

BILL NO. 18-13

ORDINANCE NO. 4.420

AN ORDINANCE AMENDING CHAPTER 140-FAIR HOUSING, OF THE CITY CODE.

WHEREAS, The City of Gladstone, Missouri, ("City") adopted a Fair Housing Ordinance No. 3.071 on April 27, 1992; and

WHEREAS, the Fair Housing Ordinance has not been updated since 1992; and

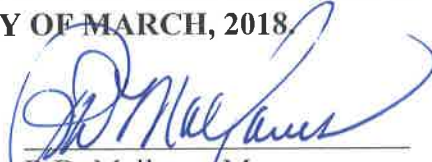
WHEREAS, provision related to disability and inclusion are designed to ensure non-discriminatory access to housing.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

SECTION 1 – AMENDMENT OF CHAPTER 140-FAIR HOUSING, of the City Code is amended and attached hereto and incorporated herein.

SECTION 2 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of the ordinance.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 26th DAY OF MARCH, 2018.


R.D. Mallams, Mayor

ATTEST:


Ruth E. Bocchino, City Clerk

1st Reading: March 26, 2018

Second Reading: March 26, 2018



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # 18-13

ORD # 4.420

Date: 3/21/2018

Department: Community Development

Meeting Date Requested: 3/26/2018

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: Fair Housing Ordinance

Background: The Fair Housing Ordinance exists as a requirement to access federal funds through grants. The purpose of the amendment is to add language related to inclusion and people with disabilities. Both Kansas City, Missouri, and Lee's Summit, Missouri, have similar Fair Housing provisions.

Budget Discussion: Funds are budgeted in the amount of \$ 0 from the N/A Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0

Public/Board/Staff Input: The Neighborhood Commission reviewed this issue and recommends approval of those changes related to disability. Staff is recommending approval of those items related to inclusion.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Department Director/Administrator

PC
City Attorney

SW
City Manager

CHAPTER 140. - FAIR HOUSING

Sec. 3.140.010. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Aggrieved person means any person who is attempting to provide housing for such person and/or their family in the city.

Discriminate means distinctions in treatment because of race, sex, color, religion, ~~handicap~~disability, familial status, ~~sexual orientation, gender identity~~, or national origin of any person.

Dwelling means a building or portion thereof, designed exclusively for residential occupancy, including one-family, two-family and multiple-family units.

Familial status means one or more individuals (who have not attained the age of 18 years) domiciled with a parent or another person having legal custody of such individual or individuals; or the designee of such parent or other person having such custody, with the written permission of such parent or other person. The protection afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of 18 years.

~~Handicap~~ Disability means, with respect to a person, a physical or mental impairment which substantially limits one or more of such person's major life activities; a record of having such an impairment; or being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance.

Person means any individual, form, partnership or corporation.

(Ord. No. 3.071, § 1(1), 4-27-1992)

Cross reference— Definitions generally, § 1.100.020.

Sec. 3.140.020. - Discriminatory practices.

It shall be ~~a discriminatory practice and~~ a violation of this chapter for any person to:

- (1) Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person ~~because of race, sex, color, religion, handicap, familial status, or national origin or any person in a discriminatory manner.~~
- (2) Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, ~~because of race, sex, color, religion, handicap, familial status, or national origin.~~
- (3) Make, print, or publish, or cause to be made, printed or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference ~~or limitation, or discrimination based on race, sex, color, religion, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination in a discriminatory manner.~~
- (4) Represent to any person ~~because of race, sex, color, religion, handicap, familial status, or national origin in a discriminatory manner~~ that any dwelling is not available to inspection, sale, or rental when such dwelling is in fact so available.

- (5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood or a person or persons of a particular race, sex, color, religion, handicap, familial status, or national origin.
- (6) Bar discrimination in the sale or rental of housing on the basis of a handicapdisability, and requires the design and construction of new multifamily dwelling with four or more units to meet certain adaptability and accessibility requirements as set forth in the uniform codes adopted by the city.
- (7) Bar discrimination in the sale or rental of housing because a family has children, but exempts certain types of buildings that house older persons.

(Ord. No. 3.071, § 1(2), 4-27-1992)

Sec. 3.140.030. - Discrimination in the financing of a house.

No one may take any of the following actions in a discriminatory manner:

- (1) Refusing to make a mortgage loan
- (2) Refusing to provide information regarding loans
- (3) Imposing different terms or conditions on a loan, such as different interest rates, points, or fees
- (4) Discriminating in appraising a property
- (5) Refusing to purchase a loan
- (6) Setting different terms or conditions for purchasing a loan.

It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise the business of which consists in whole or in part in the make of commercial real estate loans, to deny a loan to a person applying therefore for the purpose of purchasing, constructing, repairing, or maintaining a dwelling, or to discriminate against such person in the fixing of the amount or conditions of such loan, because of the race, sex, color, religion, handicap, familial status, or national origin or such person or of any person associated with such person in connection with such financing.

(Ord. No. 3.071, § 1(3), 4-27-1992)

Sec. 3.140.040. - Exemptions.

The provisions of this chapter, and particularly section 3.140.020, shall not apply to the following:

- (1) A rental or leasing of a dwelling unit in a building which contains housing accommodations for not more than two families living independently of each other, if the owner or members of their family reside in such dwelling unit.
- (2) A rental or leasing to less than five persons living in a dwelling unit by the owner if the owner or members of owner's family reside therein.
- (3) Any single-family house sold or rented by an owner provided that such house is sold or rented:
 - a. Without the use of sales or rental facilities or services of real estate brokers, agents, salespersons, or persons in the business of selling or renting dwelling, as defined in subsection (4) of this section; and
 - b. Without the publication, posting or mailing of any advertisements in violation of subsection 3.140.020(3), provided, however, that:

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1. Nothing in this subsection shall prohibit the use of attorneys, escrow agents, abstractors, title companies, or other such professional assistance as necessary to perfect or transfer the title; and
 2. Any such private individual owner does not own any interest in, nor is there owned or reserved on their behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses any one time.
- (4) For the purposes of subsection (3)a of this section, a person shall be in the business of selling or renting dwelling if:
- a. Such person has, within the preceding 12 months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein;
 - b. Such person has, within the preceding 12 months, participated as agent, other than in the sale of such person's own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein; or
 - c. Such person is the owner of any dwelling designed or intended for occupancy, by or occupied by five or more families.

