



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, June 21, 2021
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 approximately 7:00 p.m. on Monday, June 21, 2021, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Member BETSY PETERS, Mayor BRIAN TREECE, Council Member PAT FOWLER, Council Member ANDREA WANER, Council Member KARL SKALA, Council Member IAN THOMAS, and Council Member MATT PITZER were present. Deputy City Manager De'Carlton Seewood, City Counselor Nancy Thompson, City Clerk Sheela Amin, and various Department Heads and staff members were also present.

The minutes of the regular meeting of May 3, 2021 were approved unanimously by voice vote on a motion by Treece and a second by Skala.

Treece explained the minutes were not yet complete for the May 17 and June 7 regular meetings.

Upon her request, Thomas made a motion to allow Fowler to abstain from voting on B172-21 and R113-21. Fowler noted on the Disclosure of Interest that she knew the family (former neighbors and housemate). The motion was seconded by Pitzer and approved unanimously by voice vote.

Treece made a motion for B157-21 to be withdrawn from old business. The motion was seconded by Thomas and approved unanimously by voice vote.

Treece made a motion for R82-21 to be withdrawn from old business. The motion was seconded by Thomas and approved unanimously by voice vote.

The agenda, including the consent agenda and B157-21 and R82-21 being withdrawn from old business, was approved unanimously by voice vote on a motion by Treece and a second by Thomas.

II. SPECIAL ITEMS

None.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC6-21 Board and Commission Applicants.

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

AIRPORT ADVISORY BOARD

Puri, Raman, 3508 Cross Timber Court, Ward 5, Term to expire December 1, 2022

COLUMBIA AND BOONE COUNTY LIBRARY DISTRICT BOARD

Markie, Kathleen, 316 E. Briarwood Lane, Ward 4, Term to expire June 30, 2024

Westerfield, Khaki, 101 S. Glenwood Avenue, Ward 4, Term to expire June 30, 2024

Treece delayed making an appointment to the Columbia Housing Authority Board and asked the City Clerk to readvertise the vacancy.

RAILROAD ADVISORY BOARD

Paten, Marty, 1900 W. Broadway, Ward 4, Term to expire July 15, 2025

WATER AND LIGHT ADVISORY BOARD

Coffin, Gregg, 4001 Dublin Avenue, Ward 4, Term to expire June 30, 2025

Treece commented that the appointment of Gregg Coffin to the Water and Light Advisory Board (WLAB) came with an automatic membership to the Integrated Electric Resource and Master Plan Task Force (IERMPTF), which meant there was now a vacancy on the IERMPTF. Treece understood Kim Fallis, whose had not reapplied for the WLAB, had agreed to continue serving on the IERMPTF until it concluded its work, which was anticipated to be in July or August. Treece asked if anyone objected to Fallis being appointed to the IERMPTF when her term was up on the WLAB, and no one stated an objection.

YOUTH ADVISORY COUNCIL

Hoffman, Graham, Ward 6, Term to expire June 1, 2024

Schultz, August, Ward 5, Term to expire June 1, 2022

IV. SCHEDULED PUBLIC COMMENT

SPC33-21 Thomas Jensen - Review of the Renewable Energy Ordinance.

Thomas Jensen, Chair of the WLAB, explained the WLAB, the Climate and Environment Commission (CEC), and the IERMPTF had some overlapping interests. This past winter the WLAB had discussed the disconnection list and the extraordinary stresses that had been exacerbated by the pandemic along with the spending of money to acquire Renewable Energy Credits (RECs) to satisfy the ordinance with regard to renewable energy requirements, and they had realized they were sending \$25,000 out of the domain to acquire RECs, which did not necessarily displace dirty energy because sometimes clean energy displaced clean energy. It was not contributing to cleaner air, and the \$25,000 could have gone a long way that month in curtailing some of the challenges with delinquencies and disconnection notices. Jensen noted there were new technologies available that allowed utilities to be very careful in how they acquired RECs to assure they would actually displace dirty energy with clean energy so it would help achieve that primary driver for that kind of ordinance. Jensen stated they felt the entire ordinance could use a fresh look and thought they should combine forces since they had some overlap. There was no point in having three independent groups come to Council with a disorganized jumble of suggestions, and as a result, they would coordinate all three groups. Jensen pointed there was some overlap in membership so they would be careful to not violate the open meeting laws with who they appointed to what. It would be a small group, likely involving Carolyn Amparan, Jay Hasheider, Dave Switzer, and Dick Parker, and they would meet informally on an ad-hoc basis to ensure any recommendation to the Council would represent the coordinated effort of the three different groups. Jensen explained the purpose of him speaking today was to inform the Council that they likely would not want to continue spending money on RECs, i.e., sending Columbia's money out of the area for this fall. Jensen noted the WLAB needed to search for RECs in October so it was possible they would not come back with a perfect suggestion before that process had to begin, but they were hoping to take a more thoughtful approach by spending their very scarce resources locally. Jensen stated he was present to field any concerns or questions. If there were none, they would move forward with their ad-hoc

efforts.

Peters understood the exchange of these credits was more of a paper experience than anything else, and thought it was great that they had decided to look at how to use the money better along with improving the environment. Peters appreciated Jensen explaining this to the Council.

Thomas stated the Council received a renewable energy report every year, and it broke down the purchases of renewable energy among solar, wind, etc., and asked if there was a category of RECs in addition to the actual purchases or if it was incorporated within solar or some other source. Jensen replied the RECs were necessary because they were always a little short of the goals. This would be a new way to approach that. Jensen noted they also had new power purchase agreements coming on line, which would change the mix. Thomas understood the actual purchases of actual renewable energy did not reach the level the ordinance required based on the original public ballot and the later increase, and that these RECs were purchased to get them above that. Jensen stated it was almost like a perfunctory ministerial act. It did not necessarily achieve some of the goals that had initially driven the creation of the ordinance. Thomas commented that he had not realized that as he had thought they were reaching the goals with actual purchases of renewable energy. Jensen noted the good news was that there were a lot of things in the works that would get them there. In the meantime, they would rather spend the \$25,000 to help reduce the number of disconnects. Thomas stated he looked forward to seeing what they would come up with.

Trece commented that the consent agenda included a resolution to set a public hearing to consider the renewable energy plan, and they could hopefully have more discussion during that public hearing.

Skala stated he appreciated this autonomous initiative to get together in cooperation. Skala commented that he had long thought boards and commissions should do as much as possible in an advisory capacity so he appreciated that.

SPC34-21

Ryan Jarrett - City Ordinance 19-84.

Ryan Jarrett, 3608 Falmouth Drive, noted he had been an employee for the City for four years and a resident for nine years. Jarrett stated he had sent the Council a letter last week with regard to valuing employee and employee pay. In the letter, Jarrett had detailed how he had recently accepted a new position as the Senior Systems Administrator, for which he was grateful. Due to Section 19-84 of the Code of Ordinances, Jarrett was only eligible for a maximum of ten percent over his current salary. Jarrett explained his responsibilities had increased, and he remained almost \$7,000 below the lowest paid Systems Administrator. Jarrett commented that this policy was not only bad for employees, but it was also bad for the City because it did not provide incentives for employees who wanted to progress in their career and stay and invest their time with the City. In fact, it provided an incentive for employees to leave with the training and certifications the City paid for and provided them with. Jarrett understood the City was in the process of conducting a new pay study to look at issues related to employee compensation, which could cover the issues caused by Section 19-84, but he also knew the City had a culture of kicking things down the road and contracting with outside entities to study internal issues. Jarrett stated he was not sure he had seen the result of any study be effective as the issue relating to Section 19-84 had existed for the last nine years. As a citizen, Jarrett wanted to ensure his taxes were going to the best use. Knowing they had studies that did not appear to be addressing the important issues relating to pay and compensation, Jarrett was asking the Council to address the issue now versus waiting for another study. Jarrett explained he was not asking for this solely for him, but for all employees that had dedicated years to the City without feeling valued when constantly seeing external hires make more than they did. Jarrett noted there had been lots of conversations about wanting to change the culture of the City, and he believed there was no better place to start than with this issue as it was the number one issue that came up in conversations of employees not feeling valued. Jarrett stated he

had turned down the other job offer he had detailed in his letter because he ultimately enjoyed working at and being a part of the City. Jarrett hoped they would turn a new corner with how the City demonstrated it valued employees as it would shift to a more positive culture. Jarrett asked the Council to consider addressing the issues caused by Section 19-84 as soon as possible without waiting for another study because he did not want to see the City continue to lose valuable employees.

