



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, July 16, 2018
7:00 PM

Regular

Council Chamber
Columbia City Hall
701 E. Broadway

I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, July 16, 2018, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members PITZER, PETERS, TREECE, RUFFIN, TRAPP, SKALA, and THOMAS were present. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of July 2, 2018 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Ruffin.

Upon her request, Mayor Treece made a motion to allow Ms. Peters to abstain from voting on R78-18. Ms. Peters noted on the Disclosure of Interest form that she owned property in the subject area. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Treece asked that R102-18 be moved from the consent agenda to new business.

The agenda, including the consent agenda with R102-18 being moved to new business, was approved unanimously by voice vote on a motion by Mayor Treece and a second by Mr. Skala.

II. SPECIAL ITEMS

None.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC7-18 Board and Commission Applicants.

Upon receiving the majority vote of the Council, the following individuals were appointed to the following Boards and Commissions.

BICYCLE/PEDESTRIAN COMMISSION

Boyd, Elke, 200 N. Parklawn Court, Ward 2, Term to expire July 31, 2021
Lovern, Paul, 712 Ridgeway Avenue, Ward 1, Term to expire July 31, 2021
Schmidt, Frank, 505 Silver Thorne Drive, Ward 4, Term to expire July 31, 2021
Simonson, Lawrence, 2706 Hillshire Drive, Ward 4, Term to expire July 31, 2021

BUILDING CONSTRUCTION CODES COMMISSION

Carlson, Kas, 204 Peach Way, Suite E (business address), Ward 5, Term to expire August 1, 2021
Muzzy, Doug, 2202 Potomac Drive, Ward 4, Term to expire August 1, 2021
Neyens, John, 6406 Shallow River Drive, Ward 6, Term to expire August 1, 2021
Noordsy, Todd, 4603 McMickle Drive, Ward 2, Term to expire August 1, 2021
Roberts, Christopher, 901 Cutters Corner Lane, Ward 6, Term to expire August 1, 2021

Wallace, Andrew, 302 Campusview Drive, Suite 209 (business address), Ward 2, Term to expire August 1, 2021

Mayor Treece commented that he would like to keep vacancy on the Columbia and Boone County Library District Board open and readvertise it. He noted that would provide him the opportunity to visit with some of the applicants prior to making a decision.

FAIR HOUSING TASK FORCE

Carlson, Rhonda, 1110 Willowcreek Lane, Ward 5

Lindsay, William, 4201 N. Wappel Drive, Ward 4

IV. SCHEDULED PUBLIC COMMENT

SPC36-18 David Nivens: Columbia Chamber of Commerce - Fulfilling the voters will on ballot initiatives.

Mr. Nivens, 300 S. Providence Road, explained this past year he had the honor of serving as the Chair of the Columbia Chamber of Commerce Board of Directors. He explained he had joined the Chamber in 2005 and had volunteered in various capacities. As he had become more involved, he had been better able to obtain an understanding of what made Columbia great and what it took to make the community function. He had also come to better understand the time, effort, research, and expertise each Council Member had and gave while trying to work on behalf of the residents of the community. He stated he appreciated what they did and thanked them for their willingness to serve. He commented that he had been proud to see the Chamber get more involved in being a voice for the business community at the local, state, and federal levels. In order to more actively engage with City government, the Chamber had developed a local agenda in 2017, and had further refined that agenda in 2018. Of the five priorities, working with the Council to support the outcome of ballot measures as proposed and approved by the voters was something their members felt strongly about, and was their number one local agenda item. He explained they were deeply concerned and upset with the continuing trend by the Council of stopping or delaying portions of projects that had been approved by voters. The projects, as a part of the bond election, had been approved by the Council to present to voters, and had been endorsed by community and business members recruited to assist with the campaigns to ensure passage of the ballot initiatives based on those projects. The projects had also been presented to the Chamber and/or endorsed or promoted to their membership and community by their board and staff. He noted the projects had been presented to voters and had passed by large margins with the expectation of funds being used to complete the projects as presented. The decision of Council to selectively remove projects from the bonds had severely eroded the trust of their members in delivering on the promises that citizens and businesses had been given, and put into jeopardy the success of future ballot measures needed to advance the City. He explained they had looked into the 2013 sewer bond election that had been approved by voters by nearly 80 percent to determine if the Henderson Branch project was the only item being stopped, and had inquired of City staff as to how much money had been spent, how many of the projects had been completed, and if there were other projects being delayed. He felt the information being requested should have been readily available and easy to acquire and understand, but instead it had taken multiple attempts to obtain the right information, and there were still questions surrounding projects and their statuses. He commented that City staff should be commended for their hard work to provide answers to the questions they had asked, however the spreadsheet provided and the time and effort it had taken to provide the information was very disconcerting for a City government and staff that prided itself on making its operations transparent and accessible. He stated he believed their votes as citizens mattered most at the local level, and when their votes as citizens were disregarded as the final decisions on issues that were vetted and presented to them, he felt the value of their votes and voices were

diminished. He stated this was the unfortunate circumstance that had been created by the actions of the Council over the past several years, and had culminated with this specific project and bond issue. The Columbia Chamber of Commerce was respectfully requesting the Council move to reconsider the Henderson Branch sewer extension, and make it a priority to expedite the completion of the remaining projects. He noted they were also asking that better access be provided on the status and timeline of projects moving forward. In addition, they wanted the Council to move the transmission line project forward as the voters had approved to fund in 2015. He noted studies had been done, and it was up to the Council to see that project to fruition as well. He pointed out the cost of these projects would continue to increase, and the voters had the right to expect these projects to be completed as voted on and approved.

SPC37-18

Adrienne Stolwyk & Paul Blakely - Proposal to improve Columbia's Accessory Dwelling Unit (ADU) ordinance in order to encourage their construction.

A handout was provided, and Ms. Stolwyk, 212 Hirth Avenue, explained she had purchased the Hirth Avenue property because it qualified for an accessory dwelling unit (ADU), which she had hoped to build like her neighbor Mr. Blakely was currently doing. She commented that she believed ADUs were great for Columbia as they were a solution to the affordable housing crisis as they helped to create delightful density while keeping the neighborhood character intact and adding more dwelling units. They also provided additional tax and utility revenue for the City. For her personally, they enabled multi-generational housing. She explained her parents had recently moved to Columbia, and three years ago, her husband's parents had also moved to Columbia. She believed it was almost certain that at some point they would need to care for one of their parents, and having an ADU onsite would help. She pointed out ADUs also provided an alternate income stream. She commented that she currently worked part-time because she had a one year old, and having rental income would be financially stabilizing. She explained she was also an architect and felt ADUs provided a lot of opportunity for experimentation with sustainable technologies. She noted the problem was that only two ADUs had been constructed since Columbia's ordinance had been passed in 2014. She understood about 2,000 lots qualified by right for an ADU, and believed all of them were in the First Ward. For someone to build an ADU, they had to have the interest, motivation, ability to manage a construction project, and access to capital. She explained a lot of banks were hesitant of providing a loan for ADUs so people had to build them with their own savings. She noted she and Mr. Blakely were asking the Council to direct staff to draft an ADU development pilot program to incentivize ADU construction. They suggested waiving all of the fees for construction of ADUs as they understood Portland, Oregon had done this and had seen an uptick in ADU construction. She stated another suggestion was to remove the off-street parking requirement for ADUs, and noted Portland, Oregon had also done this without any detrimental effects. On her street, she had calculated that 25 percent of the houses had driveways that terminated at an attached garage or a portion of the house, so in order to build an ADU and have the required parking, a part of the existing house would have to be demolished to extend the driveway to the backyard to meet the parking requirement. She noted they were also suggesting the removal of the requirement for hard surface driveways. On her street, 28 of the 40 houses had gravel driveways, and having to construct a paved driveway could add \$5,000-\$10,000 in costs. She explained they were asking for these incentives to jump start ADU construction for the benefits previously listed, and were proposing to limit the pilot project to three years or 30 ADUs, whichever came first, in order to mitigate the risk and provide the opportunity to evaluate the program to determine if it was effective.

Mr. Blakely commented that Council recognized the benefits of ADUs when it had passed the ADU ordinance, but it was not working since their had only been two ADUs constructed, including his, which was not yet complete as he had another issue to

resolve. He referred to the experience in Portland, Oregon with incentivizing ADUs, and noted in 2010, they had tripled the number of ADU permits applied for to 86, and by 2016, it had reached 615 applications. They had pursued this through a sunset clause, which had been renewed three times and then finally made permanent. He commented that he recently spoke with a local banker that had indicated the problem with affordable housing was that housing was not affordable. He understood a large part of the cost involved the lot as 21.5 percent of the total cost of the building was the lot. He noted those wanting to build ADUs could help, and they were asking the Council to be a partner with supplying affordable housing. The fee waivers they were seeking would total about \$5,000, and the bulk of those fees were utility connection fees, which he would argue was not a cost to the City. He viewed the waivers as an investment as it would generate an infinite income stream of monthly utility fees, which were adjustable with inflation. He noted they were also asking for waivers from construction permit fees, which he believed could be handled through increased property taxes. He hoped they had produced enough research and support to ask the Council to request staff to draft an ordinance to support their proposal of a pilot program.

SPC38-18

Traci Wilson-Kleekamp - Leadership failure, lack of procedural justice, equity & transformative practice; reflections on Matthes' Morale Survey of Officers (2016), CPOA's Morale Survey: An Agency in Crisis (2016).

Ms. Wilson-Kleekamp explained she was the President of Race Matters, Friends, and wanted to discuss internal and external organizational justice. She stated she had reviewed the morale surveys of the Columbia Police Officers Association (CPOA) and the City Manager, and thought they were both interesting in that the officers were asking for the same things people on the Mayor's Task Force on Community Violence had requested in terms of respect, being treated humanely, providing input, being safe in their jobs, and for supervisors to value the work they did. She did not feel this was asking too much. She commented that this brought her to the thinking of Race Matters, Friends, in terms of philosophy, policy, practice, and historical context. She asked if one inherited something whether they also inherited the responsibility for its history even without having awareness of that history. She explained they tended to discuss equity, and believed they sometimes confused equity with equality. During the pre-council meeting, they had learned that one of the lieutenants was paid less than the newest lieutenant. She noted everyone was not the same as people had different experience levels so they had to be treated differently based upon who they were, and pointed out equality could be unfair if one did not look at the principles involved. She felt the same was true of the council districts. They should not be treated the same because they did not all have the same need. They had different needs due to their histories and the way they had been treated historically. The philosophy portion involved the practice of how they treated people. The Missouri Quality Report feedback indicated city leaders did not systematically model, reinforce, and recognize values throughout the workforce. She understood the core values of the Police Department did not align with their practices. She commented that sometimes the secret of success was failure, so this was the opportunity to do better. She explained organizational justice was distributive fairness and an opportunity for interactional justice. Employees looked at how their managers and supervisors behaved in terms of modeling behavior, which included coming to work on time, how one talked to people and engaged with the public, etc. Another factor was outcome based, such as how pay was handled and if everyone understood how pay was distributed. In terms of practice, she noted the question remained as to whether front line officers and supervisors actually practiced what was in policy and training, and if the policy and training conflicted with the department culture, she pointed out behaviors would not change. She asked what the philosophy was in making the officers and community comfortable, how it was practiced, and what policy was being used. She commented that procedural justice was internal and external, and how people were treated on the

inside would impact how they would treat people on the outside. As a result, they could not work on the outside if they did not work on the inside first. A punitive internal culture would cause those inside that culture to treat people punitively in the community, which was not good. She explained one of the things she had noticed in the report was that officers were upset with Mr. Matthes and Chief Burton for locking arms with protestors after the murder of Michael Brown, and felt it would have been a good time to have a conversation as to why they were standing there so the officers did not believe they were anti-police or that the community was anti-police. She noted people were upset about someone being murdered. She believed it was important to understand historical context of how black people had been treated in this country and community as it was very much connected to the way they profiled and saturated neighborhoods. She stated history mattered. She commented that it had been interesting to look at the history of the Columbia Police Department in that they had not hired their first female officer until 1973, their first black female officer until 1982, and their first female deputy chief until 2014. Those were fairly recent dates so there was not a lot of equity in that realm. She noted that in looking at the Boone County Sheriff Department website, they had admitted the way they used to do justice in Boone County was with external judicial justice whereby the public would take justice into their own hands by hanging people. She reiterated they needed to remember that philosophy mattered, and that they needed to treat people the way they wanted to be treated.

SPC39-18 Dan Neiswanger - Voice of Hinkson Creek.

Mr. Neiswanger, 304 West Boulevard North, quoted Sylvia Alice Earl who said there was plenty of water in the universe without life, but nowhere was there life without water. He commented that he enjoyed walking, cycling, and the outdoors more than being in his vehicle driving, but noted he still opposed alignments #1 and #3 of the Shepard to Rollins trail project. When he had first learned of the proposal to develop a bike trail over the Hinkson Creek, he found himself squarely in the middle of the debate, but did not have a side. He saw pro-bike versus protection, and had decided he needed to listen to the various opinions. He commented that he also felt one opinion was missing, and that was of the Hinkson Creek, as the Hinkson Creek could not come down to City Hall to be heard. He believed their version of events was deceptively shallow and shortsighted. Now that he could see clearly, he did not feel it was a pro-bike versus protection argument. It was development versus Mother Nature, which was not a contest as Mother Nature had illustrated time and time again that they should fear losing their connection with her. He felt they should value all wild spaces by streams because streams were the last connections of habitats now fragmented by excessive development in many cases. He commented that wild spaces also connected them to what they owed their entire human existence, which was nature, and the more they disturbed these spaces, the more they risked losing these connections. He stated cyclists, pedestrians, and wheelchair users would continue to use the streets and sidewalks they were not repairing and crossing the street without a crosswalk. On behalf of the Hinkson Creek and all streams everywhere, he suggested they recognize their moral obligation to do better by their environment and people, and urged them to rethink the choice of alignments #1 and #3 now before the opportunity passed them. He did not believe they should fundamentally alter that space with more development, and provided a handout of his comments.

V. PUBLIC HEARINGS

PH24-18 Proposed construction of the Spring Valley Road PCCE #18 Sanitary Sewer Improvement Project.

PH24-18 was read by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece opened the public hearing.

There being no comment, Mayor Treece closed the public hearing.

Mayor Treece asked if this was funded in part by the 2013 sewer bond issue. Mr. Sorrell replied it was, and explained approximately \$40,000 of funding from the bond issue was included for this project. The remainder was from enterprise revenue funds. Mayor Treece understood it was a voter approved project. Mr. Sorrell stated it had been on the list. Mayor Treece understood the project would be completed as had been approved by the voters. Mr. Sorrell stated they hoped to complete it with the approval from Council to move forward. Mayor Treece understood lots of projects came before the Council all of the time. Mr. Sorrell stated that was correct.

Mr. Trapp pointed out this project had started in 2009. He explained uncompleted projects from the 2013 sewer bond were not necessarily the result of a delay. It was due to the natural order of a difficult process that involved easements, people's yards, and working through regulatory agencies. He noted they would have more and more of this as they rebalanced sewer projects from expansion to rehabilitation. He thought it was good they were moving forward with this project.

Mayor Treece made a motion directing staff to proceed with PCCE #18 - Spring Valley Road Sanitary Sewer Improvement Project. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

VI. OLD BUSINESS

R78-18

Finding the by-laws of the East Campus Traditional Neighborhood Association meet the minimum requirements for recognition as a neighborhood organization and recognizing it as an official neighborhood organization for the area described in the by-laws of the Association.

Ms. Peters stepped out of the meeting room.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Thomas understood there was a process by which a group of residents within a boundary had to go through in order to apply, which he thought involved a petition, and asked for clarification with regard to the process and the number of people that had to sign the petition in order to make the request. Mr. Teddy replied it was not a highly formalized process, and the source of authority for formation of recognized neighborhood associations was within a policy resolution that had been revised in 1977. It basically said that bylaws should be prepared, reviewed, and initially approved by the Council, and that it should have provisions for participation and evidence that notification was provided within the proposed association. There were not detailed criteria in terms of the number of signatures that had to be collected. He thought the East Campus Traditional Neighborhood Association (ECTNA) had 27 signatures, but noted he would let them testify as to the number of signatures collected in favor of this proposal. Mr. Thomas understood there was not a requirement by the City in terms of a certain percentage of owners within the area. Mr. Teddy stated that was correct. He explained associations could be formed all over town without oversight. This was only a recognition policy for communication and planning partnership purposes.

Mr. Skala commented that he had gotten started in this business in 1998 by establishing a neighborhood association, but could not recall the language in terms of the boundaries. Mr. Teddy stated they had to be logical boundaries. In addition, they were to be fairly compact and follow what he would term geographic boundaries or logical delineators, such as streets and property lines. Mr. Skala asked if there had been any changes to the boundaries since this item had been tabled. Mr. Teddy replied he thought they had clarified the map, which he felt Mr. Waid or another ECTNA representative could explain.

Mayor Treece asked what one would get with the status of a neighborhood association.

Mr. Teddy replied recognition, meaning the City would communicate with that group on City business that took place within the boundaries or near the boundaries of the neighborhood association. He noted there was language in the original policy resolution that indicated the City would partner with them in planning the City, which could involve public projects. It also provided a set of contacts. By operation of City ordinances, it really did not change anything as there was not any reconfiguration of vote tallies. Mayor Treece asked about notice of meetings. Mr. Teddy replied they provided notice of all zonings within a neighborhood association or within 1,000 feet of its boundaries. They bridged the ability for associations to communicate with applicants to hopefully achieve some agreement on proposals when there were opportunities for flexibility in development plans.

Mr. Pitzer understood the ECTNA would basically be nested within an existing neighborhood association, so the City would essentially be communicating with two groups at the same time, if this was approved, instead of just the one. Mr. Teddy stated that was correct. He explained they had a list of about 75 active neighborhood associations. If the ECTNA was approved and if something was happening in the area, City staff would provide notice to both neighborhood associations. He pointed out something similar had occurred in 2007 in a portion of the North Central Columbia Neighborhood Association (NCCNA) whereby the Shoe Factory District was created. It primarily consisted of business property owners in a certain section of the NCCNA and overlapped with the NCCNA. Mr. Pitzer asked how the experience had been interacting with those two overlapping groups. Mr. Teddy replied he did not recall too many communications with the Shoe Factory District. It had been created in the middle of the discussion of a potential overlay district, and things had since subsided. They had a lot of interaction with the NCCNA, which was the case with most of the established central area neighborhood associations as they tended to be the most active.

Mr. Skala commented that he had been involved that 2007 issue, and to the best of his knowledge there had not been any issue between those two neighborhood associations in terms of controversy or clashes.

Tim Waid thanked City staff for the time spent in assisting them with regard to the ECTNA and the Council for providing feedback as it had been helpful. He commented that the groups had one geography, two ideologies, and one love, which was the East Campus area. He stated the ECTNA would advocate for student issues, which involved things such as lighting and parking. He explained they preferred a more educational approach by influencing young people to engage in the behaviors they wanted. In a lot of ways, low lighting and restrictive parking came down on the side of regulation and fines, which sometimes tended to inflame behaviors. He commented that they felt these two ideologies had manifested themselves in two different sets of bylaws. The ECTNA had modified their bylaws so no fees were required to join or vote, and everyone was eligible to be an officer. In addition, all properties were represented by one owner and all residents. He noted the current East Campus Neighborhood Association (ECNA) bylaws did not allow all members to be officers. There was discrimination in the bylaws. One had to pay to vote, and not all properties could be represented by an owner. He stated the ECTNA felt they complied with City standards while the ECNA did not. He commented that when they had started this dialogue, they really only had three options. One was to restructure the current association, but it had not received any votes at their East Campus dialogue meetings in October. The rehabilitation aspect of changing the ECNA bylaws had not occurred in the last year or two since they had some prolific conflicts. He noted there might be suggestions this had occurred, but pointed out officers on google groups publicly shamed other members for their property usage. He explained they were also not allowed to access grants, resources, funds for honeysuckle removal, etc. because they were not occupant owners. The ECNA bylaws had not changed as they remained discriminatory. He asked the Council to think of this as the pruning away of another neighborhood association so this one could flourish. He believed the two

voices would yield a better East Campus community and that they would all be better for it.

Mr. Skala asked if there had been changes to the boundaries with particular properties since this item had been tabled. Mr. Waid replied there had only been a technical revision in terms of the exact language. The language to draw the boundaries had been tremendously complex so there had been two small edits so it was clearly identified. The changes were otherwise insignificant.

Rick Shanker, 1829 Cliff Drive, explained he was a resident and landlord in East Campus. He understood the Council could approve or disapprove this proposition, and noted he wanted to offer a third choice. Within the last six months to a year, the ECNA Board had been modified and broadened, and except for legal matters, all members of the ECNA were welcomed and encouraged to attend and participate in the meetings. He noted people on both sides of the issues were a part of this group. He commented that during that same time frame, two subcommittees had been created to look at perennial problems and revising the bylaws. He explained they had problems in their neighborhood, which included trash, crime, lighting, etc., similar to other neighborhoods, and the bylaws committee was looking into membership criteria, voting, and other matters. He suggested tabling this request for six months as that would allow these committees to finish their work and offer their suggestions to all ECNA members. He hoped a compromise could be made.

Mayor Treece asked Mr. Shanker how long he had lived in the East Campus neighborhood. Mr. Shanker replied 20-30 years.

Terry Smith, 1712 Cliff Drive, stated he was speaking in opposition to this proposal. He believed the petitioners for division had drawn erratic boundaries essentially gerrymandering and cherry-picking the properties the landlords owned, one of which was on the street where they lived. He commented that the larger problem was the precedent of creating a neighborhood association such as this. He did not feel neighborhoods should be defined by who owned what. The next time the Council was petitioned for the division of an association, boundaries might exclude neighbors of color, gender, or religion instead of the amount of property a person owned. The division might be presented as a natural separation of different neighborhood cultures or economic problems with the real intent being discrimination. He commented that there was a difference between a neighborhood association and a homeowners association. It was perfectly okay to allocate votes based upon who owned what within a homeowners association, but neighborhood associations were different. He pointed out the property qualification was the first one Congress had gotten rid of to determine who could vote and what democracy would look like in America. He urged the Council to defeat this proposal and allow the residents of the East Campus neighborhood and the members of the association to work out their differences.

John Stansfield, 1852 Cliff Drive, noted he also owned property on Cliff Drive and next door at 1820 University Avenue, and echoed Mr. Smith's recommendation that this issue be tabled for six months as it had come up fairly fast. He stated he would love to provide the Council his recommendation, but pointed out he did not have one, and wanted the opportunity to form an opinion over the next six months. He commented that he did not believe there would be any harm to either party if they tabled it.

Mayor Treece asked Mr. Stansfield if he attended neighborhood association meetings. Mr. Stansfield replied that when he first moved to the neighborhood in 1994, he had enthusiastically joined the neighborhood association, but had then been disappointed with the bad decisions consistently made so he quit the neighborhood association. He reluctantly rejoined about 20 years later. He explained he was not saying that anyone had any ill will, but sometimes the decisions made were in direct opposition to what he would have decided. He noted he did not feel the ECNA should have gotten \$100,000 from the Beta Theta Pi House or sued Stephens College when it had purchased a few houses with the intent to tear them down. With regard to the topic tonight, he did not feel

there had been sufficient time for the median person in the neighborhood to have a well-informed opinion. He reiterated he was not sure he could make an informed decision at this time, and did not believe delaying a decision would make an impact. He commented that gerrymandering did come to mind when looking at the map due to the panhandle at the top.

David Mehr explained he was speaking as an individual tonight even though he was the Chair of the ECNA as another member would speak on behalf of ECNA. He commented that a landlord group was asking for this new association, and they had not talked about the fact they had set up their voting structure so that each piece of property was entitled to one vote whereby if one owned 20 pieces of property, that person would get 20 votes. He noted he found that as undemocratic. He believed it was true that there had not been enough representation of students in the neighborhood, but also felt there had not been very much activity by the part of students in their group either. He thought it would behoove all of them in the neighborhood to get more involvement of students. He commented that he lived near students and appreciated having students as neighbors. He believed they were an important element of the neighborhood, and that some could be better educated about trash, parking, etc. He stated he did not have any objection to working in creative ways to try to make that happen, and noted he was not interested in being punitive. He was interested in solving problems. He pointed out the ECNA had made a number of changes in the last several months and had become much more transparent. The group of landlords that had driven the movement for a new neighborhood association had been divisive and had declined requests for mediation or for small meetings early in the process. He noted they had, however, participated in the ECNA Board meetings more recently. He stated several of the people creating the new group had filed a lawsuit aimed at the ECNA even though it named the former Chair and Betsy Peters. He pointed out the ECNA had been present in the community for 40 years, and felt it was a bit disingenuous to take the name "traditional" neighborhood association.

Mayor Treece asked Mr. Mehr how long he had been the new ECNA Chair. Mr. Mehr replied since February. Mayor Treece asked how many meetings had been held since then. Mr. Mehr replied they had an annual meeting in February at which time he was elected, and they had held three other board meetings since then.

