



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, May 17, 2021
7:00 PM

Regular

Council Chamber
Columbia City Hall
701 E. Broadway

I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at approximately 7:00 p.m. on Monday, May 17, 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 IAN THOMAS, Council Member MATT PITZER, Council Member BETSY PETERS, Mayor BRIAN TREECE, Council Member PAT FOWLER, Council Member ANDREA WANER, and Council Member KARL SKALA 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 15, 2021 were approved unanimously by voice vote on a motion by Skala and a second by Treece.

The minutes of the regular meeting of April 5, 2021 were approved unanimously by voice vote on a motion by Skala and a second by Waner.

Treece explained the minutes were not yet complete for the April 19 regular and special council meetings and the May 3 regular meeting.

Treece asked that B161-21 be moved from the consent agenda to old business.

Fowler asked that B164-21 be moved from the consent agenda to old business.

Treece noted there had a request to table B157-21 and R82-21, which involved the annexation, zoning, and preliminary plat associated with a proposed development on Gans Road, to the first meeting in June. Treece commented that he did not know what the Council would do, but anticipated they would consider tabling it when it came up for discussion.

The agenda, including the consent agenda with B161-21 and B164-21 being moved to old business, was approved unanimously by voice vote on a motion by Treece and a second by Skala.

II. SPECIAL ITEMS

SI14-21

Recognition by the American Public Works Association for Achieving a Fifth Re-accreditation Award for Leadership in the Field of Public Works.

Eric Landwehr, the Public Works Director for Cole County, stated he and Steve Schultz with Bartlett and West were active members of the American Public Works Association (APWA), which had 62 chapters across North America and over 29,000 members. Landwehr explained he was the delegate to the APWA Council of Chapters and Schultz was the alternate delegate. They were present to recognize the Public Works, Utilities, and Community Development Departments for an achievement only 158 agencies across the country had accomplished. Those three departments had been re-accredited by the APWA. The accreditation program had been created in 1995 to acknowledge a commitment to great management, the performance of duties and services consistent with nationally acclaimed standards, and a demonstration of commitment to continuous

improvement to the community. Landwehr listed the objectives of the accreditation program, and pointed out the Columbia Public Works Department had been recognized as the fifth accredited agency nationwide and the first in Missouri in 2001. Landwehr explained that once accredited, the agency had to continue the practices that earned them the recognition and reapply every four years. Re-accreditation had been achieved by the Public Works Department in 2004, 2008, 2012, 2016, and on October 14, 2020 for the fifth time. The Utilities and Community Development Departments were first accredited in 2016 and then re-accredited in 2020 along with the Public Works Department. Through the process of re-accreditation, employees of the departments conducted a self-evaluation against nationally accepted standards and made adjustments to policies, practices, and procedures to ensure consistency. A team of APWA members from around the country then evaluated the program, which included a review of over 200 policies and practices. Landwehr commented that as a public works professional, he could say this award was very deserving. It was not just an award on paper, but an award that was earned through being a daily leader in the State of Missouri amongst peers. Landwehr noted he had personally contacted City of Columbia staff on numerous occasions for assistance with various items. The sharing of information and leadership within the State was something that solidified the validity of the award and the fact that the Columbia Public Works Department was a highly regarded asset to the community. Landwehr thought the Council and citizens should be proud. Landwehr commented that they chose this week, which was National Public Works Week, to recognize Columbia, and presented plaques to Public Works Director David Nichols, Utilities Director Dave Sorrell, and Community Development Building and Site Manager Shane Creech. Landwehr thanked them and their staff for their assistance with the re-accreditation effort as it was a great accomplishment.

Treece thanked Landwehr and congratulated the Public Works, Utilities, and Community Development Departments.

Nichols thanked the Assistant to the Public Works Director, Mindy Barnes, for her work as she had coordinated the re-accreditation process. Nichols also recognized those with the Airport Division of the Economic Development Department, those in the Information Technology Department, and those in the Law Department as they had also assisted in the reaccreditation effort.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC5-21 Board and Commission Applicants.

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

COLUMBIA HOUSING AUTHORITY BOARD

Wenneker, Robin, 1404 Torrey Pines Drive, Ward 5, Term to expire May 31, 2025

COMMISSION ON HUMAN RIGHTS

Richter, Jeffrey, 412 W. Ash Street, Ward 1, Term to expire March 1, 2023

DISABILITIES COMMISSION

Blakey, Edward, 1807 Mary Ellen Drive, Ward 2, Term to expire June 15, 2024

Gortmaker, Ann Marie, 1714 McAlester Street, Ward 3, Term to expire June 15, 2024

Maune, Gretchen, 1010 Rogers Street, Ward 1, Term to expire June 15, 2024

Parrish Charles, 3411 Whitney Court, Ward 4, Term to expire June 15, 2024

PARKS AND RECREATION COMMISSION

Devine, Daniel, 710 Ridgeway Avenue, Ward 1, Term to expire May 31, 2024

Donaldson, Meredith, 1001 Pheasant Run Drive, Ward 6, Term to expire May 31, 2024

Farnen, Ted, 5100 Blue Spruce Court, Ward 5, Term to expire May 31, 2024

PLANNING AND ZONING COMMISSION

Kimbell, Robbin, 1700 Forum Boulevard, #1206, Ward 4, Term to expire May 31, 2023
Placier, Peggy, 209 S. Greenwood Avenue, Ward 4, Term to expire May 31, 2025

PUBLIC TRANSIT ADVISORY COMMISSION

Wright, Matt, 811 Broadhead Street, Ward 1, Term to expire March 1, 2024

YOUTH ADVISORY COUNCIL

Collier, Allison, Ward 3, Term to expire June 1, 2022
DeTar, Annie, Ward 4, Term to expire June 1, 2024
Gautum, Shuba, Ward 5, Term to expire June 1, 2024
Hermann, Spencer, Ward 4, Term to expire June 1, 2024
MacLeod, Kaya, Ward 4, Term to expire June 1, 2024
Oh, Taehee, Ward 2, Term to expire June 1, 2024
Snodgrass, Hannah, Ward 1, Term to expire June 1, 2024

Treece asked Peters if she was comfortable continuing as the City Council liaison for the Youth Advisory Council (YAC) or if she wanted someone else to give it a try. Peters replied she would be happy to continue unless someone else wanted to do it. Treece commented that he had recently had the pleasure of hosting a mock city council meeting for YAC where they had debated bird scooters and had rejected them completely. It was a great group to work with, and they desired to meet year-round, not just during the school year. Treece felt that said a lot about their interest in government. Treece asked if anyone wanted to take that on, and Peters stated she would continue as the liaison.

Treece noted they had discussed an at-large vacancy on the Integrated Electric Resource and Master Plan Task Force (IERMPTF) at the pre-council meeting. Treece understood Scott Bell had resigned effective April 27, and thought it made sense for Gregg Coffin, who was retiring from the University of Missouri, to serve in that capacity since he was willing.

Treece made a motion to not readvertise the at-large IERMPTF vacancy and to instead appoint Gregg Coffin to it. The motion was seconded by Skala and approved unanimously by voice vote.

IV. SCHEDULED PUBLIC COMMENT

None.

V. PUBLIC HEARINGS

PH19-21 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).

PH19-21 was read by the City Clerk.

Community Development Director Tim Teddy provided a staff report.

Treece opened the public hearing.

There being no comment, Treece closed the public hearing.

Treece stated he thought this would provide a good opportunity and be a good economic development tool. Treece also felt it was a good example of government cooperating.

VI. OLD BUSINESS

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.

Teddy provided a staff report.

Pitzer understood this plat had not gone to the Planning and Zoning Commission (PZC). Teddy stated that was correct. It was a replat of an old subdivision plat.

Pitzer stated they had received input that the intent was to build a larger structure than would be possible on any single lot, and asked for a sense of what size structure would be permitted on this size lot in comparison to how it was currently platted. Teddy replied the standard was 2,500 square feet per dwelling unit so that would yield up to eighteen units. A plan the staff had seen as part of the concept review last year had included fourteen units. It was in two buildings that were connected. In terms of size, Teddy assumed more building and more mass would be possible since the side yards were being obliterated on the three sites. Teddy noted it would have to be set back according to the setbacks of the immediate neighbors to the east and west, and those had deeper front yards so the developer would have to take the average and set the building back, which would, in some ways, help preserve the character of that particular block. There were shorter yards across the street, but they were all fairly uniform on both sides in their own ways. Teddy commented that there were always limiting factors such as parking and stormwater management since the lot was over an acre in size, and all of that would have to be accommodated.

Pitzer asked about the height of the building. Teddy replied the height would have to step down adjacent to the east side due to the R-2 zoning there. It would be 24 feet there, but ordinarily a 35-foot height was allowed. It was the same height as a single-family could attain. Teddy noted there were roof pitch and dumpster screening requirements that came with the East Campus overlay.

Pitzer asked if an off-street parking lot would be required as he wondered how parking would be accommodated. Teddy replied parking would have to be provided on-site.

Peters asked if there was any requirement for the buildings to face or interact with the street. Peters wondered if they could be blank walls or if they had to have a window. Teddy replied entry doors, windows, or some active façade would be required. It could not be an end of a building that was featureless. Peters understood they would have to have a door on the ends of each of the buildings. Teddy stated that was correct, and explained the idea was that there be an impression of it being a visitable environment. Peters asked if this was a new requirement. Teddy replied it was in the use specific standards for multi-family structures. Peters understood the doorway could just be an opening to allow people to walk in, but it did not necessarily have to be a door. Teddy stated the entry would need to face the street or there had to be some sort of active façade with windows so it was not a featureless wall. Teddy commented that there were also requirements for the building to have some variation in roof pitch and wall articulation.

Peters asked when the Unified Development Code (UDC) was passed. Teddy replied March of 2017. Teddy explained the street interaction requirement would have been new as of then.

Treece asked what would have to occur for them to develop an ancillary structure that faced the alley under R-MF as he understood that would allow them to keep the front facing façade similar to the existing lot width while developing some additional use. Teddy replied he assumed it would be an additional structure, and they would have to improve the alley to their lot if they wanted to access it. Teddy noted it would have to be set back. Teddy explained his scenario would involve one building in the front and another in the back. Teddy commented that they would have to have the standard driveway approach for access, greenspace, etc.

Fowler asked where the parking for this potential 18-unit building would be placed. Teddy replied it would have to be set back such that it was not within the required front yard, which was 25 feet. It could be a combination of the side and back, and that would not include the driveway as it could come off of University Avenue. Fowler understood the front yard setback was yet to be determined, but if they assumed it was 35 feet, she wondered if they could have parking between that 35 feet and the building in the front of the building. Teddy replied he would have to look to determine if there was an exception, but he would ordinarily say that set the front yard. Fowler understood there were instances of parking in the front yard within the East Campus neighborhood. There were also instances by which the front yard had been converted to a parking lot and there was parking along the sides whereby half of the lot or a portion of it was parking. Fowler wondered if parking in the front of the structure would be permitted. Teddy replied he did not think it would ordinarily be unless there was some configuration he was not aware of that would allow for parking to be set back a certain amount while still being in front of the building. Teddy thought the goal was to reduce the impact of parking on the streetscape.