V. PUBLIC HEARINGS

None.

VI. OLD BUSINESS

B157-21 Voluntary annexation of property located on the south side of Gans Road and the east side of Bearfield Road (2550 and 2700 E. Gans Road); establishing permanent District R-1 (One-family Dwelling) zoning (Case No. 91-2021).

Discussion shown with R82-21.

R82-21 Approving the Preliminary Plat of "Canton Estates" located on the south side of Gans Road and the east side of Bearfield Road (2550 and 2700 E. Gans Road) (Case No. 89-2021).

Treece pointed out B157-21 and R82-21 had been withdrawn.

B170-21 Authorizing Amendment No. 2 to the agreement for professional services with Siemens Industry, Inc. for the development of an Integrated Resource Plan and Master Plan.

The bill was given third reading by the City Clerk.

Utilities Director Dave Sorrell provided a staff report.

Treece asked Pitzer if he had been able to vet the current language and if he was comfortable with it. Pitzer replied he was, and stated his appreciation for staff in putting together the amendment.

Pitzer asked Sorrell if he had spoken with the consultant informing them of the questions of Council and for their response. Sorrell replied Christian Johanningmeier, the Power Production Superintendent, had interacted with Siemens, and they had accepted the fact they would not be paid for the distribution work. Sorrell noted he had not personally spoken with Siemens, and was not sure of the attitude about it as he had not asked Johanningmeier about it.

Pitzer made a motion to amend B170-21 per the amendment sheet. The motion was seconded by Treece and approved unanimously by voice vote.

B170-21, as amended, was given fourth reading by the City Clerk with the vote recorded as follows: VOTING YES: PETERS, TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B180-21 Authorizing a second amendment to the redevelopment agreement with Broadway Lodging Two, LLC and Columbia TIF Corporation Two in connection with the Broadway Hotel Phase Two TIF Redevelopment Plan and Project on property located at 1104 E. Walnut Street.

The bill was given second reading by the City Clerk.

Thompson provided a staff report.

Robert Hollis, an attorney with offices at 1103 E. Broadway, explained the reason for this request was two-fold. A merger between two entities was taking place. The ownership was identical on each side so it had no effect on anything related to the Tax Increment Financing (TIF). The prior extension had been approved in January of 2020, and due to the pandemic, they were in front of the Council again. The reason they were asking for such a long extension was out of an abundance of caution. Hollis stated they fully expected to the beat that date. If they did not, it would only harm them because the TIF period was set in stone. It was a loss to the developer for the development to not have occurred and for the TIF benefits to not be accruing.

Skala understood everyone involved had taken a good deal of time with regard to negotiating the development agreement. Hollis stated was correct. Skala asked if that was another reason for the need for an amendment for the extension. Hollis commented that this process was not free, and it was a burden to the City as well as the developer to go through it.

Treece asked if there had been a delay on the City's part in negotiating the development agreement. Skala replied he was not suggesting there was a delay. Skala understood a considerable amount of time had been taken, i.e., 14-16 months. Treece asked if that was on the City's part. Hollis replied the reason for the request to go to 2024 instead of just going to the end of 2022 or 2023 was because this process of just a simple amendment took time and resources from the developer and the City. Hollis stated there had not been an inordinate delay on the part of City staff to his knowledge.

Treece asked if permanent financing was in place for this project. Hollis replied as far as he knew the commitment that had been in place still remained, and noted he thought it was with the same lender. Treece asked if that was Carrollton Bank. Hollis replied yes. Treece asked Hollis if he thought the cost of construction was the same today than when this was approved. Hollis replied the TIF was approved in 2017 and the redevelopment agreement had been approved in 2018, and pointed out he was not the person to ask with regard to cost. Treece asked Hollis if he thought costs would have increased between 2017 and 2021. Hollis replied he would imagine some costs had increased.

Treece understood one of the bases for approving the trip was the "but for" clause, i.e., but for public financing the project could not go forward, and asked Hollis if he thought that was still the case today. Hollis replied he did not think anything had changed in that regard. Treece understood it was not possible to build a hotel downtown without a public subsidy. Hollis stated he would not say that as he did not have any idea. Hollis thought there could be potential locations where a certain type of hotel could be built without a TIF.

Treece commented that he thought the ground had shifted between where they were today and 2017. Treece noted he had voted against this previously, and the TIF Commission, which was made up of City appointees and taxing entities, such as the Columbia Public Schools, the Boone County Family Resources, and the Columbia and Boone County Library, had recommended against this. Treece understood there was a legal test with respect to the "but for" clause, which said but for the presence of the TIF, the project could not go forward. Just last week, the Planning and Zoning Commission (PZC) had recommended approval for another downtown hotel that was being built without any public subsidy. It was money that came out of the public schools, etc. Treece commented that extending this for another three years after there had already been one extension prior to the pandemic did not seem reasonable to him. Treece stated he would make motion to refer this issue to the TIF Commission for review and a recommendation.

Skala stated he had been put in the unenviable position of voting for this TIF, and making the deciding vote, as it had been a 4-3 decision of the Council. Skala commented that he had been convinced that the "but for" clause was legitimate and that the conversation area designation was legitimate. Skala noted he would have voted against it if it had been a blight designation. Skala stated he did not regret the vote for this particular issue. He explained he was generally not supportive of TIFs in the community, but had

supported the TIF for the Tiger Hotel and this TIF. There were others whereby he had either not been in office or had not supported. Skala thought the other hotel that was proposed was likely not TIF eligible. Skala commented that he did not particularly have an objection to send this back for more information, but he also did not have a problem granting the extension based on the decision-making that had occurred in the past.

Peters stated she felt they had already discussed this issue before, and noted she would be opposed to sending this back to the TIF Commission. It would only delay this more. Peters commented that she did not feel the ground had shifted much and did not see a reason to not allow this to move forward. Peters noted she would oppose the motion and was in favor of the extension.

Treece made a motion to refer this issue to the TIF Commission for review and a recommendation. The motion was seconded by Waner.

Treece commented that the costs the TIF Commission had considered in 2017 had changed. Treece was not sure the increment had changed, but it did not seem fair to have two hotels being built at the same time in downtown Columbia with one being subsidized by taxpayers the other doing it without any subsidies. He did not feel it was fair to taxpayers or schools. Treece noted he would have been fine with it if it had already been built. It had not been built, and the request was for a three year extension. If the "but for" clause could be met due to the unique characteristics of the site, so be it.

Skala stated he would oppose the motion. The ground might have shifted, but he did not feel it had shifted significantly enough to change the decision that had been made with regard to the "but for" clause and the conservation categorization. Skala pointed out a TIF had not been requested for the other hotel. In addition, they were in different geographical areas. Skala did not believe the same rules would apply and saw no reason to not approve the extension.

Thomas commented that he had voted against this in 2017 as well, but he agreed that the ground had not shifted substantially. Thomas stated he also did not feel there was a lot to be gained by relitigating it.

Treece stated he would withdraw his motion to refer this issue to the TIF Commission for review and a recommendation, and asked Waner if she would consent since she had seconded it. Waner replied she was agreeable.

