



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, July 18, 2016
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 18, 2016, in the Council Chamber of the City of Columbia, Missouri.

Mayor Treece noted a man from Kansas City had killed three police officers in Baton Rouge, Louisiana, yesterday. In Columbia, they understood there was a direct correlation between social unrest and social inequity, which was why he was proud that the City Council and City staff had made transparency and social equity a centerpiece of their decision-making. He was also proud that Columbia's police officers at a protest in Columbia on Thursday protected not only the public's safety, but the First Amendment rights of those that had come downtown to express their views and grievances. He did not know the professional training or protocols in Baton Rouge, Louisiana, or Falcon Heights, Minnesota, but he knew the professional standards in which the men and women of the Columbia Police Department conducted themselves in their duties every day. He was proud of the countless professional interactions they had with the community they served, and had great appreciation for those everyday heroes as they were understaffed and overworked. He thanked everyone in the community for avoiding inflammatory rhetoric and political charges to advance agendas, and in coming together as a community to support those lives that had been lost on both sides of the dialogue. He asked everyone to remember the lives that had been lost.

The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS and NAUSER 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 5, 2016 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Nausser.

Mayor Treece understood various members of the Council had planned to ask for the following bills and resolutions to be moved from the consent agenda to old business or new business: B158-16 (Thomas), B159-16 (Skala), B160-16 (Treece), B161-16 (Treece), B162-16 (Skala), B163-16 (Thomas), B168-16 (Thomas), B169-16 (Thomas), B171-16 (Trapp), R98-16 (Trapp), and R100-16 (Trapp).

The agenda, including the consent agenda with B158-16, B159-16, B160-16, B161-16, B162-16 B163-16, B168-16, B169-16 and B171-16 being moved to old business and R98-16 and R100-16 being moved to new business, was approved unanimously by voice vote on a motion by Mr. Thomas and a second by Mr. Skala.

II. SPECIAL ITEMS

SI11-16

Recognition by the American Public Works Association for achieving a fourth re-accreditation award for leadership in the field of Public Works.

Mr. Nichols introduced Larry Frevert, who had been associated with public works for many years, as the Director of Public Works in Kansas City and through his work with various consulting firms.

Mr. Frevert stated he was from Kansas City and was a past national president of the American Public Works Association (APWA), which had a membership of 29,000 across North America. The APWA was proud of their accreditation program, which acknowledged a commitment to great management, the performance of duties and services consistent with nationally acclaimed standards, and a demonstration of a commitment to continuous improvement to the community. In 1995, the APWA rolled out the accreditation program and the first city to be accredited was Greeley, Colorado in 1997. In 2001, the City of Columbia Public Works Department was recognized as an accredited agency, and was the fifth nationally. There were now 112 accredited organizations in North America, to include seven in the State of Missouri, and Columbia had been the first community within the State to be recognized. He noted it was a program that required reaccreditation, and Columbia had been reaccredited in 2004, 2008, 2012, and 2016. He explained he was present to recognize the 2016 reaccreditation of the Public Works Department and the accreditation of the Utilities Department and the Community Development Department. Public works was a broad field, and in Columbia, the public works responsibilities were shared amongst those three departments. He acknowledged the Council for the sense of professionalism and leadership provided to the community, the City Manager, Mike Matthes, for his commitment to professional leadership, and Deputy City Manager, John Glascock, for his strong commitment to the program. He recognized Lowell Patterson, who had been the Director of Public Works when the program started, and Kim McCulloch, Dave Sorrell, and Shane Creech, who had been very special to this effort as the accreditation managers for their three departments. He understood there were several representatives of the Public Works, Utilities, and Community Development Departments, and recognized them as well. The accreditation required employees to conduct a self-evaluation against nationally accepted standards, and to make adjustments to the policies, practices, and procedures to ensure consistency. A team from various locations within the country then traveled to Columbia to evaluate the program, which included the review of 208 policies and practices. He noted two of those practices had been recognized as model practices and had been lifted for other communities to utilize. He asked Dave Nichols, the Director of the Public Works Department, Tad Johnsen, the Director of the Utilities Department, and Tim Teddy, the Director of the Community Development Department to come forward to receive their accreditation plaques.

Mr. Nichols, Mr. Johnsen, and Mr. Teddy accepted the plaques and thanked their respective staffs for their great work.

Mr. Frevert stated he looked forward to being back in four years to present Columbia with reaccreditation plaques.

Mayor Treece congratulated the departments as he believed national accreditation was a good arbiter and national indicator of the how they performed, and noted he was proud of City staff in all of the departments.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC7-16

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

Loftin, Karin, 1111 Torrey Pines Drive, Ward 5, Term to expire July 31, 2019
 Patrie, Jason, 2800 Pepper Tree Lane, Ward 6, Term to expire July 31, 2019

BOARD OF ELECTRICAL EXAMINERS

Malicoat, Fred, 4101 N. Wappel Drive, Ward 4, Term to expire August 1, 2019
 Shanker, Richard, 1829 Cliff Drive, Ward 6, Term to expire August 1, 2019

BUILDING CONSTRUCTION CODES COMMISSION

Bernacik, Andrzej, 4414 Maxwell Lane, Ward 2, Term to expire August 1, 2019
 Jackson, Robert, 3854 E. Franklin Road, Boone County, Term to expire August 1, 2019
 Malicoat, Fred, 4101 N. Wappel Drive, Ward 4, Term to expire August 1, 2019
 Weber, David, 2804 Wild Plum Court, Ward 6, Term to expire August 1, 2019
 Young, Matthew, 5600 N. Pintail Lane, Boone County, Term to expire August 1, 2019

COMMISSION ON CULTURAL AFFAIRS

Vianello, Lili, 1005 Wayne Road, Ward 5, Term to expire October 31, 2017

DISABILITIES COMMISSION

Sample, Jacquelyn, 5000 Maple Leaf Drive, Ward 3, Term to expire June 15, 2019

IV. SCHEDULED PUBLIC COMMENT

SPC31-16 Joyce Schulte - Parkade Boulevard surface just off of Business Loop 70.

Ms. Schulte provided a handout and noted she was adjunct faculty at Moberly Area Community College (MACC) so she knew Parkade Boulevard bump by bump by bump. She explained the section of Parkade Boulevard for which she had concerns was from Business Loop 70 North to the cul-de-sac, and about one-tenth of a mile by 30 feet wide. She referred to it as the washboard. She believed the area had been resurfaced in 2015 to make the road nice and smooth, but it had simply made it worse. She noted four colleges and universities had space at Parkade Plaza, and thousands of students, staff, and faculty traveled to Parkade Plaza via the washboard on Parkade Boulevard. It was the only entry to Parkade Plaza with the safety of a signal light. In addition, the Farmers Market was out there during the winter serving a lot of people in vehicles. Numerous expositions, such as health fairs, were periodically held at Parkade Plaza to serve the public, which brought in even more traffic. She stated the area was serviced by heavy trucks, such as trash trucks and delivery trucks, and smaller trucks and vans. She noted the dips in the asphalt created a problem, and was due to the poor quality of the asphalt along with the amount and quality of base rock and materials. She commented that water leaking from some places ran over the street. The right turn lane to get onto Business Loop 70 was further pitted with the braking of vehicles. Cars turning off Business Loop 70 would hit the first bump and swerve to miss other bumps prior to determining if they were in the way of oncoming traffic. She suggested the Council take the opportunity to view this as it was a major safety problem. She believed Parkade Boulevard needed a core test to determine the true problem and for the appropriate work to then be done. She thanked the Council for their time and again extended an invitation to view the problem in person. She hoped to see some positive action on the washboard.

SPC32-16 Garfield Ladd - Para-Transit.

Mr. Ladd was not in attendance.

SPC33-16 Tara Warne-Griggs - The need to address the racial disparities in traffic stops in Columbia.

Ms. Warne-Griggs asked for those present on behalf of Race Matters, Friends to stand,

and approximately 30 people stood. She explained several of them were present to discuss issues related to policing in the community. She did not believe this was a two sided issue whereby those asking for racial equity and policing were against the police. She understood it was portrayed that way in the media, and their rhetoric sometimes allowed conversations to go in that direction, but believed it was very important to not cast it in those simplistic terms. She stated she was present on behalf of Race Matters, Friends to specifically address the vehicle stops report. A press conference had been held on Saturday, July 9 in response to the violence of the preceding week whereby Chief Burton was indicated police officers in Columbia did not racially profile and that the numbers were flawed. She understood his opinion was that the data did not go far enough, and that more data needed to be collected. The data submitted by the Police Department broke down stops by reason, location, actions taken by officers, etc. She agreed more questions could be asked of the data that were extant, but did not feel more data needed to be collected or more resources needed to be expended to collect the data. She pointed out Empower Missouri recommended looking primarily at what had occurred after the stop as there were many reasons why an officer might pull someone over without much discretion. Empower Missouri's analysis of the vehicle stops report data clearly documented that minority drivers, especially African-American drivers, were affected at a disproportionate rate by officer actions during stops. Driving while black was not just an anecdotal crime. She felt the data was being dismissed, and there was a failure to listen to the members of the community that had repeatedly expressed unfair things were happening. In an editorial in the Columbia Daily Tribune dated June 12, Don Love had indicated the vehicle stops report raised red flags about potential problems, prompted agencies to examine themselves, acknowledged that disproportions could be accounted for by factors other than bias, and noted the importance of following up and examining the data more closely. She explained she did data analysis for a living so when she saw things that looked disproportionate or odd, she felt there should be further inquiry as to what was happening to lead to those results as the numbers were not fabricated. She commented that there were disproportions in arrests in Columbia by race as African-Americans were arrested 2.67 times more often than white people for outstanding warrants, 2.5 times more often for traffic violations, and almost 4 times more for resisting arrest. She pointed out officers had a wide degree of discretion so they did not know what was going on in terms of potential implicit bias, etc. She believed more inquiry was needed.

SPC34-16 David Aguayo - Racial inequities in City of Columbia.