Fowler asked Teddy if he thought he had the capacity to enforce that. Teddy replied he thought they did, and reiterated he was not sure if there was something that would allow some leniency on an extraordinary setback. Teddy noted 25 feet was basically defined as a regulatory front yard and the Code said no parking in the front yard.

Fowler understood there had been a concept review last year involving a certain size structure with a certain number of units, but that the developer or subsequent purchaser was not bound to that. Teddy stated that was correct. Fowler understood there was not any provision in the Code for the renderings to come forward as part of any decision-making process of the Council. Teddy stated that was correct.

Thomas asked Teddy to compare the form requirements for a building on this lot if the replat was approved with the form requirements in the M-DT district downtown. Teddy replied, generally speaking, the M-DT was designed for buildings at the sidewalk. It had a building forward requirement to help create the urban and vertical character. That was a contrast. A comparison was that there were some design guidelines, such as the prohibition of featureless walls.

Thomas understood the M-DT had some rules about doorways, windows, architecture, etc., and asked if those applied in this R-MF situation. Teddy replied it was a different zoning district entirely.

Thomas asked if the only form requirement for the front wall was that the entrance to the building be on that wall. Teddy replied there was not a lot of detail, and what they were really trying to avoid were buildings that were boxy or did not have much character to them at all. Thomas felt that was also what the M-DT was seeking in terms of its form-based controls, and wondered if it was fair to say the M-DT district with regard to form-based controls was more robust and effective. Teddy thought that was a fair comment.

Thomas commented that there was an apartment building at the corner of Ash Street and Garth Avenue, and asked if that had been built under the UDC. It was a very large featureless boxy building. Treece replied his recollection was that it had been built prior to the UDC. Thomas asked if that building would have been allowed under the UDC with RM-F zoning. Thomas explained it looked like a car storage facility as it had featureless walls. Teddy replied he would have to look at that specific example to respond. Thomas understood it was built prior to the new UDC. Treece stated he thought it had been constructed prior to the UDC being adopted. Thomas understood it might not be permitted under the UDC. Treece stated that was correct. Treece thought the UDC required doors to be street-facing and those had garage doors that faced the street with a long sidewalk that went to four front doors.

Phebe La Mar, an attorney with offices at 111 S. Ninth Street, explained she was representing the applicant who was requesting the property be replatted. They were not asking for any design adjustments nor any variations from the UDC or the East Campus

overlay. Some of the questions asked tonight were with regard to the appearance of building. La Mar noted the building would be governed by the UDC, and that the building currently on the property was not compliant with the UDC. In addition, many of the buildings in the nearby vicinity of this property were also not in compliance with the UDC. La Mar stated the applicant would have to comply with all of the requirements that had been approved by the Council in 2017 and imposed by the East Campus Neighborhood Association with adoption of the East Campus overlay. La Mar thought it was great to ask whether it was going to be an attractive building, which was the desire of her client, and in order to accomplish that, they would comply with the UDC and the East Campus overlay. At the end of the day, all of guidelines and ordinances would be applied with the building. La Mar explained her client was seeking to replat the property to permit construction of two buildings and a total of 14 units although it was possible to put up to 18 units on the property. La Mar stated the intention was to have 52 bedrooms in the proposed buildings. La Mar pointed out the proposed replat did not remove any of the conditions on the property that had been relied upon by the City or the neighboring property owners, and there was adequate infrastructure to support the replatted property. The determination for this evening was whether or not this should be approved, i.e., whether it imposed some sort of detriment to other properties in the neighborhood or whether any such detriment was outweighed by the public benefit of the development. La Mar noted there were several other apartment buildings within three-quarters of a mile that had a higher density than what was proposed, approximately 49 beds per acre, in this plat. La Mar listed some of those properties, which included 1308 Rosemary Lane at 74 beds per acre, 1310 Rosemary Lane at 50 beds per acre, 1408 Wilson Avenue at 51 beds per acre, 1403 Wilson Avenue at 65 beds per acre, 1405 Bass Avenue at 56 beds per acre, and 510 High Street at 70 beds per acre. Since any development had to comply with the UDC and the overlay, including the provisions regarding parking, ensuring there was a door on the street side, etc., it was difficult to understand how there would be any kind of detriment to the neighborhood with regard to the proposed replat of the property. Moreover, permitting additional occupants in this location encouraged pedestrian traffic, because it was centrally located, and diversity, much like the diversity that was already present in the neighborhood. It would also result in an additional property that complied with the UDC as opposed to the many properties that did not comply with it. La Mar pointed out parking in front of the building would not be allowed if redeveloped. La Mar explained her client had participated in numerous meetings, conversations, discussions, and email exchanges with neighbors about this proposal, and had provided copies of general proposed plans and requested input. No one had made any specific requests or suggestions with regard to the plans or proposals provided. Instead they had made general objections to the lack of restrictions once the plat was approved. La Mar commented that the purpose of the UDC was its built-in protections, with which her client would have to comply and from which no design variances had been or would be requested.

Treece asked if the other properties mentioned by La Mar with respect to the densities per acre were also on consolidated lots, i.e., across 2-3 lot lines. La Mar replied she was not sure.

Michael MacMann, 113 Hubbell Drive, explained he was a PZC member that had helped compose the UDC. MacMann noted the building on the southwest corner of Garth Avenue and Ash Street, which had been mentioned by Thomas, had served as an example of what they did not want in R-MF. It was too close to the side properties and there was significantly far less greenspace than was required for runoff. In addition, it had parking in the front. MacMann understood any building could be up to 200 feet long if it fit on the lot with the required setbacks. It could also be up to 32 feet tall and 2,500 square feet in density. MacMann pointed out their positive example had been the property directly south of Jefferson Middle School. It was essentially one building with 17 units. MacMann stated a break in the roof was required every 75 feet and there had to be an

active door facing the street. In addition, as a concept, the parking should be in the back.

Kathy Love, 1623 University Avenue, commented that she was opposed to the replat of three lots to create one 200 foot lot for an apartment building on University Avenue, and noted she was speaking on behalf of herself and the East Campus Neighborhood Association, which had voted unanimously to oppose the replat. Love displayed a photo of her house and the house next door at 1621 University Avenue, which was within 70 feet of the site of the proposed replat. Love pointed out her house had not always been located on University Avenue. It had originally been built in the 1880s on the site of Ellis Library. Love displayed a Sanborn Fire Map from 1908 showing its approximate location, and noted it had been sold at auction around 1910, put on an ox-cart, and hauled down University Avenue to a lot next to Moss Creek. Love stated she and her husband had purchased the house from former City Council Member John Coffman in 2006. Love displayed additional photos, which showed the meticulous woodwork, care, and historic characteristics of the homes. Love stated they cherished their homes for their history, architecture, and appearance, and in addition to being their beloved homes, they were investments they wanted to protect. Love reiterated they opposed the replat of three adjacent lots because it would be detrimental to the value of their homes and the historic integrity of the neighborhood. An apartment complex with a 200 foot frontage would not be in keeping with the scale and architecture of the existing homes on University Avenue, and would greatly add to the traffic and parking congestion that was already a serious problem. The many pedestrians and bicyclists that used University Avenue as a thoroughfare would be endangered by additional traffic. In addition, approval of the replat would set a precedent for the East Campus neighborhood and Columbia for combining several residential lots for large-scale construction. Love displayed a map showing the East Campus Neighborhood National Historic District, which had been established in 1993, and the properties highlighted in red were those to be replatted. If approved, the brick residence, known as the William C. Knight house at 1611 University Avenue would be demolished. It had been included in the National Historic District and described as a large American four-square house with load-bearing brick walls, a large front porch, and craftsman windows. Love displayed photos of other historic homes along University Avenue, and explained that according to the National Register, homes in East Campus had been built after a housing shortage brought about by World War I, and the Historic District represented "the most intact portion of the neighborhood." Love commented that there were currently nearby apartment buildings at 1612, 1614, 1616, 1618, and 1622 Anthony Street, 406 William Street, 510 High Street, and 1626 University Avenue. Except for the latter, they were not visible from University Avenue. Love asked the Council to protect what was left of their neighborhood. Love pointed out many college towns were enjoying the benefits of vibrant and historic family homes near campus, and displayed photographs of some in Rapid City, St. Paul, Fayetteville, Bismarck, Tulsa, and Madison. Love asked the Council to consider the precedent a replat of this magnitude would set for the neighborhood and Columbia by denying this request to combine three residential lots into one that would constitute a 200 foot frontage on this historic avenue.

Cindy Neagle stated she had lived at 1836 Cliff Drive for sixteen years and in the East Campus neighborhood for even longer. Neagle referred to the staff report, which indicated criteria (i) and (ii) of Section 29-5.2(d)(4) of the Code of Ordinances had been met, and that the Council only needed to decide on criteria (iii) in terms of whether or not the replat was a detriment to the neighborhood. Neagle explained she respectfully disagreed and asked the Council to give careful consideration to all three criteria. Neagle commented that she had not researched the conditions of the 1910 plat so she could not provide an opinion on (i). In terms of (ii), Neagle noted she could not comment specifically as to whether electrical and other utilities, such as sewer, were adequate, but asked the Council to consider the phrase of "other infrastructure facilities." Neagle explained she

had not been able to find a definition of that phrase in the Code, but assumed, for a residential neighborhood, it meant adequate ingress and egress to streets and parking for those that lived there. Neagle thought everyone in the room, and likely well beyond, were aware of the parking and traffic issues in the East Campus neighborhood, and hoped the Council would consider that in their decision-making tonight. Neagle understood the planned apartments would either be accessed on William Street or University Avenue, and pointed out both streets already required careful navigation in terms of dodging pedestrians, parked cars, Bird scooters, bicyclists, people playing Frisbee, etc. All of this was great as it was a vibrant neighborhood, but sometimes there was barely enough room for two cars to pass, and at other times, there was only room for one car to pass. Neagle felt the addition of another 72 residents with vehicles within this already crowded block should raise questions as to how the infrastructure was determined to be adequate. Neagle wondered if studies, to include a traffic study, had been conducted. Neagle commented that the issues of traffic and parking applied to (iii) in terms of detriment to the neighborhood along with trash, noise, and generally a large increase in density in an already busy area. In addition to those issues, it would create an unusually large lot size with the possibility of a very large apartment building in the middle of houses that were very residential in nature, even when they housed students. There were three, four, or more unit apartment buildings from College Avenue to the end of University Avenue, but they looked like houses. Neagle understood the staff report indicated the protections in the UDC would mitigate any potential negative impacts, and felt that had been a blanket statement for which she did not see support. Neagle stated she was not sure how the UDC protected the existing historic neighborhoods, and asked the Council to consider denying this replat.