B180-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: PETERS, FOWLER, SKALA, THOMAS, PITZER. VOTING NO: TREECE, WANER. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

- B172-21 Voluntary annexation of property located on the west side of Scott Boulevard and west of Copperstone Creek Drive; establishing permanent District R-1 (One-family Dwelling) zoning (Case No. 132-2021).
- B173-21 Granting the issuance of a conditional use permit to AMERCO Real Estate Company (d/b/a U-Haul) to allow for the construction of a self-service storage facility exceeding fourteen (14) feet in height on property located at 900 I-70 Drive Southwest (Case No. 127-2021).
- B174-21 Rezoning property located on the south side of Bull Run Drive and east of Port Way (5710 Bull Run Drive) from District M-C (Mixed Use - Corridor) and District PD (Planned Development) to District M-BP (Business/Industrial Park) (Case No. 123-2021).
- B175-21 Vacating a portion of the Burnside Drive street right-of-way and associated

- utility easements within Eastport Centre Plat 2-A; accepting a conveyance for utility purposes located adjacent to Bull Run Drive (Case No. 133-2021).
- B176-21 Approving the Final Plat of "Discovery Park Subdivision Plat 6" located southwest of the Nocona Parkway and Endeavor Avenue intersection; authorizing a performance contract (Case No. 66-2021).
- B177-21 Approving the Final Plat of "Discovery Park Subdivision Plat 7" located at the terminus of Endeavor Avenue and west of Nocona Parkway; authorizing a performance contract (Case No. 83-2021).
- B178-21 Approving the Final Plat of "Cambridge Place Plat 4" located at the southeast terminus of Scarborough Drive; authorizing a performance contract (Case No. 124-2021).
- B179-21 Approving the Final Plat of "Eastland Hills Plat XIII" located on the southeast corner of the I-70 Drive Southeast and Upland Creek Road intersection; authorizing a performance contract (Case No 134-21).
- B181-21 Authorizing a right of use permit with Missouri Network Alliance, LLC, d/b/a Bluebird Network, for the installation and maintenance of fiber optic cable within portions of certain City rights-of-way located generally at or near Old 63 Hwy and near the intersection of Walnut and Garth Streets.
- B182-21 Authorizing a right of use permit with Missouri Network Alliance, LLC, d/b/a Bluebird Network, for the installation and maintenance of fiber optic cable within portions of the Smith Drive and Dayspring Drive rights-of-way.
- B183-21 Authorizing an agreement for professional engineering services with Allstate Consultants, LLC to provide earthwork, concrete testing and reinforcing inspection services during construction of the Discovery Parkway extension project.
- B184-21 Accepting conveyances for sidewalk and street purposes.
- B185-21 Authorizing replacement of the water distribution infrastructure along Ridgemont Road and Highridge Circle; calling for bids through the Purchasing Division.
- B186-21 Authorizing replacement of water distribution infrastructure along Old Highway 63, Gordon Street and Charles Street; calling for bids through the Purchasing Division.
- B187-21 Authorizing replacement of water distribution infrastructure near the intersection of Brown Station Road and Peabody Road; calling for bids through the Purchasing Division.
- R92-21 Setting a public hearing: proposed construction of the Lakeshore Drive and Edgewood Avenue PCCE #23 sanitary sewer improvement project.
- R93-21 Setting a public hearing: proposed construction of storm water improvements on Capri Drive.
- R94-21 Setting a public hearing: consider the Water and Light 2021 Renewable Energy Plan.
- R95-21 Setting a public hearing: voluntary annexation of property located on the

- south side of Richland Road and approximately 4,000 feet east of Rolling Hills Road (Case No. 201-2021).
- R96-21 Authorizing an agreement with Paul Land and Julaine Stiers for the donation of a bronze soccer player sculpture to be installed in the Columbia Cosmopolitan Recreation Area (Cosmo Park).
- R97-21 Authorizing agreements with Woodruff Communications, Inc., True Media, LLC, and The Beenders Marketing Group, LLC for marketing, media buying, and public relations services for the Convention and Visitors Bureau.
- R98-21 Authorizing a tourism development sponsorship agreement with Missouri Basketball Coaches Association, Inc. for the Small College Basketball Showcase, Coaches Clinic and Norm Stewart Classic events.
- R99-21 Authorizing an agreement with WW North America Holdings, LLC for weight management provider services for the Live Well Boone County program.
- R100-21 Authorizing an agreement with Neighborhood Watch of Columbia, Missouri to encourage neighborhood involvement and participation relating to crime prevention.
- R101-21 Authorizing an agreement for professional engineering services with Midwest Environmental Consultants Co. for an environmental assessment of property located at 210 Orr Street and 209 St. James Street.
- R102-21 Authorizing a release and termination of declaration of covenants running with the land/agreements running with the land to JDR RE, L.L.C. and Seventh Street Properties of Columbia, LLC as it relates to property located at 119 S. Seventh Street.
- R103-21 Authorizing a Round 3 CDBG-CV funding agreement with Columbia Center for Urban Agriculture for the distribution of healthy foods.
- R104-21 Authorizing an agreement with CHA Low-Income Services, Inc. (d/b/a CHALIS) for the use of City general revenue reserve funds to support housing ambassador services.
- R105-21 Authorizing agreements with Voluntary Action Center (d/b/a/ VAC) for the use of Round 3 CDBG-CV and City general revenue reserve funding for rent and mortgage assistance.
- R106-21 Authorizing an agreement with Love Columbia (d/b/a Love Inc.) for the use of City general revenue reserve funding for the acquisition of a house to be used as a transitional homeless shelter for families with children.
- R107-21 Authorizing agreements with Job Point for the use of Round 3 CDBG-CV and City general revenue reserve funding for vocational training services.
- R108-21 Authorizing social services provider agreements with Central Missouri Community Action, First Chance for Children, Love Columbia, Powerhouse Community Development Corporation and Rock the Community.
- R109-21 Authorizing and ratifying an amendment to the social services provider agreement with CHA Low-Income Services, Inc. for out of school

- programming.
- R110-21 Authorizing a Round 3 CDBG-CV funding agreement with Wilkes Boulevard United Methodist Church (d/b/a Turning Point) to make space modifications in support of the homeless day center and for the purchase of technology and equipment.
- R111-21 Authorizing an agreement with Rock the Community for the use of City general revenue reserve funds to support vocational training activities.
- R112-21 Authorizing agreements with Salvation Army for the use of Round 3 CDBG-CV and City general revenue reserve funding for emergency and transitional shelter services for the homeless.
- R113-21 Approving the Preliminary Plat of "Timberbrook" located on the west side of Scott Boulevard and west of Copperstone Creek Drive (Case No. 131-2021).

The bills were given third reading and the resolutions read by the City Clerk with the vote recorded as follows: VOTING YES: PETERS, TREECE, FOWLER (except B172-21 and R113-21 on which she abstained), WANER, SKALA, THOMAS, PITZER. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

VIII. NEW BUSINESS

- R114-21 Authorizing an agreement for professional services with Cooperative Personnel Services, d/b/a CPS HR Consulting, to conduct the city manager executive search/recruitment process.

The resolution was read by the City Clerk.

Treece commented that he was not going to ask for a staff report because he felt the staff needed to remain independent. Treece explained they needed to authorize an agreement for the City Manager to sign a contract with CPS HR, which was the same firm used three years ago. Treece noted they had received a signed agreement from CPS HR this afternoon via email.

Fowler stated members of the public might not be familiar with this organization, and a copy of the brochure had not been provided for public viewing. Treece asked for clarification regarding the brochure. Fowler replied she was referring to the proposal of CPS HR, which had been distributed to the Council by the City Manager. Treece understood she was referring to the scope of services. Fowler agreed. Thompson pointed out it was Exhibit A to the agreement. Thompson clarified it was attached to the agreement if one scrolled past the signature line.

Treece understood CPS HR would come back with a community profile and job description, which would be provided to the Council for review and input. Treece noted CPS HR wanted to meet with the two new council members for their input, and the Council likely also wanted to provide input, so if they wanted to meet with CPS HR, it could be set up. Treece stated the goal was to initiate advertising for the position on July 15 and for it to run through August 15 to obtain a nice robust pool of applicants.

Pitzer asked if the Council wanted to communicate anymore specifically than they had, by including a target end date so it was clear to all parties and they could work within the same time frame. Treece replied he had considered the comment of Pitzer with regard to whether they wanted to incorporate some of those dates in the contract, and thought there had been something in the contract on page 2 with respect schedules and their proposed calendar. Treece was not sure that had been conveyed and felt that should be relayed so both parties were under the same expectations. Treece asked if everyone

would be comfortable with that.

Fowler understood the position would be posted from July 15 to August 15, and asked if that was the customary practice for a position of this nature. Peters replied she thought that was the norm, and believed CPS HR would recommend extending it if they did not feel they had received an adequate pool of applicants. Skala understood it was contingent upon the return. Treece commented that his other recollection was that it had been open until filled, i.e., they had continued to take applicants until it was filled. Treece asked if that assuaged some of the concerns of Fowler. Fowler replied she thought it would be helpful to have flexibility if they did not draw a sufficient pool.