Mr. Aguayo, 3700 Village Park Drive, stated he was representing Race Matters, Friends, and was an educator and researcher at the University of Missouri and an 11 year Columbia community member. He commented that he had remained in Columbia because it was a welcoming place. He noted equity referred to the fair and impartial treatment of individuals, and social equity meant fairness towards human beings, i.e. fairness toward community members. He admired the attempt to develop social equity in Columbia, but felt equity and fairness was 200 years late for a particular group of individuals. They needed social equity so all individuals regardless of class, gender, sexuality, language ability, and race were treated fairly. It was upsetting to him as an educator that cultural biases, i.e. racial prejudices toward black and brown individuals, still existed today. He commented that he believed racial profiling began in the schools. As a former educator in the Columbia Public Schools (CPS) and the community, he personally witnessed racial profiling in the school system. In Missouri, while African-Americans students comprised of only 16 percent of total enrollment, they received 47 percent of the overall disciplinary actions. In other words, African-American students experienced disciplinary actions roughly three times more than their peers and were spending much less time learning in the classroom. He noted those numbers were worse for Columbia. He understood a goal of social equity efforts in Columbia was to build a black middle class, and in order to build a black middle class, he felt black

children needed to spend more time in the classroom and receive quality education. The situation of black students receiving more disciplinary actions than their peers was a case of racial prejudice. Cultural prejudice, cultural bias, and racial prejudice were systemic issues and had been occurring in different sectors of Columbia for a long time. Cultural and racial prejudice became systemic when individuals were treated unfairly and inequitably in masses. He believed the issue of African-American children being overdisciplined should be addressed immediately. If they were to truly build a social equity campaign in Columbia, he suggested they review the cultural biases and racial prejudices in the different sectors of the community, to include the police, social services, etc. He reiterated equity was about the fair treatment of individuals, and people in Columbia were being mistreated or not being provided fair opportunities due to the color of their skin. If they were to create a fair and equitable system, he thought it should begin by each of them addressing their biases toward those that were different from themselves. They needed to act with cultural and racial respect toward their neighbors and envision each other as community members that had the potential for making the community great.

SPC35-16 Traci Wilson-Kleekamp - Race Matters, Friends Grieve In; Support of CPD
-- collaboration, communication -- engagement.

Ms. Wilson-Kleekamp, 2905 Greenbriar Drive, thanked Mr. Skala and Ms. Peters for attending the Grieve In a couple of weeks ago as she thought it was important for the community to share emotion. There had been a lot of death, not only in the past week, but over the past few years, and it oftentimes involved unarmed people of color killed at the hands of the police. Unfortunately, in many of the situations, justice was not being served. She noted this was not a new problem and pointed out the police had been formed from slave patrols. Their formation was not on the basis of "protect and serve," but rather to control brown bodies in the era of slavery and Jim Crow. She felt this had continued and they needed to change their philosophy about policing so it was about peace instead of managing bodies. She stated she preferred peace officers instead of police officers. She commented that one of the reasons Race Matters, Friends had asked the Council to embrace a community-oriented philosophy was because it was a philosophy about how the police treated people, and those values imbedded justice, equity, and humanity. From there, they could build policy and discuss money. As far as she could tell in the year they had been coming to the Council, a philosophy had not been embraced. They had a social equity policy, which was partially funded for this year, but it was not funded for next year. She was concerned with the fact they could find \$2 million for a sewer extension, but did not have money for social equity or police. She explained they had also thought about police officers during the Grieve In, and noted the community-oriented policing unit had some great guys assigned to it. She stated she was unhappy to see the survey report with regard to how the officers felt about the Police Department, and wondered if the City Manager was starving them from money or if it was a political issue. She was not sure why there was not money for police. She noted she was disappointed in that and the fact the City had held press conferences without providing the public adequate notice, and had not taken questions from the public. She expressed concern with the Police Chief denying and having issues with the data related to racial profiling, and pointed out she was looking for solutions and answers from the Police Chief. She commented that she had watched the Dallas Police Chief, and admired his candor and ability to engage the public, even in the midst of a crisis. He was very open and straightforward, and had even asked the protesters to apply to become police officers as they were hiring. She stated she had not heard this from Columbia's Police Chief, and did not believe he should be the Police Chief. She believed they needed a 21st century Police Chief as the report that had been distributed today was shameful. She thought they should all be ashamed of how the officers were feeling. She commented that she wanted a Police Chief that believed in transparency and social

equity and returned their calls and e-mails. She stated it made her very angry that in 2016 they were still having a conversation about racial profiling, and a well-paid Police Chief was denying the data. If answers to the data could not be provided, she felt the Police Chief should resign and find a job elsewhere.

SPC36-16

Miguel Horn - Race relations...race matters; Barriers that prevent families from healing brokenness and repairing their quality of life; Reform and policy enlightenment as it relates to people in our community; Communicate negative perceptions as it relates to people of color within our community; Try to build knowledge of entities that prevent positive growth for families and businesses that are at a disadvantage.

Mr. Horn offered his condolences to all of the people that were dying senselessly, which included black people and police officers. He thought what was happening in this country was horrible. The United States had been built on Christian and family values, which involved compassion, being thy brother's keeper, loving those that hate, everyone being created equal, mercy, and forgiveness. It was not perfect, and they had it wrong in the beginning with slavery and America had paid dearly with the blood of her children. He noted strong families created strong communities, which in turn made the nation strong. He thought Columbia needed to do well so its families could be great. He understood they would fail again and again, but trials produced perseverance, perseverance produced character, character produced hope, and hope would never disappoint. He suggested they needed to work together to develop family values, which included honesty, integrity, dignity, respect, hard work, and trust, in order to make the country better for the next generation. He stated he was with the City of Columbia in building the social equity of the community, but wondered how they could claim they were working toward social equity when a black man was criminalized for being black. Black had become synonymous with deviant character and the notion that blacks were predisposed to participate in criminal activity as a result of poverty and other social issues. He wanted to work with the City, but wondered if he could trust those involved to treat him simply as a human being and not a criminal, and whether society would no longer think differently of his black counterparts than themselves. Cultural prejudices and biases and racial prejudices were real and a part of the makeup of every institution in Columbia. He stated racism was real and was an American problem from which a certain group of people were benefitting. Black families received stricter punishment, and in most cases, over-corrective measures were being used in all systems. He noted he was a father who had attempted to keep his family intact, but social services in Columbia decided to trust his spouse, who needed rehabilitation, over him, who had been a stand-up citizen since his own rehabilitation. The social workers and court system did not trust him. He told the social service agents time and time again that he could take reign of his family with a little help, but because he had been a black man, they had failed to see the possibility he could maintain order, discipline, and cohesiveness in his household. He had not been trusted because he was a black man. He noted there were many black men in his situation, who were not trusted and seen as criminals, due to the ill-perceived notion of a black body being violent and unruly, and should therefore be penalized. A system that was supposed to be there for he and his family had failed them, and it was a system that consisted of good-intentioned white professionals who could not see past his race. His marriage and family were broken. He believed this was one of the reasons marriages were lacking in the African-American community. He wondered what their resolve would look like for the next generation, and noted the difference between a politician and statesman was that a politician worked for the next election while a statesman worked for the next generation. He wondered if the citizens of Columbia had adequate resources to enable them to place the right tools in their children's tool box so those children could build a bright future for themselves. He encouraged the Council to reanalyze the City budget as three times the amount of money and resources, approximately \$16 million,

went to the Police Department than the Public Health and Human Services Department, which received approximately \$4 million. He stated he stood with the Council to build a community, and not a military base. He reiterated he was with the Council if the systems meant to help him were willing to see beyond his race. He agreed they were all broken, but felt they had to move forward. The institution of slavery had a profound impact on African-American families, and it was now time to change it. In these challenging times, he believed they could not have picked a better man than Dr. Stiepleman to deal with the quickly expanding school district. It was clear that he loved his students and was ready to meet the demands of this generation. His family had grown to over 18,000 kids and he was truly overseeing one of their most precious assets. He listed other people within and outside of the school district that often stepped outside of their job description to do good for the community and were examples of people who saw more than race. He commented that the dollars being invested in the community spoke of a large crime problem. If they wanted to make Columbia a great place to live, funds needed to be redirected. The vision should be geared toward prevention instead of intervention. They needed to promote marriage by not placing trivial burdens on families with tactics that did not confront the true nature of the crisis. He suggested they invest in tools to build leadership and healthy relationships, which would translate to community assets. Columbia needed to work for its citizens so the citizens could work for Columbia. He stated this was their problem collectively, and they needed to work together to solve it. He hoped they would all recognize how critical it was and that they had the opportunity to make a difference for their children.

Mr. Matthes asked that Chief Burton share his thoughts. Chief Burton commented that he had no idea what it was like to be a black man in Columbia. He explained he was sensitive to the fact that people might believe they had been profiled, but noted he had found no evidence of it. He had the privilege of having all of data, to include the body-worn camera and car video footage, police reports, internal affairs files, etc., and did not feel there was a racial profiling problem in Columbia. He thought they needed to define the racial profiling problem. He stated it was a problem if a department had reckless disregard for a person's race or if officers mistreated people due to race as an agency. He agreed they might have officers that held some implicit biases as they were all human beings, but he had not seen an example of racial profiling in all of his years in Columbia. He explained the Attorney General had indicated the annual vehicle stops report was not intended to establish a causal relationship between race and the disparate enforcement of traffic laws or to provide final answers to serious concerns about racial profiling as it was intended to spur conversation and foster changes in policy, and the statute authorizing the report had been amended only twice in sixteen years. It was amended in 2001 to repeal the annual sensitivity training requirement and again in 2004 to exempt lawfully conducted sobriety checkpoints from reporting requirements. The Attorney General had indicated it was time for the General Assembly, which ordered the collection of vehicle stop data sixteen years ago, to decide how to make the report more meaningful by soliciting suggestions from relative stakeholders, to include law enforcement, local governments, and representatives from the communities served. Revisions could include changes to the type of data collected and strengthen penalties for individual departments that failed to participate in the reporting process. Chief Burton reiterated it was his belief that as a department they did not racially profile their citizens. He asked anyone that had information to the contrary to provide that through the Police Department's internal affairs system or by calling him directly so it could be investigated. He commented that the data was supposed to foster discussion which he was open to as he thought the various perspectives could be discussed.

Mayor Treece stated additional discussion on this issue was clearly needed, and he would leave it to the City Manager to make that happen.

V. PUBLIC HEARINGS

PH24-16 Installation of active warning devices at the Columbia Terminal Railroad's (COLT) intersection with O'Rear Road in Hallsville, Missouri.

Discussion shown with B164-16.

B164-16 Authorizing the installation of active warning devices at the Columbia Terminal Railroad's (COLT) intersection with O'Rear Road in Hallsville, Missouri; calling for bids through the Purchasing Division; authorizing a supplemental agreement for highway/rail crossing signal improvements with the Missouri Highways and Transportation Commission.

PH24-16 was read by the Clerk and B164-16 was given second reading 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.

B164-16 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

PH25-16 Voluntary annexation of property located on the east side of Highway 763, approximately 500-feet north of International Drive (5210 N. Highway 763) (Case No. 16-124).

PH25-16 was read by the Clerk.

Mr. Teddy provided a staff report.

Mayor Treece asked if everything around this area was incorporated. Mr. Teddy replied everything on the east side was incorporated. The west side was within County jurisdiction. Mayor Treece asked why this property had been orphaned. Mr. Teddy replied he did not know the reason it had been left out of a past annexation.

Mayor Treece opened the public hearing.

Rod Stevens, 11 N. Seventh Street, explained he was the attorney for American Truck Repair, and noted American Truck Repair was a business that was located at the Midway Travel Plaza. It specialized in the repair of large vehicles and occasionally towed vehicles illegally parked within the City of Columbia. American Truck Repair had purchased this property in January of 2016 and had demolished several buildings that had been located on the property. As a result, the only improvement on the property currently was a surface parking lot, and they used the surface parking lot to store vehicles that had been illegally parked within the City of Columbia. They were operable vehicles and the vehicle owners typically picked up the vehicles within several days. He noted inoperable vehicles would not be parked on this lot. In addition, once in a while, when American Truck Repair had repaired a commercial vehicle in the Midway area and that area was cramped for space, the vehicle would be parked on the surface parking lot of the subject property for a few days until the owner picked it up. Again, they would be operable vehicles. He noted there were usually no more than 2-3 vehicles on the property on any given occasion. American Truck Repair did not have any plans at the present time to change the use of the property. In response to Mayor Treece's question as to why this property had not been annexed with the surrounding properties, he explained there had been a period of time where this particular tract had a very bad reputation and the City did not want it. Those days were over and the dilapidated buildings had been demolished. It was a much more attractive property at the present time. American Truck Repair was a responsible property owner that had not had any problems with the County government since purchasing the property. They felt it made sense for the City to annex this island of County property, which was completely surrounded by City property.

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

Mr. Skala commented that several years ago the Council and the Planning and Zoning Commission had changed their philosophy for areas on the north side of town as they were primarily industrial areas. There was a push for residential properties and the shift to industrial properties moved toward Paris Road and Lemone Industrial Park. As a result, properties such as this were left behind, which likely played a role in the orphaning process.

VI. OLD BUSINESS

B138-16

Vacating a sanitary sewer easement located on the south side of the southern loop of Cliff Drive and north of Hinkson Creek (Case No. 16-109).

The bill was given third reading by the Clerk.

Mr. Teddy provided a staff report, and noted staff had recommended this issue be tabled to the August 1, 2016.

Mr. Skala understood staff had approached the landowner and had requested plans for the property, and asked if the landowner had not been forthcoming or if there were not any conceptual plans. Mr. Teddy replied the owner had indicated to him in a conversation that he was not moving ahead quickly with construction of a house on the lot even though that was his ultimate goal. He had not had anything designed yet.

Mr. Skala understood there had been some reservations due to the steepness of the topography, the Hinkson Creek, etc. He wanted to ensure nothing was forthcoming at this time. Mr. Teddy noted he had informed the owner that if it was his desire to reduce a yard, such as the front or side yard or both, an exhibit would be required because the Board of Adjustment would not hear a variance case until the City had denied a building permit request or had reacted to a drawing indicating noncompliance.

Mr. Skala understood the Council would likely not see much more information than what they already had regardless of whether this item was tabled. Mr. Teddy thought that was correct. He noted the property owner next door had been notified and had acknowledged this ordinance included the easement on the west side since vacation requests were normally contained within an applicant's entire property. As a matter of convenience, this ordinance had been drafted to include both lots.

Mr. Trapp understood the conveyance of right-a-way from 1942 had indicated the City had paid one dollar and other valuable consideration for the purpose of maintaining the main public sewer. It also stated "to have and to hold the same with all of the rights, immunities, privileges, and appurtenances, therefore belonging, unto said party of the second part, for the purpose above mentioned on the said lands herein conveyed so long as the same are used for the purposes set forth by this instrument." He thought this meant they only had an easement for the sewer, i.e. to maintain and operate a sewer. Ms. Thompson stated it was an easement specific to sewer use and operations. If the City retained the easement, it could continue and a sewer could be placed in that location if desired. Mr. Trapp understood that was the only purpose. Ms. Thompson stated that was correct for this particular easement. It was strictly limited in use as a sewer easement. It was not a general utility easement whereby they might be able to put in electrical or water facilities, use it for public access, etc. It was strictly limited for sewer purposes.

Mr. Trapp asked if Council had discretion on whether to vacate the easement. Ms. Thompson replied they had discretion in determining whether they might use it again for sewer purposes.

Mayor Treece asked Mr. Teddy to explain why he believed this property was a lot. Mr. Teddy replied this area had originally been part of a Lot 54 of East Highlands, and due to the early date it was recorded, it was considered a legal lot of record. He noted it had been modified through subsequent plats. Mayor Treece asked how it had initially been created. Mr. Teddy replied it was part of a recorded plat in 1906, so there was a subdivision that included lots, blocks, and streets. Mayor Treece asked if the specific lot

had been recorded in 1906. Mr. Teddy replied no, but pointed out it had been surveyed prior to the subdivision regulations so it was deemed by the City surveyor to be a legal lot. Mayor Treece asked if it had ever been recorded prior to the subdivision regulations being adopted. Mr. Teddy replied he thought it had. He explained the other position they were standing on was the fact lots had been created out of Lot 54. The remainder had not been required to be placed within those subdivision plats so it had been recognized before as a lot on its own. Normally, staff would not allow a subdividing action to create an illegal lot.

Mayor Treece asked if this property was eligible for a building permit. Mr. Teddy replied yes. He commented that he did not know when the house off of Old 63 had been built, but it involved a similar principle. It had been a combination of East Highlands lots, but had never been created as a lot for another addition. It was also only a reference to the East Highlands development. Together all of the lots had defined an area. He noted they could require a one lot plat, which would provide a better quality description of the real estate, but it would not change the boundary condition of the lot.

Mayor Treece stated he would be interested in a better scale drawing with the location of Cliff Drive as it was built, the location of City rights-of-way, the sewer to be vacated, the topography, and the required setbacks so they could visualize the buildable area.

**Mr. Skala made a motion to table B138-16 to the August 1, 2016 Council Meeting
The motion was seconded by Mr. Ruffin and approved unanimously by voice
vote.**

B157-16 Approving the Final Minor Plat of Sixth & Cherry Garage Subdivision located on the northwest corner of Sixth Street and Locust Street; granting a variance from the Subdivision Regulations subject to conditions (Case No. 16-101).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Thomas asked for the background with regard to the rounded corners. Mr. Teddy replied that requirement was in the subdivision code, and it was there without regard to any specific location in the City, so there was not a downtown exception. Everywhere an intersection was created by subdivision, the intersection had to have rounded corners. The radius was dependent on the land use. If it was commercial, a 30-foot radius was required, and if it was residential, a 20-foot radius was required. It made intersection design a bit easier. In this instance, staff wondered if there would be some intersection work that would benefit from having the rounded corners instead of square corners, but they did not have a drawing of a project to enter into evidence to show whether there would be any conflict.

Mr. Thomas understood Mr. Teddy had indicated rounded corners made the design of the intersection easier, but noted he would argue it did not make the design of the intersection easier for pedestrians because it allowed cars to go around the corner a lot quicker and made the crossing distance for pedestrians much longer than with a sharp corner. He asked why this had never come before them previously if it applied to every lot in the downtown. Mr. Teddy replied this was one of two, and the other had a building over the corner. They read the code to say there was no exception even if a building encroached. He commented that he believed the intersection design could be independent of the property line design, so a rounded corner at the property line did not mean the curb line would parallel it. Mr. Thomas stated the converse was not true though. Mr. Teddy explained one could construct a tightly squared intersection with a short pedestrian crosswalk, bulb-outs, etc. Mr. Thomas understood a rounded intersection could not be done with a sharp property line.

Mr. Teddy stated the initial concern of staff was due to all of the work being done with ADA compliance and creating and recreating curb ramps as a certain amount of depth

was needed into a lot. Mr. Thomas understood the extra public space could be helpful. Mr. Teddy stated that was correct. He reiterated they could not produce an exhibit to show why it was needed.

Mr. Thomas understood this requirement had been built into the rules, but the City had never exercised it. Mr. Teddy stated that point had been raised by the surveyor. There were examples of replats whereby it had been overlooked or disregarded. This was a case where there were a number of legal lots and the surveyor had advised it was better practice to replat this into fewer lots than were there presently. This would clean it up.

Mr. Thomas asked for the width of Fifth Street and Cherry Street. The scale seemed to indicate it was 50 feet, but that was wider than he had thought. Mr. Teddy replied downtown streets were generally 40 or 50 feet in width. Broadway was wider. Mr. Thomas asked if that was right-of-way to right-of-way. Mr. Teddy replied he was talking property line to property line, not curb to curb. He thought 28 feet was common for curb to curb with two curb lanes and two traffic lanes.

Mayor Treece asked if the architecture of parking garage with its rounded towers and radius corners was due to the variance being sought here. Mr. Teddy asked Mayor Treece if he wanted to know if it had factored into the analysis. Mayor Treece asked if the existing parking garage had been designed in this manner due to the truncated corners. Mr. Teddy replied he did not believe so. It was a rectangular lot so that might have been the preferred design to accommodate more pedestrian movement.

B157-16 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B158-16 Approving the Final Plat of Russell Subdivision, Plat No. 6, a Replat of Tract 6 of Russell Subdivision and Part of Lot 1 of Russell Subdivision Plat 2, located on the west side of Russell Boulevard and north of Oakwood Court (407 Russell Boulevard) (Case No. 16-105).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Thomas asked for the stormwater requirements for this subdivision and the purpose of those requirements. Mr. Teddy replied the City's stormwater ordinances were a part of Chapter 12A, Land Preservation, and it applied to this area. He noted over an acre of the area was being subdivided, and explained staff was treating the entire 2.94 acre parcel as the subdivision because it was creating two lots or really recreating one lot. It was subject to onsite stormwater management, which meant detention and the pre-development or pre-construction runoff rate could not be increased through the addition of structures to the property. There were also best management practices for the treatment of stormwater, and that was a matter of applying certain credits specified in the stormwater manual against a somewhat technical process, which usually involved vegetation the stormwater runoff would cross. In this particular case, there was a so called critical downstream location, meaning the portion of watershed in which this property was located drained to a point that had been found somewhat inadequate in terms of modern standards of handling stormwater. The idea of detention was to not exacerbate that condition and to use new development as an opportunity to make some inroads to not aggravating that condition.

Mr. Thomas understood this drained to the low point on Rollins Road where there was a stormwater feature that was being reconstructed. Mr. Teddy stated he was not sure, and noted this property drained east to west. He pointed out there was tree cover and there had been commentary by the owner regarding the apparent conflict between stormwater management and tree cover. He explained the City did not require a specific design. It only required a design that met the requirements. He pointed out the applicant had been successful in getting some relief through an administrative variance per the stormwater

manual in the sense the remaining large parcel had a house on it with about 12 percent impervious cover.

Mr. Thomas asked if the stormwater mitigation had to be constructed for platting or at the time the dwelling was built. Mr. Teddy replied the idea was that they were creating a sellable lot so they wanted the infrastructure to be installed with construction. It was best to have agreement with regard to the provisions of the infrastructure before the lot was sold. Staff would not normally bring forward a plat unless the construction plans were in order. In this situation, the infrastructure would be stormwater management, which included piping, a basin, an outlet, etc.