Clyde Bentley explained he owned and lived at 1863 Cliff Drive, which was a Columbia Notable Historic Property. Bentley stated he was proud of that designation, but it was not unusual in the East Campus neighborhood as there were at least nine properties with that designation in the neighborhood. In fact, when the program had started in 1998, the entire East Campus neighborhood had been given that designation. It had also later been bestowed on the brick streets in the neighborhood. Bentley commented that the East Campus neighborhood was special and had character. It had unique old houses on narrow lots and brick streets with large, overhanging trees, and was a special asset for both Columbia and the nearby University. It was also the first neighborhood in Columbia to be placed on the National Register of Historic Places. Bentley stated its small comfortable scale was cited again and again. Even the earliest multi-family houses had the look of single-family homes and had less than ten units. The insertion of a much larger apartment building in the middle of the neighborhood would certainly have a negative impact on that comfortable scale. Bentley pointed out the developer's professed plans had no bearing on the replat request. Once the lots were consolidated, it would be one big lot forever and any developer could remove the characteristic buildings and replace them with a huge edifice, which in this case was 180 feet wide. No promise or law would bind the developer to a specific plan before the replat. Bentley explained this uncertainty was what concerned the neighborhood. No matter the buildings that were placed on the proposed lot, the precedent would be set for creating mega-lots across the neighborhood. Bentley asked the Council to imagine University Avenue and Wilson Avenue being lined with modern apartments. It would not be the East Campus they all knew and loved. Bentley felt what started with one replat could spread to all of the historic neighborhoods in Columbia. Bentley noted precedents were powerful and could lead to uncontrolled and unintended consequences. Bentley pointed out the current administrative limit of 120 feet came at a compromise after hours and hours of discussion on the draft UDC. The justification for rejecting an even narrower lot size was that the UDC would settle the issue except in rare cases that benefited the neighborhood. Bentley stated there was nothing exceptional about this proposal and questioned any benefit to the neighborhood. Bentley commented that the decision to preserve or

irrevocably change East Campus was up to the Council. It was not up to the staff or the developers. Bentley asked the Council to deny this replat.

Treece noted Cecile Bentley had submitted thirteen letters in opposition to the replat, and they had been included with the written comments provided to the City Clerk prior to 4:00 p.m. and had been distributed to the Council.

Marvin Tofle stated he and his wife, Ruth, lived at 1805 Cliff Drive, and noted the East Campus neighborhood consisted primarily of personal residences and older homes that had been repurposed to student rentals over the years. Tofle understood some might think they might want or deserve this development, but the residents of the East Campus neighborhood did not want this site to be replatted. Tofle believed this was an existential vote for the neighborhood, their personal homes, and their way of life. Tofle understood the developer had indicated the proposed site would involve 52 bedrooms and staff had indicated up to 72 bedrooms possible. Tofle explained he and his wife walked the neighborhood almost every day, and they specifically walked the 1600 block of University Avenue. Tofle estimated about 25 people resided on the block, and they were talking about adding another 52-72 people in one three-lot area. It would totally change the complexion of that block. Tofle understood the attorney for the developer had listed other properties in the area with a high density, and pointed out they had appeared in front of the Council with regard to many of them and had been overruled. In addition, those exceptions that had been allowed were the precedent for doing what they had warned in terms of high density apartment buildings. Tofle commented that about 6-8 months ago, there had been a lot broken glass on the 1600 block of University Avenue, and during those 6-8 months, not one tenant or landlord had removed it. It had been washed away by rain or by people walking there. If this replat was allowed, Tofle believed all of the landlords in the neighborhood would tear down their properties and acquire vacant lots to construct high density developments, which would then result in more broken glass.

Rita Fleischmann, 1602 Hinkson Avenue, explained her neighborhood shared the same problems as the East Campus neighborhood, and they were trying to prevent what they might endure as her neighborhood had already endured it. The development of apartment buildings had increased crime, overparking, etc. Fleischmann noted they were constantly calling the police and pointed out they did not want to be a burden to the police, but it was due to those properties. Fleischmann asked the Council to pause and reiterated her neighborhood was experiencing what the East Campus neighborhood was trying to stop. Fleischmann asked the Council to think about the reality of the people that were living in the neighborhood. Fleischmann explained Peter Norgard had to walk to a neighboring property and take away drumsticks from someone that was playing drums too loud at a party in the middle of the night. They tried to take control when they could, but it was difficult to take control of a multiplex. Fleischmann noted that the property owners, when contacted, were sometimes responsible, but at other times were not. Fleischmann begged the Council to give pause and reflection to this request as there was a neighborhood around it.

Clark Odor, 1820 Cliff Drive, explained he and his family had lived in the East Campus neighborhood since the 1930s and he had witnessed changes in the neighborhood and in Columbia over the last 65 years, some of which were great while others were not so great. Odor commented that Dr. Brody's house had been torn down around 1965 after being condemned for many years, and it was the first to his knowledge to have been replaced with an apartment building. Odor pointed out that those that owned their own homes took care of their own homes. Odor stated that when he worked in Memphis, Tennessee, many zoning cases had been solved similarly to this one whereby three lots in an existing neighborhood were combined for a planned development and flag lots in the back if the lots were deep enough and in character with the neighborhood. It allowed for an owner-occupied house with a student or mother-in-law quarters over the garage. Odor believed something similar could work out great here with a little bit of architectural work. Odor noted his mother had lived on University Avenue in a white stucco house that had

been torn down. In addition, Dr. Evans' house had been built by Odor's grandfather along with ten other custom homes in the East Campus neighborhood and another ten in the Grasslands neighborhood. Odor stated he was opposed to the approval of this replat, and felt the process should have gone through the PZC due to the number of questions involved. Odor commented that about five years ago he had gone door to door west of Ann Street, and almost everyone had indicated that they opposed higher density, to include renters and those that owned rentals.

Janet Hammen, 1844 Cliff Drive, stated the history of Columbia was not only reflected in the upcoming commemoration of 200 years of settling the town, in honoring notable properties, or in marveling in beautiful architecturally built structures as it was also reflected in valuing and preserving the buildings, homes, and neighborhoods as the City was built for everyday people. The East Campus neighborhood had been built mostly in the late 1800s through the mid-20th century. A good portion of the neighborhood had been honored as the East Campus Neighborhood Historic District, which was recognized by the United States government and the State of Missouri. University Avenue, including most of the 1600 block was included in the National Historic District. The East Campus neighborhood was a mixed neighborhood in terms of zoning with significant R-1 and R-2 zoned houses throughout the R-MF area, and approximately one-half of the neighborhood was zoned R-1. It was a highly densely populated neighborhood, and the dwellings were almost exclusively built as single-family homes. Although many throughout the R-MF area had been converted to duplexes, triplexes, and rooming houses, they still looked like single-family homes. Hammen felt a large apartment building or buildings, or a new multi-unit building would be out of place. Hammen referred to guidance from the Environmental Protection Agency (EPA) that had indicated historic buildings or history could be a tangible symbol of a community's interest in honoring its heritage, valuing its character and sense of place, getting the most out of prior investments of infrastructure and development, and encouraging growth in an already developed area, and that rehabilitating historic properties could be a critical part of promoting energy efficiency by preserving the energy represented by existing buildings, known as embodied energy, instead of expending additional energy for new construction. Hammen understood the mission of the Columbia Historic Preservation Commission (HPC) was to promote the economic, cultural, education, and general welfare of the City by fostering and encouraging preservation, restoration, and rehabilitation of structures, areas, and neighborhoods among other things. Granting this replat of 1611-1617 University Avenue was not in the best interest of the City nor the neighborhood. Hammen noted the detrimental change was not offset by the value to the developer, and asked the Council to vote no.

Cecile Bentley commented that she was a resident and homeowner of 1863 Cliff Drive, and asked those in the audience that were opposed to the replat to raise their hand. Approximately twelve people raised their hand. Bentley noted the identified detriments included the scale of the proposed replat as it would be a large lot in a neighborhood of narrow lots with single homes. Bentley pointed out large lots brought out-of-scale buildings, which was out of character and damaging to the neighborhood, and the merging of lots was a precedent that was permanent, making it harder to deny future similar replats. Bentley felt this was a critical juncture for the neighborhood. Bentley was concerned about the impact of this kind of replat on the homes of individuals that cared deeply about their property, and noted many had presented their lovely homes for viewing tonight. Bentley did not feel the Council should ignore those concerns. Bentley explained there were also detriments related to the historic neighborhood, i.e., the demolition of houses that were contributing properties to the Neighborhood Historic District and the large-scale development that would damage the cohesive character of the neighborhood. Bentley commented that this unified statement of history made this a charming asset for the City. There was a lot of press with regard to Columbia being one of the best places to live, and part of that had to do with brick streets and older homes as

those were a rare and vanishing species. Bentley noted the Council had a choice tonight of allowing this replat and potentially losing the integrity of the neighborhood or paying attention to the concerns of the neighborhood and denying the replat. Bentley felt they had clearly identified detriments tonight, and asked the Council to consider those seriously and to vote to deny this replat.

Rick Shanker explained he resided at 1829 Cliff Drive and that he and the local banks owned some properties in the East Campus neighborhood. Shanker thanked Mark Stevenson and Justin Naydyhor for meeting with the neighbors to explain their plans, along with Teddy and Community Development Planner Rusty Palmer for explaining the UDC. Shanker stated he was opposed to this replat due to the precedent it would set.

Peters commented that she was opposed to combining the lots because it made for a much larger scale property. Peters hoped the UDC required an apartment building that faced the street and was a part of the neighborhood as opposed to facing the parking lot. Peters felt this would be an interesting challenge for the UDC in terms of how the property developed. Peters pointed out some buildings constructed prior to 2017, when the UDC was adopted, did not have doors facing the street. Peters believed the replat would be too large in scale as many of the surrounding lots were 50-70 feet wide with older homes on them. Peters understood La Mar had listed some properties with a high number of bedrooms per acre, but pointed out those had involved three-story single-family homes with a basement that had been converted into bedrooms and efficiency apartments. Peters stated she would vote against the replat.

Skala noted he opposed this replat. The neglecting of properties to the point they deteriorated had been a trend in the Benton Stephens neighborhood along with the East Campus neighborhood as it then allowed for lots to be combined and sold to investors that did not live in the neighborhood, and it created higher densities on those lots. Skala commented that he had been a proponent of increasing neighborhood protections within the UDC when it had been adopted, and understood there was some protection from the overlay as well. Skala understood the criterion involving the detriment to the other property in the neighborhood was at the discretion of Council, and believed they needed to put an end to those types of trends. Skala pointed out some neighborhoods had voluntarily downzoned properties to prevent the things that had happened in Benton Stephens and other areas. Skala stated he thought they needed to interrupt the trend and ensure neighborhoods were adequately protected.