(5) Housing for older persons is exempt from the prohibition against familial status discrimination if:

- a. It houses at least one person who is 55 years of age or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates intent to house persons who are 55 years of age or older
- b. It is intended for, and solely occupied by, persons 62 years of age or older
- c. It is specifically designed and operated to assist elderly persons, as defined in a state or federal program.

(Ord. No. 3.071, § 1(4), 4-27-1992)

Sec. 3.140.050. - Administration; fair housing committee.

- (a) There is hereby created a fair housing committee the membership of which shall consist of the mayor, city manager, city counselorcommunity development director, planning commission chair, and the uniform codes board of appeals chair.
- (b) Every complaint of a violation of this chapter shall be referred to the fair housing committee. The fair housing committee shall forthwith notify the person against whom the complaint is made. The identity of the aggrieved person shall be made known to the person against whom the complaint is made at that time. If the fair housing committee, after investigation, finds there is no merit to the complaint, the complaint shall be dismissed. If the fair housing committee finds that there is merit in the complaint, in its opinion, then and in the event the fair housing committee will endeavor to eliminate the alleged discriminatory practice by conference and conciliation.
- (c) If the fair housing committee is unable to eliminate the alleged discriminatory practice by a conference and conciliation, then and in the event the fair housing committee shall forward such complaint to the city prosecutor for handling. The final determination of whether or not to prosecute on such complaint shall be left to the city prosecutor.

(Ord. No. 3.071, § 1(5), 4-27-1992)

Cross reference— Administration, ch. 105.

Sec. 3.140.060. - Enforcement.

Any person convicted of a violation of this chapter shall be punished by a fine of not more than \$500.00 or by confinement in jail for not more than 180 days, or both such fine and imprisonment.

(Ord. No. 3.071, § 1(6), 4-27-1992)

Sec. 3.140.070. - Savings clause.

This chapter shall not affect violations of any other ordinance, code or regulation of the city existing prior to the effective date of the ordinance from which this chapter is derived. Any such violations shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

(Ord. No. 3.071, § 1(7), 4-27-1992)

GLADSTONE NEIGHBORHOOD COMMISSION MINUTES

Council Chambers March 5, 2018

1. **Meeting called to Order-** Chairman Zimmerman called the meeting to order at 5:30 pm.

Roll Call- Commissioners present: John Day
Charles Dobbs
Tom Frisby
Pete Hall
Mayor RD Mallams
Carolyn Meyer
Chris Spurgeon
DD Zimmerman, Chair

Also present: Jean Moore, Council Liaison
Scott Wingerson, City Manager
Nick Pappas, Community Development Director
Alan Napoli, Building Official
Craig Slaughter, Building Inspection Coordinator
Matthew Kosmatka, Neighborhood Specialist
Cheryl Lamb, Admin. Assistant

Not present: Art Hammen

Chairman Zimmerman called on Alan Napoli to speak.

Mr. Napoli shared that there were people in the audience who were there to listen to the meeting. There was an email that went out that this Commission was going to be voting on a topic of single-source trash hauling. This Commission will not be doing that. This Commission will not be hearing anything dealing with single-source trash hauling. That decision is still with Shaping Our Future and that paperwork. If it does go to a Commission, it will be a different Commission than this one. There will be nothing on the agenda that deals with single-source trash hauling or voting for it, talking about it, or moving forward with or without it. He wanted to let everyone know that.

2. **Approval of Minutes.** Mr. Spurgeon moved to approve the minutes from the January 2, 2018 meeting. Mr. Frisby gave the second. The minutes were approved 8-0.

3. **PACE/HERO Update.**

Mr. Napoli reminded the Commission that the PACE/HERO Program was presented to them by Teresa from Renovate America. She spoke to them almost a year ago about the program when it was first getting started, before we actually had adopted the ordinance dealing with it. He asked Renovate America to give the Commission an update on the ordinance and what has happened over the last year. Also, to let them know that there will be an article that he wrote about the program in the next Gladstone magazine. He then introduced Brian Handshy from Renovate America for the update to the Commission on the PACE/HERO Program.

Mr. Handshy introduced himself. He reminded everyone that Renovate America is the private partner to the Missouri Clean Energy District. "The Missouri Clean Energy District has 88 member communities that are local governments. Whether it's a county, we are in about 22 counties, the balance of those are municipalities that have joined in. It's a voluntary district. Gladstone joined the district last year in August of 2017. It allows the home owners inside of your geographic subdivision to voluntarily assess

themselves for anywhere between 5, 10, 15 or 20 years, and it's matched to the useful life of the project for any type of clean energy. It's got to be something that's energy efficient or renewable energy, and that has been shown to meet a standard that can pay for itself. It's about that product reducing the home owners' energy load or property owners' energy load in a way that is cost neutral for them. In the intervening time, since Gladstone joined last year, they've only had about 10 applications. They've approved nine (9) and completed three (3) and that's about \$70,000 worth. An example, the city of Independence joined about the same time in Jackson County and has done about \$500,000 to date."

He wanted to flag one of the issues they have had is not that there is any kind of difference in the market with Gladstone. "This is a great market, there are homes and folks have the ability to pay here. There are older homes that need the improvements. Unfortunately, there was a letter that was sent out to many Clay County residents, including Gladstone, which sent out misinformation claiming that the program was Pay Day lending, it was negative. There were a number of misinformation's sent out. What they've heard back from contractors that deliver the financing program is that home owners are a little bit perturbed or that they're scared. As they continue to work and re-message and let home owners know that, 1. This is completely voluntary for them to enter into. It's another financing tool that they can use at the point of sale when working with their trusted contractor. As they start understanding that, the volume will pick up. At the end of the day, this is completely voluntary both for the local government to opt into, if we're not delivering on our end, if we're not protecting consumers, delivering, you are able to take a board ordinance and vote out. It's just that easy. We think that this is a win-win for everyone." On that, he took a pause for questions.

Mayor Mallams asked how the word was getting out to the home owners here within the city of Gladstone.

Mr. Handshy asked if he meant the negative information or how they normally propagate the program.

Mayor Mallams said the normal.