Mr. Thomas understood they would be required to build a pond that would retain water and let it out slowly through a narrow pipe. Mr. Teddy explained that was the detention portion of stormwater management. It addressed the pre- and post-runoff rate and would be designed for a specific magnitude of rain event. Mr. Thomas understood the calculation of the magnitude was based on the size of the lot, the existing amount of impervious surface, the grade, etc. Mr. Teddy stated that was correct, and noted land use was also considered.

Mr. Thomas asked if it took into account existing mature trees on the lot. Mr. Teddy replied yes, and explained mature trees could be included as a best management practice. Mr. Thomas stated trees were a detention system as they sucked up water. He explained the applicant was unhappy because he would have to take down a lot of mature trees in order to build the detention facility because it was the only place it could be built. He asked if a calculation could be done as to whether there was a net benefit or loss in terms of real stormwater management as some stormwater detention would be lost by taking out the trees. Mr. Teddy understood Mr. Thomas was concerned about the design City staff had approved. Mr. Thomas stated he was concerned to know whether the existence of the trees had been taken into account in the determination. Mr. Teddy explained he thought it was taken into account and noted the design engineer would have to claim credit for those items. He reiterated City staff was not in control of the specific design. They were just applying the rules, so the engineer could be asked to present an alternative design if the applicant was unhappy. Mr. Thomas understood the City had not stated the trees had to be removed. The City was only saying a detention pond of this particular size had to be built somewhere. Mr. Teddy explained the City would say whether they had reviewed the plan designed by the applicant's engineer and whether it satisfied the ordinances or not. If the applicant wanted trees at the property line, he believed that was matter of redesign.

Mr. Thomas understood there was also a requirement for a fence or temporary fence and asked for clarification. Mr. Teddy replied he thought that was in reference to tree protection fencing. He explained the arborist would require temporary fencing anywhere there was land disturbance. Tape or rope with flagging had previously been used, but that had been determined to be inadequate based on past experience. A barrier was needed to make it clear that excavating equipment and other land disturbance was not to occur inside of the fencing. There could be a situation where the fencing was more extensive than needed, and it could be reduced if the applicant could point out those areas.

Mayor Treece asked about the red line in between the two properties on the locator map and whether there were two houses on one lot now or if the existing subject site was being divided in half. Mr. Teddy replied that was the total tract, so it was the property as it existed today. The red line was only showing what was being divided. Mayor Treece asked if the current lot had two houses on it. Mr. Teddy replied he believed it only had one house on it. Mayor Treece asked if the subject site was being divided in half. Mr. Teddy replied it was being divided so one lot would be about two-thirds of the existing lot and the other would be about one-third of the existing lot. The property line would be just north of the driveway. Mayor Treece asked if a flag lot would be created. Mr. Teddy replied no, and explained it was 100 feet wide at Russell Boulevard. It tapered toward the rear so it was not a full rectangle. Ms. Thompson noted it might be clearer on the plat

map that was provided as part of the council packet.

Mayor Treece asked if 100 feet made it a legal lot. Mr. Teddy replied yes, and explained 60 feet was the minimum lot width.

B158-16 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B159-16

Approving the Final Plat of Drury Subdivision Plat 1 located on the southwest corner of Keene Street and I-70 Drive Southeast (3100 I-70 Drive Southeast); authorizing a performance contract (Case No. 16-121).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Skala understood this was the old Howard Johnson site located across from the Moser's Grocery Store, and a roundabout was planned for the access road between the properties. He asked if this would impact the planning and process of that roundabout in any way. Mr. Teddy replied this was compatible with the plan for the roundabout. He noted that had been discussed at the Planning and Zoning Commission meeting, and the combination of the right-of-way dedication and curved corners would accommodate the roundabout.

Ms. Peters understood they were providing the City with 76 feet of right-of-way. Mr. Teddy stated that was the total width. Ms. Peters asked if Keene Street was a major collector. Mr. Teddy replied yes. He explained the street standards included optional widths for collector and arterial streets, and this was one of the optional widths so it was a standard width. Ms. Peters understood this would accommodate the roundabout, and they would not find out it was too small later. Mr. Teddy stated he would not guarantee that, but noted the testimony he had heard at the Planning and Zoning Commission meeting had indicated staff had investigated the possibility of the roundabout and it had been pronounced satisfactory. Mr. Stone explained it was possible a little more right-of-way would be needed, but they did not believe that would be the case. Staff was confident they would be able to construct the roundabout in a way that would not require right-of-way, but did not want to guarantee more might not be needed. If any additional right-of-way was needed, it would be minimal. Ms. Peters understood the City would have to pay for any additional right-of-way. Mr. Stone stated that was correct, and noted that was why they were fairly confident, but reiterated they would not know for sure until the final design was completed. Mr. Skala commented that they did not want to be in a position whereby they had a really small roundabout.

Jared Barbee, 721 Emerson Road, St. Louis, explained he was representing Drury Development in their request for final minor plat approval, and he and others were available to answer any questions.

B159-16 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B160-16

Vacating a utility easement within Lot 1 of Country Gardens Subdivision located on the northeast corner of Fairway Drive and Country Lane (2201 Country Lane) (Case No. 16-117).

Mayor Treece noted this had been withdrawn by the applicant.

B161-16 Vacating a utility easement within part of Lot 2 of Shultz Subdivision and within parts of Lots 2, 3, 40 and 41 of Atkin's Subdivision located south of Business Loop 70 West, between Madison Street and Jefferson Street (400 Business Loop 70 West) (Case No. 16-120).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor Treece asked for the City's policy on vacating utility easements. Mr. Teddy replied staff would recommend vacating an easement if there were alternative provisions or if they did not foresee a need for the easement. In this particular situation, there did not appear to be any utilities within the easement that ran most of the length of the block between Forest Avenue and this property as there was a lot vegetation. He stated the electric lines ran along Jefferson Street and Madison Street, and they had not found any underground City utilities as part of the easement.

Mayor Treece asked how the City held the easement. He wondered if it was in fee simple title or just a recorded easement. Mr. Teddy replied he did not believe easements were fee simple. He thought it was just a right to use and enter should maintenance be needed on a facility that was within an easement.

Mayor Treece asked if this was defined as unique to a specific type of utility or if it had a broader use for any utility. Mr. Teddy replied he thought it had been dedicated for public utilities. It was in the Atkin's Subdivision and associated with a 1946 plat. The description of the subdivided area indicated there was also a dedicated easement for utility purposes, and it was a 15 foot wide strip in between Lots 2 and 21 and Lots 122 and 41. It further indicated the said easement was for the location, construction, and maintenance of utilities and dedicated to the public use for those purposes.

Mayor Treece understood staff did not believe any utilities were there now. Mr. Teddy stated that was correct. He explained they had conducted an investigation by providing all of the utility providers, to include City departments, to comment. Mayor Treece understood it was truncated to the south and north so it was not continuous. Mr. Teddy stated that was correct. It did not extend to the Business Loop, and there appeared to be encroachment to the south of the portion the City was being asked to vacate. He thought those were temporary structures though, and not permanent buildings.

Mayor Treece asked Mr. Teddy if he thought they might be needed for fiber in the future. Mr. Teddy replied not that staff could foresee. He understood the cable companies were working on overhead lines on the adjacent residential streets. He assumed they were able to serve their customers from those lines.

B161-16 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B162-16 Authorizing right of use permits with The Downtown Community Improvement District to allow construction, improvement, operation and maintenance of public art light hubs within portions of the Tenth Street, Fourth Street and Walnut Street rights-of-way.

The bill was given second reading by the Clerk.

Mr. Nichols provided a staff report.

Mr. Skala asked if there had been a description of the intensity of the LEDs and whether or not the LEDs would twinkle or create any public safety issue in terms of traffic or distractions. Mr. Nichols replied staff had worked with the consultant with regard to placement of the light hubs, but he did not have intimate knowledge of the intensity of the lights. He thought the report provided by the consultant might have more information. Mr. Skala wondered if it would be appropriate to ask those questions before approving these permits.

Ms. Peters stated she was curious as to how these would look. Mr. Nichols explained the Downtown Community Improvement District (CID) had made a presentation, and noted Mr. Ruffin was on the committee that had reviewed it. This only dealt with utilizing the public right-of-way for the installation of the hubs, and the right of use permits stipulated the requirements for using the right-of-way. He noted they could provide additional information if needed.

Mr. Matthes commented that he did not see anything with regard to intensity, but noted the City had the right to pull back on this with a six month notice. He noted staff was happy to reach out. Mr. Nichols understood they had different schemes at different locations, and stated he was not familiar with the details.

Mr. Skala noted he had seen the rendering in the newspaper and it looked great. He was only concerned about the intensity and whether these were intermittent lights. He would appreciate any information in that regard.

Mr. Skala made a motion to table B162-16 to the August 1, 2016 Council Meeting. The motion was seconded by Ms. Peters.

Mayor Treece asked if the Law Department had prepared the attachments or if they were submitted by the CID. He was curious as to why there had not been more gender neutral language in the preamble of the agreements. He did not know if it was quaint legalese or if there was a reason. Ms. Thompson replied it would be unusual for her not to use gender neutral language. She commented that it was historic, legal introductory language, and noted his point was well taken.

Mr. Ruffin asked why they were considering tabling this item. Mr. Skala replied to obtain information regarding the intensity of the lighting and whether they were intermittent. He was concerned about the potential of traffic safety issues. Mr. Ruffin stated he and Mr. Glascock had participated on the planning committee, and that issue had always been a part of the discussion. The lights would not blink and would be low intensity LED lights. He could not say how low though. They had always been considerate of it not impeding traffic or creating visibility issues of any kind.

Mr. Trapp commented that if this issue had been discussed at the committee level with Mr. Glascock representing the interest of the City, he was comfortable with voting against its tabling and passing the ordinance tonight.

Mr. Skala stated he did not feel tabling this for one meeting to obtain an answer in writing was a burden. He noted he was certainly in favor of this project. He only wanted to ensure they had all of the information.

Mr. Matthes understood this ordinance would authorize him to sign the agreements. He suggested the Council pass the ordinance, but noted he would not sign the agreements until he had the information and communicated that to Mr. Skala. Mr. Skala stated he was agreeable.

Mr. Skala withdrew his motion to table B162-16 to the August 1, 2016 Council Meeting, and Ms. Peters, who had seconded the motion, withdrew her second.

B162-16 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B163-16

Appropriating funds to offset expenditures as it relates to parking meter equipment upgrades, reconstruction of a parking ramp stairwell and an increase in the temporary positions budget for the Parking Division.

The bill was given second reading by the Clerk.

Mr. Nichols provided a staff report.

Mr. Thomas asked if the retained earnings account was the same as the parking utilities reserve account. Mr. Nichols replied yes, and explained they were above the target. Mr. Thomas understood it would be reduced, but would not go below the target. Mr. Nichols stated that was correct.

Mr. Thomas asked in which account parking fees and fines were deposited in the City's

budget system. Mr. Nichols replied the parking fees went to the parking utility and the fines from enforcement went to the general fund.

Eugene Elkin, 3406 Range Line Street, wondered if parking meters were necessary and if they wanted only the rich to frequent the downtown. He also wondered how this would impact the poor with only loose change as there was a segment of the population that did not have credit cards. He asked the Council to consider these issues when making this decision. He thought they might create a situation whereby only the elite could frequent the downtown.

Mr. Trapp noted he understood the meters would still accept coins in addition to other payment options. Mr. Nichols stated that was correct.

Mr. Skala commented that he had recently visited Fort Collins, Colorado, and they had a remarkable system whereby they did not have any parking meters. He was not sure how that could be, and suggested staff consider reviewing that system in the future.

B163-16 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B168-16 Authorizing an intergovernmental agreement with the County of Boone, Missouri relating to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program and the allocation of FY 2016 funding.

Chief Burton provided a staff report.

Mr. Thomas noted he had been asked by a constituent to remove this from the consent agenda, and that constituent was no longer in attendance.

B168-16 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B169-16 Authorizing a cooperative agreement with the Missouri Department of Conservation for financial support of a community conservation planner position within the Office of Sustainability beginning in FY 2017.

The bill was given second reading by the Clerk.

Ms. Buffaloe provided a staff report.

Mr. Thomas noted he had been asked by a constituent to remove this from the consent agenda, and that constituent was no longer in attendance.

Ms. Peters asked for a description as to what this person might be doing. Ms. Buffaloe replied a big role for this person would be to coordinate the City's efforts with urban conservation, green space, and urban agriculture. A goal of the community conservationist position was to communicate externally, so this person would attend different festivals and events and provide community education with the Columbia Public Schools. She noted the St. Louis had a milkweed for monarchs program, which involved prairie restoration and demonstration sites. Staff had been in talks with some local private landowners in the area along with a review of City sites for these types of activities.

B169-16 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B171-16 Appropriating funds to pay for the City's share of the cost of the August 2016 special election.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Trapp explained the Chamber of Commerce had asked him to remove this from the

consent agenda, and asked if the funds to pay for the election would come from the Convention and Visitors Bureau hotel tax revenue account. Mr. Matthes replied yes. Mr. Trapp understood there were two taxing elements, the sales tax and the airport tax. Mr. Matthes stated that was correct. Mr. Trapp asked if it would be possible to amend this to have \$68,054 be allocated from the Convention and Visitors Bureau hotel tax account and the other \$68,054 from the general fund. Mr. Matthes replied yes, and explained the Council would want to appropriate general fund balance if they were to amend this ordinance.

Mayor Treece asked if there was a reason staff had attributed both to this one fund. Mr. Matthes replied there was a time they were not sure as to whether they would do the sales tax so when they placed both items on the ballot, this had been the set approach, but there was not any reason to not do what had been suggested by Mr. Trapp.

Mr. Trapp understood the sales tax issue had been seen as an add-on since they were moving forward with the hotel tax in August. Mr. Matthes stated that was correct. He explained staff planning had been geared toward the airport ballot, and the sales tax ballot was a moving target dependent on whether the legislature extended the deadline. He noted the legislature had extended the deadline, but after the City had already placed the item on the ballot. They had not known for sure the two items would go together on the same ballot.

Mr. Thomas asked if two votes, such as this, would cost twice as much as one. Mr. Matthes replied no. He explained the cost was dependent on what else was on the ballot for other institutions. He understood one reason the City's share was so expensive was due to the fact there were a lot of primaries at the County level. If it was a November election, the costs would be even higher because there would be more precincts and poll workers. He asked Ms. Amin if she agreed a November election was the most expensive. Ms. Amin replied a November presidential election would be the most expensive.

Mr. Matthes pointed out the elections were typically budgeted in the City Clerk's Office, and they typically only budgeted for one election. Mr. Thomas understood there was some money in the City Clerk's budget, but when the costs were higher than the funds budgeted, they would go to the entity that benefited from the ballot if it passed. Mr. Matthes stated they looked to which entity was most responsible for the question.

Mr. Thomas stated he supported Mr. Trapp's suggestion.

Mr. Trapp made a motion to amend B171-16 so \$68,054 would be paid for with general fund balance. The motion was seconded by Mr. Thomas and approved unanimously by voice vote.

Ms. Amin asked if Council wanted to reduce the amount out of fund balance if funds were available in the City Clerk's budget for elections. Mayor Treece asked if that was the reason the money had been budgeted. Ms. Amin replied yes. The Council was agreeable. Mr. Matthes noted this action would only appropriate the funds so they could use it when they paid the bill. He understood the intent was for a 50-50 cost allocation.

Jerry Dowell, 300 S. Providence Road, stated he was representing the Chamber of Commerce and explained they had requested this as a general practice in creating transparency in how the City funded certain elections.

Mr. Trapp stated he hoped this would reduce the criticism that they had heard with regard to how they were spending Convention and Visitor Bureau funds, and appreciated the Council supporting his amendment.

B171-16, as amended, was given third reading with the vote recorded as follows:

VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER.

VOTING NO: NO ONE. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

- B165-16 Accepting conveyances for underground electric utility and water main purposes.
- B166-16 Accepting conveyances for sewer purposes.
- B167-16 Appropriating the balance of unused funds for the reinstallation of a City-owned public art sculpture located at the intersection of Cliff Drive and Ann Street back to the designated public art fund.
- B170-16 Appropriating funds to pay for the City's share of the cost of the November 2015 special election to reimpose a sales tax of one-eighth of one percent for the purpose of providing funding for local parks.
- B172-16 Authorizing a cooperative agreement with the County of Boone, Missouri for third party consultant services related to radio system infrastructure and FCC licenses.
- B173-16 Authorizing an agreement with the County of Boone, Missouri for the assignment of legacy assets, licenses and leases related to Public Safety Joint Communications.
- R94-16 Setting a public hearing: consider changes to the sanitary sewer utility rate, sanitary sewer utility connection fee and hauled liquid waste rate.
- R95-16 Setting a public hearing: proposed construction of the Black Field improvement project at Thomas E. Atkins Jr. Memorial Park.
- R96-16 Authorizing Amendment No. 1 to the agreement for professional engineering services with HR Green, Inc. for design of the Route 740 (Stadium Boulevard) and Old Route 63 intersection improvement project.
- R97-16 Authorizing a declaration of covenants running with the land/agreements running with the land necessary to allow issuance of a building permit and compliance with egress requirements as it relates to a building addition project on property located at 119 S. Seventh Street.

R99-16 Authorizing the City Manager to apply to the Missouri Department of Transportation for transportation grant funds under the Missouri Moves Cost Share Program (Case No. 16-159).

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

VIII. NEW BUSINESS

R98-16 Expressing support for renovation of the Columbia Housing Authority's Bryant Walkway Apartments and associated application to the Missouri Housing Development Commission for low income housing tax credits; authorizing letters of support.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Phil Steinhaus, 201 Switzler Street, explained he was the CEO of the Columbia Housing Authority (CHA) and noted this was the fourth phase of their process to renovate all 719 units of public housing. By the end of next year, they would have renovated 509 units, leaving just 210 units needing to be renovated. The previous four projects had been completed with the 4 percent low income housing tax credit, which was not as competitive as the 9 percent tax credit. In 2014, the Council had passed R217-14 authorizing support for the CHA affordable housing initiative and making it a priority for low income housing tax credit over any other proposed project. He was present to ask the Council for their support of that priority so they could finish the last 210 units as they would not be able to get it completed unless they received the 9 percent tax credits. He noted the City of St. Louis and the City of Kansas City had both adopted similar resolutions identifying priorities for projects in their communities. The Missouri Housing Development Commission (MHDC) had given those letters great consideration, but last year, they had not given consideration to the Columbia City Council's resolution establishing those same priorities. He encouraged the Council and staff to contact the MHDC if they supported the work the CHA was doing.

Mr. Trapp asked if it was correct that it was uncommon for a community the size of Columbia to receive funding for two projects in the 9 percent tax credit. Mr. Steinhaus replied that was correct. He explained the MHDC had a qualified allocation plan where they allocated 35 percent of the low income housing tax credits to St. Louis, 25 percent to Kansas City, and the balance went throughout the State. He thought Columbia would only receive one 9 percent tax credit a year, if it would even receive one.

Mr. Trapp understood the CHA had been rejected on 9 percent tax credit applications in years past. Mr. Steinhaus stated that was correct. He explained they had been rejected for their Lambeth Apartments, Kinney Point Apartments, and twice for the Bryant Walkway Apartments.

Mr. Trapp asked how Council could better support these kinds of projects in Columbia. Mr. Steinhaus replied by making renovation for public housing the City's priority for funding. He noted the CHA was the first housing authority in Missouri to be approved for the rental assistance demonstration program. It gave them the edge needed in order to submit competitive applications to renovate their public housing properties. He encouraged the Council to visit Unity Drive to see the great work that was happening there. They were rehabilitating 84 units there similar to what they would do at Bryant Walkway. This would allow them to see what the units looked like before and after the work was done as they hoped to have the work on Unity Drive done by the end of September.

Mr. Trapp understood the Consolidated Plan indicated the City's highest priority as

maintaining existing affordable housing in the central city area. Mr. Teddy commented that he did not know if it stated it was the highest, but it was definitely a high priority need. Low income rental housing for families and individuals was very important.

Mr. Steinhaus pointed out the CHA also provided a wide variety of self-sufficiency supportive services to families. It was one thing to build more units in an attempt to decrease the need for affordable housing, but it was another thing to help people move up and out of poverty. It was more expensive to warehouse people in poverty than to help people move out of poverty. He explained he needed housing units for people to live to be able to connect them with the supportive services in order to help them become self-sufficient.

Mr. Thomas understood the renovations would improve the energy efficiency of the housing as well. Mr. Steinhaus stated that was correct. Mr. Thomas asked if he had an estimate of how much would be saved in utilities bills per year. Mr. Steinhaus replied they were going from cinderblock houses to houses that were insulated on the inside and outside. They were replacing the furnaces with high-efficiency heat pumps, installing double thermal pane insulated windows, adding insulation in the attics, and bringing the electrical systems up to code. He thought it would likely cut the utility bills in half.

The vote on R98-16 was recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R100-16 Expressing support for a proposed development to be located near the intersection of Southampton Drive and Sinclair Road and associated application to the Missouri Housing Development Commission for low income housing tax credits; authorizing a letter of support.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Trapp asked how support for a competing project fulfilled the mandate of R217-14, which was a resolution to prioritize tax credits for the rehabilitation of inner-city central housing. He wondered how support for a competing project coincided with R217-14. Mr. Teddy replied he could not answer that question. Mr. Matthes understood this was for new construction and the CHA project involved the rehabilitation of units that were close to the end of their useful life. He explained that was the qualitative difference as they were both considered affordable housing.

