

## 22-1078 Approve Modifications to the City of Appleton Street Terrace Policy

### Common Council

Wed, Nov 02, 2022 7:00PM

### Public Participation

#### Mayor Jake Woodford 22:56

All right, we come now to a time of public participation. At each meeting, the Common Council reserves 30 minutes for members of the public to express their views on items which appear on our agenda. We have three people signed up to speak this evening and when I call your name, please approach the microphone and state your name and address for the record. We ask that you please keep your comments concise and to the point and that you please take into consideration comments that have been made by those who have spoken before you. So again, we have three members of the public signed up to speak and we'll get started we'll take these up in the order in which they signed up. First is Bill R. Welcome, Bill.

#### Bill R. (Appleton Resident) 23:45

My name is Bill R. I reside at [blank] here in Appleton. Ladies and gentlemen of the council and Mr. Mayor, I'm here tonight to speak to the ill-conceived idea of garden terraces. Looking around this room and being a gambling man myself, I would bet that very few, probably none of you, know 35-40 years ago, Judge Urban Van Susteren planted a vegetable garden in his terrace on Nawada Court, and the city got all over him for it.

Now, the Marigold Mile is one thing. Those are narrow terraces, they're short plantings. They're aesthetically pleasing, and they're an asset to the city. But this city already looks trashy and unkept for the month of May, and now you want to extend that for the entire summer. Forget the fact that every dog walking down the street is going to water your garden, and that your vegetables will be pre seasoned from those snow plows that put the salt up on the terrace every winter. But these plantings will create a blind spot at intersections and driveways. I know you've got a regulation of growing height no maximum than three feet. And that's for line of sight. We all know that vehicles and drivers come in different sizes. And although three feet may be an average, it's not a one size fits all. Common sense would tell one that this is not a good idea. But as Mark Twain said, "There's no such thing as common sense. There's only good sense which is not so common." So are we going to wait till some child on a bicycle gets injured or killed at one of these blind spots before we admit this is a bad idea? And when that happens, not if, when, because it will happen. And when it does, each and every one of you that vote in favor of this will be responsible, because you knowingly and willingly created an unsafe and hazardous situation.

Now I'm 71 years old, and I was born and raised here in Appleton. Lived here all my life. I've traveled quite a bit, but always lived in Appleton. And I'm getting fed up with outsiders moving to our city, living here for a mere 20 or 30 years, and then dictating to us how we should run our community. Ladies and gentlemen of the Council and Mr. Mayor, I thank you for your time.

#### Mayor Jake Woodford 26:35

Right, next is Megan N. Welcome.

#### Megan N. (Appleton Resident) 26:47

Thank you. I'm at [blank]. My name is Megan N. Thank you for listening. I appreciate this. I'm here to talk about the terraces as well. I got people dealing drugs in front of my house in front of my kids. I have contacted the city over and over, the police over and over. Here we are trying to ban flowers. We're trying to ban flowers.

My family eats out of my terrace. Whether somebody disagrees with that, that's fine. If somebody doesn't like terrace plants, they don't have to grow them. Life, liberty and pursuit of happiness. Liberty. We are legally obligated to care for these terraces, yet to have somebody tell us that we can grow nothing but a monoculture of grass is insane. These terraces are titled to the city so that you can maintain utilities and maintain basic function of our city roads. And it does that just fine.

I've had gardens in front of my property for over 15 years on the terrace. They were planted by the people that we bought the house from, and we have maintained them because, one, we are growing native pollinators. We have milkweed on our terrace that has just grown exponentially, and it's been wonderful to watch. My husband teaches wild edibles. We use that as an example of look what can grow when you let mother nature do what it needs to do instead of poisoning it and planting monoculture. We eat off of our terrace almost every day. We feed our family. We're in a time where there's food insecurity. People can't afford food and you're gonna ban the food in my yard? Yes, this is my yard. I take care of it. We lovingly take care of our terrace. It is a part of our yard. It is a part of our community.

My elderly neighbor grows zinnias in her terrace. They're beautiful. She picks them every year, walks around the neighborhood and hands them out to the families. You want to ban her flowers? None of these plants grow any taller than this. My tallest one may be like this, it does not impede stop signs. It does not impede traffic, nothing is blocked. And I can assure you of this because I've been looking at the same terrace plants for many years. We are dealing with a pandemic. We're dealing with all sorts of societal issues. And we want to ban one of these little joys that we have in our communities? We want to ban the Marigold Mile? Really, really, what do we gain from that? We gain nothing. But we lose food. We lose native habitat. We lose pollinators. We lose beauty.

If we are legally required to maintain these terraces we should at least have the liberty and freedom to be able to choose what we do with them. And I've not seen any one that looks aesthetically unpleasing. They look beautiful. And even if somebody thinks that they don't look nice, don't plant one in your terrace. I don't like the way my neighbor's house look. Don't try to pass an ordinance banning his, you know, landscaping or garden. It is what it is. Let people do as they please, if it is doing no harm. It is bringing beauty and food and resources to our community, our environment. Why would we ban that?

And I would propose that if we're going to be banning growing things on terraces, and the city is going to dictate what we can and can't do with that property, I think the city should take over taking care of them. The city is maintaining title in order to maintain utilities. And if they're going to stop us from growing food and flowers and plants, then I think the city should be coming and mowing that for me every week, too. I think that's only fair. I watched TDS come in and put in fiber network in. I've watched the city come in and do maintenance regularly. For the years I've been in this house, never impeded by my gardens ever. Not once. There was a little spot I had to fix up after TDS came in. It is what it is never impeded. There is nothing that is harmed. But people bring flowers and food and herbs and beautiful things on their terraces. Thank you.

**Mayor Jake Woodford** 31:15

Next is Joan R.

**Joan R. (Appleton Resident)** 31:23

I'm still Joan, on [blank]. And I don't know if anybody knows, but I was a big proponent for No Mow May, which I think is very successful. And I'm a beekeeper. And I keep a lawn in my terrace, except for No Mow May. And I don't grow vegetables there because I think of the pollution. I am a nurse also and a mother of four, and a grandmother four. So I want the sunshine, and I like the openness so I have my nice lawn all summer long. But I don't think that I have a right to tell my neighbor, what to grow on their terrace. And if during No Mow May

there was—if there was an increase in number of children run over near intersections, I didn't hear about it. But if they went out and measured how high vegetables were or flowers, then maybe they should be shortened, that's just common sense, right?

So that's, I don't see any, any. I don't see that there's a issue other than that. Because I think it adds diversity. As Megan mentioned, the stress of our environment of our whole world right now is taken down a little when you see these different gardens because you're distracted. You're not focusing on Ukraine. You're not focusing on political things. You're not focusing on climate change, or food prices. You're looking and you're seeing, like my friend Jill there, she's an artist, and her gardens are just beautiful looking. It just like gives you ideas. And I've used some of her ideas, but not in the front yard because I like it open and sunny. And I think when people drive through our town, they see little America and little small town America, where individuals can express themselves.

And I think that helps everybody's mental health. On the news did you hear 90% of Americans have mental health problems now especially because of COVID, the wars, climate change, the political climate. What—why not have free mental health have little bit of antidepressant activity. Go out and work in your terrace garden, or admire them, or just take notice of them. You can't help but take notice of them. My lawn looks very pretty, even though there's nothing else growing there grass. My neighbors have trees and lots and lots of leaves. By the way, the leaves are piled up. I think there's something you might want to attend to. This high on the side of the road, Washington Street. East Washington Street. That's something you would pay attention to I think, not infringe on people's liberty that they pay taxes for. And they're just maintaining it, and everybody's just trying to stay happy. Thank you.

**Mayor Jake Woodford 35:10**

Okay. That concludes our list of members of the public who signed up to speak. Is there anyone else who wish to speak during public participation shouldn't be on an item that appears on the agenda? All right, hearing none, we'll close public participation.

## **Council Discussion And Vote**

**Mayor Jake Woodford 38:20**

Okay, we're gonna go back now to municipal services committee. And we're going to take up item 22-1078 approve modifications to the city of Appleton street terrace policy. We have a motion. Is there a second? We have a motion and a second to approve. All right. The floor for discussion. Alder Schultz.

**Aldersperson Alex Schultz (District 9) 38:47**

Thank you, Mayor. We had some rather rigorous discussions in committee about the intent of the resolution to update the terrace policy and what that what the actual changes were based on our existing policy and what this was attempting to do. And it really came down to two factors. One, making it a little bit easier on the public by not enforcing them to have to pay that \$40 fee annually to grow anything in their terrace whether it's fruit or vegetable. And then two maybe a little bit more license to put mulch—and I forgot what the other item was—but a little bit more license to do something to define the spaces in those terraces. So I think for the benefit of the public, it's wise for us to just review what we're asking here. We're just making some slight modifications basically, removing a fee for the public to do what they've already been doing for the most part and also giving a little bit more leeway with me to define those spaces.

**Aldersperson Alex Schultz (District 9) 39:48**

At committee, there was a lot of discussion about the safety element and making sure that whatever we approve you know allowed for those sight triangles is to remain in existence and be able to, you know, to be enforced so that we didn't end up with situations where we might have one member of the public suggested as incidences with children at intersections or driveways. And this was given to staff to do some, a little bit of work. They came back, and I think in the discussion at committee, there was one slight changes that I think some of us would have liked to have seen, which is maybe better clarification on the graphics included. So I would encourage us to vote for this. I would also suggest that upon approval that staff revise those graphics to show an extension of the vision triangles through the terraces to the street and across the sidewalk so it's very clear when this policy is adopted, what those sight triangles are and how they affect this terrace policy. Thank you.

**Mayor Jake Woodford 40:55**

Alder Meltzer.

**Aldersperson Vered Meltzer (District 2) 40:59**

Thank you. I think that we have spent a long time discussing this. I really want to thank staff for all the hard work that they have done in many different steps over the course of time to really thoroughly do their due diligence on every different topic that's been raised and every different question. I think that what we have before us, is something that will be very beneficial to the community. And I encourage all my colleagues to vote in favor of this today.

**Aldersperson Vered Meltzer (District 2) 41:32**

I've heard a lot of input from my constituents. I think it's important to point out that there are some behaviors or aspects of terrace planting that are concerning to neighbors; however, those behaviors would still be permissible by neighbors who are paying a \$40 fee. We are not voting today about whether or not vegetable gardens are allowed. We are voting today about what our policy around these things look looks like and whether or not we are charging—at what level we're charging fees for the things that people are doing with the terraces that they are maintaining. Thank you.

**Mayor Jake Woodford 42:10**

Alder Van Zeeland.

**Aldersperson Katie Van Zeeland (District 5) 42:13**

Thank you, Chair. Alder Hartzheim is not here today. But she had sent me as president some ideas about an amendment to this policy, really just for the purpose of clarification. And since I do agree that this makes things easier, I would like to offer that amendment right now. The amendment would strike number four completely and reserve the illustrations for education, not the policy. And then it would say "number five street parking", and then a b and c. "A for roadways with designated on street parking planting shall not be placed within two feet of the back of the curb or edge of the shoulder. B for roadways with permitted parking, plantings within two feet of the back of curb or edge of the shoulder shall not exceed eight inches in height. And C for roadways with prohibited parking at all times, plantings should not exceed 36 inches in height." So I'd like to offer that as an amendment. And I do have a copy for the clerk.

**Mayor Jake Woodford 43:22**

Yeah, that would be helpful. Thank you. Okay, so we have a motion to amend. Is there a second? We have a motion and a second on the amendment. Alright, so we'll take up discussion of the amendment. And we have an active queue so I'll just call through the active queue. Alder Siebers.

**Aldersperson William Siebers (District 1) 43:53**

I don't want to speak on the amendment.

**Mayor Jake Woodford 43:55**

Okay. So we'll come back to that after we resolve this. Okay.

**Alderson William Siebers (District 1) 43:59**

Thank you.

