.
 - Provide follow-up training upon request.
- 6.05 Portland Police Bureau, Southeast Precinct agrees to:
- Provide information and updates to officers who regularly patrol the area.
 - Respond to specific requests from Stammtisch to address issues. Provide training, if available.
 - Participate in follow up meetings when appropriate.

7.0 Administration

7.01 Maintenance

The Crime Prevention Specialist will keep this agreement at the Office of Neighborhood Involvement downtown. The ONI Crime Prevention Program shall maintain this Agreement and make it available to the undersigned parties at their request.

7.02 Meetings

As set out in 3.01 the parties shall meet in 6 months to evaluate the agreement.

7.03 Sale of the Business

In the event that the Building Owner sells Stammtisch, the current Business Owner agrees to give the buyer a copy of the Good Neighbor Agreement. The Business Owner will make every reasonable attempt to ensure/persuade the buyer to continue the Good Neighbor Agreement and allow it to be incorporated into the contract of the sale of the business. The Building Owner will give the KNA 30 days notice of intent to sell the bar.

7.04 Problem Solving

If a problem does arise, the KNA will encourage neighbors living or working near the bar to first attempt to contact bar management to resolve the problem. Management will make every effort to address the concerns in a timely fashion.

All parties recognize that if problems involve illegal activities neighbors will contact the police to report the activity, as well as following the steps outlined above.

8.0 Signatures

By their signature, all parties agree to abide by the Good Neighbor Agreement.

Building Owner _____ Date
Building Owner Contact Address:
Building Owner Contact Telephone Number:

Business Owner _____ Date
Business Owner Contact Address:
Business Owner Contact Telephone Number:

Business Owner _____ Date
Business Owner Contact Address:
Business Owner Contact Telephone Number:

Kerns Neighborhood Assoc. _____ Date
Email Address: kernsna@gmail.com
Contact Address:
Contact Telephone Number: 503-000-0000

Crime Prevention Center, ONI _____ Date
Contact Address:
Contact Telephone Number: 503-000-0000

Portland Police Bureau, Southeast Precinct NRT _____ Date
Contact Address:
Contact Telephone Number: 503-000-0000

Neighbor living or working near the bar _____ Date
Email: josiebooth@fastermac.net
Web: josiebooth.com
Contact Address: 415 N.E. 28th
Contact Telephone Number: 503-232-1427

Neighbor living or working near the bar _____ Date
Email: eric.jensen@comcast.net
Contact Address: N.E. Flanders
Contact Telephone Number: 503-000-0000

Neighbor living or working near the bar _____ Date
Contact Address:
Contact Telephone Number: