



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, June 5, 2017  
7:00 PM

Regular

Council Chamber  
Columbia City Hall  
701 E. Broadway

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#### I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, June 5, 2017, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members PETERS, TREECE, RUFFIN, THOMAS, and PITZER were present. Council Members TRAPP and SKALA were absent. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of April 3, 2017 were approved unanimously by voice vote on a motion by Mayor Treece and a second by Mr. Pitzer.

The minutes of the special and regular meetings of April 17, 2017 were approved unanimously by voice vote on a motion by Mayor Treece and a second by Mr. Ruffin.

Mr. Thomas asked that R74-17 be moved from the consent agenda to new business.

Mayor Treece asked that B141-17 be moved from the consent agenda to old business.

The agenda, including the consent agenda with B141-17 being moved to old business and R74-17 being moved to new business, was approved unanimously by voice vote on a motion by Mr. Ruffin and a second by Mr. Pitzer.

#### II. SPECIAL ITEMS

None.

#### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

#### IV. SCHEDULED PUBLIC COMMENT

SPC37-17 Nina Hampton - Community policing.

Ms. Hampton, 202 Bay Pointe Lane, explained she was a member of Race Matters, Friends, and thanked the Council for the community policing being done in the First Ward and the Douglass Park area. She commented that from 2006-2016 the Police Chief of Richmond, California had been Chief Magnus, and it had been ranked as the 11th most dangerous community in the United States when he had arrived. The Richmond Police Department (RPD) had a deep, dark history of machismo and secrecy dating back to 1980 when it had the largest settlement against a department for police brutality. She noted Chief Magnus had changed the RPD and community into a culture of approachability and transparency. The average murder rate per year had gone down from 40 when he started to 11 in 2016. Richmond was no longer ranked as the most dangerous city, and Chief Magnus had been called to advise the police in Ferguson, Missouri, after the Ferguson riots, to review their policies and procedures for improvements. As part of the community policing program in Richmond, Chief Magnus

had hired and promoted women and minorities to represent their percentage of population within the city, evaluations and promotions had rested more heavily on positive community feedback and interaction than on the number of arrests or tickets provided, and police were assigned to certain geographical areas to build trusting relationships with residents. Chief Magnus had also implemented programs, such as the Office of Neighborhood Safety, which analyzed data with modern technology to select 50 people that were most likely to shoot someone or be shot and offered them participation in an 18 month program to turn their lives around. He had used social media to engage citizens and used funny, smart dialogue to debate social and political issues. In addition, he had started a crime lab with the ability to obtain fingerprint, DNA, and other results quickly, and had initiated a sophisticated sound system to get officers to the scene of shots fired before a 911 call. She noted he had moved into city and had become part of the community. He was open and transparent in his personal life as well as his professional life, and was the first openly gay married police chief in the nation. She commented that the Richmond City Manager had indicated Chief Magnus had taken a lot of personal and professional risks in the law enforcement community. She asked the Council to compare the police chief in Richmond, California to the police chief in Columbia, Missouri as she believed Chief Magnus was an exemplary and fearless leader with innovative ideas and solutions to problems in terms of community needs. She felt Chief Burton had a defensive stance that focused on the needs of his department and was struggling to recruit 20 officers while wanting 50 more officers from increased property tax. She thought that showed a lack of ability and fiscal recklessness.

SPC38-17 Sharon Lewis - Treatment of tenants in public housing.

Ms. Lewis did not speak as she was not in attendance.

SPC39-17 James Gray - Positive feedback on the work the Community Outreach Unit is doing.

Mr. Gray commented that he worked closely with the police department in the communities and the neighborhoods. The outreach unit was out in Indian Hills once a month socializing and carrying food from the food bank to people's cars. In addition, a basketball clinic involving the University of Missouri men's and women's basketball programs had been held last year, and the police had assisted with it even though it was not their job. They had done it from their heart. He commented that last week a four year old had died from a fire, and he had watch officers cry like babies in the emergency room because they felt like they were a part of the family. He agreed race mattered, but did not feel it was a black, white, or yellow issue. He stated Columbia had black on black crime, and police officers worked hard to try to address it through partnerships. He understood Race Matters, Friends had suggested the police chief be fired, and believed that was the worst thing the City could do. He thought Race Matters, Friends should be involved in positive activities, and pointed out they were essentially talking negatively about every police officer when they spoke negatively about the police chief. He stated he was sick and tired of it, and suggested they move if they were tired of living in Columbia. He explained he was here to build a community and build safety regardless of race or where someone lived within the community. He recommended they spend time with officers when they were out in the community dealing with tragedies. He asked them to help build the city by working together. He commented that he was an African American male who was raised in a white family and did not feel this was a black or white issue. He believed every life mattered, and questioned how Race Matters, Friends could tell him how it was like to be black when he was an African American male and their group included one African American woman and 5-6 white women. He asked them to go to Douglass Park or downtown with him. He believed Race Matters, Friends' fifteen minutes of fame was over, and noted he supported Chief Burton.

## SPC40-17 Kristin Kijowski - Keep it wild.

Ms. Kijowski, 1305 Ashland Road, stated she was a representative of It's Our Wild Nature and asked the Council to imagine they were outside on a warm sunny day with only trees, flowers, and grass surrounding them. She described feeling the warmth of the sun and the coolness of the grass along with birds singing and the hum of the bugs, and asked them to consider this filling them with joy. She also described this location during the night whereby they could feel a cool breeze and hear new sounds, which were different than those heard and seen during the day, and asked them to consider the same joy returning. She explained she had described to Council one of her favorite places in Columbia, and hoped it had been as refreshing to them as it was to her. She believed it was important to keep more areas in Columbia natural and wild. She stated she was from Kansas City, but had moved to Columbia 3.5 years ago for work, and one of the major reasons she chose to stay was due to all of the natural areas for walking and hiking, many of which were close to her apartment. She noted she had been shocked and thrilled that many of these areas did not have cement trails and the nature had been kept natural. She commented that there were far too few natural areas in Kansas City and some of her favorite memories growing up had occurred on her cousin's farm in Abilene, Kansas as they had stayed outside from sun up to sun down. She stated she still spent much of her days outside for pleasure and to recharge mentally, physically, emotionally, and spiritually, and explained she was concerned about the amount of construction occurring in Columbia in her short time here. She understood cement trails were replacing dirt and grass trails, and was concerned about them, as a whole, becoming more disconnected from nature and disturbing the homes and habitats of natural wildlife. She believed this would hurt them in the long run. She stated she was advocating for the 38 acre Altis property to remain undeveloped and to become an urban wildlife sanctuary. She asked the Council to visit the area as she felt they would be amazed that this lovely gem was located within Columbia. She also asked them to consider the consequences of removing natural habitats and resources.

**V. PUBLIC HEARINGS**

## PH16-17 Proposed remodel of Fire Stations #4, #5, #6 and renovation of Fire Training Academy facility.

PH16-17 was read by the Clerk.

Mr. Nichols and Fire Chief White provided a staff report.

Mr. Pitzer asked if these renovations would bring these fire stations up to the standards of the other stations or if the other stations would then be behind. Chief White replied a lot of the newer stations had already been addressed. The University had paid for the remodel of Fire Station No. 3 about three years ago, and Fire Station Nos. 7, 8, and 9 were in pretty good shape since they were relatively new buildings. In addition, Fire Station No. 1 was in decent shape. The only one that might need work other than these was Fire Station No. 2, which was on Worley Street. It had a light remodel a few years ago, but still had other needs.

Mayor Treece understood Fire Station Nos. 4, 5, and 6 had been opened in the 1970s. Chief White stated that was correct, and pointed out they each had one large bathroom that was used by all. Those would be split into two ADA compliant restrooms. Mayor Treece asked how the improvements would be funded. Chief White replied they would be funded with capital improvement sales taxes. Mayor Treece asked when that had been approved by the voters. Mr. Nichols replied August, 2015.

Mayor Treece opened the public hearing.

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

**Mayor Treece made a motion to directing staff to proceed with renovations to Fire Station Nos. 4, 5, and 6, and the Fire Training Academy facility. The motion was seconded by Mr. Ruffin and approved unanimously by voice vote.**

PH17-17 Proposed amendments to the FY 2016 Community Development Block Grant (CDBG) and HOME Annual Action Plan.

Discussion shown with R77-17.

R77-17 Approving amendments to the FY 2016 Community Development Block Grant (CDBG) and HOME Annual Action Plan; authorizing the City Manager to submit the document to the Department of Housing and Urban Development.