Mr. Matthes understood Mr. Trapp's point was that R217-14 would lean toward the CHA project. Mr. Trapp stated that was correct, and felt support for this would undermine their support for the CHA proposal as it was a competing proposal. In addition, he felt it was in violation of R217-14.

Ms. Nauser commented that this was a private developer building low income housing for seniors, and they had continually supported their projects by resolution since she had been on the Council. They had several units at the corner of Nifong Boulevard and Bethel Street, which were full. This project would provide housing to a segment of the population that was continuing to grow due to the retirement and aging of baby boomers, and the CHA had a different clientele. She did not see any competition in terms of the groups of people they would help, nor did she see a conflict by supporting both resolutions. She found no reason why they would not want to continue to support these low income senior homes. She noted the offering of Council support did not mean they would receive the 9 percent tax credits. These resolutions were only indicating the Council wanted the projects to be awarded the tax credits so those types of homes could be built in the community. She reiterated the City of Columbia had a growing retiree population and did not believe they should discount it in planning the community as they wanted a place for everyone to live, whether a high income senior, a low income senior, or the people in poverty that they were trying to help move out of poverty. She thought there was room to

support everyone in the community.

Mayor Treece stated he agreed, and noted he had been through the facilities at Bethel Ridge, and this was an extenuation of that. Most of the clients served were widowed women of modest income, and there was a waiting list. He pointed out they had listened to a presentation from Randy Cole recently whereby everyone agreed how important it was to intersperse affordable housing opportunities throughout the community instead of one specific area. He agreed with Ms. Nauser in that he did not feel this was inconsistent. He explained he had heard more requests for affordable housing for seniors, and this was a way to lever private investment in addition to the public support already provided.

Mr. Skala commented that he did not see this as an issue of competition, particularly with regard to the distinction made by the City Manager in terms of rehabilitation and new construction. He saw these projects as complimentary rather than in competition as they served different populations and provided different needs. He thought this was the essence of a public-private partnership in terms of subserving some of the strategic needs when it came to affordable housing.

John Clark, 403 N. Ninth Street, stated he did not recall R217-14 and was not sure they were in conflict, but was sure the City did not have an affordable housing policy as part of the Consolidated Plan. He noted the people in Boulder, Colorado, had spent two years discussing all kinds of issues with regard to affordable housing before settling on an inclusionary housing program. He pointed out the fact there were even more questions and conflicts that needed to be ironed out in terms of what they thought about affordable housing. The City did not have a policy to guide these types of decisions. For example, they did not have any policy indicating they wanted affordable housing available all over the community to eliminate income housing segregation, which was hampering the School District and their achievement gap work dramatically. He understood staff wanted a detailed discussion of the affordable housing policy the next time the Consolidated Plan was updated. He was not sure what to recommend for tonight, and suggested they use their best judgement.

Phil Steinhaus, 201 Switzler Street, explained he was the CEO of the Columbia Housing Authority and pointed out he believed there was competition between the two applications because the qualified allocation plan essentially dictated there would only be one 9 percent application funded in Columbia. He noted Mr. Smith had received a number of 9 percent allocations for his Bethel Ridge Apartments. He thought a balance was needed between the continuation of building senior housing and renovating family-site housing. The family-site units were located in a great part of town. He would not have recommended renovating them if they were in an industrial area with no access to goods, services, schools, transportation, etc. He suggested a compromise by indicating the CHA proposal was the highest priority, but they would love for the other project to be funded as well, but if only one would be funded to please fund the CHA project.

Mr. Trapp commented that the CHA project began in 2012 with robust public participation that had a deep reach into struggling communities. They operated CHALIS, a non-profit arm with a well over \$1 million per year budget, to provide supportive services in addition to those that were mandated as a housing authority. He recalled them passing R217-14 in 2014, which authorized support of the CHA's affordable housing initiative and the prioritization of tax credits toward renovation of public housing in the central Columbia area." The Council had adopted that resolution because Jeff Smith had been receiving all of the funding as he had deep reach into the State Legislature and a well-oiled lobbying machine that had been very successful in garnering tax credits. CHA had struggled to receive the premier 9 percent tax credit to make the necessary renovations. The RAD program, which was a public-private partnership, could only be fully capitalized if they found additional matching funds to make the projects happen, and it would stabilize the income of the CHA into perpetuity. He pointed out the City's CDBG and HOME funds had been in decline, and the same level of federal support for the CHA had also been in

decline. The CHA was one of only two housing authorities in the State of Missouri that had qualified for the pilot project that would stabilize funds if there could be a renovation project. It had been a great strategic plan with a lot of public input, and there were a lot of other things that could have been done with the valuable central city real estate, but this approach had been chosen because those that had participated in the public process wanted to see the units renovated. The CHA apartments were sorely in need of update, and they had moved forward with the ones they could do with the 4 percent tax credits, but they really needed 9 percent tax credits. He did not believe both projects would be funded. He commented that there was nothing wrong with Jeff Smith's proposal, but when it was in head to head competition with the CHA, they had to compare the two and one stood up as much stronger. He stated he was actively involved in issues around homelessness, and in that respect, they focused their limited resources on those with the most barriers and those with the most disabilities. He felt the CHA did this as well. There was some value with disbursing low income housing into higher income areas, but most of those benefits were negated by the fact it was senior housing. He explained if it had been family housing, he might have had a different take because there would be some value to getting low income people into great schools and being surrounded by middle class neighbors. He noted the CHA was also involved in senior housing as Oak Towers, which was a wonderful facility, was for those 55 years old or older. He did not believe there was any distinction between rehabilitation and new construction for MHDC tax credits as it was all out of the same pot of money, and felt supporting this resolution would violate R217-14. He thought they should only support one project, but if Council approved this, he asked Mayor Treece to reference the language Mr. Steinhaus had recommended. He commented that he had been in the same situation whereby he was not able to support a worthy project because he felt the most worthy project was the CHA application. He noted he had consistently been involved in this process without being asked because he understood the needs of the community in this area and had a long working experience with the CHA. He thought they could all be proud of the CHA as they operated at a level of professionalism, transparency, and respect for individual choice. He urged the Council to strongly consider voting against R100-16. He also questioned this being the best of use of funds when considering CDBG allocations, but noted he had not seen all of those proposals yet. He felt if they advanced both resolutions, they would be showing favoritism to the Jeff Smith project over the CHA project because the CHA had not sought CDBG funds since they would be able to perform this phase of operations with just the 9 percent tax credits.

Mr. Skala stated he had been persuaded by the arguments of Mr. Steinhaus and Mr. Trapp that there was in fact some competition. He thought this was a situation whereby they should spend some time carefully thinking about what their first priorities really were when there were not two priorities they could fund or approve.

Mayor Treece commented that he was concerned the Council was making it a competition, and it was not their job to prioritize senior housing versus public housing when the reality was that both were needed and had waiting lists. He reiterated he did not feel it was their job to pick winners and losers as that was the job of the MHDC. He would love to have both projects, and thought they could make a compelling argument that MHDC could fund both projects.

The vote on R100-16 was recorded as follows: VOTING YES: TREECE, NAUSER. VOTING NO: PETERS, RUFFIN, TRAPP, SKALA, THOMAS. Resolution declared defeated.

IX. INTRODUCTION AND FIRST READING

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

- B174-16 Voluntary annexation of property located on the east side of Highway 763, approximately 500-feet north of International Drive (5210 N. Highway 763); establishing permanent M-1 (General Industrial District) zoning; authorizing execution of a deed of dedication to transfer additional property required for street right-of-way (Case No. 16-124).
- B175-16 Rezoning property located on the south side of Ash Street and west of Garth Avenue from C-2 (Central Business District) to C-P (Planned Business District); changing the uses on C-P zoned property; approving the Millard Family Funeral Chapels 10-12 E. Ash Street C-P Plan (Case No. 16-127).
- B176-16 Approving the Final Plat of Broadway and Hitt Street Plat 1 located on the southeast corner of Broadway and Hitt Street (1102 Broadway and 8 Hitt Street); granting variances to the Subdivision Regulations relating to street widths and corner truncations (Case No. 16-131).
- B177-16 Authorizing a historic preservation fund grant agreement with the State of Missouri, Department of Natural Resources, Division of State Parks, State Historic Preservation Office to fund the architectural survey of the North Central Columbia Neighborhood - Phase I; appropriating funds.
- B178-16 Amending Chapter 6 of the City Code as it relates to reciprocation of electrical licenses; amending Ordinance No. 022825 relating to the adoption of the NFPA 70 2014 National Electrical Code.
- B179-16 Amending Chapter 14 of the City Code as it relates to the definition of a parking meter.
- B180-16 Authorizing construction of the Black Field improvement project at Thomas E. Atkins Jr. Memorial Park; calling for bids through the Purchasing Division; authorizing a facility usage agreement with Columbia College; appropriating funds.
- B181-16 Appropriating funds received from donations and miscellaneous revenue to the Parks and Recreation Department.
- B182-16 Authorizing agreements with the United States Environmental Protection Agency (EPA) as it relates to storm water discharge violations at the City of Columbia sanitary landfill.
- B183-16 Accepting a conveyance for electric utility purposes.

- B184-16 Accepting conveyances for sewer, utility, agreement for temporary construction and agreement for temporary access purposes.
- B185-16 Authorizing a first amendment to PCS antenna co-location agreement and a memorandum of first amendment to PCS antenna co-location agreement with Cellco Partnership, d/b/a Verizon Wireless, relating to the lease of property on Chapel Hill Road (Fire Station No. 6).
- B186-16 Dissolving the authority to establish a revolving loan fund within REDI; authorizing an intergovernmental cooperative agreement grant with The Curators of the University of Missouri for economic development initiatives supporting early stage companies and new business start-ups.
- B187-16 Amending Chapter 2 of the City Code to establish a transparency policy as it relates to the public availability of data.
- B188-16 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for public health emergency preparedness services.
- B189-16 Appropriating funds received from Special Obligation Improvement Bonds (Downtown Government Center - Annual Appropriation Obligation), Series 2008B of the City of Columbia, Missouri; transferring funds.

X. REPORTS

- REP60-16 Public Hearing Date for the Unified Development Ordinance.

Mr. Teddy provided a staff report.

Mayor Treece pointed out an administrative delay was in place, and his only concern was they had that a six month window with which to move the recommendation of the Planning and Zoning Commission (PZC) to the Council, to wrap up the work of the Mayor's Task Force on Infrastructure, to complete the work of the Parking and Traffic Management Task Force, and to hopefully develop some historic preservation protections. They had to bring everything together prior to the expiration of the administrative delay in December. Similar to the Parking and Traffic Management Task Force, he was concerned the workload would expand if they provided more time causing it to take many months to get it right. He wanted to convey a sense of urgency. He explained he also wanted to ensure there was adequate public input, but had concerns on timing. He noted he would be happy to extend or expand the administrative delay, but he did not believe that was what private industry wanted.