Waner commented that while she agreed with Skala in terms of the detrimental impact on other property within the neighborhood, she wanted to make a couple of points. Waner noted there had been a lot of discussion with regard to homeownership being a priority, and while she agreed homeownership should always be a priority and the goal for which they were striving, she believed they should acknowledge how far off that reality was for so many in the community. Waner stated she struggled with the terminology and phrasing of keeping with scale, look, fit, character, etc. of the neighborhood because those terms had been used to isolate members of the community based on race, socioeconomic status, etc. in so many instances in history. Waner explained she wanted to be careful with regard to how they were making these decisions and to ensure the underlying reasons behind the decisions were not to keep out the riffraff.

Fowler stated she had walked the East Campus neighborhood and other smaller footprint neighborhoods, such as Benton Stephens and North Central, where there was a pattern of single-family homes and small apartment buildings regardless of zoning. The zoning of East Campus showed there had been some upzonings and downzonings, and regardless of the mixture of zoning, it still involved single-family homes and small apartment buildings. While multi-family was allowed on two of those lots, she thought that was a far as they should go in trying to maintain the look, feel, character, and importance of a neighborhood that was predominately single-family homes and small apartment buildings. Fowler commented that she understood the concerns La Mar had brought forward, but noted she was also influenced by the comments of Neagle identifying concerns under

criteria (i) and (ii) that had not been met. Fowler understood the technically skilled folks thought it had certain qualities, but she believed they needed to defer to those that lived on the street in terms of what life was like there when driving, walking, etc. Fowler stated she would vote no on this replat. She suggested everyone walk around the areas surrounding the downtown regardless of the socioeconomic status of the neighborhood as they would see single-family homes and small apartment buildings that coexisted well together because of scale. Fowler believed they had to protect that scale from an out-of-scale introduction that would displace them.

Thomas felt there were three primary issues, and those were density, the size and scale of the building, and the appearance of the building. Thomas stated he appreciated the comment of Waner in that there were a lot of people that were in the stage of life where renting made the most sense, and noted he was not sure it was a good goal for everyone to be a homeowner. Thomas commented that he believed neighborhoods with a mix of homeowners and renters resulted in a healthy situation. Thomas explained there were a lot of benefits to density, such as spending less as a community on infrastructure, but felt the main benefit of density was only realized if not everyone owned a car because cars took up a lot of space and destroyed the appearance of a neighborhood. Thomas stated he liked the comment of Fowler in terms of single-family homes and small multi-family buildings. Thomas noted there was an example of a large rental building on Rogers Street across from Columbia College, which he thought was quite attractive, as there had been a lot of care in the design of the frontage of the building in terms of different textures and lots of windows. As a result, Thomas felt it was possible to construct a large building that would fit the neighborhood, but did not believe the rules they had in place at the moment would be adequate to ensure it. Thomas thought the likelihood would be a building that was not attractive in appearance and really stood out along the street of very beautiful buildings. Thomas explained he would vote against this replat as he believed it would be detrimental to the neighborhood. Thomas encouraged the developer to try to negotiate some design standards with the local residents. Thomas suggested limiting the number of parking spaces to help drive down car ownership.

B137-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: NO ONE. VOTING NO: THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER, SKALA. Bill declared defeated.

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).

The bill was given second reading by the City Clerk.

Treece commented that there had been a request to table this item to the June 7, 2021 Council Meeting.

Treece asked if the Council could annex the property under a PD designation. Teddy replied the applicant had not applied for a planned district or PD so they could not. It would have to be referred back asking the PZC to consider that zoning. Treece understood they could not annex under a different zoning designation without the consent of the applicant. Treece commented that as a general rule, they could apply a more restrictive zoning, but a PD required a plan and had other application requirements.

Treece asked if the Council could annex the property and reject the plat. Teddy replied it would depend on whether they had reason to reject it. Teddy pointed out it was a preliminary plat, which mean the Council had a little more discretion.

Fowler asked for the reason for the tabling request. Tim Crockett, an engineer with offices at 1000 W. Nifong Boulevard, replied there were various reasons. They wanted to engage with neighbors for additional considerations with regard to buffering along the park to the south. Crockett explained he had been out of town and had not been able to fully engage

in some of the aspects of the project. Crockett noted they also wanted time analyze whether the PD process might be a route they wanted to take instead of an open zoning district. Crockett commented that he thought they would have a better idea or answer as to what they wanted to do in three weeks.

Fowler understood it would have to go back to the PZC if they chose to go the PD route. Crockett thought that was correct as they would need a PD plan if they chose to go with the PD zoning. If they decided to go the PD route, they would likely withdraw and go back through the process.

Fowler wondered if they would be in this same position on June 7 if they only tabled it to the next meeting as that meant everyone interested in this item would have to organize and come to another meeting. Crockett commented that his client had reached out to several of the neighbors and organization representatives prior to this meeting demonstrating it was their desire to table this request. Crockett explained they were trying to reach those folks, and felt they would know well in advance of the next meeting as to what their plan was in terms of moving forward, withdrawing, or making a change. Crockett stated they wanted to be respectful of everyone's time as they understood how much time it took to organize for something like this and to attend the meeting. Treece commented that it likely worked both ways as three more weeks also allowed others to organize, send more emails to Council, and potentially submit a protest petition.

Fowler wondered if three weeks was the right amount of time to table this item. Crockett stated they were open to the time frame. They felt three weeks was adequate, but if Council preferred five weeks, it was fine with them as well. Fowler explained she just wanted some certainty for those impacted. Crockett understood.

Skala noted there was usually a recommendation with a request for tabling, but the Council was not required to follow it. Skala understood Crockett believed three weeks was a sufficient amount of time for them to make a decision for the proponents and opponents to know where they might want to go with this. Crockett stated that was correct.

Treece made a motion to table B157-21 to the June 7, 2021 Council Meeting. The motion was seconded by Skala.

Thomas stated he would prefer a longer delay than the next meeting to allow more time for a new proposal to be developed. Thomas thought there had been an incredible show of opposition to this proposal and it seemed to him that pushing it off for a few weeks was designed to blunt the impact of that opposition. Thomas noted that Crockett had implied it could come back as the exact same proposal, and as a result, he preferred the five weeks.

Skala commented that the tabling could be extended if there was some glitch, and pointed out there was a motion on the table.

The motion made by Treece and seconded by Skala to table B157-21 to the June 7, 2021 Council Meeting was defeated by roll call vote with only Pitzer, Treece, and Skala voting yes, and Thomas, Peters, Fowler, and Waner voting no.

Thomas made a motion to table B157-21 to the June 21, 2021 Council Meeting. The motion was seconded by Peters and approved by roll call vote with Thomas, Pitzer, Peters, Treece, Fowler, and Skala voting yes, and only Waner voting no.

R82-21

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

The resolution was read by the City Clerk.

Treece made a motion to table R82-21 to the June 21, 2021 Council Meeting. The motion was seconded by Thomas and approved by roll call vote with Thomas, Pitzer, Peters, Treece, Fowler, and Skala voting yes, and only Waner voting no.

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).

The bill was given second reading by the City Clerk.

Treece explained he had asked for this to be removed from the consent agenda because he had some process questions. It appeared as though the applicant had attempted to get the platting action out of the way because it would take longer to process through the City Council than the Board of Adjustment (BOA), and they had submitted a final plat to the BOA that was nonconforming pending seven variance requests. The PZC had approved a final plat that was nonconforming, and the Council had received the final plat at their May 3 meeting for introduction and first reading. The BOA met the week after, on May 11, and they had made the final plat in front of them true. Treece understood this had been done deliberately in order to expedite the process knowing the building would have to be modified in order to fit the new footprint, and that they would have to submit a new plat if the platting action was not granted. Treece stated he did not want to reward their risk by an expedited process.

Treece commented that he had a procedural concern along with a substantive concern with respect to changing the address from Rollins Street to Richmond Avenue. Treece asked who made the decision to allow them to move the front door from facing Rollins Street to facing Richmond Avenue. Teddy replied he had made the decision on addressing based on input from staff and his own observations. The building that had been submitted had an architectural front along with vehicular access on Richmond Avenue. Teddy understood that by combining these two addresses, i.e., the present Rollins Street address and the present Richmond Avenue address where there was now a parking lot, there would be the consequence of setting the front yard on Richmond Avenue and the rear yard parallel to Richmond Avenue, which would greatly narrow the building footprint on the portion of the lot that was near Richmond Avenue. Teddy explained that in his defense, he had felt he was granting a variance by taking a building that long with a full two-story portico facing Richmond Avenue and giving it a corner side yard because that actually reduced the requirement from 25 feet to 15 feet. Teddy noted they had recognized that the particular building they had planned meant they would be going to the BOA regardless. It was just a matter of degree and the specific data on the variances.

Treece asked for the typical process. Treece wondered if it would be to go to the BOA first and then submit the plat. Teddy replied he would say this situation was not typical, and that had been picked up by the PZC. Teddy explained staff had allowed them to advertise for the BOA for last week's meeting, which put the cart before the horse a bit. It was a settled manner as far as the applicant was concerned. Teddy commented that they had not known at that time how Council would react to it, but understood the concern expressed. In a sense, they had settled one set of uncertainties regarding the plat. A more typical sequence would be for the plat to come forward as it set the new boundaries of the property, and to then go to the BOA for the variance requests.

Treece commented that his concern had to do with when the public had the opportunity to weigh in on this. It had been on the consent agenda for tonight's meeting and it felt as though they were creating a bit of an arms race as this had been the third fraternity or sorority that had gone to the BOA for variances. Treece wondered if something in the UDC needed to be adjusted for Greektown, such as an overlay district. It seemed as though the houses were getting bigger and bigger. Treece thought they had gotten to the UDC because the BOA had granted so many variances that the exception soon became the rule, and wondered what would happen next time.

Teddy understood the concerns of Treece and noted that platting normally preceded land development. It was really land planning in terms of laying out the lots and determining the orientation of the building, streets, etc. Teddy commented that there had been a lot

of lot rearrangement over the years. La Grange Place, which was the name of the subdivision this was a part of, had been rearranged almost beyond recognition from what had been in the original plat over 100 years ago. Teddy explained they were playing catch-up in terms of platting as well as hearing the zoning cases. This was, however, the public process. Teddy pointed out there was public notice with the BOA along with an opportunity for the public to speak.

Trece commented that if he was the only one that felt strongly about this, they could proceed with the roll call.