**Mayor Jake Woodford 44:01**

All right. Yeah, if you'd clear it, and then Alder Siebers, I'll just have to have you chime in when we're back. Alright, so we've cleared the queue. So if you were intending to speak on the amendment, please just tap back in. Thank you. All right. Alder, Fenton.

**Alderson Denise Fenton (District 6) 44:16**

Thank you, Your Honor. I would like to—I am absolutely fine with the changes to item five. I would like to amend the amendment to put back number four because I think that the diagrams without the wording doesn't tell us anything.

**Mayor Jake Woodford 44:42**

Okay, that is permissible. So we have a motion to amend restoring items four. Is that correct?

**Alderson Denise Fenton (District 6) 44:51**

Right. I understand that the original amendment was to remove the verbiage and leave the illustrations in item four. And my motion would be to restore the verbiage. But leave the changes to item five.

**Mayor Jake Woodford 45:02**

Okay. So we have a motion and a second on the amendment to the amendment. So we'll again clear the queue and ask you to tap in, Now this is it, folks, this is the end of the road in terms of amendments. We're to the second degree now. So that's the end of the road. So okay. Did you have a point of order?

**Alderson Katie Van Zeeland (District 5) 45:23**

Well, I just I wanted to clarify my amendment. As far as reserving the illustrations for education, I didn't mean reserving them in this policy. I'm setting them aside for education. I know that we had talked with municipal services about providing a document to citizens separate from the policy so as not to make the policy more complex than it is now. So I just want to make that clear. Thank you.

**Mayor Jake Woodford 45:54**

All right. I need to make sure I have the straight because if I don't have it straight, then yeah. All right. So right now,

**Alderson Katie Van Zeeland (District 5) 46:02**

If you wanna look I have another copy of it.

**Mayor Jake Woodford 46:04**

That would be wonderful. Thank you. Okay. Your phone? Maybe it's just me. Okay. So the motion to amend initially struck four. Based on what what I'm seeing here, it struck four in its entirety. Alder Fenton's, motion to amend the amendment restores four and in its entirety in the document diagrams included. Okay. So we're clear on that. That is what's under discussion right now is the amendment to the amendment and the restoration of

four, to the to the initial amendment. Okay, that's what we're discussing. So with that, we'll get into the queue. Alder Schultz.

**Aldersperson Alex Schultz (District 9) 47:19**

Thank you, Mayor. I feel like we were we are now at the same place, we were at committee, attempt to do committee work, which was at the end of a very long process, and at the end of staff spending copious amounts of time trying to draft a cohesive policy, we had a policy that wasn't strictly clear in its diagrammatic or graphic representation of what wasn't or wasn't allowed. And at that time, it felt like, we should send it back and get some better graphics. But coming out of that committee meeting, let's get this approved. Let's get it in place. Yes, the graphics aren't exactly what they need to be.

**Aldersperson Alex Schultz (District 9) 48:00**

I strongly support the motion to amend the amendment because I think regardless of where this is communicated, residents may be looking for some direction on what isn't, isn't allowed. And I think given the attention to this, and the fact that we don't have graphics, with the existing policy, it's extremely important that we show something and that something has to show what is and isn't allowed in various terrace arrangements. And, you know, we have two graphics, one is a corner lot, and one is the, basically the driveways. Those simply need to show extensions of the vision triangle so we know exactly as a public individual know exactly where I can and can't plan or where I can plant, but I need to keep that height below 36 inches. So let's at least support this amendment. Let's keep number four in there. I think my colleague's concerned about introducing this amendment to strike that was simply because it was confusing. And a little clarity of those graphics I think will help mollify the concerns with the resolution that was—or the amendment—that was proposed. So please support this motion. Let's get this passed. Let's pass the ordinance. Let's look at it in a year. Let's find out if we've had any issues. And we'll come back to the table and say, well, public still confused. What else can we do to make this a little bit clearer? What else can we do to communicate and clarify what the policy is? Thank you,

**Mayor Jake Woodford 49:33**

Attorney Behrens.

**Attorney Christopher Behrens 49:34**

I'm gonna hopefully offer a little bit of clarity regarding the graphics and a discussion Director Block and I had after the meeting, which was: extending those graphics into the terrace would not change the substance of what's presented. And her question for me was, should I do that now with what's going to Council or do it after the fact if it's passed? And my recommendation was to leave the item as presented at committee and not modify at a committee because technically, there wasn't a modification to that. So if number four stays in, it's staffs intent to extend that shading, as you've been discussing.

**Mayor Jake Woodford 50:18**

Thank you. Alder Fenton.

**Aldersperson Denise Fenton (District 6) 50:22**

Thank you, Your Honor. I offered this amendment to the amendment. Apologies. Because in the initial committee work, and when it came back to Council, one of the things that was expressed most often was safety concerns. And I think that defining the vision corner is one of the is what staff came back with us for addressing those safety concerns. Because people specifically mentioned at intersections. So I believe that removing number four would actually remove the work that staff had done to address the concerns that the committee and the Council had. And that's my argument for. But and thanks for the clarification on the graphics. But, but now even more, so I think that needs to stay.

**Mayor Jake Woodford 51:15**

All right. Alder Alfheim?

**Aldersperson Kristin Alfheim (District 11) 51:18**

Thank you, Chair. I'm not sure the date this first came to the table, but I was one of those that kind of stood in the way and said, please help me to believe in the safety. And in all of this time, I kind of want to point out that as I learned, we haven't really—this isn't new. The policy already existed, but there was no clarification. And so we they were trying to make it a better system. And by adding in the vision triangles, we were specifically addressing the sightlines. That was something that we absolutely wanted in there because safety does come before the garden. And I feel very, very, very pleased that the amount of time was put into this process. Safety and nutrition, safety and environment. Everything went into this work together. And again, the policy already existed. Everyone has already always had the ability. We have technically made it better by clarifying our safety on the corners and on the sight lines. So I think those the diagrams are very important. And if there's a little bit of confusion in policy, it wouldn't be the first time. And it'll at least slow people down to ask questions to make sure that they're doing it properly. So I applaud the efforts of the committee, multiple efforts on the committee and the staff. I would hope we would approve the amendment.

**Mayor Jake Woodford 52:48**

Alder Van Zeeland.

**Aldersperson Katie Van Zeeland (District 5) 52:50**

Thank you Chair. I just wanted to clarify, I would actually support this amendment. And I'm only speaking for myself but it was my understanding that the removal of the illustrations was because in the number four was because it was confusing and based on the conversation that Attorney Behrens brought up, I want to support the amendment.

**Mayor Jake Woodford 53:13**

Alder Meltzer

**Aldersperson Vered Meltzer (District 2) 53:14**

I'd like to call the question.

**Mayor Jake Woodford 53:19**

Okay. Motion has been made to call the question. We have a second. All those in favor calling and there's nobody in the queue to speak. So we're about to get there. So it just—we'll get there. We've got a motion and a second to call the question. All those in favor calling the question please signify by saying aye. Opposed? All right. Hearing none the question has been called.

**Mayor Jake Woodford 53:39**

This is on the amendment to the amendment. Please cast your votes. Motion passes 11 to 2 with Alders Croatt and Doran opposed. All right four has been restored. And we are back to the item as amended at—to the amendment as amended, excuse me. So we'll get back into that and discussion now. Alder Croatt.

**Aldersperson Chris Croatt (District 14) 54:13**

14. Thank you, Mayor. Could you just restate the original amendment because the original amendment also referenced number five, correct?



**Mayor Jake Woodford 54:20**

Alder Van Zeeland, would you please?

**Aldersperson Katie Van Zeeland (District 5) 54:25**

Basically, the amendment is restating number five, giving it a header for street parking to delineate that information for people who have street parking, or you know, the other options that we have here: on-street parking, permitted parking, or roadways where parking is not permitted. Just to clarify those. Did you want me to read it for you?

**Aldersperson Chris Croatt (District 14) 54:51**

Was there a C? I thought you mentioned ABC.