Mr. Skala stated he generally concurred with the comments of Mayor Treece as he also saw a sense of urgency as some of them had been working on this for at least 2-3 years. He noted he had served on the PZC so he completely understood the need for more time,

and was glad Mayor Treece had indicated they would be briefed on everything simultaneously or in parallel. He explained he and Mr. Trapp would try to focus the Parking and Traffic Management Task Force so they were able to wrap things up or at least provide an interim report. He hoped the other groups did this as well. He thought they might have to extend the administrative delay because it would provide the environment to get something accomplished. He noted they were under the same types of pressure as the private sector and others in the community in terms of making decisions. He hoped they could get their work done by the first of the year, but understood they might have to extend the timeframes a bit. He reiterated he thought there was urgency and that they should not lose this opportunity to ensure they could proceed.

Ms. Nauser commented that they had placed a lot of responsibility and work load on the PZC and thought it would be prudent to provide the extra time they were requesting so they could afford community transparency and the opportunity to have concerns addressed. If they did not have buy-in from the community, their efforts would be wasted. She thought they needed to ensure the community was satisfied the new ordinances would not impede their ability to develop and that they understood the process. She noted she was supportive of providing more time so they could do their work. She felt it might not be quality work if it was rushed.

Mr. Trapp stated there was some value to dealing with issues on the front end as it might allow for negotiations so the process was less contentious when it came in front of the Council. He noted some members of the Chamber of Commerce felt an extension to the administrative delay might be worth it if they could vet and understand the process as they would likely be in existence for a generation.

Ms. Peters noted she would support providing the extra time to the PZC, but asked about the expectation at the Council level. She wondered if there would only be one public hearing or if there would be multiple public hearings. Mr. Teddy replied that would be up to the City Council. He explained staff would bring it forward to be introduced and Council could then decide how to proceed. Ms. Peters understood they might or might not be able to get this done by December.

Mayor Treece asked if the hearing and the vote would be delayed to October 20. Mr. Teddy replied his interpretation was that the PZC would hold the ultimate public hearing on October 20 and would go to that meeting with the expectation of voting on the item. If there were any intractable issues, he thought there were ways to set those aside so they could at least move the document. The report to Council could then discuss the items they found to be intractable and any need for additional time for those standalone topics. Mayor Treece stated he was not inclined to break it up. He would prefer it be kept together. Mr. Teddy explained he was not thinking about this at a chapter level. He was thinking about individual standards on which there was not agreement.

Mayor Treece asked if it was naïve to think they could reserve the first meeting in November for introduction and first reading and the second meeting in November, which might or might not be the week of Thanksgiving, for the public hearing and vote. Mr. Thomas replied it sounded naïve to him. He thought they might need a little more time. Ms. Nauser stated she was concerned about holding the hearing close to holidays as many people traveled. She cautioned making major decisions around the holidays as it would cause backlash from the community with regard to not being able to participate.

Ms. Peters asked if they wanted to provide the PZC the extra time requested with the anticipation of Council voting on the issue in January and an extension of the administrative delay. Mayor Treece suggested they wait to determine how much progress the PZC was making prior to making that decision.

Mr. Thomas stated he did not like the idea of planning a rush as he thought they would either have to backtrack or would regret it.

Mayor Treece stated the Chair of the Mayor's Task Force on Infrastructure had also asked for additional time as there had been an interruption in leadership, and noted he

had conveyed the same sense of urgency to her. He thought their deadline was in August so they would likely need some additional time as well.

Ms. Peters asked if they were okay with telling the PZC they were agreeable with them going into October. Ms. Nauser replied yes. Mr. Thomas and Mr. Skala also agreed.

Mr. Trapp stated he agreed with Mayor Treece about having a sense of urgency in trying to move these things forward even with the time extension as he believed it being unsettled led to a lot of community discord. He thought things would get better once this issue was resolved along with the downtown infrastructure issue.

Mr. Skala commented that he did not view this as a plan to rush as they had been planning this for a long time. He agreed it had gotten complicated and there were a lot of details that needed to be reviewed and discussed. He thought they needed to be realistic in understanding this environment of making decisions based on very complicated moving pieces also tended to focus one's attention on the problems, and sometimes those were the most productive moments. He felt they needed to take advantage of all of the input they had in conjunction with the public's right to know and make comments, but thought it was important to suggest there was a sense of urgency to finish this monumental task. Mr. Thomas understood Mr. Skala was saying October 20 and not a day longer. Mr. Skala stated he could not speak for the PZC or others, and was agreeable to extending the administrative delay if it was necessary. He just did not want to go too far as he thought the Council could wrap up their work within a month or two.

REP61-16 Intra-Departmental Transfer of Funds Request.

Mr. Matthes provided a staff report.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

John Clark, 403 N. Ninth Street, stated he was happy the Mayor's Task Force on Infrastructure was asking for more time because he felt the urgency was seriously hindering their debate and ability to ask for best evidence, such as having people from the County come and talk to them about the transportation plan completed for the northeast area and sufficiency of resources. He understood they were relying on the committee members and engineers instead of planners because they were in a hurry to get it done. He agreed this was a generational issue, and his goal was for 70 percent of the people in Columbia to say they did not like it but could live with it. He did not believe there was any way that would happen by December 31, and thought they would have to extend the administrative delay for 2-3 months. He recommended extending the administrative delay up front and then making it clear that was it. He commented that he was concerned about having a two hour work session to present the work of the PZC on the unified development ordinance on September 19, the night there would be a vote on the budget. It did not seem to be good in terms of thinking and digesting the information. He hoped that would be reconsidered.

Mr. Clark asked if anyone had heard of the term penturbia, and explained that was where most land value would be in the next 50-60 years. It succeeded suburbia, and was all of the land near urban centers like Columbia, but was not the land in the urban center. As a result, Boone County outside of Columbia would be penturbia. He thought it was important for them to start thinking about the whole of Boone County in terms of affordable housing, transit, etc. Trying to buy land for affordable housing for the land trust in Columbia would be very expensive, and affordable housing existed in surrounding towns in Boone County. He thought they should be open to people living in the towns within Boone County and working in Columbia, and should support it instead of fighting it. He believed they should keep the city limits constrained and support these other communities. An important factor would be to support the idea of a regional transit authority to ensure people could get back and forth without using their individual automobiles. He noted the Mid-Missouri Transportation Alliance had done a lot of work on this, and even had some plans. He encouraged the Council to think in these terms.

He explained Tom Ratterman, who made a presentation with regard to the Boone County Regional Sewer District, had gotten him to think about this by saying the affordable housing was in the County now. This was thinking beyond the borders regarding the affordable housing policy.

Eugene Elkin, 3406 Range Line Street, commented that he liked what David Aguayo had to say earlier as he spoke about education. He asked if they needed to ensure low income families were receiving the best education they could get. He wondered how many people had been held back due to poor funding in some aspect.

Mr. Elkin understood the meeting had gotten heated when Ms. Wilson-Kleekamp brought up an issue with the Police Chief. He asked if the Police Chief might have problems with respect.

Mr. Elkin commented that he had been involved in a situation where some children were in the street and causing him some real problems. He was thankful Columbia had smart officers as they helped deal with the issue and walked away. They were not overaggressive. He wondered if the real problem was the lack of education due to a lack of funding, and noted that all lives mattered.

Tara Warne-Griggs explained they had data from multiple sources indicating racial profiling occurred in Columbia along with a persistent refusal to show the other data that contravened it in an organized, coherent, and transparent fashion. There was only an assertion that this other data existed. As an analyst, she wanted to know more and pointed out it mattered in terms of having a productive public conversation. This afternoon they learned of an incredibly stressed Police Department from a good survey with an excellent response rate and good questions. She did not believe the Police Chief understood the difference between overt racism and implicit bias based on his comments. They all had implicit bias as that was how the brain worked. They were wired to create patterns and form associations, and race was a defining characteristic of the culture. They all had racial implicit bias, so it was nonsensical to assert that only a few officers had it. Implicit bias created a need for sufficient resources, appropriate work schedules, less than 12 hours per shift to manage calls, etc. as stressed people entering stressful situations, such as serving a warrant or conducting a traffic stop in a part of town one felt was dangerous, tended rely on a script and would not have the emotional wherewithal to overcome that implicit bias. These were crucial issues that were linked.

Lynn Maloney commented that it was good to hear the Police Chief say he was open to having a conversation about the racial profiling data. When a number of them had met with the Police Chief about a year ago, he was very eager and pleased to meet them and had indicated he would like to meet with them again in a few months. Three of them had followed up and he had declined to respond to any of them. He had suggested he did not know what implicit bias was and was eager to get materials, which two of them had sent. She noted she had followed up with him a month later to ask about his response to those materials, and he again chose not to respond. She reiterated they were pleased he was open to having a conversation and stated they would be contacting him tomorrow to pursue that conversation, and would inform the Council as to the conversation afterward.

Traci Wilson-Kleekamp recommended the Council read the book entitled *White Rage: The Unspoken Truth of Our Racial Divide* written by Carol Anderson, and noted the reason she had gotten it was because she was sick and tired of reading racist editorials from Hank Waters accusing black people of having pathological cultures. If black people were not racially profiled and locked up in mass numbers, their families would not be broken causing them to live in abject poverty. She stated they had to break people from this fantasy of meritocracy and black pathology in black families as it was nonsense. She explained Ms. Anderson's book opened by commenting on New York where

blacks and Hispanics in 1999 made up 50 percent of the population and accounted for 84 percent of those stopped and frisked by the New York Police Department. She noted Ms. Anderson then went to 2014 when Ferguson, Missouri, went up in flames and commentators throughout the print and digital media asserted variations of the same story whereby African-Americans angered by the police killing of unarmed black teen were taking out their frustration in unproductive and predictable ways, i.e. rampaging, burning, and looting. Ms. Wilson-Kleekamp pointed out that was not what was really happening. People who were oppressed for a long time would get angry. She noted she was angry tonight. She felt that little exchange of breaking Robert's Rules for Mr. Matthes was oppressive and not right. She also felt allowing the Police Chief to talk while not allowing the citizens same opportunity did not show transparency. It appeared to be white power to her and had made her mad. She stated she would not burn or loot anything as she was very articulate and would communicate with them, but noted she did not want a situation like Ferguson happening in Columbia. She felt they needed to stop playing rhetorical games about social equity. They needed a policy instead of bullet points and a budget instead of just talk. She believed that needed to be done this year.