Skala stated he was also concerned about the process and felt the PZC had been undercut as well because they had not had all of the information. Skala understood there was a public process with the BOA, but thought they should straighten out the process so they had a standard rather than an exception.

Teddy commented that if the Council did not want this to happen again, staff would make sure that the plat was settled prior to it going to the BOA. Peters stated she thought that would be a good idea.

Pitzer understood that by switching the address from Rollins Street to Richmond Avenue, it had allowed for a longer frontage along Richmond Avenue. Teddy stated the frontage along Richmond Avenue was longer with this particular combination of lots being combined. The fraternity had originally been built on an 80 foot by 100 foot lot, and it had fronted on Rollins Street. It had side yards to Richmond Avenue and an interior yard that was shared with another Greek house. Beyond that was a parking lot, which had a separate address and was a deeper lot. By calling that a side yard, there was just ten feet on both sides, and a lot of depth to work with on the wider part of the combined lots. Pitzer understood the front of the house on Richmond Avenue would be longer or wider if one looked at the front of it. The setback from Rollins Street was now a side yard so that was less of a setback than a front yard setback. Teddy stated it would be 15 feet at Rollins Street. Pitzer understood there was a patio behind the building on the deeper part of the lot Teddy had mentioned.

Pitzer asked if the BOA had approved all seven of the variance requests. Teddy replied yes.

Trece asked Pitzer where he had seen the renderings. Pitzer replied it had been with the BOA meeting material.

Pitzer understood there had been a comment at the PZC meeting about the applicant wanting to begin demolition as soon as possible when the students were no longer in that area, and asked if he recalled that correctly. Teddy replied he thought there had been reference to when school let out. Pitzer understood there was a desire to do this as expediently as possible.

Peters asked if they were assuming Rollins Street was not a main street along Greektown any longer if they were changing the orientation to the side street. Teddy replied right-of-way would be dedicated so he would not go that far. It was just the short end of the lot. Teddy did not feel they were making a judgement about the function of the street as they were getting more right-of-way. In addition, they were clipping the corner so there was more public right-of-way being dedicated on that side. Peters understood the house could be closer to the road since it was a side lot. Teddy explained that because of the right-of-way dedication, even if they used that minimal setback, it would still be fairly far back from the curb line of the existing street.

Peters understood the decision made by staff meant the frontage could no longer be on Rollins Street and had to be on Richmond Avenue. Teddy stated the building was designed for access off of Richmond Avenue. It had not been determined by a City decision. The applicant had submitted a building plan, which had been reviewed by staff along with other data to determine what should be considered the address and the front yard. Teddy thought those could be uncoupled, meaning they could have a street address on one street while having a front yard for regulatory purposes on another street. Teddy noted there were examples of both in the Greektown area so it could be argued

both ways as to what should be the front yard. Teddy pointed out the staff determination could be appealed to the BOA as well.

Fowler stated she had a lot of concerns, especially with regard to the process employed. It did not feel as though staff was providing the Council or the general public sufficient opportunity to understand the complexity of this. Fowler noted significant changes had been occurring in the Greektown community, which were being triggered by a lot of things, including their perceived need for larger quarters to stabilize their revenue streams. Fowler suggested they table this to the next meeting so they had the opportunity to look at the record from the BOA since it was intertwined with this item. Fowler felt it deserved a more careful look by Council.

Fowler made a motion to table B161-21 to the June 7, 2021 Council Meeting. The motion was seconded by Treece.

Fowler asked staff to bring forward a more complete record so members of the public could also see the materials that had been attached to the BOA meeting agenda. Fowler stated she was impressed Pitzer had recognized the materials would be there as she had not thought about that and felt the general public likely would not have either.

The motion made by Fowler and seconded by Treece to table B161-21 to the June 7, 2021 Council Meeting was approved unanimously by roll call vote with Thomas, Pitzer, Peters, Treece, Fowler, Waner, and Skala voting yes.

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.

The bill was given second reading by the City Clerk.

Finance Director Matthew Lue provided a staff report.

Fowler commented that they were at a place where a number of families were struggling under the circumstances of the pandemic even as they relaxed the health orders, and it concerned her that they were sitting on \$200,000 that could be of assistance to families, particularly in the area of utilities. Fowler recalled correspondence from the Human Rights Commission (HRC) with regard to utility assistance, and wondered if they could put that \$200,000 in a place where it could immediately be put to use. Fowler stated she was thinking about the CASH program, which the City ran and which likely already had a number of income qualified individuals. Fowler pointed out the reason she had not said CASH and HELP was because HELP was one-time assistance while it appeared people could come back for assistance with CASH. Fowler commented that as grateful as she was for the generosity of The Crossing donation, it was clear in reading the criteria that there were people that could benefit from someone helping them avoid disconnects that were not covered by that. Fowler thought there were still families and households in peril, and felt the \$200,000 could be used to continue to address that need.

Fowler asked Waner if she could weigh in on the investigation the HRC had done with regard to utilities. Waner replied that during her tenure on the HRC, they had spent some time looking at pending utility disconnects and delinquent utility services. Representatives of Central Missouri Community Action (CMCA) had spoken to them about the disbursement of Low Income Home Energy Assistance Program (LIHEAP) funds, and had mentioned the current regulations of LIHEAP, which was at the State level, did not allow CMCA to assist with utilities like water, sewer, and solid waste, but the City required those non-electric charges to be brought to the point they were current before accepting money from CMCA to cover the electric charges. Essentially, all of the other charges had to be paid in full before the City could accept money to cover the past due electric bill. The process was cumbersome at best and problematic at worst. There were unnecessary restrictions in policy and ordinance that created barriers for their

citizens in obtaining assistance that was available out in the community. Waner did not have updated numbers as to how many families were still impacted, but felt this was a systemic thing that could be addressed from a policy discussion. Waner thought the Law Department had reached out to the State and CMCA to determine where the issue fell, i.e., the City in processing it, a policy, an ordinance, etc.

Fowler asked if an allocation of funding from Council was necessary if they sought to remedy the issue described by Waner. Glascock replied it was City policy for unmetered services to be paid first when paying the utility bill, and noted the reason for the policy was so those were paid because they likely would not be otherwise. Fowler stated she understood the reason and wondered if there was something they could do with the \$200,000 to alleviate the issue with that portion of the policy and what that might look like. Glascock commented that if that was what they wanted to do, Council would need to vote to put that money toward that purpose. Fowler asked if they could use the CASH program. Glascock replied he did not know the particulars of all of the programs they had, but thought they could.

Human Services Manager Steve Hollis explained they had actually recommended \$100,000 for a new City utility assistance program because CASH and HELP were really constrained by ordinance unlike any other social service program. It would be similar to a combined CASH and HELP, but it would not be so limited by ordinance. Hollis noted the ordinance indicated HELP could only be received five times in a lifetime. If the Council chose to allocate more resources, Hollis suggested it go to this new program as it would allow for more flexibility to meet needs. Hollis pointed out another past problem had been that they had run out of money in one of the funds, but not the other. Hollis explained they had planned to allow existing donors to CASH and HELP to keep donating while providing new donors the opportunity to donate to this new program, which was a bit more flexible and responsive.

Fowler asked if the new program which had the \$100,000 allocation would be available to pay off the other non-electric utilities, which would enable a family to receive the CMCA funds for which they had applied. Hollis replied not quite that directly, but it would pay the non-electric fees. Hollis noted that was why a lot of people applied for their funding. They would receive energy assistance from CMCA because it was a much larger amount, and it was typically for heating in the winter and cooling in the summer. They then applied to the City's program annually. The City drew names monthly through random selection to make it easier for everyone. Hollis stated they tried to remove the barriers, and it could go toward those payments. Hollis noted it was not that targeted and could go to any utility cost.

Fowler commented that her knowledge was anecdotal as she had been listening to community members that had told her stories of frustration. Fowler saw this \$200,000 as an opportunity to clear up some of that frustration so the money could get to the folks that were in distress more directly. Fowler wondered if the best way to do that was to ask Council to put that \$200,000 into this new fund so they had \$300,000 with which to work for the purposes of removing the prerequisite that was keeping the other sources from operating as intended.

Skala understood some of their programs were cumbersome and thought that issue could be solved procedurally by amending the ordinances. Hollis commented that the issue was that they had people that had donated to those programs, and if they changed the ordinance, they would have to seize the donations. Many of those people were long time donors and they did not want to lose them. Hollis stated he understood they would have to stop and restart if they were to make changes. Hollis explained they had the rare opportunity to seed a new program, which would allow the best of both worlds. Skala understood.

Treece commented that they could not administer anecdotal issues. Treece noted he was not insensitive to the concerns Fowler had heard, but he was not sure of the problems they were trying to solve. Treece wondered if those involved had tried to work

out a payment plan or if they had met with staff to address the issue. Treece was not sure why people would fall through the cracks with regard to the donation of The Crossing or the CASH and HELP program. Treece stated he was uncomfortable with doing this without any type of guardrail so staff knew who could qualify, what was allowable, what was pandemic related, etc.

Peters asked if they could ask staff to come back in two weeks with more information regarding the program unless they were prepared to explain the program now so they had a better idea about this new program. Hollis replied they had already proposed the \$100,000 for the new program so that was a part of these current appropriations. Treece understood they had that money. Hollis explained the final appropriation would be authorized tonight. Glascock stated that if Council approved this ordinance, it would be appropriated tonight.

Pitzer asked how they had come up with the amount of \$100,000. Hollis replied they had about \$100,000 left at that time after meeting the community requests and allocating money for the homeless issues along with the land trust. It had been something they had discussed and wanted to do in the past so they felt this was an opportune time.

Pitzer asked if there was any way to measure the need. Hollis replied they only had the current demand, which, honestly, was relatively low. Hollis thought the demand was somewhat lower now due to the stimulus checks and other factors, and pointed out he was concerned about a year from now as he did not know if they would have the donations when there was the need. Hollis explained the nice thing about the utility assistance program was that they could invest in it and there was a constant need. Hollis stated he was not sure they could spend another \$200,000 this year.

Glascock commented that with regard to the earlier question by Skala with regard to having two programs, they would phase the other program out by transitioning donors to the new program so they did not lose the donors. Glascock stated they would try to transition to one program.

Fowler asked if there was a downside to making this \$100,000 program into a \$300,000 program. Fowler wondered if the money had to go back anywhere if it was not utilized. Glascock replied it would lapse at the end of the budget cycle, but they could put it back into the fund the next year. Lue stated they could potentially restrict it. Fowler understood that meant it would not be swept back into the general fund at the end of the year, and asked if that was manageable and legal. Fowler wondered if there was any restriction. Glascock replied he could not think of any restriction at this time.

Fowler made a motion for the \$200,000 that had been identified in the staff report to be allocated to the Public Health and Human Services Department utility assistance account. The motion was seconded by Waner.