PH17-17 and R77-17 were read by the Clerk.

Mr. Cole provided a staff report.

Mr. Ruffin asked for the kinds of projects that were covered by the rehabilitation and repair program. Mr. Cole replied it included a variety of projects, such as repairing sewer leaks, water leaks, and foundations, installing a new roof and HVAC, and addressing code violations or immediate health and safety hazards. The minor home repair problem would usually allow for 1-2 of these items. There was a comprehensive rehabilitation program, which would allow more items to be addressed. Mr. Ruffin asked if it was a matching grant. Mr. Cole replied it was typically funded by CDBG and HOME funds alone, but they received funds from Columbia Water and Light to double the amount of efficiency rebates to all of their projects when addressing energy efficiency items, such as replacing windows, HVAC, insulation, etc. It was the only match they typically had for the programs.

Mayor Treece opened the public hearing.

Steven A. Smith, 1603 Canton Drive, stated he was the President and CEO of the Job Point and thanked the Council for their consideration of these amendments. The timing was good for them as they were currently wrapping up a project whereby they were the contractor for a Central Missouri Community Action (CMCA) home on Woodside Drive, just west of the front door of Blue Ridge Elementary School. He commented that they had been slower with construction this year as they were replacing a few instructors and directors, but were doing well in terms of clients. He reminded the Council these projects provided training for the YouthBuild program and their construction trades classes. The projects also provided affordable housing and improved the neighborhoods in which they were built. He noted the purchase price of these homes would be about \$10,000 - \$15,000 less since they would be maintained by the Community Land Trust and because some materials had been donated. He pointed out they had placed a few people that had worked on the current house in positions with the City of Columbia, Emery Sapp and Sons, and Chester Ross Construction within the last few weeks.

Mayor Treece asked if the funding to build the house at 700 Oak Street would come from CDBG funds. Mr. Smith replied a portion of it would. Mayor Treece understood it was a deep lot and asked if a single-family home would be placed on it. Mr. Smith replied they intended to use the 110 Lynn Street general plan for both lots. He pointed out there were a few floodplain issues on the 700 Oak Street lot that would need to be addressed.

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

**The vote on R77-17 was recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, THOMAS, PITZER. VOTING NO: NO ONE. ABSENT: TRAPP, SKALA.**

**Resolution declared adopted, reading as follows:**

**VI. OLD BUSINESS**

B139-17

Authorizing a participation agreement with the Missouri Joint Municipal Electric Utility Commission for the purchase of wind energy from the Iron Star wind generation facility.

The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece asked for the price per kilowatt hour under the Missouri Joint Municipal Electric Utility Commission (MJMEUC) agreement. Mr. Johnsen replied the memo indicated it should start at about \$21 per megawatt hour. Mayor Treece understood that would be 2.1 cents per kilowatt hours. Mr. Johnsen stated that was correct based on the projection of production costs plus transmission costs. Mayor Treece asked for the avoided cost of the City making it. Mr. Johnsen replied much of the avoided costs consisted of baseload units in which they had capacity, which he thought was within the 3-3.5 cents range. Mayor Treece understood this renewable energy would come in at 25-30 percent less than what it would cost to make it themselves. Mr. Johnsen agreed the contract provided an equitable price.

Mayor Treece asked when the next jump in the renewable energy mandate would occur. Mr. Johnsen replied it would be 15 percent in 2018. Mayor Treece asked where they were now. Mr. Johnsen replied they were running right at 15 percent thus far this year, but pointed out it would drop in the summer when they had more energy sales. He commented that they thought they would likely be a little short at the end of 2017 in terms of what would be required in 2018, but pointed out some efforts were underway to address the gap. Mayor Treece understood the next jump would be in 2023. Mr. Johnsen stated that was correct, and noted it would then go to 25 percent.

Mayor Treece asked for the soonest possible time frame for this power to be transmitted assuming the Missouri Public Service Commission (MPSC) gave Clean Line Energy approval to move forward. Mr. Johnsen replied he understood the proposed production timeline was for late 2021, but construction projects tended to be delayed, which was why they had shown 2022 in the graph displayed.

Mr. Pitzer asked if all of the other power from the project had been sold. Mr. Johnsen replied no, and explained both projects still had to be built. Mr. Pitzer asked if they already had agreements to sell all of the power. Mr. Johnsen replied no. He thought the City had been the third entity to sign up. Others still needed to sign up and that would impact the base contract.

Mr. Pitzer asked Mr. Johnsen if there was any risk of the project not happening and if he was confident they would be able to place all of the power. Mr. Johnsen replied he thought there was a limit on the upper side, but did not believe there was a limit on the lower side. He understood whatever came forward with the individual utilities would be rolled up in the general contract in order to move forward, and that Columbia was an important player. Mr. Pitzer explained his concern was with regard to the risk of it not happening. Mr. Johnsen commented that the MPSC still needed to provide approval for transmission as had been alluded to by Mayor Treece. He thought that created the bigger danger of this not happening.

Mr. Pitzer noted in looking at the graphic displayed it did not appear as if they had any other renewable energy sources coming online in the next five years and asked for clarification. Mr. Johnsen replied they currently had an RFP out to evaluate photovoltaic resources, which could be built relatively quickly. In addition, they could always purchase energy in the short term to make up any difference until they had other sources of renewable energy. There were options to make up the gap during the 2018-2021 timeframe. Mr. Pitzer asked about the size of that solar project compared to what they had online now. Mr. Johnsen replied a number of different sizes had been proposed, and what they were asking for would make up the difference shown on the graph displayed.

He noted staff was willing to go above and beyond the needs if the numbers were good. It would depend on cost, when it would be functional, etc. He explained they had just started evaluating the offers so they did not have a lot of details at this time.

Mr. Pitzer asked how the \$21 per megawatt hour for wind through this contract compared to the existing wind contracts already in place. Mr. Johnsen replied it was substantially cheaper, and explained this one would not really have a renewable energy rate impact. Others were in the \$40-\$50 range or higher. Mr. Pitzer stated he thought he had seen one at \$70. Mr. Johnsen noted the first one, which had been negotiated years ago and was located in northwest Missouri, was the most expensive in terms of production and transmission. He explained wind had become more economical as time had gone by.

Mr. Pitzer asked Mr. Johnsen for the maximum amount of wind energy he would be comfortable with in terms of a percentage of total power. Mr. Johnsen replied he thought this was where they would want to be for a while. He would not expect them to bring forward another wind contract as they wanted to diversify resources moving forward. He noted they were still looking into a biomass project at the local plant and wanted to see more photovoltaics as those lined up better with the City's load profile.

Mr. Johnsen stated he believed this was a deal they should not pass up when looking at it from an annual economic perspective. Mr. Pitzer agreed as it was cheaper than making brown power as had been mentioned by Mayor Treece. He thought the difference in cost between the first wind contract to this contract was impressive, and understood they would likely see this with solar as well.

Mayor Treece understood MJMEUC had agreed to buy 35 megawatts, and asked how much of it the City had agreed to purchase. Mr. Johnsen clarified the City was purchasing 35 megawatts. He explained MJMEUC was consolidating all of the contracts. He thought they might be limited to 135 megawatts in terms of wind resource and was not sure of the limitation on the transmission path. Mayor Treece understood currently three municipalities were participating. Mr. Johnsen replied yes, and noted he thought they were Columbia, Kirkwood, and Hannibal.

Mr. Thomas commented that a work session was scheduled with the Water and Light Advisory Board (WLAB) for July 17 because members of the WLAB had concerns about the methodology of calculating the rate impact of renewable energy, and particularly that of distributed solar generation. He thought they should ask the Environment and Energy Commission (EEC) to attend the work session to present their concerns as well since both the EEC and the WLAB had concerns. Staff could then respond, and they could have a discussion. He explained they could hit the 3 percent under the methodology currently used when they did not feel it was a valid or fair calculation. Mr. Johnsen stated he thought they were at 1.5 percent now, and this wind contract would not provide an impact with the current methodology. Mayor Treece suggested they have representatives of the solar industry there as well to talk about the economic impact and how many additional rooftops or megawatts of solar might defer 161 kV lines in the future.

Mayor Treece understood this would involve a DC line, which had to be converted to AC, and asked when that would happen. Mr. Johnsen replied the converter station would be located in northeastern Missouri. It would be the first converter station offloading from the line. Mayor Treece asked if that would go to a municipality or cooperative. Mr. Johnsen replied he thought it would be connected to Ameren's transmission system, which was a part of the MISO system.

**B139-17 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, THOMAS, PITZER. VOTING NO: NO ONE. ABSENT: TRAPP, SKALA. Bill declared enacted, reading as follows:**

B141-17 Amending the FY 2017 Annual Budget by adding a position in the City Utilities Department - Utility Customer Services Division.

The bill was given second reading by the Clerk.  
Mr. Johnsen was provided a staff report.

Mayor Treece asked Mr. Johnsen if he had reviewed the ordinance and council memo, and if all of it looked to be accurate. Mr. Johnsen replied yes.

Mayor Treece asked how this improved service to those that were calling with a concern about their bill. Mr. Johnsen replied it would allow them to ensure what they deemed to be appropriate staffing at the window and the phone. Currently, people were pulled from the window and phone activity to help with the billing auditing work. They did not want the phone lines or windows to back up, and this would help keep that from happening.

Mayor Treece commented that a lot of constituents' first and only interaction with City government was when they paid their utility bill, and if that was not a positive experience, it tended to undermine everything else they did. He complimented Mr. Johnsen as he received a lot of complaints regarding utility bills, and his staff had been really courteous and responsive to their concerns. He noted he appreciated it as it helped him serve his constituents, and believed it was also an effective customer service model.

Mayor Treece understood they had also approved new FTEs at their meeting three weeks ago, and stated he preferred to do all of this as part of the budget process. He asked if there was a reason this was being done midstream. Mr. Johnsen replied staff had hoped to bring this forward mid-year, but they had made them really review their processes to ensure the position was needed prior to bringing it forward, which was why it was later in the budget year.

**B141-17 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, THOMAS, PITZER. VOTING NO: NO ONE. ABSENT: TRAPP, SKALA. Bill declared enacted, reading as follows:**

## VII. CONSENT AGENDA

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

- B138-17 Approving the Final Plat of Creek Ridge, Plat No. 2, a Replat of Lot 26 Creek Ridge Plat No. 1 and a Tract located in the North Half of Section 2, Township 47 North, Range 13 West, located at the western terminus of Waltz Drive and south of the southern terminus of Heath Court; authorizing a performance contract.
- B140-17 Authorizing a fiber optic system lease agreement with the Columbia School District for use of a portion of the City's fiber optic cable system.
- B142-17 Appropriating funds for the purchase of a replacement solid waste collections vehicle.
- B143-17 Accepting conveyances for sewer and temporary construction purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B144-17 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Adapted Community Recreation Program.
- B145-17 Authorizing a cooperative agreement with Boone County Family

Resources for additional funding for the Parks and Recreation Department's Career Awareness Related Experience (CARE) Program for youth employment placement and mentoring services.

- B146-17      Appropriating funds for emergency repairs to the HVAC system at the Activity and Recreation Center (ARC).
- B147-17      Appropriating funds for air service marketing and promotion services per the terms of the agreement with United Airlines, Inc.; authorizing the acquisition of marketing and promotion services from Bucket Media in an amount not to exceed \$250,000.
- B148-17      Authorizing a right of use license permit with ESS Properties, LLC for construction, installation, maintenance and operation of a fence, cantilever wind gate and necessary appurtenances within a portion of the Hackberry Road right-of-way.
- R68-17      Setting a public hearing: proposed construction of the Vandiver Drive and Parker Street roundabout improvement project.
- R69-17      Setting a public hearing: proposed construction of improvements, repairs and upgrades to the leachate collection and storage facilities at the Columbia Sanitary Landfill.
- R70-17      Setting a public hearing: proposed construction of Bioreactor Landfill Disposal Cell #6 at the Columbia Sanitary Landfill.
- R71-17      Setting a public hearing: voluntary annexation of property located on the east side of Wellington Drive and north of Mexico Gravel Road (3500 Wellington Drive) (Case No. 17-114).
- R72-17      Authorizing various Adopt A Spot agreements.
- R73-17      Granting a temporary waiver from the requirements of Section 16-185 of the City Code to allow possession and consumption of alcoholic beverages for the Rally in the Alley fundraising event.
- R75-17      Authorizing an electric line relocation agreement with Boone Electric Cooperative as part of the Discovery Drive roadway and sewer extension



project.

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

## VIII. NEW BUSINESS

R76-17

Approving the Preliminary Plat of Creeks Edge, Plat 1-B, a Replat of Lots 101-105 of Creeks Edge, Plat No. 1 and Lot 201 of Creeks Edge Clubhouse, located on the northeast corner of Sawgrass Drive and Valhalla Court (Case No. 17-93).

The resolution was read by the Clerk.

Mr. Zenner provided a staff report.

Ms. Peters understood there was not a clear detrimental impact on the City or adjoining property owners, and asked if there was some haziness whereby some in the subdivision felt there was a detrimental impact. Mr. Zenner replied they had not been provided anything from the homeowners association as to the impact, but there was testimony to the fact it did not appear as though there had been much communication amongst the homeowners association representatives. He noted the developer was still in control of what would become property of the homeowners association. The property had been identified on the original 2011 preliminary plat as a common lot, and this would reduce the common area, which could be seen as a detriment. He explained that when staff had evaluated it for a clear detriment, they had determined the use of the property, as it had been previously platted as a 3.86 acre tract or proposed to be replatted into a 2.9 acre tract, did not reduce the usability of the site as a clubhouse and pool. In addition, a buffer was being created between immediately adjacent property and those facilities. He commented that in working with the code for the last several months, there were some areas that might need greater clarity, and staff would likely seek to work with the Planning and Zoning Commission on potential options to improve the ability to make more decisive decisions as it related to what might or might not be considered a detriment. He pointed out the determination ultimately rested with the City Council. Staff was only providing their perspective. He reiterated they had not been provided any information to the contrary, other than from the one individual.

Mr. Pitzer understood the decision was not unanimous by the Planning and Zoning Commission, and asked about their objections. Mr. Zenner replied he thought there might have been some concern with the way the transfer was being handled in terms of communication between the applicant, adjacent property owners, and others within the neighborhood. He explained staff had held a public information meeting to allow people to be aware of this, and they had implored the applicant to provide additional information to them as to the efforts they had expended to engage the residents to no avail. He believed the Planning and Zoning Commission members that had dissented were concerned about the vision of the property and if this was detrimental to the neighborhood. The majority had voted in favor of the preliminary plat to be approved. He pointed out, if this preliminary plat was not approved, a final plat would not come forward because they could not have failure of revising the preliminary plat followed by a final plat to replat the property in this configuration.

Mr. Pitzer understood there was a sewer line at the rear of the existing property. Mr. Zenner stated that was correct and noted it was within an easement that would be retained. A permanent structure or utility building would not be able to be placed over the sewer utility line. He commented that they had been unable to ascertain whether the fence line would be moved out to incorporate the expanded lot area or retained in its current place as it would likely be a private property owner decision. The land that would be expanded would be incorporated into the building lots in the final plat.

Mr. Pitzer understood the maintenance of the area after the berm was constructed would fall to the individual property owners. Mr. Zenner stated that was correct. Mr. Zenner understood they would have to abide by all of the normal covenants. Mr. Zenner referred to the diagram on the overhead and explained the area in between the red and dark black line would be conveyed to private ownership, and everything outside of the black line would be maintained by the homeowners association. The 2.9 acres would need to be maintained by the homeowners association.

Mayor Treece understood Mr. MacMann and Mr. Toohey both dissented in their votes, which he believed to be an odd combination, and asked Mr. Zenner if he knew why. Mr. Zenner replied no.

Mr. Ruffin asked if there were any specific requirements for the buffer. Mr. Zenner replied no. He thought the residential use of the adjacent lots to the west and residential use of the clubhouse did not require a screening buffer. There were parking lot screening requirements, and those might not yet be fully installed as there might have been a deferred installation.

Tim Crockett, 1000 W. Nifong Boulevard, commented that he thought Mr. Zenner had done a good job of summarizing the plat. He explained developed single-family residences were on the west and the clubhouse, swimming pool, and parking lot were on the east. This was an area between the two that was not really being maintained to the level the homeowners had maintained their residences, and this was a way the property could be transferred to individual property owners whereby it could be maintained in a fashion they saw fit. He commented that Mr. Zenner was correct in that Lot 201 had 3.86 acres and they were taking roughly an acre away, but pointed out they had additional property that was preliminary platted, but not yet final platted, for additional common space. He did not recall the details, but thought it was about 20 acres. As a result, the amount of common space taken from that area was small in percentage and there would be additional property in common space as the development progressed. He reiterated they felt this was a good way to clean up the transitional buffer area, and pointed out the residents had taken it upon themselves to ask for irrigation and landscaping so he felt they would do a good job of taking care of it.