Mr. Handshy said, "The normal course of information, the way this works, they have contractors that are in our community, or that serve the outlying community, like an AB May, Earl Bryant or other smaller local ones. When they join with Renovate America what they do is, at no cost to them, register with us. When they register they are saying they will abide by a certain level of consumer protections. They won't engage in any deceptive fraud or marketing under state law, etc. Once they enter into that engagement with us, we train them on how to market the financing tool. That is really how this happens. It is organically at the point of sale. Home owners, generally when they have a breakage, and that's who they are seeing, 7 out of 10 applications come from someone who is having a hvac breakage. It's not generally someone who wants to do a solar panel. Their air conditioner went out, the furnace went out. They've got a leaky roof. They are interesting in repairing. They have to repair those anyway. If PACE allows them not to have to pay money upfront, put this on their property tax bill and pay it back over time and still get a fixed rate, a competitive rate, amortizing the assessment. That's a win for them."

Mr. Handshy continued by explaining, "What generally happens is that the home owner calls a contractor. The contractor comes in and tells them there are several ways that they can pay for this. If you want to do a new hvac system that meets this standard, they can use cash, of course. A lot of people say they don't have \$7,000 sitting around to throw out today. They ask what their other options there are. They can use their credit card. That's great, but its 17% interest and they don't know if they want to put \$7,000 on there. They can use a bank note, and now one other way is they can use PACE. The contractor can say that our financing terms generally on hvac is a 10 year payback. The terms 5, 10 or 15 years are tied to the useful life of the improvement. If something has a 10 year useful life, they can amortize it out that long or pay it back earlier, but they can't extend it out to 20 years. It's a protection in place there. Then the home owner says that's interesting. I don't have a bank. I don't want to use my home equity line of credit. What

else do you have? In this case, because you're in the Clean Energy district, the contractors will be able to offer them PACE. They will inform them about the program and, if they are interested, the home owner will then get plugged into Renovate America and they do the underwriting just like Wells Fargo would. They have their own systems that look at their credit. We will look at their property taxes for the last three years to make sure they haven't missed any payments. We'll look at the last 12 months of their mortgage to make sure they had no more than one 30 day late that hasn't been remedied. We don't look at their FICO necessarily. We don't underwrite to their credit score. We do underwrite them in terms of making sure they have the ability to pay. They're telling us what their income is. We're reviewing that, making sure at the end of the day this is not something that is beyond their ability to pay back."

Mr. Napoli shared that part of it, that's why he wrote the article that will be in the next magazine, is so our residency will hear about the program.

Mr. Hall asked about the interest rate.

Mr. Handshy said, "They are between the mid-2's and high 8's. The high 8's are going to be those things that are 20 years, probably on a solar panel, something that's going to be extended out further. Our average interest rate right now, on our newer products that the average payback time is around 12 years, is anywhere between 2.5% and 3.5%. In terms of if they use their home equity line of credit it might be slightly higher than that, but if they were going to use their credit card, it's much less, more competitive. The important thing is, because it's secured to the home, making sure they understand upfront. 1) Have a disclosure before the deal closes telling them this is what the interest rate is going to be, this is what the annual percentage rate looks like, this is what the terms are. 2) Affording them a three day right to cancel, just like other traditional financing. We think that knowing what they can afford to pay and giving that to them before they decide to close on the deal makes them fairly well informed to be able to make that deal and decide if it's right for them as a home owner."

Mr. Hall asked if the rate is fixed for the term.

Mr. Handshy said, "They are fixed and they are amortizing. They don't do any variable rate loans on these. They are eligible to prepay if they want. If they get a better deal down the way, they are eligible to pay it off early with no penalty. I look forward to continuing to grow this program in the City."

Mr. Hall inquired if the information that was put out by Clay County just fell from the sky or did someone at the County misunderstand.

Mr. Handshy asserted, "I don't want to put any words in the mouth of the County. I think there are some who feel that this is a program that is, they look at it as, a private program. We do want to reiterate that we do not have a relationship with the home owner. The home owner is entering, just like other special assessments, with the Clean Energy District. We are basically offering the capital to the districts, and the district is the one who has the assessment contract with the home owner. There are a number of counties that feel that they aren't interested in that. They didn't get a say. For instance when Gladstone joined, Clay County itself, which was eligible to join the Clean Energy District, did not do so. But their account under the state law, which is not something we created but the state did in 2010, says the county shall collect. So that county collector has an obligation to collect. I think there is some tension in that they felt they didn't have 100% voice in how this is working. In terms of the information that was in the letter that went out, they made a reference that Renovate America was being investigated by the FBI. We have retorted to them and let them know that it wasn't that we were being investigated by the FBI but that one of our contractors, whom we had already kicked out, the FBI was working with us in coordination to further investigations of that contractor. We were coordinating with the FBI investigation. We think there is a very big difference between one being subject to an FBI investigation and helping them in one. There are a number of ways in which I think the truth was tortured a little bit to achieve an end. In terms of were

we in the Wall Street Journal? Yes, absolutely. We were in them. A number of people who do business everyday are in articles across the nation. Sometimes those are true and we can speak to those, and sometimes they're not. We, in this case, were in several Wall Street Journal articles. We answered those criticisms and claims and disputed them. None of that was caveated in this letter. He doesn't want to take away that an elected official has every right to warn their constituency about issues. We just feel that if you are going to do that it needs to be the truth and not a version of it." He asked if that that answered their questions.

Mr. Hall replied that it did.

Mr. Handshy said, "After Alan's wonderful article comes out it will generate some further interest. I took an opportunity, not just at the City level but in conjunction with Renovate America and some of the other PACE providers, to try to work with the State legislature this year to have two bills move forward. One was in the House and one was in the Senate. What these bills would have done were, there are things that they do that you are receiving as being part of the Missouri Clean Energy District but they aren't state law. They thought that, as PACE grows and moves across the state, that any new players that come into it should have to abide by the same rules and regulations that our Clean Energy District is putting in place. Some in the banking world did not think that went far enough. We tried to negotiate further but we came to an impasse. Unfortunately, I don't think it's a surprise to anyone that the Missouri state legislature is not the place to move anything along expediently. Those bills are not moving forward. They have every intention of taking them back next year after listening to county collection agencies, listening to bankers and communities such as Gladstone, and others, and hearing how we can continuously improve this program. We think it is important that, as PACE continues to grow, there should be a level playing field and anybody else that comes to this business has to follow the same rules." He left it on that note.

Mr. Napoli shared that there are PACE/HERO flyers on chairs in the back if anyone would like one. They have seen them before. They can help themselves if anybody wants some to hand out to residents as they come through.

Mr. Handshy said, "If anything new comes up or any pressing issue, I am always available to come over here and talk about it." He thanked the Commission.

4. **2017 NHO Annual Update.**

Mr. Napoli introduced Matthew Kosmatka, our Neighborhood Specialist, and shared that he would be giving an update on last year's Neighborhood Home Organizations.

Mr. Kosmatka stated, "We have fifteen (15) Neighborhood Home Organizations. Twelve (12) are active and three (3) are currently inactive. Of the three that are inactive, two have been inactive for over two years. Another one just went inactive. The biggest improvement that has been made by any of the neighborhoods is Meadowbrook North. First they were set up into three neighborhoods. They combined into one. Over the spring they started the first neighborhood garden. It's where the old pool in Meadowbrook North was that the City took out. They finally found a use for that space. They opened with 10 plots and they were all taken before they were even put in the ground. The way they are running the garden is that NHO is maintaining the property there. They have been since we took the pool out. They maintain all the gardening. They had a water meter put in. They pay for the water. They charge the people in the neighborhood who want use one of the plots \$20 per plot. That covers their water and they will re-assess it after the first year to see if they can drop the price. They started with 10 plots. All ten were reserved before they had them in the ground. They are currently adding 10 more plots and two or three rows of blackberries, blueberries. They are working with a grower in the Northland. They aren't in Gladstone but they have greenhouses and they have been working with them and they helped them get started and set up. They taught them how to maintain it. They have compost bins there so they can maintain the soil. It's gone really well. I am hoping more neighborhoods will be able to do this but it

comes down to whether the neighborhood has the space to do this or not. That neighborhood had a good space for it and they were able to get that going. I'm hoping that some of the other neighborhoods will catch on to the idea. It's another area for residents to meet, talk and get to know each other. I see parents and grandparents taking children there and getting them involved in helping out. I'm really glad that the first neighborhood has started it and they are looking at some other areas that may have an available space to do that."

Mr. Kozmatka remarked, "As far as the other neighborhoods go, everybody has been active. I can't even remember the number of block parties that were held last year. I think it was 14-15 parties that were held between neighborhoods. I know that your neighborhood (speaking to a Commissioner) is going to get a new place to hang out when the park is done. They use Hobby Hill Park. A couple of the neighborhoods also did events with police officers. The police have been doing "Coffee with a Cop" at Fairview Christian Church, and all the Northhavens were involved in that. They had "Ice Cream with Police" which is a way for the police department to get to know more of our residents and build a relationship with them, get the district officers that who work there to know more of the people who are working in their district. It helps build that relationship. Charles Dobb's neighborhood had one. Bolling Heights had one in November over Halloween. They've had it two years in a row over Halloween. It's just another neighborhood working together with the City."

He shared, "We are starting two new neighborhoods this year. I have already had the first meetings with both. They both went well. Overall, the neighborhoods face the same challenges and he hears the same thing. We're having a hard time getting attendance. We're having a hard time getting new members to join. That seems to be common between all neighborhoods. I don't totally know what the answer is or how to fix it. I know when they hold block parties they get good turnouts for those. I know that it's hard for people to come in during the week and make it to a weekly meeting, or to put themselves on another commitment. People back off on that and he knows it's harder. I know our Board members are retired people, but if the neighborhood stops doing newsletters, I hear about it real quick. Even though they may not show up at meetings they are still involved in your neighborhood. They're still paying attention to what's going on around your neighborhood and they still care. As far as the one that went inactive, it is a neighborhood that's all duplexes and 50% rentals now. They had an issue, a couple of the Board members moved out, two transferred to new jobs and they left, and they were having problems. They face a different challenge because of the renters. I have suggested that they put something out that is friendly to the renters and let the renters know they want them to be involved in the neighborhoods because they are such big part of that neighborhood." He asked if there were any questions.

Mr. Dobbs asked where the two new neighborhoods organizations would be.

Mr. Kozmatka said, "They will be in Hamilton Heights. Hamilton Heights is on the west side of North Oak and runs from 64th Street up to 76th Street. I'm doing two this year and hopefully next year we'll get the next one incorporated. I've had neighborhoods like the Northhavens that we did in three and they stayed in three. Meadowbrook North we did in three and they decided to combine into one. Now they are running into the issue of the numbers of newsletters they have to deliver and they are having a hard time finding people to walk those neighborhoods to get the newsletters out. Now they are rethinking that. They just put in, I don't know if anyone had heard of these, little free libraries. They put one up at the garden center and they are trying to get the word out that they will try distributing their newsletters there. They will be put in the box so you can stop by and pick one up. That will hopefully get them out more. They are at 610 homes now and it's a spread out area to try to get people to walk the whole thing. It takes some time."

Mr. Napoli added that the organization that is helping the garden is Antioch Growers at Vivion and I-35. They are the ones helping them there. One of the neighborhoods that are temporarily inactive has

contacted him and he's had some conversations with them. They have an interest in getting started back up again.

Mr. Kozmatka shared, "Of the three that have gone inactive, and two had issues with their boards. They started having conflicts and people didn't want to be involved in that. They let them calm down, let them relax, let some new people come in, and then they will definitely try to get those restarted."

5. Property Preservation Panel Final Report.

Mr. Napoli confirmed that this group knows they had a sub-committee, the Property Preservation Panel. It had four members, two from this commission, Chairman Zimmerman who was representing this committee and the Home Owners Association, and Secretary Spurgeon who was representing this organization and the Neighborhood Home Organization. They had a business owner from the North Oak corridor and a business owner from Antioch corridor at the meetings. From there, he turned it over to Director Pappas to share the report.

Director Pappas thanked a couple of the commissioners who gave up their time to spend time talking about our Property Preservation ordinance, DD and Chris. He appreciates their time in doing this and he gave a big shout out to Alan for getting everything together, for doing research when it comes to other communities, and really moving the process forward. "It was a good six-seven month process and I think they had good discussions that came out of it. Ultimately, one of the big things that came out of it is that they need to do a better job when it comes to commercial code enforcement. We need to be more proactive. This is something that, in the past, we've been very re-active to. We get a phone call or a complaint and then we respond. We decided to take it in a different direction. We didn't have a lot of staff to devote to the proactive commercial code enforcement initiative. With the help of Craig Slaughter, who has initiated the whole thing, he has found over 70 code violations on North Oak between 72nd Street and the northern city limits, in that small stretch. That shows you the work that we have to do. We will be handling this with kid gloves and make sure that our process is fair and is as beneficial to all as can be. We have a big task ahead of us. A few other things came out and he will let Alan touch on those. I want to just say thank you to this Commission, to those who were involved, and again to Alan and Craig."