Thompson explained they needed to know the to and from account numbers to amend the bill. Fowler asked if anyone had that information. Treece noted there were four account numbers in the ordinance and the public assistance fund recommendations had gone through scores of organizations and entities so he was not sure why they needed to know the account numbers to express the intent of Fowler. Thompson commented that when they did a budget amendment, they amended the budget by taking the money from one specific account and moving it to the next specific account. Those were the controls budgeting used to get it into the right spot.

Skala commented that he was anxious to fund some of this need to a greater degree, but it might be problematic in terms of process.

Glascock asked if he could bring back an ordinance specific to the \$200,000 at the next meeting to ensure they had the correct account numbers. Fowler replied she was fine with deferring it to the next meeting.

Skala stated they could have further discussion when it came back, but pointed out he would like more information.

Treece commented that he wanted to learn more about it as well. Treece stated he wanted to know the number of people on the waiting list, the number of people falling

through the cracks, etc. Treece explained he wanted to know the true need.

Pitzer asked if they would hold the entire bill until the next meeting. Treece replied he thought they would do this knowing there was an extra \$200,000 available. Pitzer understood that would require the introduction of a new bill, which would require three readings.

Treece pointed out they would hold a budget work session on Wednesday when they would make more decisions that could be reflected in it. Treece asked if the \$100,000 they would approve today would last them a few weeks to allow time to work out the issues. Hollis replied yes.

Pitzer commented that he agreed with Treece as well in terms of determining if there was a need beyond the \$100,000 as he was not sure he had heard that.

Treece asked Fowler if she was okay with that delay. Fowler replied yes.

Amin asked if the motion and second were being withdrawn. Fowler replied yes on the \$200,000 for further information, which they could discuss at the budget work session on May 26. They could then put it into the approval process if they had all of the right information.

Fowler understood there was a Round 3 process involving \$797,000 in CDBG funds that had been vetted by the Housing and Community Development Commission and the Human Services Commission, and asked if that was being held and combined with this additional \$1.3 million or if those contracts had already been signed. Lue replied the Round 3 funds were completely allocated by the City, and that was what was proposed in this ordinance. Fowler explained the council memo associated with the report regarding the Potential Uses of Reserve Funds had indicated the Round 3 funding allocation was \$797,588 for all projects funded, but there was more than that in total requests, which was how they had come to using the \$1.3 million. Fowler asked if the \$797,588 had already been released to the organizations that were to distribute that to the people in need or if it had been held pending the outcome of this conversation. Lue replied that was a totally separate process and he was not sure. Teddy stated they were working on agreements to bring to Council at the next meeting for twelve programs. They had all essentially been restored to their original funding request by the action of Council, but the agreements still needed to be signed.

Fowler asked what those organizations were doing in the interim to help people that were in peril in terms of housing, utilities, food, etc. Teddy replied he did not know that these were the only resources those organizations had available to them. These were needs that had been expressed to the City through the RFP process. Hollis commented that the non-profits were accustomed to being dynamic and chasing dollars. One thing they had done locally was CoMoHelp whereby money had been raised to help prop up a lot of non-profits. In addition, since federal funds had started rolling in, they had addressed two rounds of CDBG. Hollis listed other funding sources, such as the ESG Cares Act, EFSP, LIHEAP, and County Cares Act. Hollis explained a role the City played was to ensure the non-profits were aware of the opportunities and help with coordination. Hollis stated Columbia was accessing a large amount of money for a city its size.

Fowler understood two new organizations, Powerhouse and Rock the Community, had not been in an earlier round of funding, and asked if those contracts were in process. Hollis replied they were waiting for this appropriation prior to entering into contracts. Hollis explained they had been working ahead as much as they could, but they could not move forward until the money was appropriated. Hollis pointed out he had worked with Powerhouse since the day they had started in Columbia, and noted they would have 25-30 summer feeding sites with Powerhouse when they traditionally had only 1-2. Hollis stated he also worked with Rodney with Rock the Community. Hollis noted both of those organizations had been supported by CoMoHelp as well.

Fowler understood they had been waiting for this appropriation and would then sign the contracts to allow the money to be pushed out to the intended recipients for distribution. Hollis stated that was correct. Hollis pointed out the homeless items would be RFPs they would issue.

B164-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

- 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).
- 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.
- R74-21 Setting a public hearing: proposed replacement and installation of electrical transmission structures along both sides of Route WW, west of El Chaparral Avenue.
- R75-21 Setting a public hearing: proposed removal of a refuse container and relocation of the refuse compactor at the Wabash Bus Station property located on Orr Street.
- R76-21 Setting a public hearing: voluntary annexation of property located on the west side of Scott Boulevard and west of Copperstone Creek Drive (Case No. 163-2021).
- R77-21 Authorizing an agreement with Columbia Mall LLC for the 2021 "Tons of Trucks" event.
- R78-21 Granting temporary waivers from the requirements of Section 16-185 of the City Code to allow possession and consumption of alcoholic beverages for 2021 Ninth Street Summerfest events to be held in July, August, September and October.
- R79-21 Authorizing a sublease agreement with Columbia Jet Center, Inc. and Blackhawk Aerospace Technologies, Inc. for leased premises at the Columbia Regional Airport.
- R80-21 Authorizing a facility usage agreement for limited public events with

Mortgage Research Center, LLC, d/b/a Veterans United Home Loans, for the use of a portion of City-owned property located on the east side of Oakland Gravel Road, generally northeast of the Brown School Road and Highway 63 interchange (5212 N. Oakland Gravel Road) (formerly the Boone County Fairgrounds).

- R81-21 Authorizing a license and operating agreement with Boone County Fair, Inc. (a/k/a Boone County Agricultural & Mechanical Society, Inc.) for the use of City-owned property located on the east side of Oakland Gravel Road, generally northeast of the Brown School Road and Highway 63 interchange (5212 N. Oakland Gravel Road) for the 2021 Boone County Fair event.

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

VIII. NEW BUSINESS

None.

IX. INTRODUCTION AND FIRST READING

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

- B165-21 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 (5212 N. Oakland Gravel Road) (northeast regional park property); establishing permanent District O (Open Space) zoning (Case No. 114-2021).
- B166-21 Authorizing an intergovernmental cooperation agreement with The Curators of the University of Missouri for integrated shuttle bus service on campus.
- B167-21 Authorizing a tourism development sponsorship agreement with The Curators of the University of Missouri for the 2021 Missouri State Senior Games and Show-Me STATE GAMES.
- B168-21 Authorizing an agreement with Columbia School District No. 93 for the Hickman High School swimming pool heater replacement project; amending the FY 2021 Annual Budget by appropriating funds.
- B169-21 Authorizing a second amendment to the PCS tower agreement with SBA 2012 TC ASSETS, LLC relating to the lease of City-owned property located at 1808 Parkside Drive.
- B170-21 Authorizing Amendment No. 2 to the agreement for professional services with Siemens Industry, Inc. for the development of an Integrated Resource Plan and Master Plan.
- B171-21 Amending the FY 2021 Annual Budget by appropriating funds related to a CARES Act airport grant from the U.S. Department of Transportation - Federal Aviation Administration for construction of a new terminal building at the Columbia Regional Airport.

X. REPORTS

- REP36-21 Administrative Public Improvement Project: Hickman High School Heater Replacement.
- Parks and Recreation Director Mike Griggs provided a staff report. Treece asked about the life expectancy of the pool. Griggs replied as long as they could keep it going. Griggs noted the pool had been there for decades. It had even been there when he had attended Hickman High School. Treece asked if there was any objection to using the administrative public improvement project. No one stated an objection.
- REP37-21 Extension of Youth Advisory Council (YAC) Meetings through the Summer Months.
- Treece asked if there was any objection to the YAC meeting through the summer. Peters replied she did not object. Peters explained the YAC members had not wanted to stop for a couple of months because they had things they wanted to continue. Peters asked Management Fellow Colleen Spurlock if she had anything to add since she was the staff liaison for YAC. Spurlock replied no, and explained the YAC was excited to share the resources the City had for the youth in the community. Treece asked Spurlock if she was comfortable continuing with them. Spurlock replied yes. Treece thought it was a great idea if they were eager to do it. Skala agreed.
- REP38-21 Monthly Finance Report.
- Pitzer commented that he did not have a question on the report, but understood staff was working on summarizing the cash by fund, and asked if they were still working on that. Pitzer clarified it was the excess above the reserve requirements by fund. Lue replied that would be provided at the budget work session.
- REP39-21 Amendment to the FY 2021 Annual Budget - Intra-Departmental Transfer of Funds.
- Treece understood this report had been provided for informational purposes.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Dee Dokken commented that she thought those that had attended the council meeting with concerns regarding the Gans annexation should have been given a chance to comment on the tabling request. Dokken knew one person, as a spokesperson, was prepared to speak on the subject. Dokken felt they could have spoken to the assumption that it would help them with their efforts. Dokken pointed out that both the Friends of Rock Bridge State Park and the Sierra Club had received an email today saying the developer was planning to table the item. Dokken stated they had already known this from looking at the agenda, and she only wanted to point out the fact that this was the behavior thus far. Dokken explained the sooner the issue was voted down, the sooner they would be able to move to the next phase, which was figuring out what to do with this part of town. Dokken stated she was hoping someone had something to report with regard to a south area plan and that there would be a report regarding the west area plan as both were needed. Dokken understood the PZC wanted to work on zoning issues as well, and that there was just so much to do. Dokken suggested they get rid of this proposal and start working on a plan. Treece stated Dokken had made a fair point with regard to public comment.

Cornellia Williams, 1632 Kathy Drive, stated she had been a member of the Citizens Police Review Board (CPRB) and had participated in the meeting that had been held with the Council in February. Williams explained she had found something that had been said

at that meeting to be very offensive. Williams noted she was a lifetime resident of Columbia, but was not proud to say she lived in Columbia, Missouri. Williams commented that she had said that if they looked at the CPRB and did not see a problem with the fact she was the only African-American on it that there was something wrong, and recalled a council member saying they could tell a person's race by their name and resume in terms of work experience. Williams felt that had been very offensive, and did not feel people with a certain type of name or a certain type of job should not be allowed to be on the CPRB. Williams stated she had seen the systematic changes over her time on the CPRB. When Bill Davis had left, he had not been replaced by a minority, and it had been the same when Baxter Nickels, Darryl Smith, and she had left the CPRB. None of them had been replaced by a minority. Williams commented that a board that had been created by African-American men was now completely all white, and wondered how that could happen. Williams noted she needed someone to explain to her how that happened. Williams asked how African-Americans were not being represented on a board that was created by African-Americans. Williams felt the Council had a lot to say in February and wondered why they did not have anything to say tonight. Williams stated she knew for a fact an African-American had turned in an application that had included a picture.