**Aldersperson Katie Van Zeeland (District 5) 54:53**

Yes. And C was—So basically number five that you see at the top, the four roadways designated with on street parking, it's just moving that into A and then B and C, and just titling it Street Parking to make it easier to spot.

**Aldersperson Chris Croatt (District 14) 55:12**

Okay, thank you for the clarification.

**Mayor Jake Woodford 55:14**

All right. Any further discussion? All right, we're still on the amendment. So the amendment as amended. So hearing no further discussion, please cast your votes.

**Mayor Jake Woodford 55:39**

Motion passes 11 to 2 with Alders Thyssen and Doran opposed. All right, now we're back to the item as amended. Any further discussion on the item as amended? All right, Alder Wolf.

**Aldersperson Nate Wolff (District 12) 55:57**

Thank you chair. While talking about this and other things in the city, I hear from a lot of constituents in the city, and sometimes I feel like I'm not necessarily discussing everyone's viewpoints because it's typically the same people. In favor of speaking for all of my constituents, I'm going to also make an amendment to B4, I would like to remove the word vegetable or "and vegetable."

**Mayor Jake Woodford 56:49**

Okay, I just want to make sure. Would you please just restate? I just want to make sure we've got it here.

**Aldersperson Nate Wolff (District 12) 56:53**

Yeah, so it would be in B and then number four. I would just be removing the word "and vegetable". So it would read flower gardens, home gardens and [indcipherable]

**Mayor Jake Woodford 57:33**

Okay, so we have a motion, is there a second? Going once. All right, the motion fails for lack of a second. So we are back to the item as amended. Is there further discussion on the item as amended? Alder Croatt.

**Aldersperson Chris Croatt (District 14) 57:57**

Thank you, Mayor. A couple of things. I mean, I appreciate the work that's been done by the committee and staff. But to me this this whole thing got really complicated. And even with these amendments, it's hard for a lot



of people to understand what's allowed, what's not, permit no permit, how much? I understand that we've been, we—citizens have had the ability to do this in the past, some of this with permitting.

**Alderson Chris Croatt (District 14) 58:23**

I'm struggling with, you know, we went from essentially a half page policy to an a two and a half page policy. I'm wondering for the committee members or maybe staff, because I wasn't able to attend all the committee meetings, what was discussed in regards to enforcement? I'd like to understand how public works is going to manage some of this as a complaint-driven type ordinance with you know, like sidewalk shoveling and lawn cutting and now terrace plantings which I feel might be on the increase with the change to this policy. And I'm just wondering how Public Works would be able to manage the amount of inquiries coming in?

**Mayor Jake Woodford 59:06**

Or Director Block? Which mic, do you have there? Director 2? All right.

**Director Danielle Block (Department Of Public Works) 59:14**

All right, thank you. The Inspections Division would handle this complaint as we do any other tall weed type of complaint with a CSR or customer service request, a field visit. And then dependent on what the complaint is about whether it's height, whether its species type, we would follow up on that with a series of photos and work with the property owner from there.

**Alderson Chris Croatt (District 14) 59:46**

My concern, and I understand how the process works, but my concern is that I feel the inspections division is greatly overloaded and understaffed as far as dealing with complaints that come in, and I feel like this is just adding, kind of adding to the, possibly adding to the plate of things that they would have to deal with. And that's one of my concerns with approving it in no permit fashion is I feel like that it kind of that encourages more participation, participation. And I think that's one of the goals of the change is to allow for more of it to happen. But I'm concerned about the city's ability to enforce concerns. Thank you.

**Mayor Jake Woodford 1:00:25**

Alder Siebers?

**Alderson William Siebers (District 1) 1:00:30**

Thank you, Your Honor. Chris and I are in the same ballpark. I voted for this in committee. I'm going to vote for it tonight. But I have a concern that Alderson Croatt has addressed. And a concern goes even beyond this policy. I think when we have such things as this policy, or we ask staff, we need to ask: how much more are we going to be expecting of our staff that's already stressed, stressed out to the max? I think we need to be really you know careful in terms of how much more we're going to put on the plate of our staff, whether it be this policy or any policy. Thank you.