Marvin Tofle, 1805 Cliff Drive, provided a handout and explained he was a homeowner and resident of the East Campus neighborhood, and that he and his wife, Ruth, also owned a rental property there. He stated he was a member of the Board of Directors of the ECNA and was speaking on behalf of himself. He noted he opposed the application because he believed the proposed ECTNA was in reality a trade association of landlords dressed up as a neighborhood association. No one in the original ECNA begrudged the landlords as everyone understood they were entitled to make a living. It was a core American value. At every board meeting or committee meeting, a number of the landlords would say they did not care if they made money or not as they only wanted the kids to have a good time. He was not sure why they had to pretend that they were not in business to make money, and wondered if they would say anything. He commented that the landlords felt the ECNA hated the students, and noted he and his wife used to be students, and their children were students. He pointed out his wife had taught students at the University for 37 years, and they were special to her. He explained they even rented to students. He stated all of the resident homeowners he knew did not have any problem with students. He noted their issue was not with the students. It was with the landlords. A lot of the students were living on their own for the first time and still learning, and they expected the landlords to work with their tenants and educate them with regard to trash, parking, and other duties associated with being a part of a neighborhood. He felt the goal of the landlords was to create an organization with as few tenants or resident homeowners to deal with as possible. In their original application, they had established a one-year residency requirement for membership, which essentially disqualified their own tenants. He understood this had been changed since the item was tabled, but thought that

illustrated their intentions. He stated he had asked around, and as far as he could tell, no student had ever joined the original East Campus group despite their outreach, and the reality was that no student would join the ECTNA either. He commented that the ECTNA had gerrymandered the properties to include within their proposed geographic area with an overwhelming number of properties owned by landlords, to include going through the middle of blocks and zigzagging along the perimeter to pick up landlords. At the ECNA board meeting last week, he had pointed out the home of the Chair of the ECNA, Mr. Mehr, was right across the street from the landlord's proposed area as they had not included him. He noted one of the landlords that attended all of the ECNA meetings, Elizabeth Crawford, had indicated that they had excluded Mr. Mehr's property because they assumed he would not want to be a part of their group, but they could add the property back in if desired, and that he should be careful with regard to what he was requesting. He commented that Ms. Crawford had been making a joke when saying that, but felt it was funny because everyone knew it was true. The ECTNA had no intention to represent the interests of those that lived there. Their issues were landlord related. He understood the staff report had indicated the ECTNA had met all or the requirements, but submitted that they had not in any way met the spirit of what was intended by a neighborhood association. The ECTNA wanted a separate vehicle to promote their interests solely as landlords without their neighbors having a voice. Ironically, they wanted to take the neighbors out of the neighborhood. He suggested Council look at the e-mail exchange between Joy Piazza and Phil Warnken, which had not been neighborly, and noted the daughter of Mr. Warnken was one of the four named applicants of the ECTNA. He believed the landlords wanted to negate their voices with the City. They wanted to be able to say there were two groups of property owners representing the same area, and that the two groups did not agree so they would cancel each other out. He thought it was fair to say that business interests were well heard in Columbia, and did not feel they needed their own neighborhood associations for it. He asked the Council to deny the ECTNA application.

Peter Norgard, 1602 Hinkson Avenue, commented that he fundamentally did not have any objection for neighbors banding together to create neighborhood associations as they came with numerous benefits, to include establishing a sense of cohesion among neighbors. He appreciated the fact the proposed association was an attempt to right what was perceived by the petitioners and others as a longstanding imbalance of power. From his limited understanding, it was apparent the ECNA was changing and attempting to adapt in order to address the concerns that had been raised by the petitioners. If the petitioners were successful in obtaining a new neighborhood association, he was concerned with how disagreements would be handled by the City Council when they arose. He wondered how the Council would make a decision with conflicting recommendations when there were overlapping boundaries in a way that was fair or perceived to be fair. He understood there were other areas with overlapping boundaries, but pointed out this one had an adversarial context in existence now. If the Council did not reject or table this issue so it could be changed, he felt they would be inviting longer more drawn out battles at council meetings. He believed how they decided on this matter would likely be dependent on their view of what a neighborhood was or should be, and the recently adopted Unified Development Code (UDC) did not really define a neighborhood. Merriam-Webster, however, defined a neighborhood as a space or location, and as the people populating an area. If they viewed neighborhoods as he viewed them, which was a place to live peacefully and enjoy life, they would reject this proposal.

Wayne Brekhus, 703 Hilltop Drive, stated he and his wife, Rachel, were among the East Campus residents that had moved to the neighborhood as renters and had stayed as homeowners. They had lived at 8 Dorsey Street from 1999-2000, and had then moved to 703 Hilltop Drive. He noted this was a common pattern in the East Campus area. In his daily life, he experienced the neighborhood as one neighborhood. They had spent time inside just as many houses with people he considered neighbors in the western part as

the eastern part of the neighborhood. They had been invited to the graduation parties and had participated in neighborhood cleanups all over the neighborhood. As someone that had been a student renter in the past and who genuinely enjoyed working with students every day as a college professor, he liked living close to students. He noted he had lived in university neighborhoods since his freshman year of college in 1983. In all of those neighborhoods, students, former students, business owners, and families shared much common interest and experience, such as Clyde Wilson Park. Tenants and homeowners alike shared a desire to live walking or biking distances from the University of Missouri, Stephens College, and downtown. They shared the same streets and sidewalks going in and out of the neighborhood, and the Locust Street Elementary School. The entire neighborhood boasted a diversity of houses that were built in the 1920s-1940s. There were some shifts in architectural style when moving east, but nowhere was there a one cookie-cutter uniform style, which they loved. He noted his wife, Rachel, had found in her historical research that they also shared the shameful fact that a number of properties in locations, from Bouchelle Avenue to Cliff Drive, were once governed by racist covenants forbidding non-whites from living there. He thought they also shared a common interest in leaving that part of the past fully behind, and embracing much more racially diverse Millennial and Gen-Y generations in the neighborhood as homeowners and renters. He commented that he was not saying that any of the people involved in the existing organization or proposed organization were discriminating now, and only that racial discrimination was a damaging legacy they all owned and should reckon with together. He explained the proposed ECTNA in its current form was structured more or less as a landlord voice than a voice of its mostly student residents. The shift of boundaries more west to College Avenue to include more multi-family student housing entities made it clear that ECTNA was concerned mainly with the student housing interest rather than a neighborhood of mostly 75-100 year old homes traditionally known as East Campus. He thought it was up to the Council to decide whether that was in the spirit of what they wanted for a neighborhood association in Columbia.

William Muirhead, 603 Lee Street, stated he was present to support the ECTNA because he had had more contact with them in the past month than with the ECNA over the past 3 ½ years he had owned Lee Street Deli. His only contact with ECNA was when he was told he needed to speak with them when he had tried to obtain a liquor license, and he had not liked that. He explained he appreciated the ECTNA's idea on proper lighting within the neighborhood as it was dark and dangerous. He had to put up his own security light outside of his business because people could not see the front door. He thought the ECTNA would do a better job of representing him than the current ECNA.

Clark Odor, 1820 Cliff Drive, explained he had lived off and on in this neighborhood since 1951, and his family had lived in the neighborhood since 1929. He noted his grandfather had built about ten homes in the neighborhood including the one he lived in now. He felt they were all in this together, and that this neighborhood was one neighborhood. It had consisted of mostly families in the 1960s and had really changed, some for the better and a lot for the worse. He stated he was opposed to higher density development and in favor of more owner-occupied housing. He pointed out he was a retired urban planner, and if he taught a class, he would bring them to the East Campus area to show them a good example of bad planning over the last 50 years. He noted several people that owned houses also had rental property in the neighborhood, which was a good thing because they were close to their property and took care of their property. He asked the Council to table this for six months or to vote it down to allow the parties to work it out.

Rachel Brekhus, 703 Hilltop Drive, commented that in her view the ECTNA was attempting to make a longstanding landlord social network into a separate organization. It was being formed partly in reaction to the experience of landlords in that the ECNA had shut landlords out of full communication and participation for a period of time. It either encompassed the past 10-15 years or the past 40 years depending on who was asked. She noted the ECNA was trying to address that issue. In 2017, the ECNA had enlarged

the Board of Directors adding resident at-large, resident landlord, and non-resident landlord representatives. In addition, the Board met publically. They had also formed committees that included every member wishing to participate. She stated she had personally found landlord perspectives valuable. The recent interactions between the ECNA and the City with regard to stop signs were priorities raised at their meetings by landlords. Those issues affected them all, and the request for signs was supported at their annual meeting by members from all corners of East Campus. She commented that in order to understand the ultimate source of the landlord sense of exclusion, they had to go deeper into the stated purpose of the ECNA. She believed improving the quality of life for all residents had to remain the ultimate purpose of any residential neighborhood association, but the following sentence should be changed to indicate interests instead of residents so it read "the ECNA would facilitate communication among all interests in the neighborhood and between all of its members and local government." If one did not consult the City policy toward neighborhood associations, which indicated all interests in the neighborhood should be represented and able to participate, the existing wording could marginalize those whose neighborhood stake was not residential. She commented that she herself had used a narrow reading of "facilitate communication among residents" to justify separate e-mail lists for residents and ECNA members. While she had not started that practice, she had made it official. She noted she had ended the separate e-mail lists late last year, and had created a new list, which any renter or property owner in the East Campus could join. She stated this year she planned to join the bylaws committee where she would work to get all interests into the purpose and enshrine all-inclusive electronic communication into the bylaws. She commented that she would also discuss some limits to the power of the Board. She was not sure a separate association would make common interest seeking in the predominately R-1 and R-2 East Campus neighborhood easier or harder, and noted they would always be a use-diverse neighborhood seeking to identify and act on common ground in the interest of all residents.

Betty Wilson, 1719 University Avenue, commented that she was the grandmother of the ECNA, and had lived in the neighborhood for about 50 or so years. She stated Mr. Waid was correct in that this was one geography with two separate outlooks as to how this geography should be maintained. It was occupied by residents and business owners. The residents were concerned about the quality of life of their families and the students. She noted they had lived harmoniously for the 50 years she had been there. She pointed out she did not have any problem with students as she had five kids that had been students living in other neighborhoods, and they probably had parties and put their trash out when they should not have put it out. She believed the interests of the business owners were primarily pecuniary. It was their business, and they were making money off of the property. She asked the Council to consider the concept of what was in the public good. She commented that the East Campus neighborhood geography was the gateway to the University and their residences. She thought they would want to maintain a good face for the gateway of the University for parents and to show a combined effort to have an integrated community that valued historic property and property conditions. She understood some parents had complained to landlords because their children lived in substandard housing in East Campus, and was aware of a recent episode. She believed this proposal boiled down to the number of votes that would be allowed. The residents felt it should be one vote regardless of the number of properties owned, and the business owners thought they should have a vote for each property owned and they were dissatisfied with the way the ECNA bylaws were written. She stated she believed the ECNA had made a genuine effort to include the landlords on committees as they had refigured the committees and some were chairs of committees. She thought they should work toward trying to resolve their differences instead of becoming more fractured. She commented that she was not against the idea of tabling this for six months as the new committees had been in existence for less than six months. She asked the Council if

they would want their neighborhood to be divisive or one where everyone tried to work together, and noted they were trying to work together.

John Clark, 403 N. Ninth Street, stated that although he was not the founder, he was one of a few people that had substantially built and led the NCCNA for 12-15 years, and noted the boundaries of the NCCNA encompassed about a half of a square mile. He asked Mr. Teddy for an area calculation of the ECNA. Mr. Teddy replied he did not have that information. Mr. Clark commented that he wanted to see neighborhood associations cover every square foot of the City and wanted them deeply involved in the governance structure of the City, but understood there had to be a foundation for it. Since the neighborhood policy had been adopted, very little had changed. The City had gone from benign neglect to outright hostility to benign neglect. The neighborhood policy had been developed because there was a real necessity for City government to communicate with groups of citizens that had things in common instead of a few homes at a time. He wondered what could have been done in the past and now foundationally had the City paid attention to the policy over the years. He suggested an approach similar to the IRS in that changes in bylaws should be submitted to ensure they conformed to the general outlines of the policy. He recommended tabling this for six months, and changing the policy with regard to bylaws changes. He pointed out neighborhood associations did not have the authority to do anything, and felt this was about notification. He commented that given the history, he tended to think these two groups might be better separate while working on common issues to see whether they could come to common agreement before coming to the Council.

Mel Zelenak, 1800 Woodrail Avenue, stated he wanted to share his experience as due paying member of the ECNA and explain to the Council why he believed they were before them with this application. At the annual meeting of the ECNA in November of 2017, they had been advised that the ECNA Board had hired outside counsel, Jeremy Root, to put together new bylaws for the ECNA. He noted he had asked Mr. Root what commentary he had received from the non-resident owners on the new bylaws that were being presented, and Mr. Root had indicated they had not engaged with them so they had not had a voice. He explained they had been there on the idea of forming a cohesive group as it had been stated many times that the ECNA members wanted to rebuild some burned bridges. As a result, he had asked if it would make sense to table those bylaws in order to allow non-resident owners the opportunity to speak to them, and Mr. Root had thought that made sense and recommended it to the Board. Thereafter, the Board decided to vote on the bylaws as presented so the non-resident owners had not been provided an opportunity to have a voice on the existing bylaws. He agreed non-resident owners had been afforded some additional opportunities to theoretically sit on subcommittees, but there was no possible way they could ever have a majority vote on the Board, so, realistically, they would never truly have a voice. In an ideal world, this could be a wonderful cohesive group that served the purposes of students, landlords, and resident-owners, but he did not feel that would happen based on what they had been presented to date. He commented that he heard a lot of fear of what a landlord was and with regard to what they would do. He noted he only wanted a voice.

Mark Farnen, 103 E. Brandon Drive, explained he was representing Show-Me Properties LLC, which owned properties within the East Campus area. He stated he was present to support the recognition of the ECTNA, and noted they did not favor tabling this item. He commented that they understood the psyche of their clients, which were students, who would move into the neighborhood in August. If there was going to be a realistic attempt to reach out to them, this would be the prime time to pitch the new organization that was willing to help and represent them. He pointed out the establishment of the new group did not change the boundary of the old organization or diminish its voice. The ECNA would have the exact same representation as any other neighborhood association in the community, to include the ECTNA if this was approved. He noted they were not asking the ECNA to change their bylaws even though the ECNA was asking them to change

theirs. He stated they had not yet been formed, and the ECNA wanted to control what they did. He referred to the policy resolution which indicated city neighborhood organizations should be open to homeowners, landowners, and the owners and tenants of rental property. It did not say residents. It said owners and tenants. When the overlay in this area was established, at least 50 percent of the landowners or the landmass had determined qualification for the overlay. It had been based on landownership and the count of land. He thought it would best for them to have separate organizations so they would make better decisions, sometimes in agreement with each other, instead of being forced to fight day in and day out.

Paul Sharp, 1814 Cliff Drive, stated he was Treasurer of the ECNA, but was speaking on his own behalf. He understood the landlords had indicated they did not have a voice, but noted they could join, vote, participate in the meetings, etc. so they had a voice. He pointed out voting was based on the individual, and not the number of parcels owned. As a result, a number of residents could oppose what the landlords wanted to do, especially with regard to upzoning, but to say they did not have a voice was incorrect. He understood the proposed neighborhood association included students, but those students were the tenants of the landlords and subject to repercussions if they went against the desires of the landlords. That power relationship needed to be considered when discussing membership of the ECTNA.

Bonnie Zelenak explained she was a property owner in what was proposed as the ECTNA, and noted they met all of the requirements for forming a neighborhood association. She understood there were a lot of issues at play, but believed they had approached this in a democratic fashion. They wanted to have a voice. She realized there had been concern expressed with regard to landlords and there was also a lot of fear. She commented that they were not trying to change the nature of the neighborhood or the zoning, but they wanted information from the City when zoning or other changes were occurring. Currently, only those in the ECNA received those notifications. She noted they had formed a housing association and had asked to be on the list to receive the same notices a neighborhood association received, but had been told no because it was the neighborhood association that received the notices. She understood that could change, but noted it had not been offered as an option at the time requested. The alternative was to seek to become a neighborhood association. She referred to the map, and stated that she thought the panhandle already existed with the ECNA so they had not gerrymandered anything. She reiterated they had not had a voice. She pointed out editorials had been written indicating they were slum landlords, and it had also been said on the radio. She commented that it had been a difficult situation. She noted her family had put a lot of money into renovations, and the properties they purchased looked a lot better after those renovations than when they were purchased. She felt that was true for a lot of landlords, but not everyone. She understood there was criticism that only landlord-owned properties would be within the ECTNA boundaries, and explained that was the point as 95 percent of the properties within those boundaries were landlord-owned. She thought it made sense that they would try to communicate with one another to improve the neighborhood and work with the City in taking care of some of the repetitive issues. She understood there were sometimes small grants available through the City, and they had never been provided the opportunity to apply and make improvements. She believed their interests were unique and different from the larger neighborhood, and as a result, a grant they might write would be significantly different than one for the neighborhood in its entirety. She thought it made good sense to give them a unique voice, and noted the goal was to interact with the ECNA in a neighborly manner. She reiterated they currently did not have a voice. She agreed this could be tabled and that the ECNA had made some changes, but she believed they were different neighborhoods with unique differences, and it made sense to have two associations.

Lindsey Schiermeier commented that she owned multiple rental properties in the East Campus area. She understood multiple speakers had indicated that members had been

welcomed, but in November voting had been questioned. She noted she had asked for a provisional vote, which was a way to record a vote when eligibility to vote was questioned and a right guaranteed by federal law. Before the provisional vote was taken, the current members of the ECNA had taken a vote as to whether they should allow the provisional vote, and the provisional vote was quashed. As a result, the landlord voices could not be heard that evening in either a legitimate or provisional way. She understood representations had been made that the past few months had been different, but noted she had a letter from the ECNA Treasurer returning all of her applications. Although she had not yet opened the letter, she was confident of its contents as all other landlords had applications returned to them. Since none of her applications were accepted, she did not have any vote. She understood they had indicated changes could happen in the next six months, but did not feel this was something that would be remedied by then. She agreed with Ms. Zelenak in that they had different interests and wanted the right to be able to speak with the City directly.

Mr. Ruffin asked Ms. Schiermeier to clarify what she meant by application. He wondered if this was an application for membership. Ms. Schiermeier replied it was an application for membership. An application and check for \$20 was required to be a member of the ECNA. She noted she had provided membership applications and a \$20 check for every building she owned, and not a single check was cashed. Mr. Ruffin understood her application was denied. Ms. Schiermeier stated that was correct. She explained it was because she did not own it as an individual. She owned her rentals under a limited liability company.

Mayor Treece asked Ms. Schiermeier if she could join as an individual. Ms. Schiermeier replied she had tried and was not accepted. She explained she had been asked which check she would want cashed, and she gave them the address of one of her properties, and was still did not accepted. Mayor Treece asked Ms. Schiermeier if she could join as an individual not within a limited liability company. Ms. Schiermeier replied theoretically yes, but noted she had not been accepted as an individual. She understood some of the other landlords had been accepted as individual members. It was not something that had been offered to her though.

Wendy Kvam, 2604 Luan Court, stated she and her husband owned and managed property in East Campus, and they worked in the neighborhood every day. She explained she had lived there as a student and had been a member of the neighborhood association for 20 years. She noted she was speaking in support of the proposed ECTNA tonight. She commented that about 17 years ago a similar application had been submitted to a City planner, and they were told the application would never leave his desk, and that planner had kept his word. She believed there had been a deep divide for 45 years, and within the shared geographical boundaries of East Campus, there were clearly two separate neighborhoods with two distinct sets of interest and needs. The two neighborhoods in East Campus were split in half demographically as well as geographically. The neighborhood closest to campus was 95 percent student occupied and the farther neighborhood was 75 percent owner-occupied. People on both sides said "them" and "us" to refer to the other neighborhood. Historian Francis Pike, who lived on the side closer to campus, wrote 25 years ago that their neighborhood was a different neighborhood, and that he did not consider them neighbors. She pointed out no one could even agree which side was the majority. One had thousands living on their side while the other had only hundreds living on their side. One had more parcels with 321 to 101 for the other. The landlords were only allowed one vote regardless of the number of parcels owned while one household with two residents received two votes. This was how the neighborhood association vote and agenda was controlled. She wondered how that was fair, and why their proposal could not be the compromise. In this void of representation, they had a great need for their own City-recognized association that allowed them to partner with the City and the ECNA to address their issues. She stated their bylaws reflected a commitment to fairness and inclusion as every person and

property was included. Their proposal expanded representation, and they were not asking for the ECNA to be dissolved or minimized in their representation. They were asking for more democracy for more people. She commented that they needed an association that represented their unique interests, and asked the Council to help to end the unworkable politics. She noted she did not have any hope the ECNA would include them as an equal interest. Without the approval of Council, they were stuck together, and would not have a voice apart. She thought they could be equal partners in the neighborhood, and the neighborhood would be stronger for it. She urged the Council to approve the ECTNA proposal. She pointed out the panhandle was a result of Boone Hospital and Stephens College properties. It was not gerrymandering.

Paul Hinshaw, 5250 S. Katelyn Court, reiterated this was not about taking anything away from the current ECNA. By forming this new neighborhood association, a more diverse group of individuals, students, property owners, and other stakeholders would be able to be more involved in the democratic process in this neighborhood.

Elizabeth Crawford, 1306 Old Highway 63 South, Suite F, stated she appreciated Mr. Mehr's and Ms. Brekhus' communication efforts this year, but the extremely emotional divide ran deep. The long time oppression of the majority of the property owners and young, robust population in the neighborhood was undeniable. It was evident that the mentality and behavior of many of those involved was fundamentally different and potentially impossible to change. Everyone would benefit by allowing those who desired to have a voice and an ear in City matters to participate. She provided current examples of ECNA ideology that was averse to landlords and the representation of student residents. She explained the ECNA had a grant to help remediate honeysuckle, but last Friday, when she had inquired, she had been told it was only for residents. Last week, the Public Works Department had released comment sheets from the William Street traffic calming meeting, which had been attended by residents and landlords, and a comment had been turned in from a member of the current ECNA bylaws committee saying to ask the people that lived in the neighborhood as opposed to those that owned property in the neighborhood. She wondered why there was such a bias, and why her opinions were not valid. In March of 2018, she had been notified she had not been a member of the ECNA in 2017 even though she had paid her dues at the annual meeting the year before, and that she would have to submit an alternate form of payment to remain on the roster. She questioned why it was so difficult to join the neighborhood association. She understood several students had tried to join the ECNA in November of 2017 and had been denied for technical reasons, such as not being a registered voter in the neighborhood. She commented that if the two groups wanted to collaborate on specific issues of common interest, they could and hopefully would. She asked the Council to let them advocate, educate, receive, and share information with student tenants, and allow the two groups to exist in an environment where everyone could work in a less hostile environment for the improvement of Columbia.

Cindy Neagle, 1836 Cliff Drive, stated she owned property in the East Campus area that she lived in and rented, and her family owned property in the proposed boundaries of the proposed organization. She commented that anyone that owned property was able to join the ECNA, and each person that was a member was allowed to vote. She noted there had been a lot of confusion in November due to a prior meeting whereby a court reporter attended and people had attempted to submit multiple applications for each property owned as that had never happened previously. There was confusion as to what to do, and as a result, they had decided to hire a lawyer to get it worked out. The bylaws used to include a provision that did not permit students or residents that were not registered to vote in Boone County to join or vote. This had been changed in the new bylaws. She stated a lot of work was being done to address a lot of these longstanding issues. She noted she was on the bylaws committee, and was the person that had made the comment with regard to a stop sign in the neighborhood. She explained City staff was not recommending a stop sign, and people in the neighborhood did not want a

stop sign there. It was as simple as that, and she was suggesting they think about that. She commented that the ECNA was not trying to exclude landlords or their voice. They could join and vote.

Mark Stevenson, 3212 Shoreside Drive, referred to the map and noted the portion people were providing as an example of gerrymandering had been done by the ECNA many years ago. The ECTNA had just copied it. He understood the ECNA had not included property up to College Avenue because they did not want to include all of the fraternities and sororities, but the ECTNA had included them. He commented that he had read the ECNA bylaws multiple times, and to vote, one had to be a resident. Since he and his family were not residents at this time, they were not allowed to vote as a resident. In addition, he did not own any property in his name in that area as they were all under the ownership of a limited liability company, and there was essentially a different limited liability company for each property. This had been done for tax, liability, and other purposes. When he did not own property and did not reside there, he did not qualify to vote. The voting situation was capricious and arbitrary, and had been divisive for 40 years due to irreconcilable differences.

Mr. Trapp commented that he thought it was in the City's interest to have active and engaged participation from all stakeholders. He explained he was a big believer in pluralism. He thought they all recognized that people had different backgrounds and interests, and the Council was constantly trying to seek, weigh, and balance individual interests. He felt Mr. Clark's testimony had been salient. There were nominal things that came with neighborhood association recognition, such as partnership and notifications, and those were things he thought they wanted to grow. There was not a lot of student or rental activity in a lot of neighborhood associations. Some did better about involving more renters, but it was dependent upon the demographics of the neighborhood. He pointed out he had knocked on doors and some renters did not feel they even had the franchise. They would say they did not vote because they rented. He believed all neighborhood associations had a bias toward property owners as there was more concentrated interest and involvement in the community, and voting and involvement correlated with education and wealth. He understood the Shoe Factory District had not taken anything away from the NCCNA even though it was nested within the NCCNA. There were different interests between those that had been involved in the ECNA and the proposed ECTNA. He commented that he would not have written the bylaws the way they were written, but thought it met the requirements of the policy, and would support it. He stated he appreciated those from the ECNA that had been able to own their history, and there had been a lot of good changes. He explained his vote was not representing that they had not made good-faith efforts and would not continue with those efforts. He appreciated the leadership that was trying to move in a more democratic way, and was glad the onerous voting requirement for students had been lifted and changed in the bylaws. He understood progress was being made and things had gotten better. He felt allowing landlords to receive notification would improve communication with their renters, and having the separate voices would be good in the long run.

Mr. Thomas stated he did not believe there was any way they could deny this application as it satisfied all of the City staff checks. He noted he had been concerned with the original set of bylaws regarding the residency in the neighborhood for at least a year and another provision, but understood those provisions had been translated directly from the existing ECNA bylaws, and the drafters of the ECTNA bylaws had not realized those were fairly non-standard across the City. They were then changed for the set of bylaws they had in front of them tonight. As an aside, he planned to propose a change to the resolution associated with neighborhood associations so that a neighborhood association had to submit a new set of bylaws to the City if they wanted to change them. He felt that was a good provision as it appeared as though that was what had happened with the ECNA over the years. He agreed it was an unusual situation to form a neighborhood association that overlapped with a lot of the boundaries of another neighborhood

association, but believed there were two very different perspectives, and at the moment, they were not really communicating with each other. He thought it would be great if eventually they had real collegiality and integrated efforts, but what had happened over the last few years had been too severe and they had been provided several examples of hostile exclusion of the landlords' desires to be involved. He felt it would be good for the two sides to work on their own issues while looking for ways to coordinate, and believed in the long run they would see much better relations and outcomes for the neighborhood as a whole. It had been a difficult situation and one which he had been hearing about in his Fourth Ward meetings for at least two years now. He thought this was a good next step, and hoped they could come back together in a couple of years.

Mayor Treece commented that being a part of a neighborhood was more than just showing up at the annual meeting and wanting to cast a vote. It had to do with taking care of one's neighbors, showing up on work days, taking soup to the neighbor that could not get out, shoveling one's driveway, keeping one's yard looking good, and not doing in someone else's neighborhood what one would not want in their own neighborhood. Stabilizing neighborhoods was an essential part of the fabric of the community, and for that reason, neighborhood associations would never have the political power needed to affect the type of change that stabilized the fabric of that neighborhood. Landlords and developers would always have the resources because of the commercial interests involved to hire lobbyists, engineers, attorneys, make campaign contributions, etc. to change zoning laws, and in effect, the neighborhoods. He stated he would much rather see this item be tabled or a complete rejection to force the two groups to try to work together. As mentioned by Mr. Trapp, he liked the acknowledgement of the litany of prior bad acts that might have contributed to the divide. He hoped there were more things that could unite the neighborhood, and did not feel that would happen if they allowed them to separate.

Mr. Skala stated neighborhood associations had come a long way if court reporters were being brought to meetings. He referred to the Shoe Factory District as an island within another neighborhood association and felt it was the opposite of what they wanted to try to achieve with neighborhood associations, which was two-way communication with the City and back to the neighborhood association. He understood there had not been any communication between the NCCNA and the Shoe Factory District since it had been established, and pointed out he had voted against the establishment of that island at the time because he thought there should have been some attempt to bring the neighborhood association together. He commented that he felt like a divorce judge, and wondered if counseling or mediation was needed. He believed there were some signs of progress and some clarification with regard to membership in the ECNA. He pointed out there were still options even if this was not approved as those wanting to form the ECTNA could always address the Council. He commented that neighborhood associations were primarily about information exchange and not necessarily leverage of particular issues. He recalled irreconcilable differences within an Infrastructure Task Force with one side being outnumbered by the other side by 16-3. The result was the generation of a minority report along with the majority report, and the minority report had been the one accepted by the Council. He stated he was bothered by a few things with regard to this new neighborhood association. He believed some of the irreconcilable differences would be better addressed with a homeowners or property owners association, a legal entity, that dealt with particular parcels and representation than a neighborhood association as it was primarily for information exchange. He thought there was a bit of gerrymandering as some of the changes had not followed the normal course, such as natural street boundaries. There were properties that were jumped on the other side of the street. He agreed the membership issue in terms of limited liability companies needed to be addressed with the ECNA, and noted he was open to the possibility of tabling this if it was necessary. He was also prepared to vote if it was not tabled. He did not feel they should endorse a split. He thought they should encourage reconciliation.

Mr. Ruffin commented that he felt they would need the consent of both of these entities indicating they were willing to work on the issues of notification, applications for membership, and the voting logistics, over the next few months if the Council was to table this. If they felt they had reached an impasse and a decision needed to be made tonight, he thought that changed everything.

Mr. Skala stated he understood a motion to table needed to be for a date certain, but would not guarantee the impasse would be reconciled. He hoped there would be goodwill on both sides to work toward a compromise, but there was nothing compelling them to do it.

Mr. Thomas noted he did not believe the ECTNA leaders were really interested in that. He understood there needed to be the will on both sides to work together, and did not think that would happen. He felt the ECTNA leaders had tried to do this over the past two years, and until recently, it had been rebuffed. During the last 3-6 months, a tremendous amount of time and energy had gone into forming this neighborhood association. He believed it would be unfair to the efforts they had legitimately taken following their previous experiences with the ECNA to table this.

Mr. Pitzer stated he was strongly opposed to tabling this. They had spent a lot of time on this a couple of months ago, and again tonight. He thought they needed to dispense with it one way or another. He agreed with the comments of Mr. Thomas in that this met all of the technical requirements of a neighborhood association. He also agreed with the comments that this was primarily about communication and improving dialogue between the City and the neighborhood. He felt there would be more of that with this neighborhood association than there was now. He noted he had been trying to determine how the existing association would be harmed from this, and could not see any significant harm that would come.

The vote on R78-18 was recorded as follows: VOTING YES: PITZER, RUFFIN, TRAPP, THOMAS. VOTING NO: TREECE, SKALA. ABSTAINING: PETERS. Resolution declared adopted, reading as follows:

Ms. Peters returned to the meeting room.

VII. CONSENT AGENDA

The following bills were given second reading and the resolutions were read by the Clerk.

- B151-18 Rezoning property located south of St. Charles Road and east of Dorado Drive from District PD (Planned District) to District A (Agriculture District) (Case No. 18-104).
- B152-18 Voluntary annexation of property located south of St. Charles Road and east of Dorado Drive; establishing permanent District A (Agriculture District) zoning (Case No. 18-105).
- B153-18 Approving the Final Plat of Harris Estates located south of St. Charles Road and east of Dorado Drive; authorizing a performance contract; granting a design adjustment relating to minimum stem width (Case No. 18-106).
- B154-18 Approving the Final Plat of CPS Middle School Subdivision located on the

east side of Sinclair Road and south of Chesterfield Drive; authorizing a performance contract (Case No. 18-23).

- B155-18 Authorizing a cost share agreement with the Missouri Highways and Transportation Commission for the proposed Sinclair Road/Route K/Old Plank Road intersection improvement project; appropriating funds.
- B156-18 Vacating a portion of a water line easement located east of Kipling Way within Lot 35 of Wellington Manor Plat 3 (Case No. 18-101).
- B157-18 Vacating a portion of a sewer easement located south of Business Loop 70 and east of Charles Street (2000 E. Business Loop 70) (Case No. 18-137).
- B158-18 Vacating a portion of the westernmost right-of-way of Hoylake Drive within Lot C5 of The Brooks, Plat No. 1 (Case No. 18-130).
- B159-18 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Career Awareness Related Experience (CARE) Program for youth employment placement and mentoring services.
- B160-18 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Adapted Community Recreation Program.
- B161-18 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for the Healthy Families Missouri Home Visiting program.
- B162-18 Authorizing a tax collection agreement with the County of Boone.
- B163-18 Authorizing an agreement with Property Professionals Management LLC for the lease of property on Orchard Lane to be used for the Police Department's temporary northeast substation.
- B164-18 Appropriating funds for the construction of repairs to portions of Runway 2-20 at the Columbia Regional Airport.

- R100-18 Setting a public hearing: consider changes to the sanitary sewer utility rate and waste hauler disposal service fees.
- R101-18 Setting a public hearing: consider a change to the fare for paratransit service operated by the City's transit division.
- R103-18 Setting a public hearing: voluntary annexation of property located on the north side of Mexico Gravel Road and east of Spring Cress Drive (5705 E. Mexico Gravel Road) (Case No. 18-131).
- R104-18 Authorizing a parking meter parts and components term and supply contract with MacKay Meters, Inc.
- R105-18 Authorizing Amendment No. 1 to the agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. relating to the Bioreactor Landfill Disposal Cell #6 and Leachate Collection and Storage Facilities projects.
- R106-18 Authorizing an agency release and indemnity agreement for aircraft rescue and fire fighting training at the Blue Grass Airport Regional Training Center in Lexington, Kentucky.
- R107-18 Authorizing a first amendment to the agreement with Brentwood Services Administrators, Inc. for specified third party claims administrator services.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: PITZER, PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

VIII. NEW BUSINESS

- R102-18 Setting a public hearing: consider reversing prior voluntary reductions in the property tax rate ceiling used to calculate the 2018 property tax rate.

The resolution was read by the Clerk.

Ms. Nix provided a staff report.

Mayor Treece explained he had asked for this to be pulled from the consent agenda because he wanted to provide the public the most notification possible if they decided to move forward and to allow discussion. He stated he was opposed to raising property taxes without a public vote. He thought they had worked very hard to restore public confidence in city governance, and was concerned even the discussion of a potential property tax increase without a public vote would undermine that public confidence. He

felt these kinds of immediate tax increases should be reserved for a public safety crisis or a natural disaster, and did not believe they were there yet. He reiterated he thought they should have some discussion on whether to even take the next step of holding a public hearing.

Mr. Skala asked for a brief history with regard to what had occurred over the past few years in terms of property taxes. He understood the City had a much larger property tax at one point, which had been reduced after some period of time. It had been at 41 cents for a long period of time. Ms. Nix replied she had not been with the City when the tax rate had been voluntarily reduced in the past so she was not sure of the reason. Her guess was that it was due to timing. The proposed budget was released in July, and they assumed property tax revenue in that budget. The property tax was then set in August. Unless there was a huge amount of revenue, it was likely administratively not worth reworking the budget.

Mr. Skala asked if there was any reason the reduction was to 41 cents than the allowable maximum limit of 43.29 cents. Ms. Nix replied the 43.29 cents was what it was now based upon the growth of the assessed value. It could have been something different in prior years. It might not have been the 43.29 cents. It might have fluctuated. She explained the rates could only be raised a maximum of five percent or the growth of the assessed value or the consumer price index so there were limitations. In other years it might not have been 43.29 cents. Mr. Skala understood it was a calculation. Ms. Nix stated that was correct.

Mr. Pitzer asked for clarification regarding the order of events. If they chose to proceed, the first step would be a public hearing, then a vote on whether to set the maximum rate at 43.29 cents, and then a vote on whether to apply the rate all of the way up to the maximum or some amount less than that. Ms. Nix replied the Council would need to first reverse the voluntary reduction, and a public hearing and the adoption of a policy resolution indicating they wanted to start the calculation without the voluntary reduction would be required in order for that to occur. Once that was done, they could finalize the calculations and hold a public hearing and set the tax rate as was done every year. Mr. Pitzer understood this part of the process would not actually set the rate that would be applied. Ms. Nix stated that was correct. If the Council did not hold the public hearing, they would start the calculation at 41 cents per \$100 of assessed value, and a public hearing would need to be held to set the rate. She noted the maximum might not be this number because it was dependent on the growth of the assessed value. It could be something different.