Mayor Treece asked how much of the preliminary plat that was approved in September 2011 had been built out as a percentage. Mr. Crockett replied he thought they were approaching about half of it. He stated he could not recall the total number of lots, but noted they were at about 100 final platted lots now. He clarified homes had not necessarily been constructed.

Mayor Treece asked how this area had been contemplated in the preliminary plat that had been approved in 2011. Mr. Crockett replied the original property owner, Marjorie McGrath, wanted the property broken down and purchased in phases. She would only sell a portion of the property every 2-3 years. He commented that Ms. McGrath has since passed away, but the developer was still under contractual obligation to purchase chunks of property over a period of time. He thought the remaining portion of the greenspace in the area was in either the fourth or fifth transfer. Once it was obtained, it would be platted and given to the homeowners association.

Mayor Treece asked how much of the common area was being transferred to the five property owners based on the map displayed. Mr. Crockett replied it was the area between the red line and dark black line, and was a little less than one acre of land total. Mr. Thomas understood each owner would receive about one-fifth of an acre. Mr. Crockett stated that was correct on average. Mr. Thomas understood it would almost double the size of each of the lots. Mr. Crockett stated it was a little less than half.

Mayor Treece understood it had been platted as a common lot. Mr. Crockett replied it had been preliminary platted as a common lot originally. Mayor Treece asked if this changed the density. Mr. Crockett replied no because they had not increased the number of residential units by this plat. Each of these five new lots would be combined with the already platted lots. They would not create five new lots. The property in

question would be added to the existing lots. The final plat, which would come to them in the future, would redraw the boundaries of all of the lots in question. It only reallocated lot lines, and would not increase density or the number of residential lots. Mayor Treece asked if homes were built there now. Mr. Crockett replied homes were built west of the red line on the diagram displayed. Utilizing another diagram, he pointed out the five homes in question and noted their current yards were in green. He explained they wanted to change the lot lines to include the disturbed area to the east of the rear yards. They would not be platted as residential lots, and no one could build on them. They could not sell them separately either. He reiterated they would only be adding to the lots by rearranging the associated lot lines. Mayor Treece understood the common area would be reduced. Mr. Crockett stated that was correct, but pointed out the trees to the north, all of the way to Scott Boulevard, would be future common space for the area.

Ms. Peters stated five houses were within the red lined area on the diagram, and asked why the sixth lot was not receiving some of the common area. Mr. Crockett replied he understood that homeowner had not been interested in the transfer.

Ms. Peters asked if the pool was already there. Mr. Crockett replied yes, and described its location using the diagram displayed.

Mr. Pitzer asked if this would be all of the common area for the development or if there would be more common area. Mr. Crockett replied there was common area throughout the development. Mr. Pitzer understood the piece on the corner would be roughly 20 areas of common area when the development was all said and done. Mr. Crockett stated he thought the common area might circle back around some of the lots as he was going off of memory. It would also be on the south side of the main entryway and all along Scott Boulevard. He thought there was substantially more than 20 acres of common area for the entire development.

Mayor Treece asked if the developer was selling the property to the five property owners. Mr. Crockett replied he was unsure of the arrangement. He thought money was changing hands, but believed there were also other obligations with regard to the berm, irrigation, sodding, etc. Mayor Treece asked why the developer would not want it to be a part of the common property ownership. Mr. Crockett replied he thought the issue was the long term maintenance.

Mayor Treece asked Mr. Crockett if he recalled why two of the Planning and Zoning Commission members had voted against this. Mr. Crockett replied no.

Jack Meinzenbach, 806 Sunstone Lane, stated he did not have any property in this area, but wondered how the other property owners in the development felt about the developer selling or giving away a part of the common property within the subdivision.

Mayor Treece stated he was curious as to why the decision was not unanimous at the Planning and Zoning Commission level, and why no one from the neighborhood was present. He noted he had some concern with them taking some land out of common ownership that had been represented to people that had already purchased lots in the subdivision. Mr. Pitzer thought there had been ample opportunity for anyone in opposition to express their concerns, and only one letter had been received.

**The vote on R76-17 was recorded as follows: VOTING YES: PETERS, RUFFIN, THOMAS, PITZER. VOTING NO: TREECE. ABSENT: TRAPP, SKALA. Resolution declared adopted, reading as follows:**

- R74-17 Authorizing an agreement for professional engineering services with Walker Parking Consultants/Engineers, Inc., d/b/a Walker Restoration Consultants, for preparation of construction documents and the provision of construction phase services for the repair and maintenance of the municipal parking structure located on the southwest corner of Sixth and Cherry Streets.

The resolution was read by the Clerk.

Mr. Nichols provided a staff report.

Mr. Thomas understood the original evaluation of the Sixth and Cherry parking structure had been done by Walker Parking. Mr. Nichols stated that was correct, and explained Walker Parking had been working with the City for several years in terms of assessing the garages. Mr. Thomas understood this contract was a second phase to prepare the construction documents for someone to actually complete the repairs that had been identified. Mr. Nichols stated that was correct. Mr. Thomas asked whether Walker Parking was eligible to bid on the contract. Mr. Nichols replied no, and explained the City had never used them for construction services. Mr. Thomas stated he thought they had constructed the Fifth and Walnut garage. Mr. Nichols noted they had designed it. He thought the contractor had been Graham, a company from Nebraska. Mr. Thomas understood Walker Parking had done the engineering design. Mr. Nichols stated that was correct, and pointed out they also did the construction administration review to give guidance to the contractor when design issues needed to be addressed. Mr. Thomas understood they would have a similar role with the Sixth and Cherry parking garage. Mr. Nichols stated that was correct, but noted it would be on a much smaller scale.

**The vote on R74-17 was recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, THOMAS, PITZER. VOTING NO: NO ONE. ABSENT: TRAPP, SKALA. Resolution declared adopted, reading as follows:**

## IX. INTRODUCTION AND FIRST READING

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

- B149-17 Adopting the CATSO Major Roadway Plan (Case No. 17-112).
- B150-17 Approving a major amendment to the C-P Plan for Veterans Campus located on the south side of Business Loop 70 East and east of Old Highway 63 (2112 and 2120 Business Loop 70 East) (Case No. 17-108).
- B151-17 Approving the Final Plat of The Highlands Plat 8-D, a Replat of Lots 827 and 828, The Highlands Plat 8-C, located at the terminus of Stonehaven Road and southwest of the Forum Boulevard and Old Plank Road intersection; authorizing a performance contract (Case No. 17-97).
- B152-17 Approving the Final Plat of Bryant Walkway Apartments II - East, a Replat of Lots 20, 21, and 22, Crouch's Addition to the Town of Columbia and a Portion of Vacated Allen Street, located on the northeast corner of Park Avenue and Trinity Place (Case No. 17-105).

- B153-17 Approving the Final Plat of Bryant Walkway Apartments II - North, a Replat of Lot 12, Douglass School Area Re-Plat No. 3, located on the northwest corner of Trinity Place and Allen Street (Case No. 17-106).
- B154-17 Vacating a sanitary sewer easement on Lot 4 within Fox Lair, Plat No. 1 and Lot 103 within Fox Lair, Plat No. 1A located at the terminus of Dolly Varden Drive and south of White Fish Drive (Case No. 17-110).
- B155-17 Vacating a sanitary sewer easement located northeast of the intersection of Route B and Waco Road (Case No. 17-131).
- B156-17 Vacating a storm drainage easement located on the south side of I-70 Drive SW and approximately 200 feet east of Aspen Drive (1110 I-70 Drive SW); accepting a conveyance for drainage purposes (Case No. 17-103).
- B157-17 Authorizing a contract for sale of real estate with Daniel Hilton for property located at 6 Fourth Avenue.
- B158-17 Authorizing an annexation agreement with Kurt W. and Carolyn J. Guisti for property located at 3181 Country Woods Road (Case No. 17-91).
- B159-17 Authorizing an agreement for professional engineering services with Allstate Consultants LLC for structural engineering services relating to the demolition of the McAdams building structure located at 32 S. Providence Road; appropriating funds.
- B160-17 Authorizing a municipal agreement with the Missouri Highways and Transportation Commission for roadway improvements to a portion of Route B (Paris Road), between Brown Station Road and Hathman Place.
- B161-17 Authorizing application for transit planning, operating and capital assistance grants.
- B162-17 Accepting conveyances for street, electric, temporary access and scenic conservation bikeway/walkway purposes.
- B163-17 Authorizing a joint funding agreement with the U.S. Geological Survey, United States Department of the Interior for operation and maintenance of

a streamgage on Hinkson Creek to provide historical stream flow data and flood stage information.