Treece commented that he would take a look at the concerns of Williams. Based on the input received at the February meeting, they had changed the application process for board and commission candidates so they had more demographic data on those that applied. Treece thought this Council was sincere in their representation of seeking to have diversity on all of their boards and commissions. Treece stated he was happy to go back to determine who had applied and who had been appointed, but he could not say right now why certain decisions had been made.

Williams explained she thought the meeting in February was going to make a difference, but that seat sat vacant in March. Williams noted she had originally thought it had been left vacant so a minority could be found since steps and procedures discussed in February were to be put into place, but it had been filled in April by a white person. Williams stated she did not understand what had happened. Williams reiterated she could not understand why there was not one minority on the CPRB when there were nine members, and wanted an explanation.

Skala commented that the CPRB had not been established solely by black Columbians. It had been established by many people. In addition, there was not any systematic decision-making tree that prevented black candidates from being appointed to the CPRB. It just had not happened. There was not any purposefulness to it.

Williams asked Skala if they were saying she should walk out of this door tonight and be okay with the fact there was no representation for her on the CPRB. Skala replied he was not saying Williams should be okay with that and pointed out he was not okay with it either. Skala stated he would hope there would be more candidates that were forthcoming. Williams understood Skala was saying it was the fault of black people. Skala stated he was not saying it was anyone's fault. Skala explained he was saying it was not purposeful. There was not a systematic attempt to rig the system. Williams understood Skala was saying it had not been systematically done even when it had involved the replacement of four people. Skala stated that was correct.

Rebecca Shaw, 2615 Vail Drive, stated that was hard to follow, and she hoped all of their ears were open as she had heard the pain in Williams' voice tonight.

Shaw thanked Fowler for the First Ward meeting she had held Saturday. Shaw felt there had been a nice discussion, and she hoped to see meetings like that for the other wards. Shaw noted she was directing that comment at Pitzer since he was her representative. Shaw did not feel they had the same concerns in the Fifth Ward that those in the First Ward had, but thought having a community conversation was good. Shaw commented that at the meeting, Fowler had introduced her to the mini-manual that was put out by the

City on the budget and expenses, which she thought had been a great document. Shaw thanked staff for that.

Shaw commented that there had been two groups of people fighting against developers again tonight, and was thankful for the comments and questions that had been raised during the discussion because she continued to see developers that felt they could walk into any area of town to do what they wanted. Shaw implored the Council to continue to ask developers to talk to community members to discuss development before moving forward with plans.

Eugene Elkin, 3406 Range Line Street, stated he again had trouble hearing tonight. Elkin could hear some clearly, but it had been a bunch of mumbling with others. Elkin thought they might have to stress the removal of masks when speaking along with the height of the microphone.

Elkin commented that he thought the City should send thank you letters to those that donated to allow for assistance as he felt some might increase their donations with recognition.

Elkin explained the new concept was a plastic cupboard that appeared at some churches and was full of food and water. Elkin commented that they could not solve everyone's problems, but they could create new ideas to help those in need as some people did not go to Wilkes United Methodist Church for meals. Elkin noted he did not know the givers, but felt the City should thank the givers.

Elkin stated Rock Bridge State Park was a tourist attraction that would help Columbia economically. Elkin commented that there was a Native American burial ground that could add to tourism off of Scott Boulevard near a new development.

Barbara Jefferson thanked Fowler for the event she had held on Saturday as it had made her happy.

Jefferson asked what had been decided with regard to the next round of funding. Jefferson wondered if it would come back in two weeks for more discussion. Treece replied yes. Treece explained they were looking for more data as to how many people were on the waiting list, the needs, the barriers of the current programs, etc. They would have another ordinance to authorize the additional \$200,000.

Jefferson understood some non-profits might not have received funding. Treece explained those contracts would be approved after tonight's action. Jefferson thanked Treece for that information.

Treece commented that the previous public health order had not been extended, and last week, the Centers for Disease Control (CDC) had announced people that were vaccinated were no longer required to wear masks indoors. Treece understood Glascock had announced he would rescind his emergency order at the end of the month, and asked Council if they wanted to take a small step toward normalcy. Treece stated he thought Peters and Thomas were at a bit of a disadvantage being at the kids table, and asked if they would be comfortable with all of the council members being at the dais. Glascock and Thompson would assume seats where Peters had been sitting, and they would continue to require department directors to use the podium when presenting staff reports. Treece commented that he actually liked that exchange as it put them on more parity with the public and voided some of the perceived bias of staff presenting recommendations from Council. Treece noted he would much rather have the opportunity to not wear a mask more frequently during the meeting in terms of people being able to hear and being able to read his lips. Treece thought they could resume being on the dais if everyone was comfortable, and each person could decide whether they wore a mask or not. Treece pointed out he also wanted to project the advantages of being vaccinated.

Skala stated he thought that was a fair tradeoff. It would allow for a cohesive look and something positive. Skala understood some might still feel the need to wear a mask.

Fowler commented that she was comfortable with them all rejoining the upper seating area, but she would personally wear a mask until they reached the saturation point of 70-80 percent as a country.

Fowler asked if the City would continue to have a mask mandate to enter the building. Glascock replied he thought that would change around the first of the month, and that it would likely be a recommendation then.

Fowler asked if they would increase the number of chairs in the room at that time as well. Glascock replied he would if that was the desire of Council. Fowler stated she was not sure that was what she wanted and would defer to the wisdom of the group. Peters suggested they ask Public Health and Human Services Director Stephanie Browning for her input. Everyone was in agreement with that suggested.

Treece understood the room was situated for physical distancing of six feet apart, and asked what that was with respect to the previous occupancy. Glascock replied it was likely about one-third. Treece suggested asking about going to 50 percent capacity as it would allow for a baby step. Treece noted they could then also adopt the CDC recommendations of no longer being required to wear a mask if vaccinated.

Skala stated Peters had a good idea of consulting the healthcare professionals. Skala thought they might want to coordinate with other entities such as Boone County and the Library. Skala commented that he liked the idea of encouraging mask use, and not necessarily mandating it. Skala also liked the idea of easing into the number of people they could accommodate.

Treece asked if there was any objection to Council contracting back to the same level, leaving it to them individually as to whether they wanted to wear a mask or not, and defer to Browning as to when they resumed greater occupancy in the room and at what level. Peters stated she was good with that plan. No one stated an objection. Treece noted this would start at the June 7, 2021 Council Meeting.

Treece commented that they had discussed ward reapportionment at a meeting about a month ago, and noted he wanted to revisit that because he and the City Manager had received communication from the County Clerk, Brianna Lennon, asking if the City intended to reapportion wards this year and how that would be done. Treece stated he wanted to get the sense of Council on that process knowing there were some issues, particularly involving the Third and Fourth Wards, as to when they would receive the data since filing opened at the end of October. They could not move the filing deadline or the election. Treece commented that his preference would be to proceed over the summer with each council member recommending a member of their ward to serve on a task force and the mayor appointing a chair. That group could then gather input as to what those wards should look like, the common interests, etc. They could then use that input when the data was received to craft a map or several maps for more public input and to present to Council.

Fowler explained she was not familiar with the process in the past, and asked if the start of the process was not the change in population and other factors instead. Fowler understood they would not have the census data until later. Fowler asked what else the group had done previously. Amin replied the resolution that had established the group had information regarding that. Fowler asked if they had the population information at the time. Skala understood population balance had been an integral part of it, but there had been other consideration as well, such as contiguity.

Fowler commented that she wanted to be supportive of putting this into the flow of work at the right time given the other pressures. Fowler explained she still was not sure how to start the process when they did not know the population of the current wards as that would guide them.

Treece commented that starting the way it had always been done created a process of decide, announce, and defend, and suggested beginning with a values statement that looked at the current wards to determine the values they wanted the wards to reflect.

Treece wondered if they valued compactness, contiguousness, a community of interest, diversity, everyone having a portion of downtown and the ex-urban area, etc. By doing it this way, they would invert the process and allow the ward reapportionment committee to spend the summer in a series of public meetings, which could include each ward, to gather input from citizens. Treece explained part of his opinion was informed by the process being done in Jefferson City as they were having the hearings now and trying to determine how to make the districts seem less gerrymandered and more compact based on all of the factors that met the legal test. When they received the data, they would know which wards needed to grow, contract, or be moved so there was equal distribution of population.

Skala stated his recollection from the last time was that in addition to the population numbers, there had been a healthy argument regarding homogeneity versus heterogeneity with respect to the wards. There had also been some activity to ensure the fingers of the wards touched the central city. Skala understood there had been an attempt at the time to create more homogeneity and a safe space politically for some folks by a guarantee of more votes on the other side of the political spectrum in some of the other areas. There had been a healthy conversation regarding balance and having heterogeneity within each ward as it related to the City in general. Skala stated there had been an attempt at gerrymandering the last time.

Treece commented that they had a choice as they could do it now or at any other time based on the City Charter. They could have the April 2022 election based on the old lines and adopt the new lines at their convenience. Treece felt the question tonight was whether they wanted staff to bring the resolution forward for consideration at their next meeting.

Peters stated she thought they could ask staff to bring it forward so they could discuss it. Peters explained she planned to talk to those in her ward that had been on the reapportionment committee in the past as to their recommendation.

Pitzer asked when they expected the data to be available. Treece replied he had initially heard the first of September and had later heard the end of September. Amin stated filing opened the last Tuesday of October. Treece asked when signature gathering began. Amin replied someone could technically start now.

Peters understood they could not practically get it done for the April 2022 election. Treece thought they could. Amin felt decisions would have to be made so an ordinance could be introduced at the first meeting in October and approved at the second meeting in October, if they wanted it clean before the first day to file. Treece commented that his sense was that the new lines would need to be filed before filing closed in January, and reiterated it primarily impacted the Third and Fourth Wards.

Treece asked if there was any objection to bringing forward a resolution establishing the committee. No one objected. Treece noted that would give the Law Department time to look at the impact of changing the lines after filing opened if people had already filed a petition.

Thomas commented that he felt it was problematic to change the lines in the middle of the filing period because it was not just a matter of determining if the signatures were valid as the candidate might not be valid any longer. Thomas stated he would prefer they make the decision to stay with the old lines until April 2022 if they failed to pass the ordinance before the filing period opened. Treece understood Thomas was suggesting they conduct the election under the old lines. Thomas stated that was correct. Thomas explained he believed there would be a lot of criticism of the process and an appearance of rigging things if some candidate was somehow excluded.

Amin commented that one other thing to think about if they moved forward was the fact that the order of names on the ballot was based on the order of receipt of the petition and sufficiency of the petition, so if someone was determined to not have a sufficient petition due to a change, it would create an issue in that respect as well.

Pitzer understood there was not a requirement to do anything. Treece stated that was

correct. The Charter allowed the City to reapportion at any time. Pitzer understood they could choose not to reapportion.