Ms. Peters asked for the amount of increase for a median house in Columbia, and how much money this would generate. Ms. Nix replied it would be around \$6.53 per year or 54 cents a month for a home with the market value of \$150,000. Ms. Thompson pointed out that was if the tax rate ended up being set at 43.29 cents. If the Council decided to reverse the prior voluntary reductions and the tax rate ceiling, it would only be reversed for purposes of the calculation. They were not setting it at that rate at that point in time. It only became the starting point from which the calculations occurred for setting the tax rate. The Council at that point had the opportunity to set the tax rate from anything from zero to that maximum ceiling. Unless the Council reversed the prior voluntary reductions, they would stay at a tax rate ceiling of 41 cents without the opportunity to take advantage of the growth. Ms. Nix commented that if the Council chose to set the tax rate at 43.29 cents per \$100 assessed, the increase would be \$6.53 a year on a \$150,000 market value home. Ms. Thompson stated it was a fair assumption that if the Council was to reverse the prior voluntary reductions, the ceiling would be somewhat near that amount as a maximum they would be authorized to levy, but they would not know that for certain until all of the assessed valuations and other numbers were received.

Mayor Treece asked for the maximum voter approved property tax levy in the City of Columbia. Ms. Thompson replied what was defined under the Hancock Amendment as the maximum voter approved rate was 64 cents, but it had never been approved by the

voters. Prior to the Hancock Amendment being adopted in 1980, city councils had the opportunity to levy the tax rate in an amount not to exceed \$1 based upon the budget for that particular year. When the Hancock Amendment went into effect, property taxes were frozen at the 1980 rate, and that was deemed to be the maximum authorized voter approved levy. She noted they had not been able to find the history where it had ever been approved by the voters except through the Council as the authorized representatives. Mayor Treece understood that from 1980 to 2018 voters had not approved a maximum levy for the purposes of operations, maintenance, etc. Ms. Thompson agreed they had not approved any other levy so the maximum voter authorized levy for statutory purposes was 64 cents. She believed there had been a voluntary rollback in 1982 based upon a commitment to voters relative to a passage of a sales tax, and it had gone from 64 cents to 31 cents. Mayor Treece understood that had been due to the Proposition C rollback, which had increased sales taxes and rolled back property taxes. Ms. Thompson stated she did not believe Proposition C applied to municipalities. She thought it only applied to school districts.

Mayor Treece asked how voters had voted the last two times they had been asked to raise property taxes in the City of Columbia. Ms. Peters replied the 2014 ballot issue had failed. Mayor Treece understood the one before it had failed as well. Ms. Peters asked when that was. Ms. Amin replied she thought it had been in 1981, but it had been odd as there had been two items related to a recreation area with one for it to be paid for in one way and for the other for it to be paid for with a property tax increase of five cents.

Mr. Matthes commented that the voters had not approved any of the 41 cents that was charged.

Mr. Skala stated this was excruciatingly complicated, particularly when it came to political perception. He understood this was a tax adjustment, and theoretically they could approve this tax adjustment before setting a particular rate and set the limit back to 41 cents. Ms. Nix stated that was correct. She explained this was just asking to start the calculation at 43.29 cents, which was the maximum. The Council always had the option to set it at something lower.

Mr. Skala asked what would happen if this was voted down tonight. Ms. Nix replied they would then start the calculation at 41 cents like last year. Mr. Matthes commented that if they voted to not hold a public hearing, they would also want to pull PR108-18 from the agenda.

Mayor Treece believed it was not true to say this only increased the capacity. Government could not help itself so the practical effect was a tax increase. Mr. Thomas stated he did not agree. He felt this would only raise the ceiling. They could still set the tax rate at 41 cents for fiscal year 2019 if the majority of Council wanted to do that. Ms. Nix stated that was correct. She explained there was a public hearing for setting the tax rate and the tax rate would be set at the second meeting in August.

Mr. Skala commented that the perception of this being a tax increase was palpable.

Mr. Thomas stated he was happy to hold the public hearing, but would want to poll constituents before voting on August 6. He noted the annual budget was struggling, but pointed out he would not support putting the proceeds of a property tax increase, if there was one, to a new fire station because a new fire station was a cost of growth. It was the expansion of the public infrastructure system for the Fire Department and should be charged to the new development that drove the need for it. He was open to putting it toward police officer or firefighter salaries, or other ongoing costs, which was the logical way to use ongoing revenue, if there was support in the community for the property tax rate increase.

Mr. Matthes commented that one awkward thing about this was that no specific use had been discussed, partly because the proposed budget would be released this week. There was a proposal. He noted this had to come at this date to meet statutory deadlines. How it was used was a separate decision from whether to hold the hearing.

Traci Wilson-Kleekamp stated she believed the Council should set the public hearing.

She noted she had talked about internal organizational justice and external organizational justice earlier, and if they wanted to set a precedent of not modeling internal organizational justice, they should not hold a hearing. She commented that it would hurt them for the other things that were needed and coming down the pipe. She also noted that they needed to consider if this would provide equity on the issues.

John Clark, 403 N. Ninth Street, thanked Ms. Nix and Ms. Thompson for further researching the issue and stated he supported holding the public hearing. He agreed with Ms. Wilson-Kleekamp and Mr. Thomas in that it was inappropriate for the City Manager to tie it to a fire station or any other use because they had been talking about the need for more revenue for a range of items for operations. He explained he was interested in a property tax that would go to the general fund. The general fund was for public safety, public health, and a number of other items. He was disturbed by the staff trying to guide this into something too early. He was not disturbed by them putting it on the consent agenda tonight as the Council could pull it off for discussion as had been done. He commented that they were starving for general fund revenue, and it could be used in a variety of ways. Public safety was not just served by more officers and more raises as that might only be a part of it. Public safety was also served by many other things, such as the support of youth, which reduced and prevented crime. He hoped they would unanimously support holding a public hearing. He understood there had been a general obligation bond, and thought the tax rate might have been reduced from 64 cents to 41 cents due to paying off the general obligation bond. He noted they were at 41 cents as a maximum to consider because the Council had voluntarily reduced the ceiling, but City staff likely had not told the Council they were voluntarily reducing it. The Council had let something drop that State Law permitted. He stated he was looking forward to a lively discussion about what to do with the additional \$400,000 of much needed revenue for the general fund and the projects funded by the general fund.

Dale Roberts, 1301 Vandiver Drive, stated he was with the Columbia Police Officers Association (CPOA), and explained his concern was that Columbia had been unable to pass a property tax increase and the amount needed was far more than \$400,000 per year. He felt if they passed a tax increase without the public voting on it, which was essentially what would be done, they would ruin the chance of ever passing anything again. People were already upset that the conversation was taking place and that the Council would even consider raising taxes without a vote. He would hate to see the Council go down that road because it would damage the chances of anything being done in the future.

Mayor Treece asked Mr. Roberts if he would support a larger property tax increase if it was taken to a vote. Mr. Roberts replied yes, and explained it needed to be one that would address the problem. Although \$400,000 was a lot of money to the average person, it was only a drop in the bucket in terms of the needs of Columbia's budget. He reiterated he thought it would ruin the chance of getting anything else passed.

Tara Warne-Griggs, 200 Longfellow Lane, agreed with Mr. Clark's recommendation to hold a public hearing, and suggested outreach to the community in addition to the public hearing to explain how the process worked and how the money would be spent. She thought they needed a more broad conversation about social equity investment in Columbia, and about taking care of some folks that had salary issues.

Mr. Skala thought a compelling argument had been made to hold the public hearing, and did not feel they should short-circuit it. He also believed Mr. Roberts was correct in that there was a lot of chatter about it. He stated the issue was palpable, and thought they should realize that.

The vote on R102-18 was recorded as follows: VOTING YES: PITZER, PETERS, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: TREECE. Resolution declared adopted, reading as follows:

IX. INTRODUCTION AND FIRST READING

The following policy resolution and bills were introduced by the Mayor unless otherwise indicated, and all were given first reading.

- PR108-18 Reversing prior voluntary reductions to the property tax rate ceiling used to calculate the property tax rate.
- B165-18 Approving the Major Replat of Auburn Hills Plat 16 located on the south side of International Drive and approximately 300 feet east of Rangeline Street (Case No. 18-82).
- B166-18 Approving the Final Plat of Woodstrail Ridge Subdivision located on the south side of Blue Ridge Road, south of the terminus of Derby Ridge Drive; authorizing a performance contract (Case #18-123).
- B167-18 Authorizing an agreement with Forum Boulevard Christian Church of Columbia, Missouri to partially vacate an access restriction to Nifong Boulevard and impose new limited access to Nifong Boulevard; appropriating funds.
- B168-18 Authorizing a right of use license permit with Gamma Kappa Zeta of the Lambda Chi Alpha Fraternity for construction, installation, maintenance and operation of a private retaining wall and storm water infrastructure within a portion of the Stewart Road right-of-way.
- B169-18 Authorizing a storage lease agreement with Ishams Ordinary, LLC for the use of a City-owned storage building on Columbia Terminal Railroad (COLT) right-of-way near 700 Fay Street.
- B170-18 Accepting conveyances for drainage, temporary construction, sewer and utility purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B171-18 Accepting conveyances for utility and water utility purposes.
- B172-18 Appropriating funds for the Share the Light Program for the purchase of smoke alarms and carbon monoxide alarms to be distributed to low income residents.

X. REPORTS

REP62-18 Missouri State Auditor response to Council Resolution 35-18.

Mayor Treece stated he had asked the City Manager to bring this back so they could discuss whether or not to proceed with a state audit and how they might pay for it. There had been some discussion at a work session, and there were some funds available through a budget savings, but it did not have to be the only funding source depending on how comprehensive of an audit they wanted. He thought it was an important step in maintaining fidelity with taxpayers and providing Council the tools needed to have an independent look at their finances. He commented that they could wait to discuss this as part of the budget process, but noted they needed to get in the State Auditor's pipeline if they were going to proceed. They also needed to provide staff direction as to whether they wanted a citywide audit or only wanted to audit specific departments.

Mr. Pitzer commented that he was not sure whether he would support the audit or not as he had not reached that conclusion. He did not believe they should do a partial audit. He thought it should be all or nothing. He felt there was too much intersection between all of the different departments and finances, and trying to separate it all would not make sense and would not be beneficial.

Mr. Skala stated if he had to make a decision between all or none, he would likely support none. He thought it was legitimate to take a look at some of the critical and larger departments. He noted this would be a performance audit and not just a financial audit.

Mr. Trapp commented that he thought they would be better served by putting their energy and resources into the Missouri Quality Award process. It involved independent reviewers, and there would be a cost to it in terms of implementation. He did not believe people knew they were further along in that process, which involved outside reviewers. He stated he was not sure they should move forward with the audit.

Mr. Thomas stated he was not sure either, and explained he was trying to weigh the expense of the audit versus the rebuilding of some public trust by conducting the health checkup. He agreed with Mr. Pitzer in that it should be an all or nothing audit. He was concerned that they really would not learn anything by only choosing a couple of departments or programs, and the return on investment would be worse than if they had not done anything or everything. He stated he was still listening to the arguments and thinking about it at this point.

Ms. Peters explained she had not really thought about the partial audit. The \$750,000 that would be required for a full audit, at least initially, seemed to be a waste of money. She felt they had a pretty good handle on the budget and could obtain a better handle through work sessions. She did not believe they would learn enough to make it worth the time and effort of City staff and the money that would be spent. She thought those funds could be better spent elsewhere. She was not sure about only focusing on one department as that seemed somewhat wasteful and not particularly helpful. At this moment, she noted she was not in favor of it.

Mr. Ruffin stated he was concerned about the cost of the audit. When presenting this idea in the community, most of the people he communicated with did not really understand what an audit was or why they would spend so much money for it considering there were so many other pressing needs in terms of the social equity agenda, infrastructure, public safety, etc. that they were struggling to fund. He noted he was also listening to see if there was a clear, concise, and easily explainable justification for spending this amount of money at this time.

Mr. Skala commented that if they were talking about the full audit, he could not support it as it involved too much money. He thought they could gain something from a performance report of some of departments that could benefit the most from the process, and provided the Water and Light Department as an example due to past issues with billing. He noted he was concerned a comprehensive performance audit on all City

departments would take multiple years to complete and would affect activities and slow things down quite a bit in terms of the amount of work needed to be done.

Ms. Peters explained she had spoken with some CPA and banker friends regarding this audit, and they did not feel it would be that helpful. They understood the City had a good bond rating, and felt that should be the City's focus versus an audit. They had indicated the City would not be bonded as well as it was if it did not have good finances, and bond people did not care about the rest of the budget. They only cared about the City's fiscal responsibility, and how the City managed its money. They did not feel money should be wasted on an audit.

Mayor Treece commented that a couple of groups had asked for the audit and wondered if the Council wanted to reach out to them now that they knew what it could cost. He noted they had not had the opportunity to further discuss it in the work session, but thought it could be further discussed during the budget work session. Ms. Peters stated she thought the budget work session would be more appropriate so they had notice. Mayor Treece felt further discussion could occur on August 13 or at one of the subsequent budget hearings on how to use the budget savings. Mr. Skala and Ms. Peters were agreeable.

REP63-18 Historic Preservation Commission sales of salvaged materials from historic structures.

Mr. Teddy provided a staff report.

Mayor Treece stated he had been to the last couple of salvage sales and they had been wildly popular as there had been about 200 people standing in line when the doors had opened. The Historic Preservation Commission (HPC) had a nice partnership with the Parks and Recreation Department to help accumulate and store the materials. This had been done on an ad hoc basis in the past, and all of the removal was done by volunteers. In addition, there was already a mechanism in the New Century Fund to receive funds for historic preservation. He thought they needed some sort of framework in the ordinances to allow it, and wanted to let them proceed up until then. He asked if anyone had any objection. No one objected.

REP64-18 Proposed Resolution Adopting the Loop Corridor Plan.

Mayor Treece noted this had been discussed at the pre-council session, and asked the Council if they wanted staff to bring a resolution forward for action at a future meeting. Mr. Trapp and Mr. Ruffin replied yes.

Mayor Treece stated he was excited about the changes that were contemplated. Mr. Skala stated he did not believe they had heard any downside.

REP65-18 Correspondence from the Downtown Leadership Council regarding solid waste issues downtown.

Mayor Treece understood the Downtown Columbia Leadership Council (DCLC) wanted to have a presentation and input on some of the solid waste and recycling efforts. He also understood there was some outreach happening with downtown property owners now, and thought it would be good to run some of these things through the DCLC.

Mr. Matthes stated he would have staff prepare a presentation for the DCLC.

Mr. Pitzer understood there had been a couple of public meetings already on this. Mayor Treece hoped the Solid Waste Utility staff had met with downtown stakeholders extensively. Mr. Pitzer asked if the DCLC had participated in those meeting. Mayor Treece replied he did not believe they had. Mr. Thomas understood the Downtown Community Improvement District (CID) had been more engaged in this issue than the DCLC up until now.

REP66-18 Public Notice Procedures and Process - Planning and Zoning Division Actions.

Mr. Teddy provided a staff report.

Mr. Skala asked for the ramifications in the event a mistake was made and a mandatory notice was not offered. Mr. Teddy replied they would have to re-do the hearing if they failed to publish an advertisement in the newspaper in a timely fashion, which was 15 days ahead of the date. Mr. Skala understood this was not true for a courtesy notification. Mr. Teddy stated that was correct. Mr. Skala understood it could be handled in that manner. Mr. Teddy commented that if the notices were missed, they would certainly comment on it at the meeting, and the Planning and Zoning Commission could make a judgement on whether or not it was fair to proceed and could potentially table the item.

REP67-18 Intra-Departmental Transfer of Funds Request.

Mayor Treece asked about the IT infrastructure on the non-capital transfer list as it should \$250,000 was being moved from personnel to capital computer equipment. He wondered if that was from this fiscal year. Mr. Matthes replied he would have to come back with the details. He thought the personnel money was utility related and involved positions that had not been filled, but were filled now, and the computer equipment would be for the disaster recovery site. Mayor Treece asked how the disaster recovery site equipment was being funded without this. Mr. Matthes replied he did not believe it was. This money would fund it. Mayor Treece asked for clarification, and asked if it was offsite storage. Mr. Matthes replied yes, and explained if the data center was to experience a natural disaster or some other event that would shut it down, this would be the swappable back up so there was not an issue with utility billing, etc. Mayor Treece stated he would like more information on it. He felt personnel funds being transferred to capital equipment tended to undermine the appropriation authority. There were plenty of personnel related expenses, and if a department could do without, they could redirect it to another department that was in need of it.

Mr. Skala understood there could be justification, but felt that justification was needed. Mr. Matthes stated it would be provided. Mayor Treece asked if it would be provided before the money was transferred. Mr. Matthes pointed out this was notification of the transfer, but they would hold any purchase that had not yet happened until the justification was provided. Mayor Treece stated he would like to have that before they started discussion on the budget.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

John Clark, 403 N. Ninth Street, suggested the Council ask staff for the authorization to make the transfer without its approval. He assumed it was within budget guidelines, but was not sure they were followed.

Mr. Clark believed the Council should fund a partial performance audit, and suggested the Water and Light, Public Works, or Parks and Recreation Departments be targeted. Regardless of which was targeted, he thought the audit should include a review of City ordinances related to the public improvement process. He felt the public improvement process for planning big capital projects was severely inadequate. He also thought a partial audit would allow them to see what they might receive from a performance audit as opposed to the annual financial audit. He suspected the State conducted audits all over place, and their standards involved best management, accounting, and planning practices. He thought the Council would be alerted to lots of things with a performance audit, and it would result in lots of information with regard to best practices. This was something they were not receiving now, and would not receive in the future from current staff because they were so understaffed. He thought the auditors would look at things like the water and light fund subsidizing the public capital infrastructure costs of electric

infrastructure in subdivisions by buying and giving millions of dollars of equipment per year. He understood the argument was to ensure they used quality equipment, but he did not agree. He pointed out this was paid for through rates. He explained they had a different system for subsidizing commercial development, but the rates were subsidizing private development. He believed they would learn about these types of activities.

Mr. Clark commented that he agreed the City should pay attention to the bond rates, but noted those institutions only cared about whether the City could get its voters to vote for enough money to cover items well enough. They did not care about what it was used for or how it was used, even though they should all care for such things in terms of spending the funds equitably. They needed to be interested in more than whether there was enough money to satisfy the bond rates. He stated the Council would need to push this because the Finance Department would not go any further without that direction. He believed the Council would be happy with its decision for an audit of the Water and Light Department, and that the amount of money to get that type of information or to know they did not want to do this type of audit again would be well spent.

Lynn Maloney explained Race Matters, Friends had made a request about records related to community policing, and they had not yet received records from the Police Department, but had received records from the City Manager's Office. She noted she had the opportunity to hear Chief Burton and Sergeant Fox speak recently at the Citizens Police Review Board meeting, and Chief Burton had stated the City would have whatever kind of policing the community wanted. She thought it was interesting that he did not seek input from community, and noted Sergeant Fox was unfamiliar with grass roots organizations that had spoken with Council in the past on the topic of policing. In the records request, they had found a note from Sergeant Fox to a City staff person asking her to find a contact person for organizations that were recommended from a meeting with Race Matters, Friends. She understood he had apologized to the City staff person indicating the organizations might not be actual or defunct, and read the list, which included Centro Latino, Faith Voices, Empower Missouri, Fellowship of Reconciliation, Islamic Center, Veterans for Peace, Minority Men's Network, and Worley Street Roundtable. She wondered if Sergeant Fox continued to believe that these were phony organizations because they had found no correspondence between him any of those organizations in their records request. If Chief Burton really believed the City would have the kind of policing it wanted, she wondered why these grassroots organizations were dismissed in the community engagement process.

Carol Brown, 903 S. Greenwood Avenue, commented that the roadmap of Mr. Matthes and Sergeant Fox for developing the plan mandated by the Council to create community-oriented policing included time for Sergeant Fox to study and learn about community-oriented policing. She noted John Clark, an informed and passionate student on community-oriented policing, had sent an e-mail to Mr. Matthes suggesting several professional organizations with expertise in community-oriented policing, and that e-mail had been forwarded to Sergeant Fox by Mr. Matthes with a simple FYI. She stated they did not have any record of correspondence between Sergeant Fox and those organizations so they did not believe he had included those resources in his research. She understood Sergeant Fox had responded to Mr. Clark's February 28 e-mail via Mr. Matthes with a hostile note and accused Mr. Clark of wanting the police to be a part of mobilizing the public in a way that was political and outside of the proper role of police. She wondered if this was willful neglect of both Mr. Clark's knowledge and the current professional resources offered. She felt neither Chief Burton nor Sergeant Fox wanted to know what kind of policing Mr. Clark wanted.

Tara Warne-Griggs, 200 Longfellow Lane, commented that ironically neither Sergeant Fox nor Chief Burton had suggested that the excessive calls for service be addressed using

the one method proven to decrease calls for service, which was community-oriented policing. Instead they had suggested increasing officers. She understood Sergeant Fox and Chief Burton had also argued that the calls for service were the reason they needed to increase officers. According to Chief Burton, 70 more officers were needed based on a per capita measure for the City. She noted Sergeant Fox, on the other hand, had utilized a formula on the calls for service and indicated 52 more officers were needed. She wondered why they did not suggest the use of the only proven method for reducing calls for service. She stated Sergeant Fox had shown a video of the community outreach unit in his meetings with the community highlighting the value of the community outreach unit connecting families in need with social services, such as the Food Bank, but neither he nor Chief Burton had suggested increasing access to social services. If part of the effectiveness of community-oriented policing was getting social services to people in need, she wondered why that was not a part of the overall plan for public safety. She understood Chief Burton attributed the community outreach unit's success in decreasing call to the practice of those officers giving their cell phone numbers to the community to call with questions and concerns that would often prevent an actual call for service, but he and Sergeant Fox did not recommend this as a practice that could be used by more officers.

Nina Hampton, 202 Bay Pointe Lane, commented that in e-mail correspondence to Mr. Matthes and Sergeant Fox on June 25, Ian Thomas had forwarded Don Love's analysis of the vehicle stops report data with policing recommendations for reducing racial disparity data in the future, and had asked that Mr. Love's recommendations be responded to specifically as they were essential to the conversation about community policing. She noted their records request had not yielded any correspondence between Sergeant Fox and Mr. Love, but had yielded a hostile response from Sergeant Fox to Mr. Thomas suggesting that the real problem was that the majority of violent crime was in the African-American communities and was the reason for the racial disparities. She felt Sergeant Fox had not even read Mr. Love's analysis or recommendations, and that neither Chief Burton nor Sergeant Fox wanted to know the kind of policing Mr. Thomas wanted.

Jay Hasheider, 1812 Cliff Drive, explained that after hearing from retirees about the critical situation with regard to the loss of line workers in the electric utility, the Water and Light Advisory Board (WLAB) voted to request staff prepare an alternative to the FY 2019 budget which would include a 15 percent rate increase for line workers and their foreman at its July 11 meeting. The reasoning behind this decision was the fact they were experiencing a significant decline in their ability field certified line workers. He understood they were leaving because they could get compensated at other utilities in adjoining counties and even at Boone Electric Cooperative. He stated they had been told by retirees that this loss had not happened over night. It had been a gradual, increasing problem over the last few years, and was due to the lack of competitiveness. He commented that contrary to their ability to fund general revenue, the utility was capable and financially able to fund the positions so they could be competitive. He explained line workers were critical for the service delivered, and referred to the outage in July a few years ago whereby 40 percent of customers had been without power for days. He noted that was when the need would become very evident. In addition, the fact that the experienced and senior line workers were leaving was degrading the City's ability to do a competent job as was expected. He stated he only wanted to inform the Council of the serious problem and notify them that the WLAB would be looking at this alternative budget at its August 8 meeting and that they might forward it to Council as a possibility for the upcoming fiscal year.

Traci Wilson-Kleekamp stated she had moved to Columbia from a big city, which had an

independent city auditor unlike Columbia. She noted she really liked the document for the Missouri Quality Award to keep looking at the needs for improvement. She hoped this would be a part of the budget process. She explained it discussed systems for comparing data, etc. She commented that Columbia was a city that had grown quickly and thought staff should address the systemic approach to things.

Ms. Wilson-Kleekamp noted she also had a question about the transfers shown toward the end of each council meeting as she had seen some transfers going from unspent personnel funds in the Police Department to some other expenses, and wanted to see how much of that surplus money had been transferred for other expenses since 2012. She explained she was asking because they had been told so many officers were needed, but they were not able to spend the money they had in their budget, so she wanted a better understanding.