- B164-17      Accepting conveyances for water utility, electric utility and underground electric utility purposes.
- B165-17      Appropriating and transferring funds for planned community events by the Convention and Visitors Bureau relating to the August 21, 2017 total eclipse.
- B166-17      Appropriating funds to cover the projected FY 2017 costs for employee medical claims, life insurance premiums and contributions to health savings accounts.
- B167-17      Authorizing an agreement with The Curators of the University of Missouri, on behalf of University of Missouri Health Care, for the naming rights/sponsorship of the large pavilion located at Clary-Shy Park.
- B168-17      Consenting to the filing of a petition by the Board of Trustees of the Columbia Library District with the Boone County Commission to permit the organization of a city-county library to provide unified library services to be known as the "Columbia and Boone County Library District;" approving the proposed plan of merger; providing for formation and appointment of Board of Trustees to the Columbia and Boone County Library District Board; authorizing the transfer of property.

## X. REPORTS

- REP42-17      Future Percent for Art Project - Columbia Sports Fieldhouse at Perry Philips Park.
- Ms. Rhodes provided a staff report.  
Mayor Treece asked if they should direct staff to move forward. Mr. Thomas replied yes.  
Mayor Treece asked if this would involve an RFP process. Ms. Rhodes replied yes.
- REP43-17      Amending Chapter 2 of the City Code as it relates to the Youth Advisory Council Membership.
- Ms. Hall provided a staff report.  
Mr. Thomas commented that at the moment there was one Columbia Public School liaison, Mr. Luechtmann from Battle High School, and the goal was to have a liaison from each of the high schools appointed by each of the schools rather than going through the City Council to make the appointment. He thought this made sense as they were not in a good position to make that judgement, and asked staff to come back with an ordinance to make the appropriate changes.

## REP44-17 Integrated Water Resource Planning Committee Report.

Mr. Johnsen provided a staff report.

Mayor Treece pointed out the link to the report in the memo was not active, and asked if the intent was to bring it back to Council as a report. Mr. Johnsen replied yes. Mayor Treece asked how they would proceed with a rate study to determine how they would pay for the recommendation of Alternative No. 3 in terms of the treatment plant expansion, and which classification of customers would be impacted. Mr. Johnsen replied the next step in the process was a water treatment plan, so they had a drinking water planning work group that would work with the consultant to determine what would be done with the treatment plant. He noted it was a very important piece from a financial perspective. He explained this group had determined how much water would be needed, and the next group would review how they would treat the water. Once they had information from both, they could look at the numbers in terms of capital or operating costs, and then determine how to recover the revenue needed. He felt that would be the appropriate time for a rate study on the rate structure. Mayor Treece asked if this would include an equity analysis to determine where they were with residential, multi-family, commercial, etc. Mr. Johnsen replied yes. He explained the intent was for a rate study along with a cost of service analysis in terms of who was paying what and whether it was equitable and how they should charge for the costs coming forward. Mayor Treece asked if this was done out of house. Mr. Johnsen replied yes. He stated a cost of services study was conducted every three years and staff tried to maintain it in the middle years.

Ms. Peters asked if they coordinated with the County in terms of where they each got their water and how they were integrated as the City grew. Mr. Johnsen replied there was not much of a tie between the City and the water districts as the City's water was treated differently. In addition, he did not believe the districts had wells in the alluvial aquifer, which was where the City drew its water. He thought the water districts had small systems with local wells. Ms. Peters understood they had CATSO for the transportation system, but did not have plans like this for water. Mr. Johnsen stated the City had a water model and a long range water plan in terms of distribution whereby they looked at the loads and the size of mains needed. Ms. Peters understood that was not for the supply side, and was only for the distribution side. Mr. Johnsen stated that was correct.

Mr. Thomas commented that he was trying to understand the projected expansion of the water treatment plant, and asked if it currently treated about 16 million gallons per day or if it had that capacity. Mr. Johnsen replied it treated 32 million gallons per day. Mr. Thomas asked for the projected expansion needed. Mr. Johnsen replied they currently had a 32 million gallon plant, but because of its age, they rated it at 24 million gallons reliably. They not only had to spend money to get it to where it was designed to be, but they also had to determine how much to spend to plan for the future. In addition, they needed to determine what the water should be treated for, and that was what they were working on now. Mr. Thomas understood the likelihood was that they would have a plan to expand it to 48 million gallons after all of this planning was completed. Mr. Johnsen stated that was the recommendation. Mr. Thomas understood that was a 50 percent increase in the total capacity even though they currently did not achieve the maximum capacity. Mr. Johnsen stated that was correct, and explained it lined up with the load projections, which included the conservation programs they intended to bring forward. Mr. Thomas understood the expansion was presumably to serve future growth in customers in the City, and asked for the time frame. Mr. Johnsen replied he thought it was a 30 year horizon. Mr. Thomas noted Mayor Treece had mentioned equity between customer classes and asked if the rate structure analysis would look at equity between existing customers who had essentially already invested in the water treatment plant as it was and new customers in houses that had not yet been built for whom the expansion was required. Mr. Johnsen replied they would try to take a look at that, but pointed out some of it was to just keep the plant functioning as it was originally designed. There was also some planning for the future, and that would involve bond debt issuance of future

customers to pay. He reiterated they could look into it when they brought forward the scope of work. Mr. Thomas commented that if the plant was expanded from 32 to 48 million gallons and they knew the cost and that this was part of a planning process that anticipated 30,000 or however many new homes, they could calculate the approximate cost per home for the expansion in water treatment capacity, which could then be levied as a water connection or development impact fee. Mr. Johnsen stated they could discuss it in the future as he could not speak right now as to how they would address that issue with a cost of service, rate study, etc.

Mr. Thomas understood there had been quite a bit of discussion in the community about chloramine in the treatment process, and asked if it would be analyzed. Mr. Johnsen replied that was the drinking water planning group's entire focus as they would work with the consultant in terms of reviewing the current design and possible future designs. He commented that they were hoping to have this done by the end of the year so they could then discuss rates, costs, bonds, projects, etc.

Mayor Treece asked if there was a comprehensive planning effort with other providers as to future asset location, and provided the issues in Thornbrook as an example whereby there was a water district tower nearby. Mr. Johnsen replied there were problems with using another water system as back up for their system. He stated it would not work well to take water from another system's tower and put it in the City's system. It would not meet all of the requirements. Mayor Treece asked from where their water came. Mr. Johnsen replied he was not certain, but thought it was from deep wells closer to town. Mayor Treece understood the City did not wholesale its water as was done with sewer. Mr. Johnsen replied the not really. Mayor Treece asked if there was a wholesale model for water treatment production. Mr. Johnsen replied yes, but it was different. He explained they could wholesale with electricity since everyone was connected and no one knew whose atom was being provided, but water systems tended to treat their water differently. For example, he did not believe the water districts had chloramine in their treatment process. Mr. Thomas understood the water tower for that independent water district had been presumably sized to serve its customer base and its anticipated growth. He thought it would interfere with those calculations if the water was used for another group. Mayor Treece understood there would be transmission difficulties as well. Mr. Johnsen pointed out the system design for the City involved fire flows and fire protection.

REP45-17 Community Tree Task Force Accomplishments/Recommendations Report.

Mr. Zenner provided a staff report.

Mr. Thomas thought Mr. Skala had asked for this Task Force to be established. Mr. Matthes expected Mr. Skala to have some recommendations when he returned. Mayor Treece suggested this be brought forward at the next meeting as Mr. Skala could then make comments.

REP46-17 Intra-Departmental Transfer of Funds Request.

