



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, May 3, 2021  
7:00 PM

Regular

Council Chamber  
Columbia City Hall  
701 E. Broadway

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#### 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, May 3, 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 KARL SKALA, Council Member IAN THOMAS, Council Member MATT PITZER, Council Member BETSY PETERS, Mayor BRIAN TREECE, Council Member PAT FOWLER, and Council Member ANDREA WANER were present. City Manager John Glascock, 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 March 1, 2021 were approved unanimously by voice vote on a motion by Skala and a second by Treece.

Treece explained the minutes were not yet complete for the March 15, April 5, and April 19 council meetings.

Treece explained there was request to table B137-21 to the May 17, 2021 Council Meeting, and while he could not predispose the action Council would take on that item, he had not heard any discussion that would lead him to believe that the item would not be tabled. Treece stated he just wanted those in attendance for that item to be aware.

Fowler asked that B140-21 and R66-21 be moved from the consent agenda to old business and new business respectively.

Upon her request, Treece made a motion to allow Peters to abstain from voting on B137-21. Peters noted on the Disclosure of Interest that she was being sued by the applicant. The motion was seconded by Skala and approved unanimously by voice vote.

The agenda, including the consent agenda with B140-21 being moved to old business and R66-21 being moved to new business, was approved unanimously by voice vote on a motion by Treece and a second by Skala.

#### II. SPECIAL ITEMS

SI12-21 Oath of Office of Newly Elected Sixth Ward Council Member Betsy Peters.

The City Clerk administered the Oath of Office to Council Member Betsy Peters, and Treece presented her with a framed Commission of Office.

Treece noted Peters' experience and insight had been indispensable over the last 12 months while they had navigated the novel coronavirus, and stated he would forever be grateful to her for her leadership.

SI13-21 Missouri Park and Recreation Association award presentation to MU Health Care for support of local parks and recreation programs and facilities.

Gary Gates explained he was the Executive Director of the Missouri Park and Recreation

Association (MPRA), whose mission was to advocate for the quality of life through the effective use of parks and recreation opportunities through education, advocacy, and resources. Gates noted they had been fortunate to be able to hold an in-person conference this year in the City of Columbia. They had not had their normal attendance, but they had just shy of 200 attendees. Gates commented that the culminating event of the conference was their awards banquet, which they had to handle differently this year by presenting the awards in the communities of the recipients. Tonight they were presenting an organization citation award, which recognized outstanding volunteers or organizations within a community that supported parks and recreation, tourism, etc. Gates showed a video recognizing MU Healthcare for their financial and other support of various facilities and programs, and presented the award to Jonathan Curtright, the CEO of MU Healthcare.

Curtright stated MU Healthcare was honored to receive this award. In looking back at his five years at MU Healthcare, he felt the vaccinator clinic at Faurot Field and the work they did with the Gans Creek Cross Country Course and the Farmers Market were some of his proudest moments. It allowed them to live out their culture of saving and improving lives, and was what they did every single day. Curtright explained most people thought what they did only occurred at a hospital or clinic, but they were trying to take healthcare out to the community and way beyond the hospital walls. Curtright noted that was one of the reasons he had been honored to work with Mike Griggs and the Columbia Parks and Recreation Department. The things they had been able to build had been outstanding, but most importantly, they were building a healthier Columbia each and every day. Curtright thought everyone in the room understood the gloriousness of the Columbia community. It was a fantastic place to live, and investments, such as these via partnerships between business and government, made amazing things happen. Curtright thanked the MPRA for the award.

### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

### IV. SCHEDULED PUBLIC COMMENT

SPC24-21 Katherine Lee - 62nd Annual Heart of America Marathon and 2nd Annual Fun Team Relay.

Katherine Lee commented that the Heart of America Marathon was the second oldest in-person continuously running marathon in the United States. Lee displayed pictures from 2020 of the event when they had severe restrictions, face masks, staggered starts, and a lot of spacing. It had taken a lot of work, and Lee noted she had been grateful to the City of Columbia and the Department of Public Health and Human Services for working with them so the marathon could continue without breaking its streak. Lee recognized others that assisted them, to include the Parks and Recreation Department and the Police Department. Lee stated the marathon was put on by the Columbia Track Club, whose aim was health, fitness, and fun. Lee noted they had made some significant changes in 2019, to include moving the start and finish of the race to the Boone County History and Culture Center and instituting the Fun Team Relay in order to involve the community in health and wellness. Those changes meant they had to be recertified to remain a Boston Marathon qualifying event. Lee pointed out the winter of the first Heart of Missouri Marathon had been Joe Schroeder, who had only run six miles prior to running in 1960, and some of his children along with his grandson had run the marathon in the recent past in honor of their father and grandfather. Lee noted the relay was for those that did not want to run the entire 26.2 miles through Boone County. Lee displayed some photographs and provided information as to who and what had been in the photographs.

Lee explained they had various awards to include the Dave Schulte award. Lee commented that Schulte had been a charter member of the Columbia Track Club and always wanted to see people do their best so those that improved their times were eligible for that award. The Joe Schroeder award went to the person that finished first from the field of people that chose to do this marathon for their very first marathon. This year, they were incorporating the Average Joe award, which was named for Joe Duncan who had directed the marathon for 47 years and was an average runner. It would go to whoever was closest to the average. Lee described some changes associated with this year's marathon and showed a list of the sponsors and those that had pitched in to make it work. Lee invited the Council to come out to the finish line or to run the marathon individually or as part of a relay team as she felt it would mean so much to the runners. Lee pointed out they had been pleased by the participation of Thomas, Peters, and Boone County Commissioner Janet Thompson in the past.

SPC25-21 Steve Callis - International Compost Awareness Week.

Steve Callis, 6304 W. Normandy Lane, explained he was the Missouri State Coordinator for International Compost Awareness Week, which was being celebrated this week, May 2-8. The goal of International Compost Awareness Week was to raise the public awareness with regard to the benefits of composting and using compost. The 2021 theme, *Grow, Eat, Compost, Repeat*, was based on the circular movement from farm to table and back to farm again. This process turned recycled organic waste into compost which created healthy soils leading to more nutrient dense fruits and vegetables with any waste being composted and the process starting again. Callis pointed out composting also helped reduced soil erosion, allowed soil to retain more water, reduced organic waste being placed in the landfill, improved soil structure, and stored carbon in the soil to protect the climate. Nationwide, communities would hold compost giveaways and compost workshops, make lots of speeches, and issue proclamations. The City of Columbia was holding free composting workshops via Zoom on Tuesday at 5:30 p.m. and Saturday at 9:00 a.m. during International Compost Awareness Week. One could register on the City's website, [CoMo.gov](http://CoMo.gov). Callis commented that future composting workshops would hopefully be held in-person at the compost demonstration site at Capen Park beginning in June. Callis thanked Treece for graciously signing a proclamation for International Compost Awareness Week. Callis stated he hoped everyone would take the time this week to attend a composting workshop or consider composting in some manner.

SPC26-21 Mrs. Hall - Trash decisions made by Council.

Hall did not speak.

## V. PUBLIC HEARINGS

PH16-21 Proposed installation of traffic calming devices on William Street between Paris Road and Walnut Street, and on Hinkson Avenue between Paris Road and Old 63 North.

PH16-21 was read by the City Clerk.

Public Works Director David Nichols provided a staff report.

Peters asked if there was a difference in cost between the two options or if it was about the same. Nichols replied it was about the same.

Treece opened the public hearing.

Rick Shanker, 1829 Cliff Drive, thanked staff for working with them on this project and stated he supported Option 2.

Peter Norgard, 1602 Hinkson Avenue, thanked staff for putting these options together as he believed the neighborhood greatly appreciated the ability to choose among several options, and understood they had chosen the speed humps as their preference. Norgard

explained since 2008 he had witnessed many speed related accidents on Hinkson Avenue. At 1314 Hinkson Avenue, a telephone pole had been demolished, at 1600 Hinkson Avenue, a car and fire truck had been t-boned, at 1606 Hinkson Avenue, a car had jumped the curb smashing into a bush in the middle of the yard, at 1612 Hinkson Avenue, a telephone pole had been demolished twice along with a car ending up upside down in the yard, at 1614 Hinkson Avenue, a telephone pole had been demolished, at 1616 Hinkson Avenue, a car had jumped the curb careening through the neighbor's yard, hitting a tree which then fell over totaling the neighbor's car, and at 1701 Hinkson Avenue, a fire plug had been hit so many times that the City had moved it. In addition, they had seen many high speed chases down Hinkson Avenue. All of the accidents were speed related, and thus, the neighborhood was on board with traffic calming of some sort. Norgard stated he personally supported the speed hump proposal, and while he appreciated the plan, he thought it might be lacking since it relied on stop signs to perform some of the traffic calming. The intersection at Hinkson Avenue and William Street had a stop sign that many did not comply with on a regular basis. Norgard commented that traffic calming design handbooks would say speed humps worked best when they were about 500 feet apart. The distance between 1407 Hinkson Avenue and 1614 Hinkson Avenue was 1,160 feet, and the distance between 300 N. William Street and 608 N. William Street was 1,100 feet. They were two longest distances between speed humps on either of those two streets. With that said, Norgard encouraged the Council to accept the current proposal for Option 2. Norgard also asked that they consider adding a speed table at the intersection of William Street and Hinkson Avenue and for staff to perform its post-construction assessment to verify and demonstrate this was an efficacious project.

Treece understood Norgard was okay with Option 2 with the extra speed table. Norgard replied yes, and noted he would love a speed table at that intersection as the project did nothing to address the failure to comply with the stop sign there. Norgard commented that it was daily occurrence and one was likely to see more than ten cars run that stop sign on a typical day.

Thomas asked Norgard for the time frame for all of the crashes he had mentioned. Norgard replied many had occurred in a 3-month period in 2008. Most recently, a telephone pole had been demolished at 1314 Hinkson Avenue. Thomas understood the list included incidents over 12-13 years. Norgard stated that was correct and explained it was not everything as it was only those incidents within a block of his house.

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

Skala commented that this had been a chronic problem for years, and the when the Council had been presented with improvements on William Street about a year ago, he had been ecstatic, except that it had only addressed South William Street, not North William Street. Skala stated he had been perplexed at the time since he had known there were a lot of violations in this particular area. Skala explained William Street was a cut-through from some of the arterials, and it also led to the hospital, which was why it had to be approved by the Fire Department and others with emergency vehicles. Chicanes had been involved the last time a public hearing had been held, and due to the controversy involved, the Council had asked for further public discussion. Skala understood the feeling by some had been that the chicanes might be effective, but that it was a pilot project with them being the guinea pigs, and they preferred the tried and true approach of the speed tables and speed humps. Skala stated he wanted to see some evaluation of an additional speed table since some of these distances were significantly greater than what was recommended for maximum impact, and asked staff to evaluate it. Skala commented that he was glad Norgard had brought up the issue of stop signs because stop signs were typically eschewed by some of the engineers as not providing much protection for excessive speeds, and asked for attention to be paid to that issue. Skala noted he felt the preponderance of the people that lived in the area favored Option 2, and would vote accordingly.

**Skala made a motion directing staff to move forward with construction plans and specifications for the installation of traffic calming devices on North William Street and on Hinkson Avenue with Option 2 as the operable plan along with giving attention to some of the issues that had been mentioned tonight. The motion was seconded by Treece and approved unanimously by voice vote.**

PH17-21

Proposed construction of a recycling drop-off center at the Parks Management Center located at 1501 W. Business Loop 70.

PH17-21 was read by the City Clerk.

Utilities Director Dave Sorrell provided a staff report.

Skala commented that they had spoken before about having someone on-site to advise people with regard to recyclables, breaking down boxes, etc. Sorrell explained they had staffed all of the sites for a while, which had helped to get individuals to break down boxes, etc. When they had started up curbside recycling on an every other week basis, they were no longer able to staff them all of the time. Sorrell thought they might be able to look at doing it on a part time basis. Sorrell noted he was also hopeful the additional site would help relieve pressure on the other sites, and pointed out he planned to bring another City-owned site forward on Oakland Gravel Road if this one was approved. Sorrell stated he was also looking for a site in the southwest, and hoped the availability of additional locations would help tackle the problem of overfilled containers without staffing them.

Pitzer understood there had been a huge demand for recycling drop-off facilities when curbside recycling was suspended, and asked about the kind of demand they were seeing now. Sorrell replied that they were currently experiencing roughly 350 tons per month at all of the sites combined. Last year, for February, March, and April, they had been at 187, 220, and 220 tons per month. They were seeing a 50 percent or 75 percent increase from before recycling had been suspended last year. Pitzer asked for the rate or peak when recycling had been suspended. Sorrell replied he did not have that information with him. Pitzer understood the 350 was after they had re-started curbside recycling. Sorrell replied the 350 was for the last three months.

Pitzer asked why this location was first when there was another site nearby on Business Loop 70 and when they would pursue other locations. Sorrell replied it was because it was a City-owned site with all of the concrete in place so they only had to build the perimeter fence. It could be in operation relatively soon. The next property they were considering was City-owned and had partial pavement so they could also get that into place relatively soon. After those, they would look for additional property in the southwest where one was needed.

Pitzer asked if Utilities would rent the site from Parks and Recreation. Sorrell replied they had not discussed renting the site, and pointed out they did not even rent them from private entities like Moser's and Home Depot. Those entities had donated those spaces for years.

Treece asked Sorrell when he thought they might be able to resume weekly curbside recycling pick-up. Sorrell replied he did not have a definitive answer as it was dependent upon when they had sufficient staff. Sorrell explained he had run a vacancy report today, and they still had 13 refuse collector and senior refuse collector positions vacant, which was equivalent to about half of the residential staff.

Skala asked if not being able to fill these vacancies had changed over time. Sorrell replied it had been very consistent since they had the many discussions regarding it during the budget season last year. They had seen an increase in the number of applicants, but they had not seen a big increase in the number of hires and retention.

Treece opened the public hearing.

There being no comment, Treece closed the public hearing.

**Treece made a motion directing staff to proceed with the proposed construction of a recycling drop-off center at the Parks Management Center located at 1501 W.**

**Business Loop 70. The motion was seconded by Skala and approved unanimously by voice vote.**

PH18-21

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) (Case No. 130-2021).

PH18-21 was read by the City Clerk.

Treece explained this was a statutory hearing on the proposed annexation of the property, and there would not be a vote tonight. It was the hearing on whether this property should be annexed or not. There would be additional discussion on the annexation, zoning, and the platting at the May 17, 2021 Council Meeting.

Community Development Director Tim Teddy provided a staff report.

Peters asked if they had heard from the Department of Natural Resources (DNR) as to how this might affect Rock Bridge State Park or the Gans Creek Wild Area, or whether the City had asked them for their recommendations or input. Teddy replied they had encouraged the State Park Board be consulted, but he was not sure if there had been a comment. They had not received comment like they had with the Parkside development, but representatives of different environmental groups had weighed in on the project.

Peters stated she had received an email from a former council member indicating that when the Philips Lake subdivision had come into the City, there had been a lot of discussion and recommendations for how the area around the lake would be developed, and asked Teddy if he knew anything about that. Teddy asked Peters if she was asking about anything that might have gone beyond the 400 acre Philips Farm. Peters replied yes. Teddy stated he would have to review that particular case. Teddy thought there was likely reference to the Metro 2020 plan, which had been the City's comprehensive plan at the time. The Bonne Femme Watershed process, if it had started, had not been resolved until 2007. There had also been discussions regarding a stormwater ordinance for the City then.

Peters commented that she had driven up Bearfield Road from this property the other day, and it was one heck of a narrow, windy, and scenic road with no shoulders. Peters asked if it was a County road at the moment. Teddy replied yes, and explained there were signs posted indicating where the County jurisdiction ended. It was not quite as far north as where Great Circle was located. Peters asked if there had been a traffic study or any review as to how this 113 lot development would increase traffic. Teddy replied staff had requested a traffic study, and it had been performed by Crawford, Bunte and Brammeier. They had referenced the Gans Road preliminary engineering study, which had been done 13 years ago, and there was a preliminary plan for a two-lane divided road that would complete what was now an interrupted road. Teddy noted it would introduce roundabouts at intersections. The traffic study had taken that data into account along with a 2019 County study, and had then done their own counts during the COVID year of 2020 adjusting the numbers for COVID by a factor of 31 percent. Teddy understood they had still found there would not be warrants for extraordinary turn lanes or traffic control devices just based on the impact of the 113 lots. Teddy pointed out they had included a future 40 for multi-family as a part of the assumptions. Teddy commented that there was a portion at the northwest corner that was undivided and a potential future plan request. Teddy stated the traffic engineers had concluded that right-of-way should be provided, but no major intersection improvement was necessary. Peters asked for clarification. Teddy replied it indicated there would be a sustainable level of service projecting out to 2040 at the entrances of the subdivision. Peters understood that included traffic going up Bearfield Road. Teddy stated that was correct. Peters asked what would happen if another subdivision or two developed there. Peters wondered at what point they needed to do something about the road and whose responsibility it would be at that time. If this was built without any road improvements, Peters wondered how much of a burden it would be for the next developer in that same area. Teddy replied that in his opinion, a

study might find those two lanes could carry enough traffic, but it was narrow, winding, etc. and a safety audit might be in order if the subdivision was approved since there would be more users on the road. More users meant more probability of an incident. Teddy reiterated something might be needed from a safety perspective. They had not overtly reviewed roadway section safety in the traffic study. It had been more about capacity.

Thomas commented that he thought it was questionable that making roads wide and straight made them safer because it encouraged faster speeds. Thomas stated he did not think they should assume that because it was narrow and windy, it was less safe. Teddy explained the features he was responding to were things like a drop-off at the edge of pavement regardless of the width of the road as a tire could get stuck or a tree near the roadway could be hit. Teddy noted there were some relatively inexpensive fixes, such as warning indicators to the motorists.

Thomas understood that if the project moved forward, each home would make a contribution of 50 cents per square foot of interior space to the arterial roads fund. Teddy stated that was the transportation development charge, which could be spent on arterial or collector roads throughout the City.

Skala commented that there was a difference between a winding, more or less, rural road and curvilinear streets, which was something they encouraged for safety reasons. Some rural roadways had blind corners and drop-offs. Teddy agreed and noted a good example would be a subdivision that had introduced curvature in its residential streets although they still had a grid street pattern. Teddy thought they would likely have fewer requests for traffic calming if developments had those features from the beginning.

Fowler explained the Council was receiving lots of emails about this proposed development even before it had made it to their agenda so she had reached out to someone with Friends of Rock Bridge State Park for a walk-through of the area. Fowler noted she had gone out for a walk with another community member through that wild area on April 18 and wanted to disclose it.

Treece opened the public hearing.

Andy Greene stated he was with Crockett Engineering, offices at 1000 W. Nifong Boulevard, and explained the subject property was located within the urban service area of the City so it had been accounted for in its infrastructure planning. As had been indicated by Teddy, Gans Road had a preliminary engineering study within that section. Greene commented that the property would be served by two City utilities. One was gravity sewer as the sanitary sewer was just on the north side of Gans Road. The other was City water. Greene stated the property was not necessarily out of context when looking at surrounding properties that had also been annexed. To the east was the Gans Recreational Facility, and further west, near the southern portions of the city limits, were subdivisions geographically further south than this proposed site.

John Jones, 19 Chairman Drive, commented that he had moved to Columbia in January from Charlotte, North Carolina, and had been trying to buy a house since then. Jones explained his price range was somewhere between \$180,000 and \$270,000, and he had bid on eight houses. For the first three, Jones had offered the asking price or slightly over, and had been outbid by at least \$30,000 and sometimes as much as \$70,000. Jones noted he had started using escalation clauses on his fourth bid and had gone up as high as \$30,000 above the asking price, and had been outbid by people that could afford to waive the appraisal. Jones stated he had read a Missourian article and was concerned the Council might possibly turn down 100 new houses. Jones understood Columbia normally had about 800 houses for sale in that price range, but now only had about 25. Jones commented that inventory was needed, and pointed out people like him could not afford to live here if prices were going up 20 percent a year. Jones suggested they address it by approving more homes and streamlining the review process; otherwise they would likely be addressing the homeless next year. Jones reiterated inventory was needed, and the only way to accomplish that was to build, which took time. The longer the process was delayed, the more critical the problem would be. Jones stated he did

not envy the Council as these were tough choices, and believed they were in a critical situation now.

Robin Rotman explained she was a resident of the Sixth Ward and stated she was in opposition to the annexation, the R-1 zoning, and the preliminary plat. Rotman commented that the fact they were here today talking about the exact same proposal that had been put before the Planning and Zoning Commission (PZC) with a vote of only one in favor and seven against showed a level of bravado and a lack of humility with which she was not comfortable. Rotman understood the PZC in the City of Columbia was merely acting in an advisory capacity, and that it was the City Council that actually made the land use decisions. Rotman noted a lot of people had spoken in opposition of the project at the PZC meeting and were here tonight to do the same. Rotman understood the prior speaker had mentioned the need for affordable housing in Columbia, and pointed out that if they accepted the premise that more affordable housing was needed, this was not it and this was not the place to put it. Rotman explained there would be an extension of Discovery Road to connect to New Haven Road and potentially I-70 along with a lot of area that was not ecologically sensitive and was appropriate for high density development and affordable housing. Rotman commented that she believed this was urban sprawl, plain and simple. Rotman did not find this project to be consistent with Columbia Imagined or the Climate Action and Adaptation Plan (CAAP), which were documents created via extensive public participation. Rotman noted she had worked with friends and others that lived in the vicinity of the project to perform their own traffic study with about double the numbers the contractor paid by the developer had suggested because those numbers had been counted during the middle of COVID when there was not school traffic to Tolton. Rotman commented that she was a teacher who had offered her students extra credit to come to the PZC meeting, and they had written reflection papers about the women that had spoken on behalf of the developer. Rotman explained she had not been sure what they were referring to because it had actually been a male that had spoken on behalf of the developer until she had realized they were speaking about a Community Development staff member. The perception of her students was that the presentation had been one sided and pro-development. Rotman stated she had nothing but respect for that office, but noted she would fight this development until they had the result they wanted.

Scott Croom commented that he had been a personal trainer in Columbia for 27 years and was in Gans Creek Wild Area 3-4 times a week. Croom noted he went out to look at the buffer zone between the development and park today, and it was heavily wooded and four times the size it had to be, which meant one would not see any houses from the park. Croom stated he liked that this would provide an opportunity for Columbians to walk to the park. On the weekends, over the last two years, the parking lots for the park had been very crowded. Croom explained he was in favor of protecting the park as he loved and used it, and understood the owner could bulldoze every tree and place a hog farm on his property with the way it was zoned now. If they did not annex the property into the City, that could not be controlled. Croom thought they should allow someone that was truly sensitive to the park and was willing to work with the park in order to protect it to develop the land around the park.

Kevin Roberson explained he was the President of the Friends of Rock Bridge Memorial State Park Board and stated the Gans Creek Wild Area was only one of twelve wild areas within the State. Gans Creek was one of 44 outstanding state resource waters that had been declared so by the Clean Water Commission. The intensity of this proposed development would undermine the qualities of solitude and freedom from any influences other than nature in the wild area. The increase in imperviousness surfaces, which was a consequence of such a development, would degrade the water quality of Gans Creek and Clear Creek. Columbia had chosen to invest in its own park sales tax in protecting this area by setting aside acreage upstream from the park so the City itself had recognized the importance of protecting it. Roberson commented that this was a state park



supported by all of the citizens of the State of Missouri who had voted five times since 1984 to approve a tax on themselves. The popularity of the park was confirmed by going from 300,000 people per year to over 700,000 last year when they needed it to preserve their sanity due to the COVID crisis. Roberson stated they believed the natural assets were deserving of protection from the Council and other citizens of the City who benefited from it more than the average person within the State of Missouri. Roberson commented that they also felt the development was too complex to really be monitored or managed by the City, State, or County in a way that could protect the nature area and species necessary for something like a state park, and especially a wild area. Previous developments in the Rock Bridge State Park watershed, such as Bristol Ridge, Parkside Estates, and Clear Creek Estates, had all failed to prevent runoff during development. There was horrible and huge runoff that had brought mud, clay, and silt to all of the creeks to the detriment of the macro-vertebrates that fed the food chain for all of the life in the area. There had been no consequences to any of the developers, but there had been consequences to the wildlife and creek. The proposed development was in an area that had been identified in Columbia Imagine's future use map as sensitive area, and the area needed protection that went beyond the steep slopes, mature trees, and stream buffer ordinances that applied to the rest of the City. Roberson urged the City to pause the annexation and rezoning of any property within or abutting the sensitive area until there was a plan for development within these areas, and stated the plan should be designed with input from the entire community, i.e., neighbors, landowners, potential developers, park users, and environmental conservation groups. Roberson pointed out he would be more than happy to serve on any commission or board to work through that. Roberson explained he was a biologist by education and was retired so he had plenty of time to spend toward this. Roberson stated the planning approach might not please everyone now, but it was better than an inch by inch fight that would consume the Council, citizens, and developers each time a development proposal came up for this area. A top priority was for a policy to come out of Columbia Imagined. Until then, they felt the best place for the property under discussion was to be in the County with typical agricultural uses, including livestock, as those uses were likely to have less of a long term impact. Roberson commented that this area was not just sensitive as it was also unique. It was very rare to have a jewel of this size next to Columbia, and it was special in every sense of the word. Roberson asked that they ensure they passed it on to their children and their children's children as they had received it and protected it for almost 50 years.

Nancy Bedan, 2001 Chapel Wood Road, stated she was speaking on behalf of the Columbia Audubon Society and their President, Jim Gast. The mission of the Columbia Audubon Society was to preserve the natural world and their ecosystems, focusing on birds, other wildlife, and the earth's biological diversity through education, environmental study, and habitat restoration and protection. The members of the Columbia Audubon Society, like so many others, treasured Rock Bridge Memorial State Park and the Gans Creek Wild Area. They all benefited from having a state park with beautiful and unique natural features so close by. The park had attracted 750,000 visitors last year from this region and well beyond. The park brought people to Columbia, benefited local businesses, and benefited those in need of nature for a quiet retreat from the wired world and a peaceful place to think, hike, bike, and study plants, bats, caves, and birds. Bedan commented that the Rock Bridge Memorial State Park and Gans Creek Wild Area must be protected. The Gans Creek section had been made part of the Missouri wild area system more than 40 years ago, and was one of only twelve areas selected to represent the broadest cross section of the State's natural heritage and because it appeared to have been affected primarily by the forces of nature versus developers. Wild areas provided unique opportunities for outdoor recreation as well as environmental education and scientific study. Bedan asked the Council not to treat this request for annexation as growth and business as usual, and to honor the community spirit of the Columbians that had worked to assemble the park by encouraging landowners to donate

property for the cause and raising funds to buy additional land. Bedan also asked the Council to follow the recommendations of the PZC by rejecting this request for annexation. Due to the topography and proximity to the Gans Creek Wild Area, they believed it would be better to leave this property in the County where it could retain an A-1 zoning, one house per ten acres, or even the County A-2 zoning, one house for every 2.5 acres, as it would be better than the City's R-1 zoning, which would enable the developer to put 113 houses on the 65 acres. If the land remained in the County, the possibility of someone farming or grazing the area was just speculation. They knew what use and housing density was going to be proposed if the property was annexed by the City. Bedan explained the City did not have the zoning tools in place to adequately protect highly sensitive areas like Rock Bridge Memorial State Park and the Gans Creek Wild Area, and asked the Council to act carefully and wisely because what they decided would set a precedent for future development surrounding Rock Bridge Memorial State Park and other state parks in Missouri.

Joel Huggins stated he lived at 5251 S. Bearfield Road, which was across the street from the proposed development, and explained there was strong local and statewide opposition to this project as was evidenced by the petition that had thousands of signatures and the written statements associated with the PZC meeting. Huggins commented that he felt the pain of the first speaker as he was also house hunting, and pointed out he would not be able to afford a house in that new development either. Huggins understood that speaker felt new homes would lower the price citywide, but he was not sure how that would work. Huggins noted the parks were likely their biggest commodity other than Mizzou Athletics, and it felt like a moral imperative to preserve the spaces. It was also in their best financial interest to treat the area surrounding them with extra consideration. Huggins stated he sympathized with the landowner's desire to make money, but pointed out they were not entitled to annexation and rezoning to maximize that profit. Once a property was provided R-1 zoning, it could not be taken back. In addition, it did not mean they would do what they had indicated on the plat or that the requestor was the one that would do it as he could sell it to someone else. Huggins quoted PZC Member Anthony Stanton who said "I live in the Sharp End area. Once you lose something, no matter what promises are made, you could never get it back. My neighborhood will never go back to any time of former glory it once had. Once you lose it, it's over. This is way too much for that area. I am all about owner's rights and all of that. I support all of that, but there is no way you can ignore the unique characteristics of this land." Huggins thought they clearly needed to hit pause and think about the options for this area before moving forward with annexation and the remainder of the proposed plan.

Melanie Cheney commented that she lived on Bearfield Subdivision and was speaking in opposition to the Canton Estates proposal bordering the Gans Creek Wild Area and Rock Bridge State Park. Two years ago, she had photographed what was normally a crystal clear creek, ironically named Clear Creek, and it had been flooded with sediment from the new Bristol Ridge development just to the north. Cheney noted runoff during construction of developments was a huge problem. It damaged the health of the stream and the food webs. Cheney pointed out it had not been a one-time occurrence. It had happened with Parkside Estates and Clear Creek Estates as well as Bristol Ridge. Protections for the streams had been unenforceable, even after violations were reported to the City, County, and the State. Although best management practices were often implemented, the developers and their contractors had failed at least three times now at preventing sediment pollution from flowing into Clear Creek, which flowed into the State Park, and there had not been any accountability to her knowledge. Cheney stated it was upsetting to imagine an even larger development than the aforementioned three so close to the wild area. It would be a development that once annexed would clear-cut nearly the entire tract of land of trees and vegetation to build a residential neighborhood full of roads, roofs, sidewalks, and driveways. The land drained into several wetlands and sinkholes before

eventually flowing into Clear and Gans Creeks. Cheney wondered how the City planned to develop sensitive karst topography. Despite the engineer's and the developer's assertions that stormwater regulations would be followed, it did not undo the damage a large development would cause to one of the State's designated outstanding water resources. Cheney feared the little wetlands she liked to visit filled with the songs of chorus frogs or spring peepers would soon no longer be there. Cheney understood the adjoining parcel to the east also had plans for development. In recent weeks, they had heard and seen bulldozers and other large equipment already clearing the land, placing double the pressure on the sensitive natural area that page 163 of the Columbia Imagined plan showed. Cheney wondered why this second parcel was not being discussed. Cheney believed wilderness areas should be protected and valued as a community resource as people relied on these greenspaces for their quality of life, which had been more apparent this last year than ever before. Gans Creek was extraordinary and people went there to enjoy the solitude of nature away from the bustle of the City. Cheney asked the Council to uphold the Bonne Femme Watershed Plan that had been adopted in 2007 protecting sensitive ecological areas such as Gans Creek. Cheney noted the Columbia Imagine plan asked the community to acknowledge, respect, and preserve the natural environment in and around Columbia so its aesthetic and ecological value was retained for future generations, and she asked the Council to please say no to the annexation request as more planning for the sensitive wild area was clearly needed.

Mark Haim, 1402 Richardson Street, explained he was the Director of Mid-Missouri Peaceworks and was speaking on behalf of Peaceworks members that were quite concerned about sustainability in general, and recognized that when they looked to create a sustainable future, it had to include greenspace and natural areas so protecting those should be a high priority. Haim commented that they were really looking at a jewel and an area that was unique and critically important to protect. If they had their druthers, they would have annexation, but it would be annexation of the property to the park, not the City. If they had lot of money they could buy it and add it to the inventory. If they were not able to turn this property into part of the park, Haim thought the Council should look at what the developers were doing. The developers had gone to the PZC and had met huge opposition from citizens and the PZC, and they still had the hutzpah to come to the Council with no changes to their plans. Haim felt that if the area was to be developed, a planned residential development was needed, so there was enforcement of certain basic measures that needed to be taken, such as a larger buffer, limiting the amount of impervious surface, limiting the number of homes, etc. Haim stated he thought the Council should say no to the proposed R-1 zoning, and hoped they would do that.

Steve Schnarr, 2306 E. Bearfield Subdivision, commented that he had lived in this area for a little more than 20 years, and one of the first places he had visited was Gans Creek Wild Area. If one followed the drainage that came from the Canton Estates property when walking to it from where he lived, it was basically a limestone canyon on the edge of the City. It was very beautiful. Schnarr noted a lot of the Rock Bridge Park area was karst, meaning there were sinkholes and water filtering into the ground. Those underwater courses fed Gans Creek and Clear Creek. Schnarr understood sinkholes were located on this property in addition to the nearby properties that would also be developed if the subject property was to be annexed. Schnarr explained those things were not considered in the plat and were not visible in the plat, and thought it was important for citizens, like those that showed up tonight, to share that reality. Schnarr stated he was really lucky to live near the park. Schnarr pointed out he would not be able to afford a home in Canton Estates, but luckily, there were a few homes from the 1960s that were built nearby. Schnarr commented that he had felt the need to come tonight to represent the thousands upon thousands of people that loved and enjoyed the park. Schnarr pointed out that in the overflow area, there were about 21 other people in opposition to this annexation who would likely not be speaking in respect of everyone's time.

Renee Maxwell, 2290 E. Bearfield Subdivision, stated she was a part of the group behind "Save Gans Creek" and a lot of those people were present in the lobby to show their opposition. Maxwell commented that a lot of her neighbors and others had made some excellent points with regard to problems they had with this development and why they did not feel this was the right site for it. Maxwell understood a housing shortage had been mentioned, and although that was true, it was well established that the situation was directly related to the pandemic. Maxwell believed it was a temporary problem or situation caused by the pandemic, which would be corrected in due time, similar to how they expected the economy to make a recovery and resume normal activity. As a result, Maxwell felt it would be extremely shortsighted to use this temporary predicament to justify the permanent harm that would be done to Rock Bridge State Park and the Gans Creek Wild Area, in particular. Maxwell commented that it was also worth noting the housing shortage was much more severe among affordable homes, and this shortage pre-dated the pandemic. In addition, this development would not provide any relief for low-income or first-time homebuyers in need of an affordable home. Maxwell noted she and others were not anti-development or opposed to the construction of luxury homes on other sites that did not share a boundary with a designated wild area. They supported sustainable growth and development that was aligned with objectives with the Columbia Imagined plan, and it was what they wanted the City leaders to use as a tool to develop better planning for sites along the boundary of Rock Bridge State Park. There was the availability of a sensitive area overlay, and Maxwell hoped the Council would use and build on it to ensure they protected the sensitive areas. Maxwell asked that they recognize the importance and economic value of Rock Bridge State Park and the Gans Creek Wild Area. They felt growth and development should be managed responsibly and over 6,000 people that signed their petition agreed this site required a different approach than what was being proposed tonight. Maxwell asked the Council to not approve the annexation or zoning request, and to instead create an overlay district for any property adjacent to Rock Bridge Memorial State Park so they could provide lasting protection for their public lands, which were such an important asset to Columbia and the State of Missouri. If this annexation and zoning was approved, Maxwell believed it would only be the beginning and not the end of construction along the boundary of the Gans Creek Wild Area.

Carolyn Amparan explained she was representing the Osage Group of the Sierra Club and their 4,000 members in Columbia and Boone County, and asked anyone that considered themselves a Sierra Club member or supporter in opposition to the annexation to stand or waive their hand. Approximately 30 people stood or waived their hand. Amparan commented that the land they were talking about protecting tonight had originally been home to the Osage and other Native American tribes that had been forced off of the land by white people. They felt it would be a show of respect for the heritage of the land to ensure it was protected appropriately. Amparan pointed out one of the big components of the Columbia Imagined plan was the Environmental Management section, and there were three specific strategies she wanted to mention. One was to adopt a conservation zoning district. Amparan felt now was the time to ensure they preserved land to create these connected and networked corridors that were recommended. If they did not set them aside before they kept growing, it would not happen. Amparan commented that a second one was to create and implement a plan governing the preservation and linkage of existing natural areas. Again, if they let the whole area develop, they would not be able to create linked natural areas. Amparan noted they also needed to preserve environmentally sensitive areas, including stream corridors, of which this was one. Amparan pointed out the Unified Development Code (UDC) did not provide enough protection to protect the environmentally sensitive Bonne Femme Watershed. Amparan displayed a future land use map from the comprehensive plan which identified the environmentally sensitive areas by green hash marks, and it incorporated the proposed site. The land was very important and precious to Columbia and all of Boone

County. It made Columbia livable and desirable to have these types of resources nearby. As a result, they were requesting a moratorium on annexations in this area and the development of a City/County plan for future development in the area. Amparan displayed some views from the scenic overlooks in Gans Creek Wild Area. Amparan commented that the Sierra Club recognized and supported the need for affordable housing and more housing in Columbia. It was a great place to live, and as a result, they were attracting more people that wanted to live here. Amparan noted it was important that they planned this housing by supporting a centralized community that was walkable and energy efficient while respecting both people and the needs of the environment. Amparan displayed another Columbia Imagined map, which showed the existing inventory of vacant lots available within the City. It equaled 5,100 acres. Amparan pointed out the Columbia Imagine plan said they should target those vacant lots before expanding outside of the standard city limits they had today because they had already made an infrastructure investment in those areas. Additionally, remote subdivision discouraged infill development and contributed to greater transportation carbon emissions, which was something they were trying to reduce in the community. The East Area Plan, which had been created jointly by the City and the County, was a good plan, and something they wanted to see created for the southern area. Even if there was a plan, Amparan thought it was important for the City to continue encouraging infill development as recommended in the CAAP. Amparan invited the Council to join the Sierra Club on a hike in Gans Creek Wild Area as soon as they were allowed to have hikes again, which would likely be in the late summer or fall.

Jeff Barrow, 1007 Coats Street, commented that the staff report had not mentioned the Gans Creek Wild Area or the Gans Creek outstanding state waterway, and wondered why those salient points had not been noted. It was disappointing and the omission did not engender confidence. Barrow explained that when he had served as a PZC member, the former mayor, Darwin Hindman, had appointed him to the stormwater stakeholder committee, which had involved a riparian buffer subcommittee, and when it had come to the Council, he had actually testified against it. They had utilized a city in Kansas as the template for their recommendations for ordinances, but Independence, Liberty, or another community nearby had come up with better ordinances. As a result, he had asked the Council to step back to see if they could make Columbia's even better, but the Council had not wanted to wait and had indicated they could be reviewed and revised in the future. Barrow noted he was not sure it had ever been reviewed and revised, and hoped the Council would consider that now. Barrow understood Tim Crockett of Crockett Engineering had assured them Columbia's regulations were fine in terms of protecting the watershed, but pointed out he personally did not have confidence in that considering the proximity of the Gans Creek Wild Area and the Gans Creek. Barrow commented that he believed the City would be wise to establish a process for a stakeholders committee to make an overlay planned district for the Gans Road corridor, similar to what they did on Rock Quarry Road when Grindstone Parkway was being proposed and constructed. Barrow suggested that be for the entire corridor, between Highway 63 and Providence Road. Barrow believed the land between Gans Creek, Rock Bridge State Park, and Gans Road merited this special consideration, and did not feel the current standards were sufficient to protect this outstanding area. Burrow urged the Council to deny this request as the density was too high and the buffer was too small to provide proper protection of the Gans Creek Wild Area and Gans Creek. Burrow pointed out part of the proposed buffer was a pipeline. Burrow noted the three rules of real estate were location, location, and location, and explained they could not relocate the wonderful gifts the earth had crafted for them and their forbearers had protected, but they could prevent degrading the natural treasures they had.

Patrick Finney, 1001 Plymouth Drive, stated he spent a lot of time running in the woods at the Gans Creek Wild Area and Rock Bridge State Park along with other parks in town, and there was nothing like Gans Creek. It was a real treasure that benefited everyone in

the City, the State, and the surrounding areas. Finney believed having an area dedicated to the preservation of the wild space was a great vision the State had, and granting a request for rezoning by a private developer undermined that vision. Finney suggested they reserve that area in at least a rural zoning space as a buffer between this very special place and further development as that would support that vision. Finney reiterated this was something that benefited all of them and asked the Council to leave well enough alone.

Kirsten Marshall explained she was a fourth generation Columbian, a mom, worker, homeowner, and avid outdoors woman, and asked the Council to not allow this. Marshall commented that she had seen the landscape of this town change over the past 43 years, and none of those things could ever come back. Marshall noted this area was a gift, and she wanted to raise her children in the outdoors and woods here. Marshall preferred they create bigger greenspaces instead of fewer greenspaces.

Rick Shanker, 1829 Cliff Drive, pointed out the people in the lobby, who were opposed to this annexation and zoning, as they were trying to keep comments down to a minimum.

Jasmine Batten, 5731 S. Bearfield Road, commented that she had the incredible opportunity of living at the dead end of South Bearfield Road, essentially at the Wagon Wheel Trail Head, for the last eight years. Batten explained she was not a homeowner as she rented from Tommy Stewart, but it had allowed her family to connect deeply to the area. Batten noted this greenspace was very important to her family, and understood they were not alone in that. When looking at the five-year implementation report for Columbia Imagined, Batten could not help to notice the wordcloud associated with the things people loved about Columbia as it had included park, trail, and hike. Batten felt it was clear the citizens of Columbia were passionate about preserving green areas and having those opportunities. One of the impacts of the ongoing COVID-19 pandemic was that people had flocked to the outdoors like never before. According to the DNR, there was a 59 percent increase in the users of Rock Bridge State Park in one year. The ongoing pandemic had reminded them that the health of the people, environments, and animals were all connected, and that there were so many important ecosystem services the nature provided. Science had demonstrated that time, nature, and healthy ecosystems supported physical health, mental health, and the overall well-being in ways they were just starting to understand. Batten stated she had been struck by the MU Health representative who had accepted an award earlier in the evening saying he wanted to take healthcare outside of the hospital. Batten noted Columbia had an opportunity to set a precedent in recognizing that natural areas were critical to the health of the people in so many ways. Batten pointed out there was a statement in Columbia Imagined that said existing development and zoning regulations often created barriers to allowing more environmentally sound options in the development of land. In order to support natural areas and housing needs, they needed to find alternatives to the traditional standards of development. Batten commented that she could not think of any other area that warranted alternative standards than what they had now. The proposed Canton Estates met the City's regulations, but they were not enough for the sensitive karst topography. Batten wondered if they were willing to risk ignoring the priorities their own citizens had outlined for the future of the City or the responsibility they had as stewards of this area, and whether they were willing to turn their backs on the value of protecting healthy lands and what those lands meant to the health of their people.

Tommy Stewart explained they owned the farm next to Rock Bridge State Park and had been there since 1954, which was before the park had been established. Stewart thanked those that spoke in opposition because the drainage from the area went into his five acre lake and eventually into the Rock Bridge State Park and this wildlife area. Once they developed the proposed site with its hard surfaces and roofs, the water would run off so intensely that it would take his five acre lake out. In addition, during construction, his five acre lake would likely turn into a silt pond killing all of his fish. Stewart noted this had happened before and would happen again.

Treece stated written comment had been received from Sandy McCann, Tim Sparling, Lauralee Sparling, and Rachel Penn. McCann had included photos of the Parkside development. T. Sparling had commented that rezoning a large housing development impacting Gans Creek was a bad idea. L. Sparling stated she had every confidence the Council would vote the right way on the issue of the proposed development. Penn had cited the environmental risk and harm to the protected wild area and had taken issue with the need for housing in Columbia. Penn had also pointed out the hidden danger of sinkholes. Treece noted those comments would be filed with other documents associated with this agenda item.

Alycia Housen, 2364 E. Bearfield Subdivision, commented that she was opposed to the Canton Estates development. Housen referred to the 2007 watershed plan and understood the watershed had one of the highest levels of biological diversity of any watershed found in Missouri. Part of what made it unique was the high number of rare and endangered animals and plants it had. Much of the watershed was particularly environmentally sensitive because of the high number of karst structures. Housen displayed a photo of her holding a stick that was 24 feet, and explained that was how they had measured the depth of the sinkhole. Housen noted a friend had found a sinkhole on the southeast corner of the property adjacent to and almost on the subject property. It was 40 feet north of the pipeline boundary and west of another documented sinkhole. The sinkhole near the pipeline did not have any boundary around it. Housen understood developers were supposed to check with the City before doing something of this nature, and did not feel that had happened in this instance. Housen stated she had hiked the area, and understood the other vacant unoccupied property had car paths, mulched area, and appeared to map out a really nice subdivision. If and when, the subject property was approved, the next part was ready to go. Housen pointed out this was their watershed and their drinking water. It was why she had moved to Columbia. Housen noted she referred her patients there and they tended to come back not needing their antidepressants anymore. Housen commented that she really did not want to choose another community to live in, but it would be at the top of her priority if this changed.

Margaret Waddell, 2211 E. Bearfield Subdivision, explained she had been feeling resentful that there was not a plan in place to handle sensitive areas. Waddell noted she and others now had to scramble around doing research and providing documentation to prevent something from happening that would be irreversible. Waddell reiterated she believed a plan needed to be in place. Waddell stated she was in opposition to the annexation of Canton Estates, and pointed out she had also been opposed to the development of the Philips tract. Waddell explained she was getting tired of having to fight year after year to preserve what should be planned preservation. There being no further comment, Treece closed the public hearing.

## VI. OLD BUSINESS

B136-21

Approving the Final Plat of "Mallard Point, Plat No. 1" located on the west side of Lake of the Woods Road and approximately 600 feet north of Geyser Boulevard (2801 N. Lake of the Woods Road) (Case No. 73-2021).

The bill was given second reading by the City Clerk.

Teddy provided a staff report.

Skala understood there was an option of eliminating a stub street or having an unimproved street easement, and asked if the staff had a preference. Teddy replied not really. Teddy pointed out there were dead end streets that were one lot in length similar to this, and provided the area near the Scott's Branch and Bonnie View trail extension. It had been useful for extending a public pathway into a large tract. Teddy commented that it could also be used by lots on either side as an alternative location for a driveway that

was off of the main street. Teddy commented that the preference was likely to leave it as it was. Teddy thought issues of inappropriate uses causing a disturbance could be dealt with as necessary. Teddy did not feel there was an intention to push a street through on to a five acre lot. It was kind of a dilemma. If they did not pave that little section of right-of-way, it would be a rude awaking to the people that had settled into the houses on either side of it.

Skala asked if the plat would be in good shape if the Council was to entertain the idea of leaving it as it was, meaning the plat would not need to be modified. Teddy replied that if they had not left right-of-way in place, they would have worked with the subdivider to see how they wanted to adjust those lots. Skala understood to leave it as it was would not necessitate any change in the plat. Teddy stated they could ask that it be changed into a street easement or they could just provide direction to not put in the paved improvement. Teddy noted he would not recommend that because there would be this unresolved character that could lead to other issues. Skala explained that was what he was trying to address, and asked for the recommendation of staff. Teddy replied their recommendation was to leave the plat as it was.

Pitzer asked when this tract had come into the City. Teddy thought they had just approved the preliminary plat last year. Pitzer asked if it had been annexed then as well. Teddy replied he did not recall the date of annexation, but thought it had been in the City.

Pitzer understood this tract had not been platted when Lentz Drive had been constructed. Teddy stated that was correct. It was a separate process, and they had made use of the access available at Lentz Drive and Sandrock Drive, which was the longer street that came from the west. Teddy pointed out staff had not required them to tie into Lake of the Woods Road because there was a dangerous condition to the roadway due to a horizontal and vertical curve there.

Pitzer understood an unimproved street easement was just open space, and it would not be cleared, graded, etc. Teddy stated that was correct. Pitzer understood people would not realize it was a road.

Skala commented that this was consistent with what was in the area, and noted he had spoken with a couple people that bordered it on the north. They had been interested in the stub street. Skala stated he would be comfortable supporting this and leaving it as it was per the suggestion of staff versus putting in a stub street to the north.

Treece asked if the plat reflected the desire of Skala. Teddy replied there was a right-of-way there on the plat as there had been on the preliminary plat.

Pitzer asked for clarification as Teddy had indicated to leave it alone and not build the street, but the plat had the street on it. Teddy replied it was a dead end street section that came to the property line. Teddy explained he was saying there was not an intent to divide up a five acre lot to the north. That would only occur if there was redevelopment, which was unlikely since those homes were all in good condition and people were happy there. The idea was to have the land planning available if there was consolidation and redevelopment.

Pitzer asked if they were leaving the plat as it was or if they needed to amend it. Skala replied that was what he had asked, and understood that if they had left it as it was, it would not require an amendment to the plat. They could eliminate the stub as well since there was not an intention to move it to the north. Teddy commented that there might be miscommunication. The recommendation of staff was to approve the plat the way it was presented, which would have a stubbed out pavement to the property boundary. As a result there would be a street corner there for two lots. Peters understood that was to the north.

Pitzer understood that if they did not want the stub street, they would have to amend the plat.

Teddy described the location on the diagram, and noted it was Canvasback Drive and what they called a stub out street.

Peters asked Teddy what was being asked of the Council. Teddy replied staff felt the plat



could be approved as it was, but some people had made comments of uncomfortableness with the idea of having street paving there. Peters understood what they had in front of them had the street paving to the north. Teddy stated that was correct.

Skala understood the intention was to not to connect it, and asked if that meant there would be some sort of dead end barrier there. Teddy replied it would sit as a dead end so long as the subdivision to the north remained. If it developed, there would be an opportunity to extend the street north. Skala asked if there would be any kind of signage. Teddy replied they could have the developer install a barrier indicating it was not a through street. Skala stated that would be acceptable to him.

**B136-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, WANER. VOTING NO: NO ONE. ABSENT: FOWLER (Fowler stepped out during the vote on this item). Bill declared enacted, reading as follows:**

B137-21 Approving the Final Plat of “Fyfer’s Subdivision, Plat No. 2” located on the north side of University Avenue and east of William Street (1611, 1615 and 1617 University Avenue); authorizing a performance contract (Case No. 65-2021).

The bill was given second reading by the City Clerk.

Treece understood the applicant had made a request to table this to the May 17 Council Meeting.

Treece made a motion to table B137-21 to the May 17, 2021 Council Meeting. The motion was seconded by Skala.

Pitzer asked if they might want to table it to the meeting after the May 17 meeting since the next meeting would have a lot on it. Pitzer understood they had not had a chance to communicate that with the applicant. Skala felt they had requested the tabling for the next meeting. Pitzer agreed, but noted he was not sure they realized what all they had going on the next meeting. Amin pointed out they would be first.

**The motion made by Treece and seconded by Skala to table B137-21 to the May 17, 2021 Council Meeting was approved by voice vote with everyone voting yes, except for Peters who had abstained.**

B155-21 Authorizing a First Amendment to the professional performance (integrated) audit services agreement with RubinBrown LLP for a contracts performance audit; amending the FY 2021 Annual Budget by appropriating funds.

The bill was given second reading by the City Clerk.

Finance Director Matthew Lue provided a staff report.

Treece understood the actual scope of services was located on page 99, and that the scope had been reviewed by the Finance Advisory and Audit Committee (FAAC) and Water and Light Advisory Board (WLAB). Treece asked the Chair of the FAAC, Maria Oropallo, for some insight on that discussion. Oropallo commented that RubinBrown had met with the FAAC three times, and over the course of those meetings they had drilled into what they had thought needed to be reviewed if there was to be an audit on contracts. It had expanded what had been initially proposed. Oropallo stated she was happy that the WLAB had sat in on that meeting because they had expressed their concerns allowing things to clearly be identified. Oropallo explained she had been impressed that they had incorporated everything that had been said into this scope of services while maintaining the price. Oropallo thought the reason for that included the fact FAAC could provide insight as to the places they felt things should be reviewed. Oropallo pointed out Cale Turner, the Purchasing Agent, had been a part of the meeting

and had taken a lot of questions. Oropallo stated the FAAC was comfortable moving forward and pleased with the interaction with RubinBrown.

Treece asked Rick Feldt of RubinBrown if he had any comments. Feldt replied they had met with the FAAC and management in order to sharpen the scope of the audit, which was important when conducting a performance audit. They appreciated the input of the FAAC and the WLAB. Feldt stated he thought they could provide a lot of value to the City in terms of this audit and noted they would continue to work with FAAC, the Council, and management.

Treece asked about a time frame. Feldt replied he thought they would be ready to go the week of May 18, and would likely finish in June.

Skala commented that it sounded like a very synergistic system with regard to the boards and commissions, and asked Feldt if he felt it had helped them. Feldt replied yes, and explained they were always happy to speak with whoever they needed to speak with to provide the most value. There was no harm in attending an hour meeting. Feldt pointed out it allowed them to continue to learn about the City and how it operated. It was a very good process to go through.

Pitzer understood a section within the estimated fees page indicated RubinBrown would bring value-added services to the City in addition to the required performance audit, which included strategy meetings to discuss pressing issues or emerging industry trends, as needed phone calls and email communications, discounted rates, a strategic partner to assist the City with emerging topics and challenges, etc., and asked if anyone had taken them up on any of those offers. Feldt replied no one had mentioned the words Pitzer had stated, but they had held conversations with the Council and there had been a couple of areas that had been identified of which the contracts was one. Feldt explained they had met with the FAAC, the WLAB, and City management. There had not been any additional projects as those would come before the Council prior to doing any work. Feldt thought they were starting to understand the City and its structure much better, which would allow them to provide more value. Pitzer stated this language sounded as though there was an opportunity for management and staff to talk to RubinBrown with regard to broader strategic discussion points beyond what was just in the scope of services. Feldt explained they were always available to do that, but no one had asked for it yet.

Pitzer commented that the fee of \$54,000 involving 270 hours came out to roughly \$200 per hour, which was below the hourly rate for the manager, and understood that implied that most of the work would be done by staff and senior staff. Feldt stated that was correct. Feldt explained typically all of the field work where they were looking at contracts, whether it was bid, whether the low bid was taken, etc. was handled by assigned staff. Once all of the information was gathered, the manager and Feldt, as the partner, would become involved. There was a lot of work to get the first draft of the report written, which was mainly between the partner, the manager, and City management, and involved discussions with the FAAC and the Council until it was done. Feldt stated, generally, the budget for these types of projects estimated staff hours of 75 percent, manager hours of 20 percent, and partner hours of five percent.

**B155-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

B140-21 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).

The bill was given second reading by the City Clerk.

Teddy provided a staff report.

Fowler understood a sewer line ran through there, and asked if it was a City sewer line. Teddy replied it had been built by the Boone County Regional Sewer District (BCRSD) according to an agreement, which had been included in the agenda packet. Teddy noted

the City maintained it. Teddy pointed out the customers were the customers of the BCRSD, and the BCRSD paid the City an amount as had been provided for in the agreement. Fowler commented that she did not understand the logic of this. Teddy stated it was an agreement that had been entered into a number of years ago, and covered a fairly large region. It was a public sewer and wastewater that was ultimately collected and treated by the City. Fowler understood the actual pipe had been installed by the BCRSD. Teddy stated that was correct, and explained it would become a part of the City system. Glascock agreed, and noted it was the result of removing a pump station.

Fowler asked who installed the line that went through the property. Glascock replied he was not certain as to what property Fowler was referencing, and explained the pump station that had been referred to as the Otscon pump station had been removed a number of years ago. If it was north of that, Glascock understood the BCRSD had installed the line, and if it was to the south, the City had installed the line. Teddy explained it was the Sunrise Estates pump station, and the Sunrise Estates neighborhood was northwest of this site. Fowler asked if it was within the cream colored area on the diagram displayed. Teddy replied no, and noted it was within the jurisdiction of Boone County and was where the various streets were shown.

Fowler asked if there was something that prevented this property owner from attaching to the sewer and doing business with the BCRSD. Glascock replied yes, and explained that for the BCRSD to attach to the City's system, anything that was attached to their system needed the City's approval because it would dump into the City's system. Glascock noted the City addressed the treatment for the sewer since the wastewater ran to the City's treatment plant.

Peters asked if the property was currently connected to a lagoon. Treece replied they had an on-site system that was failing. Peters understood they were trying to get rid of the on-site system. Treece stated the property owners were trying to avoid having to replace their on-site system. Peters commented that she thought the recommendation by the State was to get rid of on-site systems if possible.

Pitzer understood that when the City had built its regional wastewater treatment plant, it had received some federal money, and the reason they had received the federal money was because they would connect beyond the City. Glascock stated that was correct with the original build, but they had used up all of that capacity. The expansion in 2010 had been funded by the City itself. Glascock commented that this attached to the City's system, and the City did the treatment for it. Anything that was connected to the BCRSD eroded the City's capacity at the plant, which was why the Council had to approve it. Pitzer understood this had been done years ago. Glascock stated that was correct.

Treece stated he did not believe they should extend City services outside the city limits. They were not contiguous, and thus not eligible to be annexed into the City, but they wanted the benefits of connecting to the City sewer while the City had existing customers that had paid for these improvements year after year and were still waiting for their sewer. Those customers were now going to be leapfrogged over for someone with a failing on-site system. Treece understood there was a pre-annexation agreement whereby they would agree to be annexed into the City once they became contiguous, meaning they would not oppose it, but he felt property rights were so sacrosanct that a current property owner could not bound a future property owner as to whether they were a part of the City or not. Treece stated he intended to vote no. Treece reiterated he wanted to take care of what they had before bringing people in that were not within the City as they had not been paying the rates.

Peters asked if they would pay for the system once connecting to it. Treece replied no, and explained they would remain a customer of the BCRSD. Peters asked what would happen to their rates as she understood the BCRSD paid the City. Treece replied the BCRSD paid a percentage of the rates so they received a discount.

Thomas wondered if they needed to revisit the agreement as this had come up a number of times, and the way this situation was handled seemed extremely illogical. Thomas understood that could not be done now, but felt they should discuss how they addressed these situations in the future.

Skala commented that this would make more sense if they were talking about the potential for annexation with a contiguous portion of the City because there would not be any presumption of a pre-annexation agreement or special treatment.

Treece stated that if they allowed anyone to connect to the sewer system there was no reason to ever be annexed.

Skala understood there had been difficulty before when folks did not want to annex into the City, but still wanted to take advantage of some of the infrastructure the City had to offer. Pitzer believed that was the reason for the annexation agreement as they would not have a choice but to annex when contiguous.

Pitzer commented that there were a lot of easements and other restrictions that ran with the land, and not with the landowners. Pitzer did not believe the idea that they could not bind a future land owner to a certain agreement was valid. If they wanted to revisit the policy, Pitzer was agreeable. In this situation, however, a public sewer ran through the property, and Pitzer did not feel it was appropriate to not allow them to connect to it. In addition, any other solution, regardless of cost, would be less environmentally friendly and create other environmental issues. By connecting to what was on their property, they would know it would be treated properly. Pitzer did not feel it made sense to not allow them to connect to it, and pointed out they would pay for it. They were not receiving any other City services as a result of the agreement, and would only pay for what they were receiving. Pitzer reiterated he was open to a policy discussion, but he did not have a problem with this specific agreement.

Skala asked if the pre-annexation agreement bound landowners to annexation should the City decide to exercise its rights under the agreement. Teddy replied that was how it was designed. Teddy explained paragraph 9 said the City could annex but was not under any obligation to follow through. Skala understood they would not get into a situation where there were folks that wanted to remain in the County while availing themselves of City infrastructure as that could not happen in this circumstance. Teddy stated that per the policy, there would always be a somewhat unilateral agreement made in favor of the City.

Treece asked for the last time the City did a forced annexation. Teddy replied it had been many years. There were a number of these agreements out there, but the City had not moved to annex them yet. Teddy pointed out a number were still not contiguous. Typically, it was a situation similar to this, i.e., a failing on-site system. Teddy noted there had been a few development-related ones as well, and referred to some up north whereby the entire subdivision had developed per an annexation agreement. Skala understood there were some County islands surrounded by the City, which he presumed were connected to the City's sewer.

Fowler commented that she would vote against this as well. It still caused her great concern given the other pressing needs they had. If this was such a pressing need and important to the BCRSD and the City, Fowler felt this could be the catalyst for looking at the policy, which did not seem to make common sense now.

Thomas asked if this property would be charged the City's usual connection fee of \$2,400 for a home connecting to the sewer system. Teddy replied he thought the agreement with the BCRSD indicated the BCRSD would handle the connection process and pay 80 cents on the dollar to the City. Thomas asked for clarification. Sorrell replied he believed the agreement with the BCRSD waived all connection fees for their customers, and they would pay the City 80 percent of what the City would charge if they were a City customer.

Treece understood the property would not be annexed into the City, they would not pay a connection fee like any other City resident, and they received a 20 percent discount on their sewer rate. Sorrell commented that the City would receive 20 percent less on the

sewer rate, the City would not receive a connection fee, and the property would not be annexed. Sorrell pointed out the property owner would pay an extremely higher sewer rate to the sewer district.

Thomas asked if they paid a connection fee at reduced rate. Sorrell replied no. Thomas understood the City received nothing in terms of a connection fee. Sorrell stated he thought this particular agreement with the BCRSD did not require a connection fee for any BCRSD customer. Thomas noted he would vote against this as well if that was the case.

**B140-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: PITZER, PETERS. VOTING NO: SKALA, THOMAS, TREECE, FOWLER, WANER. Bill declared defeated.**

## VII. CONSENT AGENDA

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

- B134-21 Authorizing and ratifying a second amended agreement with Boone County, Missouri for administration of CARES funding for public safety employee expenses.
- B135-21 Approving a major amendment to the Planned Development Plan for "Scooter's Coffee Near Shoppes at Stadium" located on the northwest corner of the Stadium Boulevard and Ash Street intersection; approving a statement of intent (Case No. 92-2021).
- B138-21 Approving the Final Plat of "Breckenridge Park, Plat No. 2" located south of the western terminus of Smith Drive; authorizing a performance contract (Case No. 205-2020).
- B139-21 Approving the Final Plat of "Lake of the Woods Center, Plat No. 3" located on the south side of Freedom Drive; authorizing a performance contract (Case No. 102-2021).
- B141-21 Authorizing a Governor's Transportation Cost Share Agreement with the Missouri Highways and Transportation Commission for the construction of the Discovery Parkway (Discovery Drive to Rolling Hills Road) extension project.
- B142-21 Authorizing a right of use permit with The Curators of the University of Missouri for construction and maintenance of a chilled water distribution pipe, control conduit, and domestic water pipe within portions of the Hitt Street right-of-way.
- B143-21 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.
- B144-21 Amending Chapter 14 of the City Code to prohibit parking on a portion of Waco Road.
- B145-21 Authorizing the acquisition of easements for the replacement of water distribution infrastructure along Business Loop 70 between Fay Street and Old Highway 63.
- B146-21 Authorizing a general agreement with Union Electric Company, d/b/a Ameren Missouri, for non-exclusive use of City-owned utility poles for the

- attachment of telecommunication devices.
- B147-21 Accepting conveyances for utility purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B148-21 Amending the FY 2021 Annual Budget by adding and deleting positions in the Fire Department; amending the FY 2021 Classification and Pay Plan by adding and reassigning classifications.
- B149-21 Authorizing the City Manager to execute an easement to record site stewardship requirements relating to the Norma Sutherland Smith Park to the Land and Water Conservation Fund administered by the Department of Natural Resources.
- B150-21 Authorizing an agreement with Columbia School District No. 93 for playground improvement projects at Locust Street Elementary School and Rock Bridge Elementary School.
- B151-21 Authorizing an encroachment agreement with Magellan Pipeline Company, L.P. to allow a portion of a parking lot and concrete trail to be located within an existing gas line easement at The Vineyards Lake Park.
- B152-21 Authorizing a contract amendment with the State of Missouri - Missouri Department of Corrections to provide tuberculosis screening and testing services.
- B153-21 Authorizing a Memorandum of Understanding with the Missouri Department of Health and Senior Services for STD testing and treatment services.
- B154-21 Authorizing an agreement with the Mid-Missouri Regional Planning Commission to support the entrepreneurship program coordinator position staffed by Regional Economic Development Incorporated (REDI).
- B156-21 Authorizing a master services agreement with Upland Software, Inc. for the FileBound document management system; amending the FY 2021 Annual Budget by appropriating funds.
- R67-21 Authorizing an agreement with the U.S. Committee for Refugees and Immigrants for medical screening services.
- R68-21 Authorizing an artist's commission agreement with Adrienne Luther for artwork to be applied on a bus shelter located in the 1100 block of West Worley Street.
- R69-21 Authorizing an artist's commission agreement with Lisa Franko for Traffic Signal Cabinet Art to be located at the corner of Broadway and Fifth Street.
- R70-21 Authorizing an amendment to the agreement with Columbia Jet Center, Inc. for hangar ground lease relocation at the Columbia Regional Airport for operations at Hangar 350 (Hangar 730); authorizing an amendment to the agreement for ground lease by the fixed base operators at the Columbia Regional Airport (to include Hangar 200 and the fuel farm) with Columbia Jet Center, Inc.
- R71-21 Authorizing amendments to the collective bargaining agreement with Columbia Professional Firefighters I.A.F.F. Local 1055.

R72-21 Authorizing an agreement for Financial Services - Banking and Merchant Services with Commerce Bank.

R73-21 Directing the City Manager to proceed with the development of a capital improvement project list to be funded by the proposed extension of the one-eighth of one percent local parks sales tax for a period of ten (10) years.

**The bills were given third reading and the resolutions read by the City Clerk with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:**

## VIII. NEW BUSINESS

R66-21 Setting a public hearing: voluntary annexation of City-owned property located on the east side of Oakland Gravel Road, generally northeast of the Brown School Road and Highway 63 interchange (northeast regional park property) (Case No. 153-2021).

The resolution was read by the City Clerk.

Fowler asked about the notice given to adjoining property owners. Teddy replied they provided the standard notice per the City Code so all owners of property within 185 feet received a letter notifying them of the zoning hearing. Teddy explained with each annexation a PZC recommendation for permanent zoning was required to present to the Council. Teddy stated they also sent post cards when an application had been received to provide advance notice prior to scheduling the hearing.

Fowler asked if any neighborhoods were proximate to this. Teddy replied there was the Cottonwood RV Park. Fowler asked if that was within 185 feet. Teddy replied yes, and explained it was almost enveloped by this site. Fowler asked if only management received notice or if everyone who lived there received notice. Teddy replied he would have to look, and pointed out it was dependent upon how it was indicated in the property records, i.e., a single parcel or multiple parcels. Teddy stated they would send the notice to the parcel owners.

Fowler commented that when they were annexing in an area in the County with large tracts, the 185-foot rule did not appear to work as well as it did on her street where the lots were 55 feet wide. Fowler understood a neighborhood association in the County would not receive notice if it was adjacent. Teddy stated that was correct. Fowler explained she brought this up because she saw a pattern of concern with regard to the notice provisions not working well under these circumstances.

Fowler asked Teddy if he was comfortable that the City had reached out in other ways so all adjoining property owners were aware of this. Teddy replied staff had not done any extraordinary outreach. Teddy pointed out they had a listserve whereby subscribers received information sent via it. In addition, there was publication of the agenda although it likely did not receive much publicity.

Fowler understood staff sometimes put out signs, and asked if that was done for annexations. Teddy replied they had a public meeting type banner they would put on public roadway frontages like Starke Avenue since there was permanent zoning tied to the annexation. Fowler asked if it would go on all sides if it was a rectangular parcel. Teddy replied he thought the signage had been on two sides because the roadway wrapped around it on the south and the west.

Fowler asked if this would be on the consent agenda at the next meeting. Treece replied no, and explained this was a resolution to set a public hearing on the annexation. If this resolution passed tonight, the next item would be that public hearing. That would be the statutory hearing, and there would then be a vote at the meeting afterward on the zoning.

Fowler understood adjoining property owners stood some chance of hearing about it because it would come to the Council twice. Treece stated that was correct, and noted he felt the sign was the best notification because those that drove by it would see it even if they did not live within 185 feet of it. Teddy pointed out there would be an annexation hearing if the Council passed this resolution tonight, which involved a notice in the newspaper. The Council would hold the hearing, and since the permanent zoning had a unanimous vote in favor of it, it was eligible to be on the consent agenda when that came to the Council. Fowler stated she understood.

**R66-21 was read by the City Clerk, and the vote was recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:**

## IX. INTRODUCTION AND FIRST READING

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

- 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).
- B158-21 Granting design adjustments relating to the proposed Final Plat of Gordon's Subdivision, Plat No. 2 located on the north side of Broadway and west of Tenth Street (1009-1021 E. Broadway) to allow a stem lot, a tier lot, and to waive additional utility dedications (Case No. 90-2021).
- B159-21 Approving the Final Plat of "Gordon's Subdivision, Plat No. 2" located on the north side of Broadway and west of Tenth Street (1009-1021 E. Broadway); authorizing execution of an estoppel certificate to Michael M. Menser Properties, LLC (Case No. 90-2021).
- B160-21 Approving the Final Plat of "Biscayne Heights Plat 4" located on the northwest corner of the Stadium Boulevard and Ash Street intersection; authorizing a performance contract (Case No. 87-2021).
- B161-21 Approving the Final Plat of "La Grange Place Plat 5" located on the southeast corner of the Rollins Street and Richmond Avenue intersection (Case No. 108-2021).
- B162-21 Authorizing an inspections participation agreement with the Missouri Department of Health and Senior Services for the 2021 summer food service program for children.
- B163-21 Amending the FY 2021 Annual Budget by adding and deleting positions in the Public Health & Human Services Department; amending the FY 2021 Classification and Pay Plan by closing, upgrading and reassigning classifications.
- B164-21 Amending the FY 2021 Annual Budget by appropriating funds for Round 3 CDBG-CV public assistance programs, an employee wage and benefits study, a business license and health inspection rebate program, 2020 licensing fee rebates for restaurants and bars, and hotel/motel and concert venue reimbursements.



**X. REPORTS**

## REP31-21 Burnside Drive Right-of-Way Vacation (Case #133-2021).

Teddy and Glascock provided a staff report.

Pitzer asked if there were plans to build Solar Road. Teddy replied there was not any trigger to build it right now. They had not required it be built by the solar farm because there was negligible traffic generation from that site. They felt just dedicating the right-of-way was equitable enough.

Pitzer commented that there was a stub street here similar to what they had talked about on another development earlier tonight. Pitzer asked if that little hook connection would be reasonable for one of the unimproved easements discussed or if it would mess up the rest of the development on that tract. Teddy replied they could conceivably extend what was called Option #3b at the north end to Solar Road and then on up. In effect, they would be building a street much farther east than existing right-of-way. It would be pushed almost to the very east of this tract except for a small corner at the southeast. In discussing it with the developer, they were not willing to do that unless they were pushed. They felt they had all of the access they needed with the existing roadway system. Teddy noted this would serve as an indirect second feed from the north into that residential area. There was some R-2 zoning in the immediate vicinity, but the street system was mostly single-family residential.

Treece explained Burnside Drive was just a dedication and he understood why it was there, but if they were not developing the housing to merit that connection, he did not feel they were losing any connectivity there.

Skala commented that he was always reluctant to vacate right-of-way, but was okay with it in this case since there did not appear to be any potential use for it.

Treece stated he thought it would be good to proceed. Glascock thought staff understood how to move forward.

## REP32-21 Citizens Police Review Board: Follow Up Letter Regarding Request to Change Section 21-46(c).

Tim Pringle, Chair of the Citizens Police Review Board (CPRB), explained the purpose of the letter was to bring it to the attention of Council and to see if anything more was needed from them.

Fowler understood it felt odd to be different from other boards and commissions and that there was also the issue of someone using their role in that particular board to run for Council. Fowler commented that she had not had to step away from her seat when she had decided to run for Council, but had chosen to be less vocal. Fowler understood there were some other roles in the community that were elected positions, such as those with the school board, hospital board, or a political committee, and with the way the ordinance was written, those would be prohibited as well. Fowler stated she used to be the representative from the Missouri township for the Boone County Democratic Central Committee, which had been an elected office even though she had run unopposed time and time again. Fowler commented that she understood where this was coming from, but was not sure of the right answer.

Waner asked about when this had been brought forward initially. Treece replied he understood it had always been a part of the original make-up of the CPRB. Treece pointed out that the CPRB was also unique in that one could not have any pending litigation issues with the City. Treece commented that for him it was an important way to assure independence from a body that considered appeals of personnel decisions by the Police Chief. Treece felt allowing someone to use that as a platform for higher office, in a worst case scenario, would politicize it in a way that would undermine the independence they, the victim, and police officer expected. Treece asked if they would appoint someone to the CPRB knowing the person was a candidate for public office, and noted the answer would likely be no for him.

Skala understood this uncomfortableness of this being a little different than some of the other boards and commissions, and noted he like Fowler did not have to give up his seat on the PZC or the Environment and Energy Commission (EEC) when it existed. Skala felt there was a special place for the CPRB that almost demanded an insertion of independence, and due to that, he did not feel the need to change that prohibition.

Treece commented that it appeared that the answer was to not change it at this time.

REP33-21

### Citizens Police Review Board: Community Oriented Policing Program Proposal.

Waner stated she thought this report had been really well researched.

Fowler asked for the time delay if they were to ask for a work session. Fowler commented that it presented a lot of interesting ideas that she wanted a further opportunity to discuss.

Skala asked if there had been any intention to expand this conversation with the Police Department. Carley Gomez, a member of the CPRB, stated they had not spoken with the Police Chief since the newest iteration, which involved broadening the initiative and bringing it to not only police officers, but to staff as well, and changing it so it was about equity, diversity, and inclusion, i.e., teaching education and leadership to those that applied for the program. Gomez noted they had also spoken to the People's Defense about the program.

Treece commented that his sense was that due to budget issues, the CPRB only wanted to do this for officers with less than two years of experience. Gomez replied yes, and explained part of that had been based off of the program, *Police for Tomorrow*, that had started in Georgetown. They had found it to be a good way to help police officers become acclimated and have support within the community while building those ties. This was why it was initially officers within their first two years. Obviously, they would be open to discussions of that period, especially as they were talking about staff in the Police Department and throughout the City.

Treece understood the report had indicated a C-6 employee and asked if that was a pay grade. Gomez replied it was a City pay grade.

Treece asked why they would have a City employee organizing something that was voluntary and unofficial training. Gomez replied the City of Columbia did not have an Office of Diversity, Equity, and Inclusion, and part of this was a program that would be good for the community at-large and specific to Police Department and other City employees. It might be voluntary, but it was also supposed to be competitive, and a point of consideration for promotions. Treece asked what would happen if someone's personal life did not allow them to pursue a 12-month capstone in their first two years of employment, and asked if an officer at the age of 26 with the Police Department would be passed up for the opportunity for promotion. Gomez replied that was why they had changed the years for the first two years. It had become more about those that were interested rather than putting a restrictive time limit on it that worked for Georgetown, but might not work for Columbia. Gomez explained it was not to say it should be a reason to pass people over for promotions. It was another way to show investment in equity and diversity while creating ties to the community. Those twelve months involved monthly meetings with community members.

Treece stated he would want to be assured from the City Manager and Police Chief that the curriculum was consistent with not just the policy, but the outcomes they all wanted. Treece commented that he would not want a young officer to substitute their individual judgement for something that would make them subject to insubordination. Gomez noted this was in no way intended to replace any form of training the police officers already had to take. Part of this was a process of understanding and relationship building, and it should not interfere with the training they had officially because it really was about learning, education, and relationships. It was not about in the field action.

Treece asked Gomez if she would be opposed to incentivizing it for officers that

completed it with some type of bonus or scholarship. Gomez replied no, but believed there should be a desire to learn more about the community and equity, inclusion, and diversity.

Treece asked Gomez if she would be opposed if the City bargained this with the CPOA as part of the collective bargaining agreement. Gomez replied she would want to confer with the CPRB before responding.

Skala stated he would feel more comfortable if they delved into this a little deeper in terms of the integration with the existing structure to ensure it was a positive addendum. By itself, it appeared to be that way, but he wanted to be certain. Skala commented that he would be in favor of this being a part of a work session.

Peters agreed with Skala. Peters explained she wanted to know what the Police Department was doing already and if they could integrate this with that. Peters wondered if they needed to expand the program, if they already had a program they just did not know about, how it integrated with what they were already doing, etc. Peters stated she thought this was a great idea, but wanted more information. Gomez explained it was created as something that should be somewhat independent because it was not a form of training for action. It was an educational service for City staff and police officers. It was more about addressing the things that had come up in previous listening tours where people in the community wanted prolonged discussions with the police. It was meant to be a little different and somewhat separate from those things. The idea was that it would be run independently, and would have experts throughout the community along with community members who would lead the sessions. Peters understood and explained she still wanted to see how this integrated with the Police Department. Gomez understood.

Waner commented that she likened this to a Building Inclusive Communities workshop through the City as it was additive to the training of employees and was an educational piece. Waner stated she thought it also spoke to the strategic plan in terms of having equity in everything they were doing. In addition, the community had indicated they wanted more communication with police officers and communication and understanding from elected officials. Waner felt this was 11 pages of research as to how that could be done with actionable steps, and wanted to know how they could move forward. Waner wanted to know what the next steps looked like.

Treece asked if anyone was opposed to spending some extra time on this at a work session. No one indicated they were opposed.

Treece asked Matt Nichols, the Columbia Police Officers Association (CPOA) President, if he wanted to add anything to this discussion. Nichols replied the CPOA members loved training and desired more. Nichols commented that he did know a lot about the program the CPRB members had put together, but felt there were fantastic elements in it from what little he had read. Nichols stated they had wholeheartedly embraced Chief Jones' vision for community policing, and understood they were taking substantial steps to achieve what the community wanted. Nichols encouraged the Council and community members to get to know the people they had. They had truly amazing officers in the department, from brand new people to those that had been with the agency for 20-plus years. Nichols stated they wanted to do what was right by their community members, and they were on board with these types of trainings and ideas.

Treece asked Glascock to find some time to meet on this. Glascock asked when they would like to do this. Treece replied that it could maybe be a part of the budget work session. Glascock understood that would be May 26. Fowler wondered if their guests would be able to attend then. Treece stated he did not know and suggested they take that conversation offline, but understood that was an option. Treece noted he wanted the Police Chief to have time to provide feedback as well. Treece wondered if it complied with post-commission or CALEA accreditation, how much staff was needed to backfill if people were taken off duty to do it, etc. Glascock asked if he could expand it to include people other than police. Treece replied he loved all of the topics and did not believe the

topics were unique to police. Glascock commented that City University was already set up to do voluntary training and thought this could feed into that. Treece stated he thought that was a fair option to discuss.

REP34-21 Administrative Public Improvement Project: Employee Restroom for the Short Street Municipal Parking Garage.

Fowler asked if this meant they would have a publicly available bathroom downtown. Public Works Director David Nichols replied no, and explained this was in the secure area of the garage. It was behind locked doors.

Fowler understood that when City buildings were open, people could come in to use the restroom facilities. Fowler explained she still remained concerned because they were not quite through COVID and there was still a lack of access to bathrooms. Nichols reiterated this bathroom was only for employees as it was in a secure area. It kept them from having to stop what they were doing to come to City Hall to use the bathroom facilities. It was an efficiency issue.

Treece asked if there was any objection to using the administrative public improvement process. No one had an objection.

REP35-21 Amendment to the FY 2021 Annual Budget - Intra-Departmental Transfer of Funds.

Glascock provided a staff report.

Treece asked if there were any objections, and no one objected.