Alan Mitchell stated he was the President of the Columbia Police Officers Association (CPOA) Fraternal Order of Police Lodge No. 26, and noted they had released a morale survey today. It was a survey he had not originally planned to release to the public as his intention had been to get an idea as to whether what he thought was true about the Police Department was actually true. He had a fear of releasing the survey because he was afraid the Administration would take the morale survey as personal attack and would then do whatever they could to deflect or dismiss the issues as not being their fault and as the result of something else. He was convinced by people in his organization to go ahead and release it. He was also convinced by the way the Council Members he had shared the survey with had reacted. The initial stories he had read after its release looked promising. He thought it might be the beginning of some change, but at 5:35 p.m., he had received a media release by the Columbia Police Department whereby the Administration had dismissed the problems blaming them on national trends and a lack of funds. There was nothing in the media release indicating they would address any of the issues. To add insult to injury, they blamed the CPOA for missing meetings. He noted he had been told a couple of weeks ago that he had missed a couple of meetings with Administration, but he had not been aware of these meetings. He had been told they had been put on his calendar, but they had not been seen by him. He had not been sent a text or an e-mail. He wondered about the appropriateness to say in the media release that they had repeatedly missed meetings when they had only missed two. He commented that the problems in the Police Department were not due to the nationwide trend although he agreed those forces were working against them. They were also not solely due to the lack of money. There were problems that could be solved, but it would require a willingness to listen to officers and give them what they wanted. Provided those things did not affect services to the City or did not infringe on the finances of the City, there was no reason not to accommodate the requests, except to show the Administration was in charge. He believed the schedule was one of the worst problems, but they had been told it would be another six months before it would be reviewed. He wondered why they would wait six months to address an issue that was causing so many problems. He felt the 10-hour schedule they used to have had been the best, and noted it had actually caused morale to go up. It had worked for two years, but they were told it statistically did not work even though the perception was that it was working. They were told the 12-hour schedule worked statistically even though their perception was that it was not working and that it was affecting morale. He commented that 81 percent on patrol did not like the shift. The only people that had indicated they liked the shift were those that worked the power shift, and it was a 10-hour shift. There were other problems in addition to the schedule, but they were all dismissed by the press release. The CPOA

felt the Administration was saying it was not their problem or fault. He knew of six officers in the Police Department that were either leaving or waiting on phone calls in order to leave, and was told tonight of three others. He stated they had tried to work with Administration. He quoted Colin Powell who said "Leadership is solving problems. The day your soldiers stop bringing you their problems is the day you have stopped leading them. They have either lost confidence that you can help them or concluded you do not care. Either case was a failure of leadership."

Grace Vega stated she found what she had read of the report today frightening. She commented that another frightening issue was that she heard a person she trusted and had voted for set up a binary, which she suspected already existed. It was a binary of us against them. She was saddened and frightened by it. She explained she had a brown husband and two beautiful brown children, and noted she worried even more now that she had heard about what the police were going through. She was concerned that if her husband called the police to their home, her husband would be the person who was dead because he looked like he might be the perpetrator. She commented that children experienced biases in education and pointed out her daughter had experienced it in Columbia. She thought they needed to stop saying "not in Columbia" as it happened here. She stated they wanted to work with the City and were not a bunch of witches. They were really smart people, most of who happened to have families of colors. She noted they had been criticized for not having very many black people in their group, but most of them had black or brown spouses, children, or grandchildren. She explained she had been told by some black people that they would get fired if they joined the group. She it was not a good thing to be part of a group that challenged white power. She pointed out she was white and had grown up in an all-white community, and now understood perfectly how implicit bias worked. She asked the Council to do something about the issues in the report and to do some of the things Race Matters, Friends had suggested. She reiterated that they were smart people and were willing to work with them. She believed Columbia could have some serious problems. She did not feel it would be someone killing the police, but thought it might be someone killing her husband, children, or her friends' children.

In response to the issues that had been brought before the Council by the Race Matters, Friends group, Mr. Ruffin commented that on May 19, 2013, a young man by the name of Brandon Coleman was shot three times and had died as a result of those gunshot wounds. There had been significant controversy around his shooting because the perception was that when 9-1-1 was called, it had taken too long for the police to arrive, and when they had arrived, they chose not to administer medical care. He had been four blocks away from Boone Hospital, but they had taken him to University Hospital and had not contacted his mother until the next day because Brandon had not had a police record so they claimed they could not find any information about his family. His mother was a member of Second Baptist Church and there was great public concern about the circumstances surrounding his death. Mr. Ruffin noted there were a lot of questions and misunderstandings with regard to policies and procedures and the response of the Columbia Police Department. He explained all of the community events, which included protests, originated out of Second Baptist Church. It was his first opportunity to observe Chief Burton's character as he had come to the church and had sat through several of the meetings. He noted Chief Burton had listened carefully and responded coherently with a sense of empathy, but did not back down from his understanding of policy and procedure. As a result, even in this very volatile situation, he felt Chief Burton had earned a modicum of respect in community. Mr. Ruffin noted he was, however, concerned about Chief Burton's response tonight as an African-American man living and working in the City of Columbia. He thought it would be amazing if there was only minimal implicit bias and no racial profiling in Columbia. That, however, would make them odd since it existed

everywhere else. As a result, he questioned why it did not exist here. He felt Chief Burton was basing his opinion on his interpretation of the qualitative data. Mr. Ruffin explained he knew enough about research to know there was also qualitative data, which was equally as valuable, and they could never discount the power or significance of the personal narrative. Too many times, they based all of their opinions and responses on surveys and failed to listen to the human stories. All African-Americans in the community had a story of bias and racial profiling that had impacted their lives and their ability to feel safe in Columbia, where they lived and worked. He encouraged Chief Burton, moving forward, to deal with the issues in the survey and the issues that had been raised tonight with regard to the preponderance of bias in Columbia by listening to the stories as there was value in what people had to say and to make decisions in response those stories rather than simply the numbers.

Mr. Trapp stated he had read the CPOA survey and had been impressed by the response rate. He noted it had been hard to read and that he had tried to hone in on those comments that dealt with the City Council, and felt they needed to better. It was a huge problem, and the Council needed to own their piece of it. He thought they needed to work toward dealing with it. He commented that they were a very divided community when it came to policing and issues about race, and they had to come together as one community. They had to better resource the police and find ways to demonstrate support for them while also tackling the challenging issues of racial equity.

Mr. Trapp commented that he had been spending a lot of time with the Substance Abuse Advisory Commission as they tried to address pawn shop reform, and had been asked if he could check on the process of the administrative penalty. They had looked at a graduated penalty system for alcohol infractions and asked for an update on it.

Mr. Trapp shared a story of someone that had known two men who had died of heroin overdoses in the last year and was concerned there would be more. He noted Nick Mobley had been one of the men, and he had been sold synthetic heroin by Nick Burris, another addict who was selling to feed his own addiction. Instead of helping Mr. Mobley, Mr. Burris left the scene fearing arrest. While this act of cowardice was unacceptable, it might have been prevented by a Good Samaritan law similar to the one St. Louis recently put into place. He wondered how many lives might be saved if those witnessing an overdose could call for help without hesitation or fear of punishment. He noted Mr. Mobley was dead and Mr. Burris was doing 25 years in prison, and felt all first responders should carry overdose reversal medication. He did not feel any addict that called for help in an overdose should face criminal charges. Mr. Trapp asked for a report on the St. Louis Good Samaritan law as they had seen heroin overdoses continue to plague the community. He explained those had doubled in 2015, and although he had not seen the numbers for 2016, he felt it was a rising problem. He understood the Sheriff's Department was moving toward having their deputies carry naloxone, but that it was determined to not be necessary for the Columbia police officers and firefighters since ambulance service was quicker. He understood they had a tight budget, but thought it might be something they wanted to consider as fire personnel would arrive on the scene one minute quicker on average than the ambulance. The reason they sent fire trucks to medical calls was to render aid immediately. He understood that one minute differential was critical for naloxone distribution. He had heard contradictory information with regard to price, and the VA was actively distributing it amongst their people. He stated he would be interested in having all first responders equipped with naloxone to be able to address overdoses and a report on a Good Samaritan law to determine if that was something they should adopt for Columbia.

Mr. Thomas stated he had not been impressed by Chief Burton's further responses on

the racial profiling report. Almost everyone had implicit bias. It was not an issue as to whether they had it. It was an issue of whether they were aware they had it, and how they took it into account in their interactions. He felt a clear explanation was needed as to how the Police Department understood the data in terms of how it was collected and how it came to be that way. He noted there could be a lot of different reasons that might not include implicit bias or racial profiling. He felt dismissing the data with assertions without evidence was only fueling the distress in the community. He stated he appreciated the survey by the CPOA, which showed further distress in the community. He thought it was a catastrophe and both of these issues had to be their number one priority as they were connected. He commented that police officers were leaving and everyone was unhappy, and felt there had to be a high priority plan developed quickly. He called on the City Manager to look at both of these issues urgently and come back with a plan that included better communication. He noted they were underfunded, which was a big part of the morale problem. He thought the community wanted to fund the police, and that they could obtain more funding if they made a case showing they could use the funds effectively by creating a police department the community wanted. They were hearing about the type of police department the community wanted every day and felt that information needed to be put into a plan through which a funding proposal could be made. He commented that understanding the racial prejudices and implicit biases of everyone and being able to work within that framework and communicate it was equally important.

Mr. Skala stated this was a very serious and grave discussion. He commented that his situation was unique as his daughter was a police officer in Columbus, Ohio, and there were tremendous killings throughout the country. He noted Missouri racism was different than the Chicago, Illinois, racism to which he had been accustomed, even in his own family. He explained there had not been any minorities in his high school so he had not experienced interaction with minorities until he joined the service, and it did not matter then as everyone was in the same flank protecting one another. He commented that he was not sure why his daughter was a police officer or why anyone would want to be a police officer, and was not sure how she did it. He understood there had been discussion with regard to the Police Chief tonight, and noted their role as a City Council in a city manager form of government was to set policy as they could not get involved in the personnel decisions. These discussions, however, could lead to better policy. He stated he was reminded of the black Dallas Police Chief, whose job when he first came to Dallas was to fire 76 police officers, and he had instituted a community policing regime that was more successful with fewer officers than with more. He noted the rhetoric they often received was that they did not have enough officers to institute a community policing program, and he was not sure that was the case. He thought the public referendum might have reinforced that as it had been unsuccessful. He agreed they had real issues with regard to racism, institutional and structural, in the community that was different than in other communities. They were still fighting the Civil War for all practical purposes. He hoped the public would agree that some of them were trying to get on the right track, and noted they needed each other to make it work. He felt they also had to recognize that if this was an easy problem to solve, it would have been solved a long time ago. The issue of slavery was an ugly reality they had to face. He commented that he did not have all of the answers and was willing to listen.

Ms. Nauser commented that the results of the survey were very concerning to her. She noted the comment made about stressed officers going into stressful situations in parts of the community where they might feel unsafe had been enlightening. It was a disaster waiting to happen. She thought they needed to focus their efforts on how they would solve the problem. It had been building for some time with the shortage of police officers along with the other issues in the country and community. She felt they needed to buckle down and focus on it. It was not a good situation at all, and they did not want

Columbia to be divided to the extent they saw in other communities across the country with the incidents that were happening.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 11:35 p.m.