Mr. Thomas asked about the \$43,000 involving the pedestrian/bicycle bridge over the Hinkson Creek on Forum Boulevard. He wondered if it was an additional transfer of funds for an additional piece of the project. Mr. Nichols replied there had been some change orders during the construction of the bridge, and this would correct funding from the accounts. Mr. Thomas asked for a description of the change orders. Mr. Nichols replied it had been several years, but recalled issues with the footings, changes in elevations, concrete quantity adjustments, etc. Mr. Thomas stated he thought the plans had showed a connection for pedestrians and bicyclists to go straight on to the southbound shoulder on the west side of Forum Boulevard up the hill, but the connection had not been there when it was built. All of the bicycle and pedestrian traffic was routed under Forum Boulevard and across the Wilson's Total Fitness property and on to the northbound shoulder as two-way bicycle and pedestrian traffic. He had recently noticed a ramp with a cut in the barrier so one could get on to southbound Forum Boulevard, but the signage still did not indicate that should be done. Mr. Nichols explained that was



maintenance access to the trail that was also available for bicyclists to use. The initial design would have added over \$100,000 to the cost and there had been difficulties with property owners for that section. Since they knew Forum Boulevard would be widened in the future, the plan was to accommodate the remainder of the bicycle connectivity with that project. This was an interim stage of the connection. He noted they were looking at installing signage per an e-mail Mr. Thomas had sent. Mr. Thomas stated he was very concerned about safety. Mr. Nichols understood and explained they were looking into delineators to alert drivers of the connection with signage. Mr. Thomas understood staff was not planning to surface the shoulder on the east side. Mr. Nichols stated not at this time. It would have to be included in a future budget for maintenance overlay as it was not a part of the GetAbout approved project that had been reviewed by the Federal Highway Administration. Mr. Thomas thought it had been in the project plans that were shown to Council before it was built. Mr. Nichols stated that piece had been removed when the bids came in due to cost and the unavailability of obtaining the right-of-way. Mr. Thomas asked if it was too expensive to do the overlay on the west side in addition to the east side. Mr. Nichols replied it had not been a part of this year's budget and would have to be budgeted in a future year. Mr. Thomas asked about signage to direct bicyclists and pedestrians to the safe side so they were traveling with traffic. Mr. Nichols replied staff was looking into it now.

Mayor Treece asked about the contact center personnel and miscellaneous contractual item. Mr. Sapp explained it was a transfer of funds from the personnel account to the non-capital contractual account. The contact center was authorized for a staff of 13 people, and they were shoehorning people into very small cubicles in a small space now. He explained the Purchasing Division was working on a contract with an architectural firm to do the design for roughly \$17,000 to expand the contact center area and bring in some of the community relations personnel scattered throughout the building. They felt the amount they transferred was likely on the high side, but because they did not have the architectural study back yet with contractor rates and estimates, they were asking for \$100,000. Anything in excess would be returned to the original fund.

Mayor Treece noted Ms. Brown and her team did a great job on the call center, and understood they had more people in there than intended for the space. Mr. Sapp stated that was correct. He explained they also needed to work out some acoustical issues because they had 7-9 people on the phone at one time. Mayor Treece asked if the plan was to leave them on the second floor. Mr. Sapp replied yes. Mayor Treece asked if that use was compatible with the job of Mr. Sapp. Mr. Sapp replied yes.

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

Mayor Treece commented that they normally allowed comments from the public first, but thought they might want to discuss a few things tonight prior to opening it up to the public. He noted he wanted to discuss a climate change initiative and some policing issues. Mr. Thomas thought it might make sense for the Council to speak first and to then open it up to the public. If necessary, the Council could then speak again afterwards.

Mayor Treece explained he had signed on to the Climate Mayors initiative on Friday to honor the goals of the Paris Accord as they were already involved in efforts at the local level. He asked Ms. Buffaloe to share her thoughts in this regard.

Ms. Buffaloe commented that Climate Mayors was a national movement by mayors on climate action, and had begun with the mayors of Houston, Philadelphia, and Los Angeles, who felt they represented a large population of the United States and were committed to efforts on climate change. After the action of the President last week, 211 mayors had signed on to commit to climate change efforts, to include the City of Columbia on Friday when Mayor Treece joined. She explained by joining this effort, the City of Columbia would be committed to a few climate change efforts. One was to

continue to measure greenhouse gas emissions, which was currently done every five years, but could be done every year. Another was to set goals, which had been done in the past through non-binding resolutions. This would require the City to set goals through a public participation process and report on those goals. In 2006, when the City had signed on to the Mayor's Climate Protection Agreement through the U.S. Conference of Mayors, there was no mechanism to report greenhouse gas emissions, and this would provide a public place in which to report those emissions. She noted they were currently reporting through ICLEI Local Governments for Sustainability and the Climate Disclosure Project. Climate Mayors would require them to set goals and publically acknowledge them. She felt it was a good way to hold them accountable.

Mayor Treece stated he had done some research on Paris Accord prior to signing on to the Climate Mayors initiative, and it appeared to be voluntary and involved things the City was already doing. He asked Ms. Buffaloe if there was anything she thought might be a reach or if they were all fairly attainable goals. Ms. Buffaloe replied she thought their renewable energy goals would hold them more accountable, and the Council had already expressed interest in a strategic plan to meet those goals in the future. Some of the cities that had signed on had goals of an 80 percent reduction by 2050, but Columbia's current goal was to just have renewable energy be 30 percent of the portfolio by 2030. They could look at opportunities there. Mayor Treece understood this would require an ordinance change. Ms. Buffaloe stated that was correct. She noted they could set goals and create a climate action plan, and staff could then start working toward meeting those goals. It could include programs, incentives, and plans for reducing vehicle miles traveled, having efficient building codes, and reducing the carbon budget in other ways.

Mr. Thomas asked if the City had a mechanism of measuring vehicle miles traveled. Ms. Buffaloe replied they had historically relied on reports from the Federal Highway Administration, whereby they provided estimates based upon the population and the size of the community. She noted they also had a little data from their own surveys that had been done with the University of Missouri for non-motorized transportation, but primarily used the Federal Highway Administration numbers. Mr. Thomas asked if it would show up in the Federal Highway Administration report if Columbia implemented a plan to reduce vehicle miles traveled if the information was based upon population and size. Ms. Buffaloe replied they could look toward more accurate data gathering within the City, and pointed out colleagues in the Civil Engineering Department that were interested in these measures and forecasts. She noted the Federal Highway Administration numbers were delayed as they had been waiting on the 2015 numbers since 2015 ended. She commented that transportation was not a large piece of the City's greenhouse gas emissions portfolio. Mr. Thomas asked for the estimated percentage. Ms. Buffaloe replied it had been 23 percent a few years ago. Mr. Thomas understood it was one-third nationally. Ms. Buffaloe stated the larger percentage in Columbia was the energy used in the built environment.

Mr. Thomas commented that he would like to set goals and have a robust measuring system. He thought this had been discussed in 2014 when the CATSO long range transportation plan was being updated, and that they had decided to evaluate a way to set goals and measure performance on vehicle miles traveled per capita over the next five years. If this was another vehicle to move that initiative forward, he would like it done. Ms. Buffaloe thought there might be grant opportunities or partnerships in figuring out a way to accurately capture that information.

Mr. Pitzer asked how difficult it would be to change an every five year measurement to an annual measurement. Ms. Buffaloe replied energy was the biggest factor in Columbia, and they obtained the energy used from every utility within the city limits broken down by the rate classes and sources in order to determine the e-grid coefficient, which was essentially the emissions coefficient of that power plant. Historically, the data had been delayed a few years, but other communities were doing it annually. She noted she had already reached out to them to determine how they were doing it annually. She

wondered if they were making assumptions based on coefficients. She thought they could do something similar and just indicate the numbers could change when they received concrete information. She explained they normally did it every five years to ensure they had all of the data.

Mr. Pitzer asked how far back they had data. Ms. Buffaloe replied they had a baseline from 2000. When they signed on to the Mayor's Climate Protection Agreement in 2006, it was the farthest back the utilities could provide information. Mr. Pitzer understood the City had measured for 2000, 2005, and 2010, and asked for the trend. Ms. Buffaloe replied it was trending upward. Mr. Pitzer asked if it was up at the same rate or a slower rate. Ms. Buffaloe replied they had 2.1 million metric tons in 2000, 2.38 million metric tons in 2005, and 2.35 million metric tons in 2010, but at the same time the population had increased 11 percent and 15 percent. As a result, the per capita numbers had decreased. It had been 21 metric tons per capita in 2010. She pointed out the Council had been happy the per capita numbers had gone down when they had submitted the greenhouse gas emissions inventory because the population had increased, but the planet did not care about the population of the community as it only cared about the total emissions. Mr. Pitzer commented that if the people were not in Columbia, they would be somewhere else.