## **XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Nina Hampton, 202 Bay Pointe Lane, commented that she had read two articles today which had caused her to come speak. One indicated the Police Department had a new proposal for community policing training, and the other was out of St. Louis with regard to the new mayor there. Hampton congratulated the Council for the good discussion when talking about the budget and the CPOA contract, and noted she did not feel that contract had been negotiated like it should have been. Hampton pointed out Race Matters, Friends had been coming to meetings to discuss community policing since 2014, and it had been kind of performative in terms of a lot of training and talk. The complaints that go to the CPRB were essentially toothless. Hampton understood St. Louis had a citizens oversight board, but that board had not been used because the police officer union would not provide them a copy of the complaints of citizens. Hampton also understood an activist had been working on reform, to include cameras, more diversity within the force, etc., but there had still not been any real change. It had all been performative. The newly elected Mayor of St. Louis, Tishaura Jones, who had been a criminal justice reform activist, had indicated she wanted all of the reports of citizen complaints going back five years. In addition, from here on, she wanted the complaints to come to her. Hampton asked the Council to pay attention to St. Louis. Kayla Reed, another activist, had indicated that she wanted her movement to be strong enough so that when it came time to elect alderman and mayors, they would have to be endorsed by her. Hampton commented that she had given up in terms of community policing and the CPRB due to there not being any teeth, and hoped more would be done.

Eugene Elkin, 3406 Range Line Street, stated he had recently learned that Branson, Missouri had just opened up, i.e., meaning no more masks. Elkin hoped Columbia would begin to be more lenient with regard to when they had to mask. Elkin commented that they now knew they needed sun and to take Vitamin D. Elkin felt the longer they were reclusive, the longer this would go on, resulting in more people dying.

Elkin commented that a kid that had recently confronted an officer was no longer with them. Elkin felt anyone contributing to the drug culture was contributing to the violence they heard about on television. People were scared to come to Columbia, Missouri.

Elkin commented that he had been outside of Nash Vegas on a recent Friday night and two officers had approached the group that was outside, which he thought was fine. Soon after, 3-4 women started coming around and asking one of the officers to pose with them. Elkin thought that was dangerous as someone could grab his TASER, gun, etc.

Tom Jensen, 2416 Wild Oak Court, explained he was the Chair of the WLAB and that they were in the final months of work with regard to the Integrated Electric Resource Master Plan. One thing they had not yet talked about and likely would not talk about was how they would finance everything they would recommend. The timing, although longer than anticipated, was not necessarily bad. Jensen stated he had been following the Biden infrastructure bill closely, and it would directly impact some of their decision-making in terms of establishing priorities, weaving tax credits into the process, etc. Jensen understood the greenbook, which would affect the financial details, was expected to be issued in the next two weeks. Jensen commented that he had met with Glascock and Sorrell to ensure the City was observing this in real time so they could identify opportunities as they presented themselves. Jensen explained he had occasion to meet with the City of Fulton's utility in 2014, and they had financed their Advanced Metering Infrastructure (AMI) for smart meters and landfill gas plant with the TARP financing established due to the 2008 economic crash. It had been a much smaller pool of money, but they had been active about it. They had really been one of the only utilities within the State of Missouri to take advantage of it at the scale they did. Jensen stated he thought they would be working hand in hand with the City Manager's Office, Finance Department staff, and Utilities Department staff to ensure this was something that would inform all of their reports in terms of the recommendations they made. Jensen pointed out there would be some nuances as they would want to push some projects to private industry because they would be eligible for tax credits. They would also want to be careful with the classification of Environmental, Societal, and Governance (ESG) qualified bonds, whether it was green bonds, climate bonds, sustainability bonds, or transition bonds. Jensen reiterated there would be complexities on the horizon and wanted the Council to know they planned to keep up with it the best they could.

Treece asked Jensen if he was familiar with the concept of securitization among Investor Owned Utilities (IOUs). Jensen replied yes, and asked Treece if he meant for the purposes of retiring coal fire plants. Treece understood that for most IOUs and co-ops, the power plants were financed by federally backed loans. One of the barriers to decommissioning coal fire power plants was that they had to pay back that debt to the federal government. Treece thought one concept would be for the federal government to forgive the balance of the debt amortization if it was rolled into sustainability jobs, green energy, etc., and asked Jensen to look at the debt instruments the City had for some of its outdated assets. As they had more favorable interest rates, Treece felt they could roll the savings into other things they had not yet budgeted. Jensen stated these were all items he would look forward to working on as his background was with financing public-private partnerships and monetizing different programs.

Jensen commented that he had the occasion to connect with Don Gaston, the head of Prairie State, with whom the City had their largest coal contract, and they were pretty deep into the process of 45Q tax credits, which was sequestration. They had a very unique circumstance where they were located as they were one of the only scientifically feasible locations geographically, based on today's technology, where this was entirely possible. Jensen understood they were already speaking to Japanese companies that had perfected the technology, and those companies were getting tax credits from Japan for this project located in Illinois. Jensen thought that was something that would begin construction in less than five years. It would be another arrow in the quiver as they tried to transition because they might not have to cancel that contract or figure out a securitization structure if they were capturing the coal.

Treece asked Jensen if the Council had work session coming up with them. Jensen

replied the Council had a work session coming up with the Integrated Electric Resource and Master Plan Task Force (IERMPTF), and it was mostly an update. They would not have any recommendations or suggestions.

Fowler asked if information would be provided to the Council in advance of the work session so they could read ahead. Fowler explained this was new vocabulary for her so she might have to read up on it a few times. Jensen replied he was not the Chair of that Task Force, and he did not know specifically what the Chair had in mind. Fowler asked to be provided a hint as to where to start first so they knew what would help them build their vocabulary and understanding of the concepts. Jensen replied he would pass that on to the Chair of the IERMPTF, Jay Hasheider.

Pitzer noted anyone who was bored could read through the IERMPTF meeting agenda as there was a ton of information although it was a bit unstructured.

Barbara Jefferson, 305 N. Fifth Street, thanked everyone that had helped with the paper survey for the FY 2022 Housing and Community Development survey because low income people would likely not take an electronic survey via the internet. Jefferson stated she walked her area this weekend and had comments to share with the Council from residents. Those at Fourth Street and Grand Avenue wanted lights in the shelter, flowers in the park, restrooms to release body waste, more playgrounds for the kids, electrical outlets, for the trash to be removed, for the grass to be mowed more often, and a barbecue grill. Jefferson understood these were Parks and Recreation Department items, but wanted to pass it along.

Jefferson noted she had also walked near Douglass Park, and the people in that area had indicated they wanted the school education improvements, street improvements, resources for kids so they were not on the streets, and crime to be addressed appropriately.

Jefferson pointed out one comment received was that those with the City needed to know people that did not have anything, and another indicated it was what it was. Jefferson wanted the Council to understand the level of hopelessness there.

Jefferson asked that when the FY 2023 housing survey goes out for there to be a paper survey from the beginning so the voices of low income people could be heard.

Waner commented that when they were discussing the CPRB proposal and she had mentioned the Building Inclusive Communities workshop, she had failed to mention the City had a cadre of really wonderful trainers that were certified to help aid in the process of those conversations. Waner felt she would be remiss to not mention that as a resource. Waner pointed out she had been one of the first people to go through that program and had helped to write that curriculum. Waner knew it worked and thought it was important.

Waner stated she had been contacted by a constituent with regard to amending the language in the City Code with regard to how livestock was defined. Livestock included hogs, and potbelly pigs tended to fall underneath that. Waner understood St. Louis and Kansas City had amended their ordinances to be more specific with regard to potbelly pigs being able to be had as pets. Waner asked if the Board of Health needed to weigh in on this issue. Waner wondered about the process of amending the language to be clearer. Glascock replied he had asked the Director of Public Health and Human Services to look into the issue, and understood she was in the process of doing that.

Skala commented that the idea of livestock was a live issue not only in terms of pigs as pets, but also with regard to goats and other animals. Skala understood the issues usually went through the Public Health and Human Service Department and the Board of Health prior to coming to the Council.

Fowler thanked Jefferson for reminding them all about the need to have other ways for the

community to provide input. Fowler commented that due to the input of Jefferson and her constant communication, she had asked City staff to help with some of the documents they would make available at the First Ward meeting on Saturday, May 15 from 1-3 p.m. Fowler explained Jefferson had helped her to remember they needed to have paper copies of things, to include surveys, so they could assist anyone having difficulties answering it. Fowler reiterated she was holding an outdoor meeting to collect input. Fowler noted it would be held at the Boone County Courthouse Plaza, and if it rained, they would move inside the Boone County Commission Chambers. Fowler pointed out Management Fellow Colleen Spurlock would have an agenda in case they had council members that wanted to attend.

Thomas stated he had heard a number of references to the concept of area planning during the public hearing on the Gans Road development. Thomas thought the process had been successful with the East Area Plan and the Northeast Area Plan, and the kind of issues they were having with geographically specific areas, such as around the natural assets of Rock Bridge State Park and the Gans Creek Wild Area, could be addressed quite well with an area planning process as had been suggested. Thomas understood they had asked for a West Area Plan before the pandemic, and he imagined that process had taken a hiatus due to the pandemic. Thomas asked for an update of that process now or to bring it back to them later. Glascock replied he thought the County was driving that process.

Treece wondered if that proposal included this corridor. Treece explained he had planned to ask if staff could provide an update as part of the discussion at the May 17, 2021 Council Meeting on this topic.

Thomas thought it had hit a pause at the start of the pandemic as he had not heard anything more since then.

Thomas commented that the National Association of City Transportation Officials (NACTO) was a professional organization of transportation planners and engineers whose mission was to build cities as places for people with safe, sustainable, accessible, and equitable transportation choices that supported a strong economy and vibrant quality of life. Thomas understood about 100 cities were a member of NACTO, and if Columbia were to join, it would cost \$7,500 per year and they would have access to all types of resources and professional expertise. Thomas believed it was the kind of organization that their Public Works transportation professionals should be aware of, and understood someone from the City had attended the NACTO annual conference. Thomas asked for a report on what was learned from the conference and whether it would behoove Columbia to join NACTO.

Peters asked what they needed to do to further the conversation with regard to a Southeast Area Plan. Peters agreed with Thomas in that they needed to look at that for the area around Rock Bridge State Park and the Gans Creek Wild Area as she felt it would be good to proactively look at what might be appropriate.

Treece stated he agreed and noted he also wanted to know what current inventory they had. Treece noted he had been intrigued by the conservation overlay district, but they could not do that if the property was not annexed. Treece was unsure of the options.

Peters suggested they interact with the County in that regard.

Skala agreed the County would need to be involved. Skala stated he would also be interested in who was driving the West Area Plan. Skala pointed out the Northeast Area Plan had been successful because the City and the County had collaborated on it, and it was what was necessary in these circumstances to get beyond the boundaries. Skala noted they also needed to prioritize because the more of these things they did, the more responsibility they put on the staff.

Peters commented that she had been on a Bonne Femme Watershed Committee that

would meet a couple of times a year, and they had some very knowledgeable water people involved with it. Skala noted there was similar work with the Hinkson Creek in terms of the Total Maximum Daily Load (TMDL) and the various committees associated with it. Peters stated she would check with the County Commission.

Peters understood some rolls of black bags included 26 bags and others included 13 bags, and asked for clarification. Glascock replied he would look into the situation.

Treece understood they were supposed to receive 104 per year or two per week. Peters agreed and suggested they allow staff to respond and come back with a solution to the situation.

## **XII. ADJOURNMENT**

Treece adjourned the meeting without objection at 11:03 p.m.