Mr. Napoli shared, "A couple of other issues that came out of this committee is that there were policies and procedures on how things were handled in our department. Most of it was a one-page document, verbal-type thing. So out of that the Property Preservation Panel wanted something more in-depth and on paper. They put together a Policy and Procedural Manual. You should have a copy of that in your packet. That will be presented to the City Council at the open study session next week, along with this report. Everything that is in the document is what they are currently are doing, just in written format, which will help our department too. As staff turns over time, we have something that people can look at and they will know what's going on. If anybody has any questions, or they have something that they are currently working with, they can look back. If somebody wanted a copy of it, it would be available to the general public too. Nick touched on the commercial code enforcement. The other was rental registration, licensing and inspection fees. Currently we do multi-family. The Property Preservation Panel felt that all rental property should be registered, inspected and licensed. That is a big undertaking and would retire some staff time. The Panel did understand that. It is something we will look forward to working towards."

He shared, "There are a couple of house bills out there that may slow that process down. My understanding is that they are still in committee and not close to being finalized. Those may change by that time. Matthew Kosmatka spoke to the Panel group about another thing that came out. He talked about what's going on and some of the harder violations to handle out there. One of the hardest ones we have is trash container storage. By our current ordinance you cannot store them in front of your house. The problem we have had with that over the years is that we find a lot of homes, especially the older homes, some you can get a car in there (the garage) and that's all the room you have. You're lucky if you can get out of your car in some of the garages. There is no room to store a trash can. If you store it outside, the

grade on the side of the house may be sloped and you can't put your can next to your garage on the side of the house. Some of the elderly people have a tough time navigating some of the grades they have around their house so it's very difficult for them. Part of that is that we have multiple trash haulers in this community. It's very difficult to know who has which trash, what day. Not knowing the schedules of all the trash haulers, we don't know when the trash cans are out. We have to go out and look and make sure what day it got picked up. Have to come back to figure out when it was picked up. That is something that the Property Preservation Panel wanted us to look at when we do our next code cycle update, which will be happening this year. That is something that we will take a look at and I will follow up with this commission when they decide what they are thinking about doing on that. I want to let the Commission know that when we do get a trash complaint, by state law, all nuisances have a minimum of ten days to abate. If we get a code violation it's a minimum of ten days before we can do anything on it. Those are the four items of topic that came out of the Property Preservation Panel." He asked if there were any questions.

Mayor Mallams asked if the Code Enforcement Policy Guidelines would be presented to the City Council at the next meeting and if they could have a study session.

Mr. Napoli replied that it will be part of the study session.

Mayor Mallams shared that it will be a real concern to them to get in and dig through this and compare it to what is being proposed here.

Mr. Napoli noted that it will be at next Monday's study session. He asked Director Pappas for verification and Director Pappas confirmed that was correct.

Mr. Napoli confirmed, "Everything that is in there is what is currently being done. It's just in black and white."

Mr. Spurgeon stated that he understands there are three different bills in the House now in the state of Missouri that might affect the code people, although we don't know at this point what they are going to come up with. He asked if he knew anything about that.

Mr. Napoli confirmed, "One of the bills that were mentioned is House Bill 1510. It states, and it's in committee right now, that the cities cannot require registration, inspections of rental properties. There is also House Bill 1508. In short, it says cities cannot charge business license fees to rental property owners. Those are the two biggest that would affect code enforcement. There is one on the building side that is 2451 that deals with plan reviews. Those are the three basic ones out there. That's the short version of it."

Mr. Spurgeon summarized that until those bills are passed, we don't know what we're dealing with.

Mr. Napoli shared that he doesn't know what the final wording will be. "It's in committee right now. They are all in committee from my understanding, the last time I looked anyway. That was last week. They were in committee. I don't know what wording will come out of the committee, or if they will even come out of committees and go forward to be presented to the Legislature for approval. I don't know yet.

Chairman Zimmerman asked, "Even if those laws are passed, could code enforcement still go in whether it's a rental or not, if a nuisance or a complaint has been lodged?"

Mr. Napoli stated, "If a tenant has an issue and we are invited in, or the owner invited us in, yes. We can go in. Yes."

Mr. Dobbs shared, "The news has been making a big deal about absentee landlords, over town in particular. If we aren't able to register these and enforce inspections on the out of town people, wouldn't that cause the same problem here that they have in Kansas City?"

Mr. Napoli confirmed, "Yes. Just not on as big a scale as they have. There are, and we have a little bit of that right now with some out of town, absentee landlords on some vacant properties. Trying to enforce somebody who lives in Atlanta, Georgia, and we can write some court citations to them all day long, and even though we do require them to register vacant properties, trying to get someone from out of state in here is difficult."

Mr. Frisby asked about the commercial violations found in that small area, "The number seems very alarming. Are those are very small things that you notice when you go by, if they are complaints that are backlogged, if it is this a man power issue, or all of the above?"

Mr. Napoli said, "It is all of the above. Basically the violations go from some legal temporary signs to as bad as parking lots in a major state of disrepair."

6. Fair Housing.

Director Pappas shared that several months ago we had a resident that came to the City Council and voiced concern over our Fair Housing ordinance, which he believes was drafted in 1973. He wanted the ordinance to be more inclusive, first of all cleaning up some of the language. He said, "Our language currently refers to disabled persons as handicapped persons. Obviously cleaning that up to current day language. But also to include protections for folks based on gender identity or sexual orientation. There is one, as I believe we discussed at the last meeting, there is one other city aside from Kansas City in the metro area that does have this protection in place and that is the city of Lees Summit. None of the others really seem to at this moment. Ultimately, what would happen is if someone is found guilty of discriminating in this sort of way it would be recommended to our Fair Housing Committee that's comprised of me and a group of people including the Planning Commission Chair, and a few others. Ultimately what we could, from the City side of things, they could face up to a \$500 fine in our municipal court, if found guilty. Then we would recommend that case over to the Independence Housing Authority for further investigation. That is basically what it would do." He's not sure what this Commission's appetite is. He knows that City Manager Wingerson and some of the Council wanted to hear what the Neighborhood Commission and people out in Gladstone thought about this ordinance before possibly considering a change. He asked if they have any recommendations or if they have any language they would like for him to consider and put into a memo to the City Council, he would be happy to do that.