**Mayor Jake Woodford 1:01:25**

Alder Schultz.

**Alderson Alex Schultz (District 9) 1:01:28**

Thank you, Mayor. I'm reflect reflecting on that last statement for a second. You know, we've heard similar concerns when we were debating No Mow May and passing that. And this thought that passing a policy would lead to a marked increase in complaints driven by the community and then sort of the requirement for staff to go out and review those complaints and issue more citations. And it turns out that there was an increase, but it was a very minor increase. And it really didn't increase the load on staff to manage those additional complaints.

I think it's important to understand—I mean, if I think about my district, I could walk out the door and within a few minutes, I can visit probably five of my constituents who have what I would classify a vegetable garden or a flower garden, not just flowers growing around a tree, but an actual bonafide full terrace planting. And those are—some of them are actually over three feet. And I've been watching those, and some of them were five feet. I know of one in particular. It's still there. No neighbor has complained about that planting. The city has not had to go out there and cut that down. And so for me, it tells me that the neighbors around that individual are tolerant of it, and maybe they appreciate it. It's a really fantastic flower garden. I'm kind of amazed by it myself. But I'm watched it because I wanted to see as we've been having these debates at Council and it's been now brought forth to the public's attention that we're talking about a terrace policy, whether anyone would call the city and say yeah, there's this guy right here, he's got five foot plants out there, the city needs to come take care of it. It hasn't happened.

And so I think it says something about our community's tolerance for our neighbors, and essentially letting them do their thing, as long as it doesn't maybe hinder what they're doing. And if that—I suppose if that planting was right up next to their driveway, and it was an issue, maybe there would be a complaint. But like I say, I know a lot of terraces in my district are already doing this. And I know that probably none of them apply for the \$40 permit to do what they're doing. So this is a—it's a means of allowing us to do what we're already doing, taking away the fee structure so that those people who may not have been inclined to do it before maybe would be interested in doing something like it. But we already have, I think a lot of these in our city. And I suspect staff has not had to spend a copious amount of time dealing with vegetable and flower gardens to date that have gone over the 36 inch requirement. So to me, I don't I don't feel like this is going to be onerous of the staff. And if it is, we'll take a look at it in a year and we'll adjust it and maybe we'll figure something else out. But this to me, it feels like it's a good thing to try for a year and we'll find out just exactly how engaged the community is and what they want to do. Thank you.

**Mayor Jake Woodford 1:04:27**

Alright, I'd like to point out to the Council that this has been well discussed in the debate this evening. So if anybody else has something else to add, I see one member who's not spoken yet. If you have something else to add, I'll invite you to please contribute that and then then we'll move on with the business. So next in the queue is Alder Thao

**Aldersperson Maiyoua Thao (District 7) 1:04:54**

District seven. Thank you, Your Honor. I just wanted to say that gardenings comes in all different cultures, you know. It's not just one culture. And I think this is a great idea. I do concerns, have some concerns, just like everyone else, too. I do appreciate all the hard work of committees and staff put into this and to make this possible and, you know, work.

I think this give us opportunities to be involved in doing gardenings, you know, meeting neighbors and talk about things that we actually have in common. I learned that many of us or some of us, you know, some district have bigger lots to have garden in their yard in the backyard side and some doesn't have big lots to do gardenings. In my district, I did get a few calls that doesn't like this idea of having [indecipherable]. But I explained to them why, you know, we're doing this. And I also get some that call me that are very supportive of this, because it's good idea. And I feel that for those constituents that wanted to do this, I am sure that they are prepared to follow the policies that we put out there and also follow, you know, the policies that we all work together and to make this better. I putting trust in them. And for those who doesn't decide to be involved in this, you know, we just continue on what we're doing, but for those that are, I'm pretty sure that they will take good care of it and follow the policy. So I will vote in favor of this. Thank you.

**Mayor Jake Woodford** 1:06:47

Any further discussion? All right. Hearing none, we have a motion and a second to approve the item as amended. Please cast your votes. Motion passes 11 to 2 with Alders Croatt and Doran opposed.