Mr. Pitzer stated it appeared as though they had the building blocks to really enhance the measurements they were currently doing. He thought they also had the opportunity to put together a more robust plan and vision for targeting all of their emissions as they had a lot of elements in place with renewable energy, energy efficiency, and other initiatives. He noted he would be supportive of creating a more robust strategic plan for the long term to target meaningful reductions in emissions.

Mayor Treece asked if they wanted staff to come back with a resolution or some options. Mr. Pitzer replied he first wanted to see a comprehensive report of the information they already had. As a Council, he thought they should review and apply some critical thinking in terms of an appropriate baseline and targets. He reiterated the first step was to gather all of the data and understand what it would take to move forward on a regular and reoccurring basis so they could accurately measure the emissions.

Mr. Thomas felt Mr. Pitzer was referring to a climate action plan, which had been referenced in a 2006 ordinance, but had never been developed. Ms. Buffaloe commented that staff had asked about it the last time the inventory had been presented, and the discussion at the time was that they did not want another plan that would just sit on a shelf. Mr. Thomas asked when that discussion had taken place. Ms. Buffaloe replied in 2012, as it was when the 2010 information had been presented. Mr. Thomas stated he wanted to see staff and the relevant boards and commissions develop a climate action plan that would encompass what they had discussed tonight. Mr. Pitzer noted he agreed.

Mr. Pitzer asked Ms. Buffaloe how reliable the measures were in terms of the economic effect of climate change with regard to increased costs on businesses and consumers and the job opportunities and economic development. Ms. Buffaloe replied they should make that a priority as there were ways to ensure they were accurately looking at all of the effects. She understood Portland, Oregon had done a good job in this regard as their plan had also included an equity lens. She felt the last thing they wanted to do was to disenfranchise any of the population that was struggling to succeed.

Ms. Peters asked if they needed staff to come back with a resolution saying they supported the Climate Mayors initiative. Mayor Treece replied he would feel more comfortable if that had occurred.

**Ms. Peters made a motion directing staff to bring back a resolution indicating their support of the Climate Mayors initiative. The motion was seconded by Mr. Thomas and approved unanimously by voice vote.**

Mayor Treece commented that the Columbia Police Department (CPD) had held a

meeting that had been promoted as a briefing with the media via a press release to the public, but the public had been turned away when they had showed up to participate. It seemed incongruous to him that they would have a press release for a meeting with the media and not allow the public to participate. He stated he had shared his concern with the City Manager, but wanted to bring it up for further discussion as it did not convey the type of transparency and community input he had hoped to achieve from the transparency ordinance and the circumstances of the last few weeks. He felt the CPD command staff had really missed an opportunity to engage the public in a more meaningful way.

Mr. Thomas stated he agreed, and noted he did not understand the reasoning as the previous media briefings had been fully open to the media and public. He understood there was a commitment now for the quarterly media briefings to always be open to the public and media.

Mr. Matthes stated he agreed with the comments of Mayor Treece and Mr. Thomas. He explained that when he had looked into the situation, a comedy of errors appeared to have occurred. The Council Chamber had not been available the third time in the cycle so it had been scheduled at the Police Department, which was not a building that was open to the public as it was secure. He commented that the intent was not to have had this outcome. It was an accidental bad outcome. He explained they would either not do press releases to announce meetings if they were not public or they would ensure the public could attend.

Mayor Treece commented that he thought it was more than just bad optics and a comedy of errors. It might not be malintent, but the spirit of transparency the current environment required had not been embraced.

Mr. Thomas understood the video of the meeting had been made publically available very quickly afterward, which he appreciated.

Mr. Ruffin asked if it was written anywhere that these meetings must be open to the public. Mr. Matthes replied there was not a legal requirement to make them open, but it had been the intent. He expected those meetings would be held in the Council Chamber or in another room that was accessible to the public in the future.

Mayor Treece commented that he had 200 stakeholder meetings per year in his office that were not open to the public, but he did not issue a press release with regard to them. He understood there might be a legitimate reason to have a dialogue with the media only, but felt the public would likely benefit from it as well.

Mr. Thomas understood this was a relatively new initiative as the meetings had only started a year or two ago. Mr. Matthes stated they were relatively new and thought only 4-5 had been held. Mr. Thomas noted he believed they should all be open to the public.

Mayor Treece commented that the Vehicle Stops Report had been released, and the disproportionate minority contact had actually increased since January of 2016, and contact with whites had decreased. He asked Mr. Matthes where he was in terms of his listening tour. He explained they had been measuring this for years, but nothing had not changed, and wondered how they would start to move the needle in a more meaningful way. Mr. Matthes stated they were not finished working on this issue. They had one more listening tour meeting to attend with the NAACP. They would then analyze all of the input received in terms of how to reduce the numbers and why there was disparate contact as that was critical. He commented that they were also looking at what other communities had done to lower the number. Afterward they would provide a report to the Council on their findings and recommendations to reduce the number. He pointed out the CPD had taken one action in regard to this, and that was the signed consent form. Most assumed they had to allow the search of a vehicle, but it was not required unless there was probable cause. The form would require signature prior to an officer searching the vehicle unless there was probable cause. He noted this program did not begin in the beginning of the year, so this data did not reflect the change. He was not sure it would

have an impact on the disparate contact numbers in the future, and pointed out other concepts might have a bigger impact.

Ms. Peters asked if the data that had been supplied in 2016 been reviewed. Mr. Matthes explained the data was captured in multiple ways. It was split out by race and ethnicity, the reason, and the outcome. As a result, one could get a bit of a picture as to what had happened. Reasons one might be pulled over included moving violations, equipment problems, or licensing issues, and each was about 30 percent in terms of reasons minorities were being pulled over. He thought it might hint at poverty being an issue, especially in terms of equipment and licensing issues, and this was something they might want to consider to lower the contacts. He believed it was also important to note the outcome in terms of tickets written or warnings given as 90 percent of contacts with African Americans involved a warning, which made sense if there was a licensing or equipment issue. He agreed this did not mitigate the fact there was disproportionate contact, but those other data elements pointed toward possible scenarios. He understood some communities had stopped pulling people over for equipment failures or licensing issues and their numbers had become equal across the races. He thought that was a conversation they needed to have as a community in terms of the cost-benefit of that decision. He understood there were other options as well.

Mayor Treece commented that after their last meeting, a special interest group had issued a press release criticizing the Council for not following through on voter approved projects, and asked staff to review the previous few ballot issues to see where they were in terms of the completion of projects as he did not want to undermine voter confidence. He stated they routinely followed through, and these public projects took multiple votes and public improvement process hearings to move forward. He asked for this report so he could respond accurately.

Mr. Thomas stated the CPD had done a targeted enforcement project of cyclists riding at night without lights a few years ago, but it included a twist whereby a sponsor provided them the opportunity to give those cyclists lights. He thought this had a positive benefit and educational impact in the community. He commented that he would be interested in exploring something similar, such as a voucher program, to assist those that might have an equipment issue so they were able to become compliant. He understood staff would be providing a report, which would include reasons for stops, and noted he wanted to see the analysis.

Mr. Thomas stated he would like two other reports as well. He wanted an explanation and background for the current use of force policy. He understood it had been developed and adopted in 2012-2013. He wanted to know what the use of force policy was prior to the change and what it was now with theoretical examples of situations and how the police should respond. He thought this would help them and the public understand the policy framework. He noted he also wanted to know the policy or procedure with regard to the deployment of the SWAT team and crisis negotiation team, and how they interacted with each other in a given situation. He stated he did not want an analysis of any particular situation. He only wanted an explanation of the procedures and how the decisions were made in terms of the actions they needed to take in certain situations.

Mr. Ruffin understood the City's analysis of disproportionate contact with African Americans in terms of traffic stops was primarily data driven, but stated it was difficult to quantify as the issue of driving while black was a reality. Many times it was an alleged moving violation instead of an actual moving violation, and the stop was solely due to race. He noted there were many antidotal stories to support this. He was not sure how they could work that into their understanding of how to lower the disproportionate contact or build more trust in the community, but felt they had to accept it as important to the reality in which many people lived. They were actually not doing anything other than

driving through the wrong neighborhood and were stopped because of race. He hoped this would be considered as they worked forward toward the analysis.

Mr. Ruffin stated he was also concerned with the timeline of the investigation for the killing of Clarence Coats and asked when that would come forward. Mr. Matthes stated he had checked today and was told a timeline could not be provided, but that the Highway Patrol was actively investigating the incident. Mr. Ruffin explained several members of the family attended his church and it was a painful issue in the community. He believed the sooner they received the report, the better it would be for them.