Treece stated Pamela Derby had indicated to him that a lot of people were reevaluating their positions, and felt they would get a nice pool of candidates based on people that were looking for a change.

Skala noted some people had changed their minds in the previous process by either withdrawing or adding their names to the list. Treece understood some might have applied to get a good pay raise to stay where they were. Pitzer commented that the other side of it was that it could be a competitive process for them to attract the person if it was someone from outside of the community.

R114-21 was read by the City Clerk, and the vote was recorded as follows:

VOTING YES: PETERS, TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER.

VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

IX. INTRODUCTION AND FIRST READING

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

- PR115-21 Revising the City of Columbia Police & Fire Pension Statement of Investment Policy.
- PR116-21 Adopting the City of Columbia, Missouri 2021 Strategic Plan Report - Performance Measures, Objectives & Action Items.
- B188-21 Authorizing an annexation agreement with The Eric and Nicole Blume Family Revocable Trust for property located on the south side of Richland Road (7750 E. Richland Road) (Case No. 139-2021).
- B189-21 Approving the Final Plat of "Old Hwy 63 Storage Plat 1" located on the west side of Old Hwy 63 and approximately one-half mile north of Grindstone Parkway (2801, 2909 and 2911 S. Old Hwy 63) (Case No. 115-21).
- B190-21 Approving the Final Plat of "Plumrose USA, Inc." located on the east side of State Route B/Paris Road (Case No. 142-2021).
- B191-21 Amending Chapter 29 of the City Code to establish regulations for an accessory commercial kitchen (Case No. 136-2021, #A1).
- B192-21 Amending Chapter 29 of the City Code to establish revised regulations for an artisan industry (Case No. 136-2021, #A2).
- B193-21 Amending Chapter 29 of the City Code to establish revised regulations for office, personal services, and physical fitness center uses (Case No. 136-2021, #A3).
- B194-21 Amending Chapter 29 of the City Code to establish revised regulations for a general retail use (Case No. 136-2021, #A4).
- B195-21 Authorizing construction of the Fourth Street and Broadway pedestrian crossing project; calling for bids through the Purchasing Division.

- B196-21 Authorizing the acquisition of easements for construction of the Fourth Street and Broadway pedestrian crossing project.
- B197-21 Amending Chapter 27 of the City Code as it relates to the discontinuance of service for City utilities due to temperature conditions; making gender-neutral grammatical edits.
- B198-21 Accepting conveyances for sewer purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B199-21 Authorizing Addendum 1 to the community assistance program agreement with the Missouri Department of Conservation relating to infrastructure improvements at Norma Sutherland Smith Park Lake and The Vineyards Park Lake.
- B200-21 Amending the FY 2021 Annual Budget by adding and deleting positions in the City Manager's Office.
- B201-21 Authorizing a subrecipient monitoring agreement with Boone County, Missouri relating to acceptance of the FY 2020 Justice Assistance Grant (JAG) Program Award to purchase equipment for the Police Department; amending the FY 2021 Annual Budget by appropriating funds.
- B202-21 Authorizing Contract Amendment No. 1 to the agreement with Boone County, Missouri, on behalf of the Boone County Children's Services Board, for the purchase of services for coordination of prenatal and early childhood home visitation as part of the Brighter Beginnings program.
- B203-21 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for public health emergency preparedness services.
- B204-21 Amending Chapter 27 of the City Code to establish an account at the Columbia Trust for utility assistance contributions; authorizing establishment of a Utility Assistance Program and contributions to such program by the Columbia Trust; amending the FY 2021 Annual Budget by appropriating funds.

X. REPORTS

- REP47-21 Disabilities Commission: Virtual Meeting Policy and Accessibility.

Fowler understood two members of the Disabilities Commission were present, and asked if they could speak to the Council with regard to the report. Treece asked if there was any objection to that, and no one objected. Jackie Sample, Chair of the Disabilities Commission, commented that she had served on the Commission for a number of years, and it had been her honor and privilege to learn and serve with Chuck Graham, who had been the former chair. They had lost him quite quickly, unexpectedly, and unfairly, and had lost some momentum while grieving the loss of their friend. Sample commented that Graham had been a powerful voice, a strong presence, and a wonderful political influence. Sample stated the loss of Graham had profoundly impacted persons with disabilities and the Commission continued in the spirit of his leadership as a dedicated and persistent group. Sample noted they appreciated the inclusion of disability in the City's diversity statement. Sample felt it was time to make a difference in not only the words that were written, but in the actions that were taken. The City had already developed an ordinance regarding virtual attendance, and it only needed a little updating and editing. In addition,

they had a group of experts, if questions remained, who could and would collaborate and problem solve with them. Sample explained the Commission had made a commitment to proactively work with the Council regarding issues impacting persons with disabilities along with their caregivers. Sample stated they were again requesting Council have staff review the draft ordinance regarding virtual meetings and to remove the words "in time of a declared state of emergency." Sample noted a community in Washington had had a virtual attendance policy in place since 2003, and pointed out Columbia had done this during COVID. Sample understood the City had the tools in place, and believed it needed to be continued so everyone had the same access and no one was limited due to an ability to get a ride or safely walk to this building. Sample noted the Commission thought this would improve and increase participation by all persons within the City.

Fowler noted they had allocated \$35,000 for laptops and software, and understood the laptops had arrived. Fowler commented that during COVID she had thought about the challenges of those that were protecting someone that was medically fragile in their home, or were medically fragile themselves, having to come to a meeting to create a quorum when it was likely not advisable for them to do so. Even though they were without masks and had more seats in the room, they still had people that were staying away from other people to protect their own medical vulnerabilities or those of others. Fowler felt they were less of a City if they did not consider the needs of those individuals in addition to those that were able-bodied. Fowler noted other cities were doing this, and believed Columbia should join their ranks.

Fowler asked Information Technology Director Jim Chapdelaine where they were in trying to utilize the technology tools that were already available. Chapdelaine replied the issue with the Any Meeting software was the fact it was not ADA compliant, but he understood that would be resolved by the end of the year. Chapdelaine explained the software had been evaluated for the see and be seen boards and commissions, and that they likely could have used other technologies for the other ones after testing it out in terms of how they would do minutes. Chapdelaine understood the biggest issue was how staff would do minutes with public comment through those technologies. They could have used Google Meet, Zoom, or other technologies. The Any Meeting software was chosen specifically for the 7-9 boards and commissions that needed the video of each board or commission member up and available at all times. Fowler thought most of the softwares allowed for a gallery view. Chapdelaine agreed they did, but they did not keep them posted. They could not be pinned. Thompson explained the issue was with those boards and commissions that had due process public hearing requirements or those that were required to take a roll call vote, such as the City Council. In those instances, the capacity to pin those meeting participants on the main page was a big part of the see and be seen requirement. Fowler asked how many of the boards and commissions were impacted. Thompson replied she had not brought that information with her. Thompson noted that information had been provided to the Council previously. Thompson thought there were 7-9 boards or commissions that had that elevated level of due process. Thompson pointed out the PZC was the reason they had ordered so many laptops as they were a larger body. Thompson explained those that were purely advisory and did not have any independent decision-making or were not an appeals body could use any type of software or technology. A lot of their boards and commissions did not have a lot of public attendees so they did not have to worry as much about waiting rooms, etc.

Fowler thought the reason why a lot of boards and commissions did not have public attendees was due to the reluctance of people to come out and participate, and wondered if they could move forward with an ordinance for the boards and commissions without the see and be seen requirement. Fowler noted they had already made an investment in 20 laptops, although she was not sure how they would be used. Chapdelaine replied that had been discussed, and they were going to replace the fleet of laptops for the Council and boards and commissions. Chapdelaine explained 14 would be a part of that, and the other six would be utilized in another capacity if they were not going to do

videoconferencing. Fowler asked for clarification. Chapdelaine replied he thought there were 6-9 available at the dais. Fowler stated the Council did not have City laptops as they brought their own. Amin explained laptops were not provided for the Council, but they were for other boards and commission, such as PZC and others, who did not receive an iPad. Fowler asked if the desk was covered with laptops for them. Amin replied she believed the City Channel provided that for those boards and commissions that sat at the dais.