Ms. Wilson-Kleekamp understood Sergeant Fox had indicated he had learned the public wanted cops and a philosophy, but he had been slow to say philosophy. She noted Race Matters, Friends felt it was all about the philosophy. She wondered how it was with so many recommendations from the Mayor's Task Force on Community Violence, the listening tour, the NAACP meetings, etc. that the City did not understand what the community wanted. She asked if they could see the notes taken at those meetings as that had not been included in her records request. She wondered why those voices were silent. She commented that silence was the response of Sergeant Fox when addressed by a Citizens Police Review Board (CPRB) member who said racial disparities and addressing the vehicle stops report data should be a part of community-oriented policing. She noted Sergeant Fox had not spoken until another CPRB member had ended the awkwardness by asking another question. She wondered why philosophy was not a part of the plan. She stated Sergeant Fox had not discussed how philosophy might affect a mission statement or policies, and commented that she believed it was important for the Police Department to talk about their internal mission of how they would transform as it was not about only want the community wanted. They had serial historical data that showed they had unhappiness in the Police Department. It was a cultural problem, and they had failed to solve it. The philosophy was not only about policing. It was also about how the organization would transform itself. She noted the suggestions of Sergeant Fox in terms of community-oriented policing were all currently being done, and included school resource officers, coffee with a cop, x-box with a cop, social media to show how officers brought extra lunches to work for the homeless, etc. She understood he had suggested new and better social media usage to control the narrative on community policing. She explained he had praised a community outreach program in Cary, North Carolina, where officers were able to get to know African-American men better by going into barbershops on Fridays and Saturdays to have difficult conversations, but had not included that idea in his plan for community-oriented policing in Columbia. She noted he had acknowledged the community outreach unit had succeeded in decreasing calls for service, but did not recommend that plan for community-oriented policing as a way to get to know the community. She pointed out he had also indicated that calls for service had increased as police departments had become a 24-hour access for social services, but he had not suggested increasing social services in his plan. She stated the City spent a big chunk of the general fund on public safety, and challenged the Council to rethink the way they thought about policing. They could not police themselves out of the trouble they were in, and had to spend more money on people. They could not afford to spend less and expect more.

Jim Windsor, 200 Manor Drive, stated he wanted to follow up on what Mr. Hasheider had mentioned, and noted that since he had last spoke to the Council on June 18, another experienced line worker had resigned to take a job at another utility. He hoped the Council considered this a crisis and would send some kind of signal to the remaining line workers that something would be done about this. He did not believe it was fiscally

responsible to hire contract labor at over twice the price and allow the experienced personnel to leave to go to other utilities. He did not feel anything would happen in this coming budget even though Chapter 19 of the City Code indicated that if pay was not competitive with the market, adjustments could be made and recommended during budget process. It was apparent to him that the pay scale for this position was not competitive and needed to be adjusted. A-13, which was the line worker classification, also included substation technicians. He understood there were zero substation technicians now because the last one went to another utility for better pay. There were only apprentices and foremen in those positions. He reiterated that he hoped the Council took this issue seriously and sent some kind of indication to the line workers that were still with the City that something would be done.

Mayor Treece asked Mr. Windsor if he had recommended those types of increases and reforms when he was with the City in his budget requests. Mr. Windsor replied part of his responsibility as Assistant Director was to sign off on resignations when they occurred and the Director was out of town, and in one period of time, he had four resignations of people going to better paying positions. He had sent an e-mail to the Deputy City Manager indicating he thought this was a serious concern and that something needed to be done. He understood the Distribution Manager, who was now retired, had previously brought up the topic as well. They could only go so far as employees, which was why many of them were speaking up as retirees. At some point employees were told they were done with discussions and the budget was what it was.

Mr. Skala noted they had asked for a report at a previous meeting with regard to the amount of money that was being spent on contract workers to try to reconcile some of the differences. Mr. Windsor stated he had heard his questions, but had not heard that request. Mayor Treece noted he had not heard it either. Mr. Skala stated he would request it tonight.

Mr. Skala commented that he had noticed there had been a dumpster outside of the Police Department on Seventh Street for about 1 ½ years, and asked if it was a permanent feature. Mr. Matthes replied a significant renovation of that building was occurring, and it was nearing completion.

Mayor Treece noted they had now heard from firefighters, police lieutenants, police officers, line workers, and scores of other anonymous employees that were complaining about the way they were treated and the pay scale. He did not feel a two cent property tax increase without the vote of the people for the City to stockpile money for six years would fix the problem or get them further along the pipeline in addressing the problem. He wanted the City employees to know the Council had heard them. He commented that he did not know how to fix the problem. He agreed it needed to be addressed and that the public needed to be engaged with regard to the issue. He did not feel they could continue to keep personnel slots open and converting personnel money into capital expenditures. If they could do without the personnel, they should use the money to give those remaining and doing all of the work the raises deserved. He believed this needed to be addressed in the City Manager's budget, and if it did not, he thought the Council should figure out a way to put more money into it. He asked for a report with regard to what Mr. Windsor had indicated was happening, and wanted to know if they were relying more on contract engineers and line workers than in-house employees and the associated cost. He also wanted to know the issue, i.e. competitive pay, etc. He thought they needed to figure out how to start the attrition or atrophy on contract reliance.

Mr. Skala stated he would like that report as well. He commented that he sensed there had been a shift in priority. He noted there had been a lot of conversation when talking about community policing about the number of officers needed, and felt there was a shift of the importance of the salary increases over just the number of new personnel required. He believed that shift was significant, and they needed to continue to emphasize it. He

wanted the City Manager to know that was how he was leaning in this discussion. He thought they should reward seniority, and it should take precedent over new hires.

Mr. Trapp commented that fundamentally the City had a structural financing problem that had been ongoing since he had been on Council as he was elected during the recession. There was a decline in sales tax, and that was creating the problems of turnover and discontent. He agreed with Mayor Treece in that they needed to address this head on and continue to engage with the public. They needed to listen and lead. He commented that when he had been on the campaign trail, he had not heard anyone asking for fewer services. There were people that would always look at any expenditure made in an ideological lens by saying they should not have spent that \$1.3 million of one-time funds as there were other unmet needs. If they combined all of the one-time expenditures made for special projects, it would not have paid for one police officer as it had only been about \$6 million in one-time costs. In addition, they had made the one-time expenditures in strategic ways promoting partnerships, and those expenditures had addressed the underlying lack of funding in the budget for bigger priorities. He thought they should focus on enhancing the revenue of the City to be able to meet the needs of current employees and provide the services people expected in the community.

Mr. Trapp commented that in the ongoing conversation about race and policing, Race Matters, Friends had issued a report on community policing, which was excellent, and he wanted to see it included as a document in the appendix or by reference in the City's report on community policing. As they addressed community policing, he thought they needed recognize the historical context of the current day practices and how the distrust had occurred over time as had been mentioned by Ms. Wilson-Kleekamp. They lived in a community that did not allow African-Americans to go into certain businesses as late as the 1950s. He stated he was quite sure those norms were enforced by police power. There were people that had been influenced by this that were still alive today and were focused on attitudes about how people engaged with the police today. He felt that was the elephant in the room that needed to be addressed through the City's report. He noted he agreed with Mr. Thomas in that the City had to be able to address the disparities within the vehicle traffic stops data, and that it had to be a part of the plan. If the City's plan for community policing was a partnership, trust and faith in the system was needed, and they had to engender that trust through their actions. He stated he would keep trying to do better, and that was his expectation for all involved in the process.

Mr. Thomas understood they had a date for the work session with regard to the vehicle stops data, and asked for that date. Mr. Matthes replied it would be held on August 23. Mr. Thomas asked Mr. Matthes if he or Sergeant Fox had coordinated with Don Love about being a part of that work session so he could educate the Council on how he analyzed the data. He thought it would be good for Mr. Love to work with the Police Chief or whoever would make the presentation before the meeting so it could be done in concert. Mr. Matthes replied he planned on including Mr. Love in the process. Mr. Thomas commented that Mr. Love had made a presentation that he had attended previously where he had gone through the process, and it had been very enlightening. Mr. Matthes commented that the first goal of staff was to answer all of the questions Council had asked, and reminded them to e-mail him with any questions. If there was time, they would do more. Mr. Thomas stated he believed the approach of Mr. Love would help answer those questions.

Mr. Thomas stated they had to address the cost of growth. It was hurting the general fund, the utility funds, etc. They were shipping out tens of millions of dollars every year to build public infrastructure systems that were only needed because they were a growing city. It was the current taxpayers and ratepayers that were paying those tens of millions

of dollars every year. He did not feel they should be funding a brand new fire station from current taxpayers because they would not be building that fire station if they were not a growing city. He thought they needed to transition into a system where they had development impact fees that fairly represented the cost of expanding all systems, i.e. sewers, roads, fire stations, police stations, parks, etc., so they were not draining the tax base for things that were not the responsibility of current ratepayers and taxpayers.

Mr. Thomas asked for legislation to change the neighborhood association policy as had been suggested by Mr. Clark. He understood that when a new neighborhood association was formed, the Community Development Director reviewed the bylaws, and asked if that was correct. Mr. Matthes replied he thought so. Mr. Thomas stated he thought the policy needed to be amended to require neighborhood associations to submit their bylaws to the City's Community Development Department if they wanted to change them for review again. He asked if the Council was okay with his request.

Mayor Treece understood this was only if they were an approved neighborhood association. Mr. Thomas stated that was correct. This would be for existing neighborhood associations that wanted to change their bylaws from the ones that were approved when the associations were first formed. If there was a purpose to reviewing the bylaws in the first place, he thought this would be beneficial. He felt that had caused a lot of problems in the East Campus area. He reiterated he was requesting that legislation be brought forward for their consideration.

Mr. Thomas stated he believed the ADU pilot program idea mentioned earlier this evening was brilliant, and would like to move forward with it. The suggestion was three years or 30 units in terms of waiving the connection fees. He commented that he wished they had higher connection fees so they had something more substantial to waive, but they could waive what they did charge since this would create a benefit to the community. In terms of the driveway issue, he did not see any reason to force people to build concrete driveways in those neighborhoods. In addition, he felt the off-street parking was completely unnecessary. He asked if there was any support on the Council to move forward with the pilot program.

Mr. Ruffin noted he was supportive.

Mayor Treece stated he would like to explore it, but noted he might want to make some changes to their proposal. Mr. Thomas asked if he would like a report to be brought forward first for discussion or if he wanted the ordinance to just be brought forward. Mayor Treece replied he could offer his suggestions as an amendment. Ms. Peters asked for clarification. Mayor Treece replied he would prefer it come back as an ordinance as opposed to a report asking for an ordinance, and explained he would offer any suggestions he had in the form of an amendment to the proposed ordinance.

Mr. Skala commented that several years ago they had exhaustively petitioned for grass in between driveways and dust-free versus gravel driveways, and that effort had been rejected based upon other rules that superseded their own rules. He recalled some provisions at the time that had disallowed the use of driveways that generated dust within the City for public health reasons.

Mayor Treece stated he wanted to try to prevent someone from constructing an accessory dwelling unit and accessing it through the grass or the rear alley without any type of improvement. Mr. Thomas thought a gravel driveway was needed as opposed to driving on the grass. He noted he was not opposed to access through an alley as he believed that would be good. Mayor Treece agreed access through an alley was desirable, but felt it should be a finished product. Mr. Thomas stated he would not disagree, but understood it could cost \$5,000 to pave a driveway the distance needed, which made the construction of an ADU out of the reach of most people that might want to do it.

Mr. Thomas explained the Downtown Community Improvement District (CID) had sent the Council a letter with some recommendations on sidewalk seating for restaurants, which he liked. He felt they currently had a hodgepodge of rules and regulations spread around the code, and the CID had recommended pulling it all together. He understood they had done a lot of research in other cities that had attractive sidewalk seating. He thought this was something that was desirable, but difficult under the current code. He understood Mr. Ruffin had planned to discuss this, and noted he would defer to him.

Mr. Ruffin commented that most of the properties that could accommodate an ADU were in the First Ward, and noted he had taken a tour of some of the properties. Many of the lots were narrow and deep, which meant they were perfectly suited for an ADU. He thought a three year moratorium on some of the requirements to stimulate growth was appropriate, and hoped it would work. He felt the character of the neighborhoods would be maintained while creating more affordable housing. He stated he supported that recommendation.

Mr. Ruffin understood the Downtown CID was requesting changes to the sidewalk dining ordinance, and that they had worked with City staff to develop recommendations. He asked that an ordinance incorporating those recommendations be brought to Council for consideration as quickly as possible.

Mr. Ruffin noted he had requested the promotion of the ban the box program of staff several months ago as he was always running into people that were struggling with re-entry, probation officers, and counselors that had not heard of the program. He pointed out he had not been contacted by anyone, and had only had a casual conversation with someone in the hallway who had explained they were still working on it. As a result, he wanted to make that request again.

Mayor Treece asked by what authority a restaurant occupied a City sidewalk for their sidewalk dining. Ms. Thompson replied there were two mechanisms. Sidewalk cafes were allowed in what was the old C-2 downtown district, and those had to have moveable barriers and tables that could come and go and be removed from the sidewalk. In addition, there had to be 60 inches for people to get by. The other was by virtue of a right of use permit that was specifically authorized by the Council. She provided Room 38 and Fuzzy's as examples with right of use permits. Mayor Treece asked if they were revocable. Ms. Thompson replied yes. Mayor Treece asked if they expired naturally. Ms. Thompson replied no. She noted examples of what existed within the sidewalk café mechanism were Tellers and 44 Canteen.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 10:48 p.m.