Chairman Zimmerman asked if it was basically an updating of the verbiage, "Is that basically what he's asking them if they would recommend?"

Director Pappas stated that was correct, "if they see a need to."

Chairman Zimmerman continued by asking if they would sign off on any changes before it's presented to City Council.

Director Pappas confirmed that they could take a vote, absolutely. "The changes that they see in their packets are recommended. If there is anything there that gives anyone heartburn or you have questions on, they can let him know and they can change that up before they send it over to the City Council."

Mr. Dobbs stated, "The last time this was presented the consensus was that they wanted to have a little bit of time to think about it. I don't know if anything else was brought back to us until now."

Mr. Day recalled that also. He inquired if anything had changed.

Director Pappas said nothing had really changed.

Mr. Spurgeon was wondering, "Is it really something that we need to put in there concerning gender identity and sexual orientation? You say you haven't had anybody complain about this, this hasn't come up. If we implemented this there would be, if you determine that it did happen, there would be a \$500 fine and then they go to Independence, and then they try them all over again, right?"

Director Pappas replied, "Yes, just the same as they would with any other discrimination, whether its gender or sexual discrimination, or age discrimination."

Mr. Spurgeon stated that in Independence they have been doing this for quite a while for the area and asked if that was correct.

Director Pappas confirmed that it is correct.

Mr. Spurgeon said, "I wonder if it's not double problems here. We fine them \$500 here and then they go to Independence, and I don't know, do they fine them out there once they find them guilty of this?"

Director Pappas said, "I'm not sure if they actually fine them anything, but I know that they make a determination if something did happen and make the legal determination on what should go forward."

Mr. Spurgeon asked, "What are the penalties?"

Director Pappas stated that he didn't know.

Mr. Spurgeon said, "If we are fining them \$500 and then they go to Independence and then they work them over, I don't know if it's kind of redundant. I don't know if it's necessary. We haven't had a problem with it. I don't think it's really necessary, personally."

Director Pappas said, "Then with that it would be, is the whole ordinance in general necessary?"

Mr. Spurgeon said, "Right. I mean I don't . . . it looks like it's kind of doubling up on people. You have to make a determination, you fine them \$500. We don't know for sure what Independence does to them, do we?"

Director Pappas confirmed, "At that point, no, we don't."

Mr. Spurgeon continued, "We don't know if they're fined. We don't know if they're put in jail. We don't know what happens to them."

Chairman Zimmerman stated, "Essentially aren't our ordinances are blanketed by state, federal, all these other layers of Fair Housing laws? Our ordinance is really the bottom of the pile. Not to say that updating verbiage or whatever, but really if somebody has a legitimate discrimination case our ordinance will just be skipped right over."

Director Pappas said, "Yes. In a lot of cases, we would recommend directly to Independence Housing Authority. They would have to go through our court also to be found guilty."

Mr. Spurgeon said, "I'm not sure that it's necessary, personally. If the majority of the Commission, like Charles said, we probably need to think about it some more. A lot of times I think we enter into things that are politically correct. I don't know if we're maybe getting into that here, or not. I'm still kind of, I'm

not really happy with it personally at this point. Maybe we do need to consider it longer. Charles, like you say, maybe we need to think about it more.”

Mr. Dobbs said, “I knew it had been brought up before, so I don’t know. Ms. Chairman, can I ask this, from a legal standpoint, we don’t have a counselor here tonight I know, but does the City need to have this updated?”

Chairman Zimmerman asked, “Does anybody know the answer to this question?”

Director Pappas said, “I don’t believe the City needs to. I think some of the other verbiage could be updated, for example, the handicapped, that sort of thing. Obviously that needs to be updated.”

Mr. Spurgeon said, “That one makes sense.”

Mr. Hall said, “If you’re going to have an ordinance you do need to keep it current so cleaning it up makes perfect sense. I think trying to catch it up with what some people may think would be appropriate is overkill at our level.”

Director Pappas asked, “Does anyone wanted to take a vote on it?”

Chairman Zimmerman asked, “Do we want to make some sort of motion to see an updated version in some way, shape, or form in the near future? Or, do we want to wait and discuss it at the next time we meet?”

Mr. Hall addressed Chairman Zimmerman, “I move that we do have an opportunity to look at the updated ordinance prior to it becoming part of the City. Not that we can stop that from happening, but we may be able to encourage it not to, or encourage it to, go forward, but when it’s ready to go to Council.”

Director Pappas clarified, “The ordinance before you is what would be going to City Council. He asked Mr. Hall, “Are you recommending that they take out the change to gender identity and sexual orientation.”

Chairman Zimmerman stated, “I am not going to recommend that. Does somebody want to make a motion for that?”

Mr. Hall replied, “There is a motion on the floor, but if this is the document that is going to go to be voted on by the Council then that motion is irrelevant.”

Mr. Day said, “This motion, or this verbiage is basically what is in the federal law.”

Director Pappas stated, “This is our ordinance.”

Mr. Day said, “This is the same thing basically as what’s in federal law.”

Director Pappas confirmed that is correct.

Chairman Zimmerman said, “If it is in align with what is on the federal, state, local, every other level, there’s nothing wrong with bringing the verbiage in line with it, if it’s the same everywhere anyway. I’m not 100% up on whether all of those areas or all of those levels of government have added all of this verbiage, if they have all changed or not. I know the state of Missouri has. But I can’t vouch for any other ones.”

Director Pappas said, "The state of Missouri has basically considered these definitions under the general umbrella of sexual discrimination. There have been memos from the Department of Housing and Urban Development, Federal Housing and Urban Development, stating that there will be no changes to how the law is interpreted. This is maintaining basically what is already."

Chairman Zimmerman asked, "With the changes?"

Director Pappas said "Yes, with the changes."

Mr. Day said, "Maybe I do not understand this correctly but, basically, I mean if it gets brought before our City and we say that it wasn't discrimination against any of these things, there are still state and federal laws. It seems like we are wasting our time even having it. I'm not against any of it. I'm just saying that it seems like we are just being a little redundant. Or like we're trying to say, hey look at me we did this, when it's already way above our head to begin with."

Mr. Frisby asked Director Pappas, "Do you have an opinion on whether the City actually needs this ordinance or not?"