Fowler stated she wanted to move forward with the other boards. With regard to the minutes, in some instances they had a stenographer who took the minutes, and that person could do that regardless. Fowler commented that when she had participated in boards and commissions, it had been on them as members to take the minutes. Fowler did not feel that was an obstacle, and asked how they could proceed with an amended ordinance that would allow the non-see and be seen boards and commissions to meet virtually until such time the software made the adjustments described. Thompson replied it was a policy decision for the entire City Council to make so it was up to them to discuss and determine if they wanted to direct staff to move forward.

Skala commented that his recollection was a little different than that of Fowler's in terms of boards and commissions taking their own minutes. Staff usually provided support and took the minutes. Skala referred to the Broadband Business Planning Task Force and noted staff handled the minutes for it. Skala stated he would like to see them move toward the potential for all boards and commissions to have virtual capacity because it was variable as to how many people attended meetings. Some attended more than others, depending on the board or commission. In addition, some boards and commissions had more visitors than others. Skala stated he wanted to treat most of the boards and commissions as much the same as they could within the context that there was a hierarchy of special responsibilities and authorities, such as the PZC. Skala felt the issue before them had to do with the request to change this for any meeting regardless of an emergency declaration, and he was not sure they had the capacity to do so without checking with staff. Skala wondered how much additional staff responsibility they would have to incur to do it. Skala stated he was for it if it could be done, but felt there were some unanswered questions as to whether it could be done across the board for all boards and commissions.

Peters suggested they do this for 2-5 boards and commissions based on which ones likely involved people with disabilities and to see how it worked and if they could address all of the issues. Peters noted they might not use the see and be seen groups initially.

Pitzer asked if the see and be seen requirement was unique to Missouri or Columbia and not applicable to some of these other cities mentioned. Thompson replied it would apply if they were having a public hearing. Thompson thought it was unique to Missouri when it came to roll call votes, but it would apply to a due process public hearing. Thompson believed a lot of communities had done the best they could during the COVID emergency. When it came to holding a statutory meeting and deciding people's property rights, it would apply.

Thompson pointed out there were a couple of things going on, whether it was attendance of the public virtually or the attendance of one member, less than a quorum, or all members virtually. There were varying degrees of virtual meetings, and people tended to differ on what they had in mind when saying virtual meeting.

Pitzer understood the software was not ADA compliant and asked if that was a requirement. Pitzer wondered if they would not be able to use something that was not ADA compliant. Thompson replied going forward permanently, they would need a solution that was ADA compliant. The see and be seen technology that had been identified, i.e., Any Meeting, had not been ADA compliant. There might be other providers that were ADA compliant where less than a quorum could attend a meeting. Chapdelaine thought Zoom and Google Meet were both ADA compliant already. Thompson explained it was the technology where participants were pinned to the front

page that had the issue of ADA compliance.

Pitzer asked Fowler where on the continuum she was in terms of virtual participation. Pitzer wondered if it was for board members or the public to participate. The legislation from the community in Washington permitted attendance by council and board members virtually, but it did not mandate that participation. Fowler replied she thought they were overlooking the fact they would still have any number of people come to City Hall in whatever room staff arranged for them to have the meeting. Per the Disabilities Commission, it was not for it to be a convenience. It was for people that had legitimate reasons, such as coverage of family members, medical fragility, or the inability to transport. Fowler stated she did not want to vary from the recommendation of the Disabilities Commission.

Thomas commented that he liked the suggestion of Peters. Thomas asked for clarification on the issue with ADA compliance. Chapdelaine replied he was not sure of the issue. Thompson explained the issue was whether or not one could use the keyboard to adjust things like the brightness, font size, etc. It was all mouse-driven.

Thomas thought they were in general agreement that once the technology worked, they could do this, and suggested they move forward with a few boards and commissions. Thomas felt the Disabilities Commission should be one of those. If any legal or other challenges came up, they would have only made a small commitment.

Waner asked how they would decide which boards or commissions were worthy of a trial with regard to virtual attendance. Thomas replied they could have a call for requests.

Peters asked if they would not have ADA compliant software by the end of the year. Chapdelaine replied that applied to the see and be seen boards and commissions. Thomas understood the Disabilities Commission did not need that. Waner asked if that was a guarantee or the developer hope. Chapdelaine replied he would not guarantee that. It was what they were saying now.

Treece commented that as someone that had participated in many sides of the equation, he continued to have reservations as to whether it was an appropriate policy for this body as a City Council. It was not the same experience and was not fair to applicants with property issues. A decision-maker participating virtually could turn off their video. Treece felt there were issues with respect to fairness with which he had concerns, but if the consensus of Council was to try it for certain boards and commissions, he was agreeable.

Fowler suggested they ask Sample if she had recommendations as to which boards and commissions they should utilize for the trial. Peters asked Sample if she had three boards and commissions in mind. Sample replied she thought that was something the Disabilities Commission would like to have input on versus her speaking for them. While they were ready for this to happen, it was very much a group decision and team effort. Peters asked if they could let them know after their next meeting. Sample replied that could be done.

Peters made a motion to try virtual meetings with three boards and commissions to see how it worked over the next year, and for the Disabilities Commission to provide recommendations with regard to the three boards and commissions. The motion was seconded by Thomas.

Skala understood this would be a pilot project for three boards and commissions, and they would wait until after the end of the year to implement this on see and be seen boards and commissions if the ADA compliance issue was resolved. Thompson replied yes, based on what she understood him to say. Thompson pointed out they would need additional clarification as to whether or not they were asking for the public to be able to attend virtually and under what circumstances. It would be very difficult for staff to make determinations as to which members of the public were allowed to participate in that manner and under what circumstances. Thompson wondered if someone would have to make that request prior to the meeting or if they would allow a last minute request. Treece commented that the town the Disabilities Commission had cited had a population

of about 6,000 people and they had people sign up in advance for public comment for the first ten minutes of the meeting. Treece stated there had to be some type of cue for the chair to be able to pull that person out of the waiting room and take that public comment. Sample noted their communication in February had very specific language as to how that would be determined and for signing up to comment. Sample pointed out the actual phrasing used for ADA was what was available that best met the needs so they had to make the best faith effort with regard to the ADA.

Fowler commented that she was concerned about trying this for one year as they could have advances in software, etc., and she did not feel it accomplished the spirit of what the Disabilities Commission wanted whereby people could be active in all City decision-making processes. Fowler suggested a report back in 3-6 months instead of a year. Fowler stated she preferred three months after it was implemented. They could then have a conversation as to how it was going and if they wanted to fold in more boards and commissions.

Peters stated she was agreeable to six months, but not three months because three months might only be three meetings. In addition, if they thought the ADA compliant software would be available in December, it would be close to six months. Peters wanted to roll both of those together in terms of how it was working and to know if they had the ability to move forward. Fowler stated she was agreeable to the six months.

Peters revised her motion so it was to try virtual meetings with three boards and commissions to see how it worked over the next six months, and for the Disabilities Commission to provide recommendations with regard to the three boards and commissions. Thomas seconded the revised motion, and it was approved unanimously by voice vote.

REP48-21 North 763 Community Improvement District (CID) - FY 2022 Annual Budget.

Treece explained Community Improvement Districts (CIDs) were required to submit their annual budget to the City, but it did not require action by the Council. Treece noted this was one of the smaller CIDs within the community, and that the mayor appointed members to this CID.

REP49-21 City of Columbia Vision Zero Program Update.

Public Works Director David Nichols provided a staff report.

Thomas understood the data showed seven facilities in 2020, thirteen in 2019, and eleven in 2018, and asked if they had severe injury data for those three years. Vision Zero Coordinator Krista Shouse-Jones replied yes, and noted she would provide it later. Thomas explained in previous years, there had been a graph of the last ten years and the projected or desired decline by 2030. Shouse-Jones replied they had that data available and were happy to share it.