Pitzer commented that he was unsure of the level of population data they would receive in terms of how granular it was. Skala stated there was more to it than just population. Pitzer understood.

Pitzer wondered if the current council members were protected from being drawn out their wards. Treece stated he recalled twenty years ago a redistricting of twenty state representatives into eleven districts, which meant they were forced to run against each other. Thomas asked if that had been done with special elections. Treece replied no, and stated it had been at the next regular election, but half of them were guaranteed to lose. Thomas understood they had held their seat until the end of the term, and thought that would likely happen in this situation as well. Thompson pointed out it was a prerequisite for the council member to live in the ward they represented. If the ward lines changed, the council member would have to give up their seat. Thompson explained that was the reason they sometimes saw a lot of funky drawings. Amin stated that was one of the reasons the Second Ward was partly south of I-70.

Treece understood the cleanest way would be to conduct the April 2022 election under the existing ward lines so there was not a conflict of interest and for it to be predictable. Treece asked if they still wanted to go ahead with the process while there was all of this other data floating around and momentum in terms of redistricting.

Thomas understood Treece was suggesting they make the decision and then put it on ice until May of 2022.

Pitzer commented that there were all kinds of situations as someone who was elected could immediately be drawn out of the district to which they had been elected. Treece agreed there was no good time. Peters noted they could not fix everything.

Waner stated she did not see the harm in starting the conversations.

Thompson commented that if the Council wanted to move forward with forming the reapportionment committee, they did not have to put a deadline in the resolution. Thompson thought in the past they had placed a deadline on when they wanted the work done, but since they were in a state of flux, the resolution could simply call for the work to be done as soon as practicable. If the Council wanted to add a deadline at a later date, they could do so.

Treece suggested they proceed with the resolution and for everyone to think about who they might want to nominate. Treece wondered if they would make those appointments at the meeting following the adoption of the resolution. Amin stated that could be done whenever the Council was ready.

Fowler asked if they would have a public hearing on the resolution. Amin replied it would be under new business.

Peters commented that she thought the idea had been to revisit the UDC in 3-4 years to determine how it was working when they had passed it in 2017. Peters asked if there was a plan to do that. Glascock replied staff had brought forward tweaks at least once or twice in the past. Peters understood some technical issues had been brought forward, but did not feel they had reviewed it to determine if it was working as intended. Peters provided the PD zoning district as an example as they were trying to get rid of it but they were really not getting rid of it because they needed it for certain situations.

Teddy explained the PZC was looking at different aspects of the UDC to review on a continuous basis. For example, the artisan industry, which was a new concept introduced about four years ago, was something the PZC was trying to refine. Teddy noted commercial kitchens on a part-time basis was another item. They were also working on clean-up amendments. Teddy pointed out the Council could add to the list.

Peters asked if she needed to review their minutes if she wanted to know what they were doing. Teddy replied yes, and explained they could provide a schedule as well if the Council thought it would be helpful. Peters stated she would like to know what they were

doing on an annual basis as well as any issues they were having.

Teddy noted the PZC was looking into some density concepts now as well.

Pitzer thought there were things like errors and corrections as well as new emerging items that had not existed when the UDC was adopted. Pitzer felt they had right to bring up policy-type issues whenever they wanted.

Peters commented that she was not sure how they had gotten to the point of only having white people on the CPRB, and assumed they had not adequately recruited people of color or diverse people for that Board. Peters understood they would be appointing three members in November of 2021, and suggested they review the current membership and recruit applicants.

Treece explained that after Williams' comments, he had reviewed the slate of candidates that had applied for consideration in April, and those applications had not had the demographic data. Contrary to representation, Treece was unsure of the demographics based on the name or application. Treece thought they all wanted diversity on all of their boards and commissions.

Waner asked if it was possible to look at how they appointed the CPRB in a similar fashion to how they appointed the Disabilities Commission whereby they had specific requirements of someone that owned a business, someone with a significant disability, etc. Waner wondered if they could set it up where they were guaranteed a minority representative. Waner asked if that was possible or even legal. Treece replied he did not know. Thompson commented that they had started moving away from specific requirements because it had become complicated. Some people could qualify for multiple categories. It had become unmanageable with regard to who went into what slot. They had been trying to encourage diversity in whatever areas a particular board or commission might need.

Waner commented that it might be that they were moving further toward a solution by ensuring the demographic information was a part of the application process. Waner understood the April appointments included a mixed bag as some applications had included the demographic information while others had not. In that particular instance, none of the applications had that information, but that was due to the application period. Treece agreed they had applied before as there had been hand written comments by the Clerk's Office indicating the applications had been reactivated.

Waner agreed with Thompson with regard to how difficult it could be with having multiple requirements for membership as had been seen with the Disabilities Commission, but she did not want that to be the barrier in putting something systemic in place to address the issue.

Fowler understood they had special requirements for being a member of the CPRB, including not being a City employee, not running for office, a criminal background check, etc., and wondered if they should revisit that. If they were not sending the right message to attract people of color to apply and they had particular rules for those that might apply, they might want to look at that as a total package of concerns. Fowler understood City staff was allowed to sit on other boards and members of other boards were allowed to run for school board, the hospital board, etc. Fowler stated she was unsure of the right answer and was only thinking about what else might be a hindrance for a person coming forward to apply.

Skala stated he did not believe City staff was allowed to sit on boards and commissions. Fowler explained they were, and noted Linda Rootes, who had been a City employee for a long time, had been a member of the Downtown Columbia Leadership Council as a voting member. Treece understood Rootes had been the neighborhood representative.

Fowler asked if they had any City employees serving on City boards and commissions currently. Treece replied not to his knowledge, and felt that would conflict with the Charter because they would serve the Council and the Council was prohibited from receiving input from City employees regardless of capacity. Skala agreed that would be

problematic. Treece stated the last person was an hourly employee of the City, and he believed it had created a conflict. Waner commented that there was a reason she had waited to apply for the Human Rights Commission until she no longer worked for the City. Thomas stated he did not think any other board required a criminal background check and was interested in that concept. Skala agreed that was unique to the CPRB when it had been established. Thomas asked if there had been justification for that. Treece replied he thought it was because the CPRB considered appeals of the Police Chief so they did not want anyone that might have a perceived bias based on a previous interaction with the police. Thomas stated he was not sure a criminal record equated to that. Treece pointed out it did not prohibit the Council from appointing someone with a criminal record. Treece noted it merely revealed it so they could consider it. Thomas understood, but felt it was likely a barrier to people of color. Treece agreed it could be a barrier.

Skala explained they had language at the top of the agenda about comments submitted to the City Clerk by 4:00 p.m. of the council meeting date and thought it might be reasonable to do away with it since they were moving toward increased capacity in the Council Chamber for people to provide public comment. Skala pointed out people could still provide comment to individual council members.

Treece asked if there was any objection to removing that from the agenda and returning to their normal course of business. Peters replied she wanted to think about that as there were probably people that were still uncomfortable coming to City Hall to speak in public. Peters understood they could email them, but this had been established to take the place of people coming to the meeting to speak personally in front of the Council. Skala noted they were still emails. Peters agreed. Fowler pointed out tonight someone had hand delivered comments, which the City Clerk then scanned and provided to the Council. Fowler felt there were a lot of layers because there were people that were not comfortable circulating for health reasons and otherwise.

Amin commented that prior to the establishment of the 4:00 p.m. deadline for written comments, if she received something that was intended for the Council, she would immediately forward it. Amin would not collect it all and send it out at one time, so that process would not change except that she would not collect them all prior to sending them to Council.

Thomas noted the other difference was that they were read into the record. Amin commented that they had not really been read into the record lately. Skala agreed they had been an abbreviation. Amin pointed out that today they had just mentioned the number of comments received. Treece noted that most of those people had been in attendance to testify as well. Thomas agreed. Amin explained her only comment was that it would not prevent her from forwarding something received to the Council. The only difference would be that the note would not be on the agenda and the Clerk's Office would not collect them all prior to sending them around 4:00 p.m. Amin would send them as soon as they were received.

Treece understood the 4:00 p.m. written comments had been intended to replace the testimony of those who were unable to attend the council meeting due to the emergency order, pandemic, limited seating, etc. It allowed them to be reflected in the minutes just like they would have been had they been present physically. Treece felt that since the emergency order was expiring, they were increasing capacity, and people could still call and email to contact them, they could do away with that formal inclusion in the minutes because people could now come to the meeting. Treece asked if anyone felt strongly otherwise.

Peters commented that she was happy to discuss it further.

Thomas thought they should probably announce it with a press release instead of just making the change.

Treece suggested they wait to do anything until they received a recommendation from Browning regarding capacity in the Council Chamber, and move forward as they resumed

normalcy.

Waner stated she had been grateful for the First Ward meeting on Saturday, and noted she had received several questions regarding when something might be done for the Second Ward and other wards. Waner commented that she tended to not want to set things up until she had the entire context to explain how to move through things, and asked for the process to determine the needs, priorities, citizen feedback, etc. regarding the American Rescue Plan funding. Waner noted they were receiving feedback and wanted to know what they needed to do with it. Waner wondered if there was a plan. Glascock replied he thought they would discuss it as part of the budget work session on Wednesday. Waner asked if there would be an opportunity to gather constituent feedback after May 26 and still influence any decision. Glascock replied they would likely to have a hearing on whatever they decided.

Fowler thanked Glascock and Spurlock for their assistance with that meeting on Saturday. Fowler explained she had been seeking informality to meet the needs of the First Ward. They had to talk some things through and figure it out, but Fowler felt they had hit the right tone with the meeting. Fowler also appreciated the assistance of the Parks and Recreation Department staff and the provision of documents that had been provided. Fowler pointed out those in the First Ward might have smart phones, but that did not mean they had a data plan, printer, or computer. Fowler noted she had provided a sizable stack of community surveys to Glascock from that event. Fowler stated she had a lot of volunteer help, which she appreciated.

Thomas asked staff to bring forward an ordinance that would allow the same fee waiver that currently existed when a group of property owners wanted to downzone from R-2 to R-1 to also apply for a downzoning from R-2 to Open Space. This was something that had been discussed a couple of years ago, but had not moved forward as part of the budget process then. Thomas noted Teddy had suggested to him to bring it up so it could be included in the budget process this year. Thomas pointed out one particular neighborhood wanted to take advantage of it for the park they owned. They wanted to downzone the property to protect it.

Thomas asked staff to consider placing a no through street or dead end sign on Glenn Wesley Court, which was the continuation of Faurot Drive through the Westbury Village subdivision. They had a lot of people leaving the subdivision inward instead of going left on Stone Valley Parkway and Smith Drive to get out. Thomas asked Glascock if that was adequate enough for him to act on it. Glascock replied yes.

XII. ADJOURNMENT

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