Director Pappas said, "I'm not sure that we necessarily need it, or don't need it. I think it would probably be a good ordinance to pass given the fact that there is interest in the community that this passes."

Mr. Frisby stated, "I don't care one way or the other really. To me it makes no difference. To get rid of stuff would be my minimalist attitude to not even have it. If it's just something that is in the codes and we have no enforcement, they're not going to come to the City to have this adjudicated. They're going to straight to a federal jurisdiction."

Director Pappas agreed that they would and added, "If they did come to the City, we would want to have it cleaned up."

Chairman Zimmerman said, "It shows that we are in good faith and in align with everybody else's policies."

Mr. Hall asked, "Would the City just refer this to those who do have it on their books? If it wasn't on our books, doesn't mean that we agree or don't agree. It just means it's not on our books. We refer you to the Department of Housing. Is that correct? Is that what we would do?"

Director Pappas said, "Yes. Currently what we would do is, in our municipal court and with our Fair Housing Committee, we would decide if there has been an infraction and if there hasn't been then we wouldn't recommend it forward."

Mr. Hall said, "Ok. Those are the tools that we have. I think that sometimes there is a tendency to overkill. If we are going to follow state and federal government laws, we're going to be changing laws a lot. And I think that's something that we don't want to get into is a precedence. I feel like if we want to keep this on the books, I think that's fine. Clean up the language because it's a 70's document. I'm sure that we could probably add another 50 pages if we really tried hard enough. But I think by keeping it simple, at this level, we are all going to be better off. It has nothing to do with discrimination or anything else. But it does have to do with making things overly legal and I would just as soon not participate in that, personally."

Mr. Spurgeon said, "I agree. I think that we don't need to add it on. I think it would be redundant."

Director Pappas asked, "So, should we also take off sexual discrimination and age discrimination then, all of those?"

Mr. Hall asked, "Are they already on there?"

Director Pappas said, "Yes."

Mr. Hall said "Then I wouldn't change anything that's already on there. Just change the things that you're wanting."

Director Pappas asked, "We should can the whole ordinance, probably."

Mr. Hall said, "That would be ok."

Mr. Frisby said, "I think that with the City legal review, that would be my direction. If we need, you can still have your committee if something comes to decide whether you send them or you just refer them directly. It's above my pay grade. I think we decide to abolish the whole thing here or just leave it on the books with the changes as is and go on. We haven't used this in how many years?"

Director Pappas said, "It's been awhile."

Mr. Dobbs asked, "Was there was a motion presented?"

Mr. Hall said, "There was but I withdrew it, mainly because the motion was to bring it back when it was ready and he said this is the one that is ready. I withdrew the motion."

Chairman Zimmerman asked, "So you're just basically tonight asking if we will send a recommendation to the City Council."

Director Pappas confirmed, "Correct."

Chairman Zimmerman said, "It doesn't look like you're probably going to get one."

Director Pappas said, "Not one way or another? That's fine too. I will go ahead and make sure that the minutes get sent to the City Council with the ordinance changes as presented and they can decide whether they want to move forward with that."

Mr. Hall stated, "To make it fair I would recommend that we do give the City Council the tools by making a motion and I will make that motion to clean up the language from the 70's and not make any additions to the document and go forward."

MOTION: By Mr. Hall, second by Ms. Meyer, to update the ordinance language from the 70's with no other changes. The motion carried (8-0).

7. Re-appointment of Housing Strategy Task Force.

Director Pappas shared, "The City Council has asked that we take a more detailed look into the housing strategy that was passed in 2016. What they would like to do is, within the next six months in-house, take a look at implementable strategies that we can do. Hopefully, some low hanging fruit but, if not, at least come up with some innovative strategies from other parts of the country, other cities, that may have neighborhoods that are a little older, a little bit struggling, and find ways to help our neighborhoods over the next three to five years. This would be a six month long process." He asked if they want to use the same committee that originally considered the housing strategy, but he asked the Commission tonight to

consider appointing three or four members. "Chairman Zimmerman was on the original committee. Basically, he and Alan would be researching best practices in other cities that have dealt with the same, and vetting it with the committee and making sure that it makes sense. If it's wanted, if it's desired, then putting it into an implementable matrix that is doable that the City Council could agree with."

Mr. Napoli said they didn't actually have a committee. "This Commission got together and did a work study session one day. Everybody that was on the Commission a year ago, they got together on a work study and they went through it. Then you guys voted on it at the next Commission meeting after that."

Director Pappas asked if they wanted to appoint a few members.

Chairman Zimmerman said they could do that, or they could do it like we did it last time where we have a work study session with the Commissioners that could come. She asked the timeline.

Director Pappas said, "We're talking about a once a month meeting, for six months with the aim of being done by October."

Chairman Zimmerman asked if there were three volunteers from this Commission that would like to join this task force.

Volunteers: Chris Spurgeon, Tom Frisby, Charles Dobbs.

8. Multi-family Inspections 2017 Year End Report.

Mr. Napoli shared the high points of the 2017 Year End Report. "We did over 1000 interior inspections. Of those, 17% required some form of corrective action. Last year we only had one complaint inspection. So far, this year we haven't had any. We did a total of over 1700 inspections last year on multi-family apartment. We did have a fire last year over at Crown Heights 58. Most of you probably saw that on the news. There were eleven units destroyed. Basically, that was one where they had a fire separation wall between the other sides that saved those units. There was a little bit of smoke damage over there. Currently, from my understanding, the insurance company is still investigating it. It will be a while before we see anything happen until they have done their investigation on that." He asked for any questions. None.

9. Construction Permits Issued 2017 Year End Report.

Mr. Napoli shared, "We issued over 1300 permits last year. Online permits we had 180, about 11.6% of all permits. A total of 1548 permits issued last year. The valuation of the work done in 2017 was over \$17,000,000. The fees from that work were just under \$300,000. Over 2300 inspections were conducted last year. Online permitting has been done since 2014. We started tracking it in 2015. Over those three years we've been running a little over 11%. We're tracking again this year. The list that you see on there are permits that we've started. Those were simple permits, real easy ones to do. Permits online are only for contractors, not for home owners. You do have to set up an account. We are looking at and working on trying to add permits for single family residential homes. Still working with IT on how the whole plan process of those. There are a few tweaks we have to work on. We are looking at that right now." He asked for any questions. None.