Thomas commented that the general feeling throughout the country when they had established the vision zero policy was that there were three areas that should be represented, i.e., education, enforcement, and engineering. Thomas understood there had been a shift in thinking about an effective vision zero policy now with engineering being the most important component of the three in effectively reducing the speed of vehicles, which then effectively reduced the number fatalities and severe injuries. Enforcement was now discouraged in a lot of areas due to inequitable enforcement practices by many police departments and the feeling that having a big enforcement component disenfranchised a big part of many communities. Thomas stated he was pleased to see recommendations from the engineering team.

Thomas understood one recommendation was to lower travel speeds to minimize kinetic energy, which he agreed was the most important thing they could do. They knew the chance of a fatality was much less with two vehicles crashing into each other at 30 mph versus if they were both going 60 mph. Thomas noted it was the same if a pedestrian

was involved.

Thomas stated he liked the safe pedestrian crossing recommendation. The unsafe roads where they had fatalities and serious injuries made it difficult for people to move around the community in any mode other than a vehicle. There had to be lots of safe pedestrian crossings so people could move. Thomas felt that would also reduce the number of vehicles on the road, which would reduce the risk for everyone else.

Thomas commented that he liked the recommendations of managing turning movements and focusing on improving and minimizing conflicts related to left turn lanes. Thomas encouraged staff to continue to promote and pursue roundabout intersection arrangements as they effectively reduced the speed of vehicles at the conflict points and could be very well designed for safe pedestrian crossings at the point the vehicles were going the slowest and were willing to yield to pedestrians to allow that permeability for pedestrians. Thomas also encouraged the removal of permissive left turns of off arterials and freeways when vehicles in the opposite direction still had the green light to enter as those were very dangerous. Thomas felt they could avoid so many serious crashes by getting rid of permissive left turns and only allowing left turns when the red light was for the other direction.

Thomas appreciated the work of staff on this issue as he felt there were a lot of good ideas going forward. Thomas asked that the fatalities and severe injury numbers over an extended period of time be provided. Shouse-Jones replied there had been one pedestrian fatality to date this year, and it had been on Range Line Street.

Shouse-Jones commented that she thought the focus now was with safe systems. It was designing a system that was safe for all users. Education, enforcement, and engineering were applicable when it came to how to get safe road users, safe speeds, and safe streets. In terms of enforcement, there were a fair number of serious injury crashes and fatality crashes that involved impaired driving. Shouse-Jones understood vision zero discussed automated enforcement, but there was not a good way as of now to enforce impaired driving without there being law enforcement involvement. Another piece was distracted driving, and the public needed to determine how they wanted that enforcement done because no camera would be able to effectively deal with distracted drivers. Shouse-Jones commented that as a retired police officer, she thought the enforcement piece was the last resort. It would be great if engineering and education could take care of everything, but unfortunately there were still people that would make conscious decisions that put others at risk. Shouse-Jones felt that as long as they had road users that did those things, they could not do away with enforcement. Shouse-Jones reiterated she believed it was a last resort in terms of those making conscious decisions which put others at risk.

Thomas commented that he thought there was good evidence that the parameters of road design had a very large influence on how fast people drove for safer roads, and understood impaired and distracted drivers might be the exception. Thomas noted they knew how to redesign roads to encourage lower speeds.

REP50-21

Monthly Finance Report.

Treece stated he was grateful for the unprecedented transparency with regard to various aspects of the Finance Department, and asked about the status of the next financial audit. Finance Director Matthew Lue replied they were still going through the interview phase, and once that was done, they would come to Council with an update. Treece asked if they were also going to interview Council as to their scope. Deputy City Manager De'Carlton Seewood replied that had not been anticipated. They were currently speaking with department directors and those handling contracts. Seewood stated they could have them circle back to reach out to the Council to obtain input. Treece understood they were looking at the contracting process, and asked if there was anything else. Seewood replied they were only doing the contract process at this time.

Skala commented that he thought the interview process on an individual basis had been a useful process and asked that it be done.

Treece asked if they had spoken with the Finance Advisory and Audit Committee (FAAC). Lue replied they had spoken to them initially. Lue noted they had planned for them to come back once the report was in process. Lue stated they could have them talk to the FAAC as well if that was what the Council wanted. Treece thanked Lue.

REP51-21 Amendment to the FY 2021 Annual Budget - Intra-Departmental Transfer of Funds.

Treece understood this report had been provided for informational purposes.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Traci Wilson-Kleekamp, 2905 Greenbriar Drive, thanked the Council for listening to everyone tonight and allowing people to give feedback with regard to the American Rescue Act funds. Wilson-Kleekamp referred to a report called *Our Common Purpose* that had been facilitated by Dr. Danielle Allen with Harvard University, which had several strategies. One was to ensure the responsiveness of political institutions, and it went to the heart of the concern of Wilson-Kleekamp in terms of process. Wilson-Kleekamp felt government should go to the public versus expecting the public to come to government as it allowed for an understanding of their lived experiences. Wilson-Kleekamp read from the report "Official public meetings like town halls, city council meetings, and congressional hearings are an abiding and familiar format for representatives to engage with their constituents in between election cycles. We can begin by redesigning them to be more participatory: make them reach beyond the organized, loud, or well-resourced voices of the few, and make them more productive, so that all interactions are well-informed, substantive, and direct. Elected officials should use new technologies to create meaningful interactions on a large scale, an essential task at the federal level, where the average member of Congress represents nearly three-quarters of a million people. The Commission recommends mechanisms for individual members of Congress...Finally, on all levels of government, policymakers should create new participatory opportunities that bring new voices and perspectives into the policy-making process." Wilson-Kleekamp thought COVID, the American Rescue Act, and the census gave them the opportunity to reengineer, rethink, and redesign their participatory processes. Wilson-Kleekamp commented that she would argue the contract they had voted on earlier tonight as a resolution was not the best way that could have been handled, but they had done it without any discussion. Wilson-Kleekamp stated she did not know what they would be looking for with the search committee going forward, but felt it had been unimpressive the last time it had been done. Wilson-Kleekamp believed the process mattered and felt they would get better outcomes if the process was good and people were happy with it.

Rebecca Shaw, 2615 Vail Drive, commented that she had stopped by Turning Point this past Saturday when it was about 100 degrees, and there had been a line of people all along the fence. Shaw had asked if anyone needed water, and one gentleman slowly approached her saying they did not want to bum-rush her and scare her. Shaw stated there were people in need in Columbia, and she wanted to echo everything heard earlier tonight with regard to a need for a year-round shelter where people could go when there was excessive heat like this.

Shaw understood one of the votes tonight was to try to help with utilities, and Fowler had previously brought up the problem of separating the electricity payment from other utilities. There were groups that were trying to assist people, but without having other non-essential utilities paid, CARES funding could not be released. Shaw stated she worked with a woman today that had children of her own, was pregnant, and was taking on the caring of two of her brother's kids, who needed about \$200 to be able to turn back on her electricity today. This was something that was rampant throughout the community. Shaw hoped the City would look at waiving some things, such as the \$30 reconnection fee. This was a woman that had worked for weeks to pay down her bill to

get the assistance she needed, and the City had tacked on another \$30. Shaw understood there would be an end to waivers, but asked for it to happen now as people were desperate. Shaw did not feel they should turn off electricity to children in the middle of June.

Shaw commented that she had known two people personally that had worked for Burrell and had not had good experiences as employees of Burrell. Shaw noted she had known several people that had been there as clients, and they had also not had good experiences. Shaw asked that the City look at other resources for a partnership with regard to mental health. Shaw understood the Herford House was run by minorities. They needed people that would be able to connect immediately to those in crisis, and if they were talking about need within the black and brown community, they needed to see someone that was similar to them so they were able to open up and trust them immediately. Shaw reiterated her request to look at other options.

