

Gentlemen,

Tonight we are back to discuss high density development in the downtown area. This topic is not a personal issue, it is a discussion on how the citizen's of Powell view the city and want the city developed going forward. It is not a topic that should end friendships or classifies groups of people as right or wrong. I have no personal ill feelings toward any of you and I would hope that you don't have them of me, just because we may disagree on the topic. I believe that the community has been having this discussion for 2+ years and good, intelligent citizens have taken sides. That gentlemen is democracy and freedom in action. For me the issue is not this development or that development, but rather the totality of development of this type and its impact on the city, especially the desires and vision that the majority of the citizens have for this community. When I became involved in the issue, my position was whatever the majority wants. If the majority wanted high density housing, no traffic solutions, and a Short North atmosphere in downtown, then so be it. What I found out in talking with people and the subsequent meetings and votes, is that a majority agreed with my concerns.

I have three points to make for your consideration, before you potentially take the bold, unrepresentative action of approving this zoning change.

First, the same rezoning and development was voted down by Powell voters and your constituents less than one year ago by a 9% margin... taking 7 of 10 precincts. Many of you and those on the zoning commission have expressed your non-fact based opinions that somehow the vote No side duped the voters and provided misinformation. Frankly, that is pure hogwash. The opposition

outspent us 20:1 using robo-calls, multiple mailings, and advertisements to put their points out to the public. We distributed one leaflet door to door and used online social media where we could.

In addition to the Ordinance vote, voters elected two new councilmen who ran on no high density housing in the downtown area. One of those councilmen received more votes than the lone incumbent on the ballot and the other beat the remaining pro high density candidate and lost to the incumbent by 2 votes. Brenden and Dan placed first in 8/10 precincts. They placed 1<sup>st</sup> AND 2<sup>nd</sup> in 5/10 precincts. The message is clear..... Powell voters knowingly voted against high density developments and increased traffic. It was not about mis-information or a small group of us duping the masses. It was simply a strong message from the majority of your constituents.... They don't want high density in the downtown area and/or want traffic fixed first. Even your annual survey has conveyed this message over the past two years, but yet a majority of you have decided you know better.

Second, the developer has issued threats of how he will develop the land if he doesn't get his way. He could have heard the will of the people and walked away ... his land purchase contract allowed that, but instead he decided to take the path of a bully and fear monger, promising undesirable development. He is currently involved with litigation against citizens who merely signed petitions to put the issue on the ballot. And make no mistake, he started the litigation process. My question for each of you is this... Is this the type of tactics we should be partnering with by rewarding a zoning change that will enable development, unwanted by the majority? And if you can answer that question with a yes, then the City of Powell is controlled by the developers not its people through a representative government

Third, I find it interesting that city has decided to employ its own misinformation, trying to convince the public that by adding a house, removing a road and making it homeownership versus condominiums, the project is different... that somehow this is not high density, that traffic will not be affected, which are the real reasons that the Ordinance was voted down by the people. Where is the mass communication program on this vote. I know the city has done the minimum communication, but where is the real effort to get feedback, given you are going to overrule the vote of the people. I also find it deplorable that the tactic will be to pass the zoning change separately from the development approval, as was done in the original Ordinance last year. Obviously, the plan is to get the rezoning passed with little fanfare and connection to the vote last year, then approve the development in an administrative act, so the people have limited or no recourse. This is not representational governance.