10. Code Enforcement 2017 Year End Report.

Mr. Napoli stated, "We did over 1447 new cases last year, closed 1657 cases, did over 5600 site inspections last year. Fourth quarter we issued 42 citations, fourth quarter only. During that time we did a code sweep of Stonebrooke and Stonebrooke Estates per a resident's request. In Stonebrooke Estates, 37 homes were inspected with no violations. In Stonebrooke, 66 were inspected and we had one violation. Upon re-inspection, that violation was not abated and a court citation was issued. A sweep was also conducted at the Preserves at Carriage Hills which consisted of 17 homes and there were no violations

there. No neighborhood is free of any kind of sweep. If anybody would like one done in their neighborhood, let me know and we would be more than happy to conduct one." He asked for any questions. None.

11. Communications from the Audience.

Mr. Bill Plough approached the podium and introduced himself as a citizen and President of the Meadow Lane Home Owners Association. He asked a question of the Commission. "I took the Future Leaders Academy process and heard nothing about this Commission. I have no idea what you do, what your function is, what your regulatory power is and whether or not you have just a recommendation power, or if you have a point of making laws." He was wondering if someone could explain it to him so he can go back to his people and get them to understand what's going on. "It sounds to me like you are making some kind of rules and regulations, but I don't know for sure."

Chairman Zimmerman explained that the Commission's purpose was to make recommendations that go to City Council. "We do a little bit of their leg work for them on certain issues regarding home owners associations, neighborhood organizations, and we send that information through when they ask us to handle certain aspects. So, we don't make law."

Mr. Spurgeon shared that basically they will present things to us and to see what we think about them. "Sometimes we will vote and say yes, we think that's a great idea. Sometimes we say we don't think it's a great idea." He reiterated what the Chairman said, "We don't make the laws. Basically they will present things to us, and bounce ideas off of us to see what we think about those things, and discuss those things. It's a good thing because many of us are involved with our neighborhoods. Almost all of us are. In that way we can kind of tell our neighborhoods what is going on, what is of interest right now. What the Council might be considering later. We don't actually enact any laws or ordinances."

Mr. Plough asked if they ever seek input from the audience.

Chairman Zimmerman said that our meetings are open.

Mr. Spurgeon said, "Yes, in fact we wish we had more people that would attend the meetings. Then if there's something that strikes a nerve or something that is of interest to them, then you could present whatever you wanted to present. We would appreciate that. This would give us even more input. That's what we really want here is neighborhood input from our neighborhoods in Gladstone. We would be more than happy to see more people here, like you. We appreciate your being here. We appreciate both of you being here and seeing what's going on. Any time you want to come, or have people come, we're more than happy to have you here. This will give us more input. And input is what we are after. That would be good."

Mr. Plough said he appreciated learning about it and thanked the Commission.

Mr. Dobbs shared, "The Mayor and City Manager can correct me if I'm wrong, but I believe the existence of this Committee came out of the original Gladstone On-the-Move initiative. The whole idea was to get more input from the neighborhoods and the people in the City and what would be presented before the City Council. That's all we do."

Mr. Plough confirmed that it is more like an advisory function. That's about it. He thanked the Commission.

12. Communications from City Council & City Staff.

Mayor Mallams had no comments and shared that it was a good discussion.

City Manager Wingerson thanked the Commission for their service. He asked to make a couple of points. "First, I want to thank the Commission for their transparent discussion about Fair Housing. It's an important issue that has to do with inclusion. It's in the news all around the world. We appreciate you taking that up. As it relates to your role as an advisory committee, I felt your comments to Mr. Plough were very appropriate and as always, if there is a rumor about action that you are taking, or a different Board or Commission is taking, or the Council is taking, we encourage you to call your staff representatives, Alan, Cheryl, Nick, Craig. You can call me. Of course, I'm sure the Mayor would be willing to take your call as well on those types of issues. To help push down the rumor mill, it's very important that we all communicate and that's what we are here to do. We are at your service and glad to do that any time that you ask that we know about. I appreciate you being here and your work."

13. Communication from the Neighborhood Commission Members.

Mr. Day had a question if it was a rumor about the trash situation. He asked if that is being fired up again.

City Manager Wingerson thanked Mr. Day for his question. "I don't know what happen today or where that came from. The Council hasn't expressed any serious desire to take up single source trash hauling in the near future. Shaping Our Future did have a recommendation about considering that. My guess is towards the end of the year the Council may ask for some data about what the next steps are. The Council hasn't provided any direction to staff to issue the two year notice or to move forward down that path. When we do, I am sure it will be a transparent process like everything else we do and we will be sure to coordinate with those in favor, as well as those that we know that are in opposition, to give valid representation to both."

Mr. Day asked him about the two year notice and if it would be a two year process from the initiation.

City Manager Wingerson said, "I'm not the expert on single source trash hauling but my understanding is that we are required to give the haulers two years notice before making a change. We haven't done that."

Mr. Day shared that the people in his neighborhood are worked up and he needed something to take back to them. They are already gone. They left before the meeting started.

City Manager Wingerson suggested, "When that stuff gets going, give us a call. We can try to put it to rest. I know there are some people who showed up tonight who chose not to attend the meeting, but we wasted their time for no good reason. Some of the emails that went around today implied that there was some less than transparent things happening, that things were being forced through. That is absolutely not the case. I can't speak for the Mayor and City Council, but at the same time, that's not how they do business. I don't think that's happening and I know for sure it's not happening at the staff level."

Chairman Zimmerman said that the way it was presented to her, she was asked and she said she hadn't heard anything about it and they said, "That's good enough for me".

Mr. Dobbs asked City Manager Wingerson if he could ask a question. "Sometimes we in the neighborhoods are in the dark, like this. Is there any way we can get emails so that we can put stuff in our newsletters? Something on this, can something come out that this was fabrication, or something that we can put in the newsletters of what the facts are."

City Manager Wingerson said we can talk about the process that is required to move forward and then we'll be open about that process if it moves forward, if that's helpful to you.

Mr. Dobbs asked where this came from today.

Mr. Day shared that it spread quick. He heard about it last night, by today everybody knew about it.

Mr. Dobbs said he was sure he would get calls tomorrow.

City Manager Wingerson agreed. He thanked Mr. Day for taking the bait.

14. Adjournment- Chairman Zimmerman adjourned the meeting at 6:35 pm.

Respectfully submitted:

Cheryl Lamb, Recording Secretary

Approved as corrected _____

DD Zimmerman, Chairman

Approved as submitted _____