Kate Graham explained she resided in the Fifth Ward and noted she had spoken at the last meeting about horrible experiences she had had with Burrell. Graham stated she had stopped using their services in 2019. Graham commented that she had recently had the opportunity to meet with Mat Gass, who was the President regionally of Burrell, and understood he would be willing to speak to a lot of the other people that had experienced problems as well. Graham stated she had learned a lot from him, and understood Burrell had made a lot of major changes. Graham believed Shaw was right in that they needed people who would be able to connect, and that some of these resources would be great to support. Graham noted her son had lost two of his therapists at Burrell. Graham stated the first therapist had just disappeared, and when that happened her son had been placed at the bottom of the list to wait for a therapist, which had taken about six weeks. Graham understood Burrell had changed the turnover rate from 50 percent to about 30 percent, which was almost equal to the national average of 25 percent just over this last year. Graham also understood they had hired a lot of new staff. Graham explained she had wanted Burrell to create an advisory committee so they could see what was going on, and while discussing this with Gass, she had learned they already had one. Graham had asked if she could be on it, but was told no because the committee members had to be current patients. Graham stated Gass had looked into the issues she had mentioned and had explained how they were addressing the issues now and in the future. Graham did not believe it would be perfect, but understood they were making changes. Graham was not saying they should not look at other services as had been suggested by Shaw, but thought Burrell had something to offer with the changes that were being made.

Eugene Elkin, 3406 Range Line Street, commented that a parking meter east of the building was not working, and wanted the Council to be aware as he believed those around City Hall should be operational.

Elkin stated he had pulled into the Wilkes United Methodist Church parking lot at 1:30 a.m. on Friday night, and had been shocked at the site of four bodies lying at the bus stop. Elkin noted there had been a lot of trash there as well. Elkin commented that he had been going there for twelve years and had been hurt by what he had seen as the Church site had been trashed. Sunday morning the preacher had asked everyone to leave as the neighborhood was getting mad. Elkin believed they were at a point where change was needed for homelessness and mental health. Elkin understood the City would have \$25 million to spend and suggested they build a homeless shelter because the potential benefit to the City was very large in terms of presence of public safety personnel. Elkin stated he wanted to see the City match the funding being provided by the federal government.

Dee Dokken, 804 Again Street, commented that the overflow room was great, but it was hard to hear in there with City staff eating and socializing. Dokken asked for a partition

between the two sections in the future when there was a big crowd so they could hear the meeting.

Treece thanked Dokken for the suggestion.

Roy Lovelady stated he wanted to use this opportunity to provide his opinion as to what should be done with the \$25 million. Lovelady agreed homelessness was a major issue, and that some of the money should be allocated to help in that regard. Lovelady understood some people had mentioned mental health as well. Lovelady prayed the Council was actually hearing and seeing the message of homelessness and mental health with so many people coming forward to speak on the need for those items to be addressed. Lovelady felt education was important, and that if they could prepare children for the future by catching them when they were young. Lovelady understood education was primarily handled by the schools, and questioned how effective that education was, especially with regard to the black and brown community. Lovelady pointed out homeownership was also a huge issue for the black and brown community, and thought they should be taught they did not have to rent and that they could be homeowners. Lovelady commented that he also felt there needed to be equal job opportunities. Lovelady did not want to see black and brown people primarily with minimum wage jobs. Lovelady wanted them to have true access to jobs whereby they could make a sustainable living and live comfortably. Lovelady thought they should think about what equal opportunity and equal access truly looked like. Lovelady explained that for him it had been a struggle as he had come from a poor background. Lovelady noted he had faced many hurdles to get where he was today, and it was why he spent so much of his time reaching back. Lovelady felt the Council was at a point where it could reach back by investing in the future. Lovelady asked the Council to focus on homes, homelessness, gun violence or some type of violence plan, education, and trust.

Lovelady understood Treece tried not to engage with too many people, but felt those he had engaged with were those that already worked with him and the City. Treece stated he did not feel that was true. Lovelady explained it appeared that way from his perspective, and suggested he engage with others.

Skala recalled a comment being made with regard to not using the American Rescue Act money to just fill budget holes, and noted that was not his intention. Skala explained he tried the best he could to make all of his decisions based on serving the interest of the entire community, from neighborhoods to the City as a whole. Skala understood there would likely be more potential since it would involve a two-year disbursement. Skala also understood they would need to spend the money within four years. Skala felt they had the ability to move forward with some the suggestions of Treece that were more transcendent types of programs or activities, such as work on the Business Loop. Skala commented that the 37 acres where Ellis Fischel had been located might fit into a potential win-win situation with regard to underserved housing needs, etc.

Skala noted that a couple years ago, they had sent out RFPs to take a close look at racial equity in terms of the ordinances, and one group they had sent the RFP to was the National League of Cities (NLC) as it had a Race, Equity, and Leadership (REAL) group of which he had been a member since about a year after the events in Ferguson. Skala stated they had tremendous expertise in doing this kind of work for municipalities. At the time, the City had set aside about \$70,000-\$80,000, but due to budget cutbacks, this work had been deferred. Skala pointed out other groups had also been involved to include a group out of Kansas City and some local groups. Skala suggested they relook at doing something of this nature.

Skala understood the basis for an abstention was only in terms of nepotism or pecuniary circumstances and asked for clarification. Thompson replied there was an affirmative

duty to vote in the City Charter, and that was one of the reasons why a member was required to come to the remainder of the Council to request an abstention. Thompson noted abstentions were allowed for conflicts of interest. Skala understood someone could abstain under any circumstance and for any reason as long as the Council agreed to it. Thompson stated that was correct. Thompson noted she could review the Charter and Code of Ordinances to determine if there might be additional criteria, if that was needed, as she had not come with that information this evening. Thompson pointed out there was a requirement that a member abstain in the event of nepotism or a conflict of interest, and the person had to obtain the authority of Council to abstain.

Thomas stated he thought the public comment session during the pre-council meeting had been great. Thomas liked all of the ideas that had come forward and was happy they now had a plan to have some more outreach sessions throughout the City. Thomas asked that dinner, childcare, and transportation be provided for those meetings.

Peters asked if they were talking about ward meetings to discuss the American Rescue Act funding or if they were discussing an event similar to the one Fowler had organized recently. Thomas replied he was talking about what the staff had proposed in terms of a number of public input meetings to be held in different places. It had been mentioned at the end of this evening's work session. Thomas explained he thought the staff had proposed 2-3 meetings in different parts of the City, and asked if that was correct. Seewood replied he thought one had been virtual and the other two would be held in different parts of the City. Thomas asked staff to consider providing food and childcare at the meeting and offering transportation services for people that requested it. Thomas suggested these services be advertised.

Skala commented that they had discussed how they had the pilot study in underserved areas in the past, which had been successful, and understood those had been located in a place where there was public transportation. There had also been a meal provided and daycare services. Skala felt that template had worked well and could be extended to this.

Treece asked if staff had a comment or response. Public Information Officer Sydney Olsen replied that what she had shared earlier was not a finalized plan. Staff understood City buildings were not always the best option for these types of events, but had not yet determined where those meetings would be held, and were open to feedback from the public and the Council.

Fowler asked Olsen if she would be providing the suggestions she had received this evening from the public to the Council. Fowler felt they were in extraordinary times. The funding was part of a Rescue Plan, and it specially said in the guidance to look for people that had been adversely affected by COVID or structurally left behind. Fowler pointed out those individuals were hard to reach, and options they were considering were options for middle-income individuals and people with education, internet services and devices at their home, etc. They were people that were a part of the dominant culture. Fowler felt some of the items recommended, such as an online survey and online meeting, were things people had come to expect. Fowler believed they needed to use a different approach when trying to engage with folks they had previously not been able to engage with in the past. Fowler commented that when dealing with people with those types of difficulties and trauma, the data collection was sometimes to listen to their story. It was not giving them a ranked choice because they were in a place of constant crisis and were trying to find a way forward. For them to think about the bigger picture was not something that helped them with their immediate needs to get from one day to the next.

Fowler noted there had been a lot of good projects mentioned that would be really nice to have in the community, and understood they had other funding sources. Fowler asked for a report with regard to the other funding sources. Fowler referred to the CenturyLink settlement and understood the law firm would expect a fairly substantial fee, but that there should be some money. Thompson explained the City paid an hourly rate. It had

not been a contingent fee agreement. Fowler understood they had \$53 million coming at some point. Thompson pointed out it was subject to appeal. It would be final 30 days after entry, and CenturyLink would then have ten days to file an appeal. Fowler asked when that had been entered. Thompson replied June 6, 2021. Fowler understood they would know more 40 days from June 6, which was in the middle of July, and that there was a possibility for that money assuming their appeals were not successful. Fowler stated they also had reserve funds in excess of what they needed along with the regular CIP process and the fact they bonded for a lot of infrastructure process. Fowler believed there was a lot of information they could share with the educated, upper income, dominant culture with regard to the fact some projects would need to be shifted to other funding sources. Fowler referred to the suggestion of doing more at the Fieldhouse, and noted that had a funding source, although it could not be as quick. Given the circumstances they were facing, Fowler asked that they use every bit of compassion and understanding they had to reach those they had not reached previously to obtain feedback as to how they spent the funds.

Fowler commented that the City Manager had sent the Council a notification on June 9 indicating the City would restart the charging of disconnection fees on August 1, and suggested the Council discuss this issue and ask staff to not start that on August 1 given that they still did not have a good idea as to where the needs were in the community. It felt as though it would just add to the stress of the family as it would create even more non-essential utility portions that would need to be paid in order to clear the electric portion of the bill given the policy of the City. Fowler asked that they collectively request the City Manager to not implement the restart of those fees.

Skala stated he thought it was legitimate to ask the Council to have a discussion, but was not sure it was legitimate to ask the Council to have an opinion before the discussion. Fowler commented that she did not intend for it to be out of order. It was just that in the past, she had not necessarily asked for things properly via a motion. Fowler noted there had been a couple of times whereby the City Manager had indicated she had not asked for something properly. Skala commented that he was not trying to be condescending, and thought the appropriate order was to either ask for a report for information for potential solutions and/or ask for a Council discussion on the policy based on the information provided. Fowler stated she understood a plan had been attached to the email from Glascock dated June 9. Skala understood information had been provided as to why staff planned to resume connection fees, but thought it might be beneficial to be provided solutions.

Treece understood the current plan was to start assessing fees on August 1. This allowed time for ample communication to the customers, and the email had a communication plan attached. Treece commented that every time they had done this, it had had the desired effect of getting people to pay their delinquent bills. Treece thought there was time to discuss this at the next meeting, and pointed out they had received recommendations from the Human Rights Commission and Tom Jensen, the Chair of the WLAB, with regard to how to do this. Treece stated he was inclined to follow the recommendation of staff.

Peters commented that she was happy to put off this discussion to the next meeting when they discussed the amendment to Chapter 27 along with the recommendations. Peters recalled a significant increase in the number of people that showed up to take care of their bills the last time the City had indicated they would start the disconnection process.

Fowler stated she was concerned about the additional stress it would put on those that did not have the money. Once again they were trying to navigate a way forward when the disconnect fees would be reinstated. It was an additional fee on top of what they could not afford already. Fowler explained she was trying to alleviate the additional stress they were putting on families, and noted she was not suggesting those that could afford to pay

their bills be given a grace period.

Peters asked where they were in reviewing the salaries and pay ordinances involving City staff. Peters noted she had been hearing about this 10 percent issue for the last six months to a year, and was tired of hearing about it. Seewood replied an RFP was out now to find a firm to actually study the issues. Seewood explained the employee that spoke earlier tonight was right in that the 10 percent rule was a demotivator for current City employees that wanted to move up in the organization to know that someone from the outside could be hired at the mid-point, but a current employee could only receive a 10 percent increase. As a result, some were reluctant to apply for those jobs meaning people from the outside were then hired. It was something they had been discussing for a while, and was one of the first things they would ask the consultant to review. Seewood commented that Human Resources Director Rick Enyard had a potential ordinance change, but it needed to be reviewed in the full context as there were other changes that would likely be made.

Peters asked for a time frame. Peters wondered if this would be resolved in the next six months. Seewood replied the RFP would close this month, and once they were able to do the assessment, they would interview firms. Seewood explained he wanted to ensure they had a robust process by including as many employee groups as possible in reviewing the issues as there was a concern from employees that they were not being heard. This was a process to involve the employee groups and change the ordinances to better reflect the needs. Seewood hoped they would be able to suggest changes by the first of the year with changes becoming effective with the new budget. Seewood commented that there might be some things they were able to do quicker.

Treece stated his recollection at the May 26 budget work session was for a recommendation of the Finance Director to begin budgeting at the high-end instead of the mid-point because that would more transparent as to the potential outlay and provide supervisors more discretion to fill those positions within a broader range. Treece asked if that addressed some of the issues the employee had raised. Seewood replied no, and explained the issue was that they had an ordinance that limited them to 10 percent so they were stuck at that 10 percent.

Skala recalled discussion as to a 50 percent or 75 percent hurdle, and that Glascock had indicated that would be his recommendation. Seewood stated the philosophy had been at the lower quartile versus the higher quartile. City jobs used to be the jobs everyone wanted so it had been easy to get people to apply for those jobs. This was just not the case anymore. The City needed to be competitive and the salaries for the City were not competitive.

Waner explained her process for reviewing the requests for the American Rescue Plan money involved asking questions as to whether the project would achieve any of the goals in any of their plans and programs, such as the Climate Action and Adaptation Plan (CAAP) or the recommendations of the Mayor's Task Force on Community Violence, whether it acknowledged and addressed equity concerns in the community, if it would prioritize those that were the most impacted by COVID, and whether it engaged historically marginalized communities. Waner appreciated the comments of Traci Wilson-Kleekamp and noted she also loved PolicyLink and the Center for Budget Policy and Priorities. Waner suggested the Council review the attachments that had been sent if they had not already in terms that framework and legwork as they did not have to move forward blindly as there were a lot of resources out there.

Waner understood the City had implemented the logo trash bags in February, and asked at what point they would revisit it as to whether or not it was working. Waner commented that she was mentioning this because she had received five phone calls in a row on Friday by the same woman that was having a hard time with the bag situation. Waner

understood Hyvee was not selling bags for purchase so she had obtained a voucher from her mother, which she had turned into Hyvee for trash bags to provide to this woman. The woman had cried over the trash bags. Waner wondered at what point they would evaluate whether this program and policy was hurting people more than it was helping. Six months would be at the July and August time frame. Waner explained that when she had been campaigning she had said she wanted to lean into this and believe in what they were doing until they had data that proved otherwise, and asked for the data related to this issue.

Seewood asked Waner if she wanted a report to be provided at the next meeting to discuss the data they had. Waner replied yes, and understood people were reporting that there were more complaints. Waner was not sure if they were justified, easily resolved, etc. Waner explained she wanted to know about the bases of all of the concerns as it was not going away. Waner noted that she had thought that once they had gotten into the rhythm of things, it would calm down, but it had not. Other than Canton Estates, it was the item on which she received the most amount of feedback.

Treece stated he would support that report and asked that it also identify alternatives as he did not know what the answer was. Treece noted they could not really go back to people putting out seventeen white trash bags at every house.

Skala commented that it might be a matter of the data they were seeking as there might be people that wanted roll carts. Skala understood some of the data was suggesting a reduction in landfill volume and an increase in recycling. Skala asked that the report have all of the information in it for them to make reasonable policy decisions as to how to move forward. If there was a referendum regarding roll carts and that was what the people wanted, they could move ahead even at the initial cost of \$12 million.

Waner thought any data they received would need to have context to it and that it would be biased as there were many people that were passionate about roll carts on both sides so that would always cloud the data. Waner believed they needed to review the costs of the current program as it was regressive and impacting poor families the most.

Treece agreed it was time to look at it at the six month time frame to determine if they wanted to make a change.

Treece commented that while what they were receiving in terms of the American Rescue Plan sounded like a lot of money, it was still only \$25 million one-time money. Treece stated he continued to be persuaded to focus on those projects for which they could magnify the impact of the dollars, meaning where they could make strategic investments where there were other dollars being brought to bear. Treece also thought they could use existing infrastructure and some of the unfunded plans on the shelves. Treece explained that was his triage along with what was compliant with the requirements.

Thomas stated he wanted to support the suggestion of Fowler in terms of contemplating not restarting the disconnection fees and understood they would discuss that at the next meeting.

Treece thought it would be helpful to know the number of household that were impacted when discussing that.

Treece commented that most of them paid a utility deposit that was sitting in an account and wondered if they should consider allowing a one-time tapping of that deposit to help satisfy some of this. The only issue was that when it was gone, it was gone. They would then have to determine what they would do with the last bill when if someone moved.

XII. ADJOURNMENT

Treece adjourned the meeting without objection at 9:29 p.m.