Mr. Thomas asked about the procedure. He wondered if they systematically interviewed all of the witnesses or if they had information to follow up on, and if Chief Burton had any contact with them when handing the case off. Mr. Matthes replied every officer involved shooting was handed off to the Highway Patrol to investigate so all of the City's information had been shared. He understood the Highway Patrol was following its procedure on the investigation so he could not provide details except to say all of the information was shared with them. Mr. Thomas asked if it was possible to communicate with the Highway Patrol and ask them to provide a timeline. Mr. Matthes stated they would try again. Mr. Thomas thought Mr. Matthes had only asked Chief Burton earlier. Mr. Matthes noted Chief Burton had communicated with the Highway Patrol.

Traci Wilson-Kleekamp commented that the reason Race Matters, Friends had asked for Chief Burton's resignation was because they had been asking the City to embrace a philosophy of community orientated policing since August 2015 and because Chief Burton had denied his own data along with the experiences of people in the community. She did not feel one could be a 21st century police chief if they operated from the 19th century. She noted the data for the Vehicle Stops Report had been submitted to the Attorney General's Office a long time ago, and questioned why the City Manager was providing the explanation. She thought Chief Burton should be the one discussing the issue and that it should have been done a long time ago. She did not believe they would be having this conversation if they were doing community oriented policing. She felt Chief Burton did not know how to do his job, and every time he spoke, he said something stupid. She stated she was very angry, and felt she had the right to be angry. It was not just the racial profiling numbers as it was also the 16 percent unemployment issue, health disparities, and the achievement gap. She did not understand why Chief Burton did not get the race equation, and she did not feel one should be in the police profession if they did not understand that kind of sociology or history. She believed they needed to stop making excuses for Chief Burton, and reiterated she felt she had the right to be mad. She commented that this was not an issue of black on black crime. It was an issue of people being treated differently because of who they were, and the sooner they accepted it and placed it in the curriculum of how they taught officers, teachers, doctors, and lawyers, they would be much better off. She reiterated she wanted Chief Burton to resign because she wanted a 21st century police chief.

Tara Warne-Griggs, 200 Longfellow Lane, stated she had met with the Police Chief once and with his crime analyst several times, and understood they had been looking at additional data, such as the number of investigative stops. She was frustrated because they had the data. She did not understand why they did not have an answer for the disproportionate contact information. She felt they should have been out ahead of the Vehicle Stops Report and Empower Missouri and herself in terms of data trends and determining the reasons. She believed this demonstrated the continued insistence in denying race as an important component of policing in Columbia. They did not want to know because if they wanted to know, they would already know since it was their data. She pointed out the disproportion was even higher when looking at the investigative stops, and that was where they were utilizing moving violations, etc. as a pretext to pull

someone over. She noted the CPD had indicated that was a perfectly legitimate form of policing while still saying they did not racially profile, and that was a problem. She felt it was willful ignorance. She was frustrated with having to wait several more months for the CPD to explain its numbers. She understood summarizing meetings and figuring out themes could take some time, but the CPD data should be ready.

Rachel Taylor, 119 Clinton Drive, commented that she believed another way to put what Mr. Matthes had stated was that the police went to the African American neighborhoods to look for moving violations so they could pull them over to try to catch them committing a crime. She noted people of color were 18 percent of the population of Columbia, but they were 400 times more likely to be pulled over than white people. The data from the Vehicle Stops Report was a 17 year low in terms of performance. She stated she had learned she should focus on the lived experiences of people of color as they did not feel heard or respected. When Chief Burton denied racial profiling had happened, he denied the lived experiences of people of color in Columbia, which was an abuse tactic and made those of color feel unsafe. She explained she had faith they could better and agreed change was hard. It was difficult to resist the knowledge that one was participating in an oppressive system. She commented that she believed most of the police officers were trying to do a good job and were weeping over burned children, but they were caught in a system in which they were stuck in structural racism. They needed a strong leader to bring them out. She stated she worked in change management, and the most important determining factor of success of change was a strong, visible leader. She wanted the police officers to be safe and execute justice, but what they were doing now was not just.

Les Masters, 12 Switzler Street, explained he was concerned and appalled about C.J. Stock, a 17 year old, having to spend seven months in jail with a \$100,000 bond for two misdemeanors. He commented that recently there had been a shooting in his neighborhood, just blocks from where he lived, and they had not received any comments from Chief Burton other than saying the response time was remarkable. In the shooting death of a citizen, he did not feel the word "remarkable" should be stated as it eroded the trust they already did not have in him. He noted Chief Burton had not been here long when he had the community in an uproar when a SWAT team had busted into a house, shot two dogs, and terrorized a family due to marijuana. He did not feel Chief Burton was a good police chief as the public did not have faith or confidence in him. He pointed out they would not be able to do anything with regard to black on black crime when black people did not trust the police. They needed to be able to work with black citizens in order to address the problems in the community.

Grace Vega, 3008 Middlebush Drive, pointed out white on white crime was at about the same rate as black on black crime so black on black crime was a misnomer and fallacy. Over the past year, Race Matters, Friends had paid close attention to the CPD interaction with black citizens in terms of individual incidents and overall data. Their members had offered hours of volunteer work, meetings, communication, and efforts to develop a productive dialogue with the CPD. In fact Tara Warne-Griggs had taken vacation time to help the CPD with the data. She asked them to remember this when their organization was dismissed as disruptive and non-collaborative. She noted Race Matters, Friends had collected and distributed dozens of articles, studies, and examples of departments that had made changes to address both their data and community relationships. She explained last year's Vehicle Stops Report had indicated black drivers were much more likely to be stopped, as so many black men had reported, yet more contraband was found in the cars of white drivers, and the response of Chief Burton was that it sounded like they were implying police officers in Columbia racially profiled when asked about the report. She noted Chief Burton had stated Columbia police officers did

not profile and that the numbers were flawed in that the data did not go far enough and more data needed to be collected. She understood Chief Burton later indicated racial profiling might have occurred in the past and implicit bias might be present in some officers, but challenged anyone with evidence of profiling to present it to the CPD Internal Affairs Office or to contact him directly. She pointed out a black person would likely not report it. She stated Race Matters, Friends had worked with Empower Missouri and the CPD to gather and interpret more data to no effect, and in September, after a Freedom of Information Act request, the CPD released a video of Andrea Brookins being shoved, handcuffed, and arrested because she questioned an officer arresting her son. It was an officer that Chief Burton had warned, but not disciplined for an earlier incident on video in which he pulled a gun on Ms. Brookins' son and told her it was a reasonable use of force. She noted Ms. Brookins had filed a complaint, which Chief Burton had dismissed as unfounded. She stated the videos could be seen at Citizens for Justice on Youtube. She explained Race Matters, Friends and Reverend Dawson had made attempts to obtain personal accounts of racial profiling because of this continued dismissal of the many claims and the Vehicle Stops Report data that had resulted in several people coming forward who did not want them to release their accounts in fear of retaliation. When the CPD held a community meeting in January at which people further reported negative experiences, Chief Burton had stated he was not convinced even though the public believed there was racial profiling. She noted Race Matters, Friends had requested a copy of CPD policies, which were posted as public documents in other cities, and after months of delay based upon the dubious pretext the policies were proprietary information purchased from another organization and that they would have to pay to receive them one section at a time, they were finally posted online. She understood surveys of CPD revealed low morale under Chief Burton's leadership, and the comments of Chief Burton had attributed this low morale entirely to the national context and not the departmental culture. In January after further community comments on the data, Chief Burton reiterated he thought he said he did not believe Columbia police officers racially profiled as there was no evidence they had been able to see, so they were trying to determine if there was another way to look at the data. She commented that the CPD had not been out in front after the tragic killing of Clarence Coats, a man with mental health issues whose family heard nothing from Chief Burton but who had to read about what a remarkable job the force did in shooting a father, brother, and son. She noted the latest Vehicle Stops Report showed racial disparities on vehicle stops were worse this year than last year, and they had yet to hear from Chief Burton about this dismaying information. She explained her brown daughter had been stopped by the police and had been told they only wanted to know what she was doing, and pointed out the police did not have the right to do this. This was something that had never happened and would never happen to her since she was white. They had heard Chief Burton repeatedly neglect lived experiences of one-tenth of the community, and in their view, this had gone on long enough, which was why they felt Chief Burton should resign.

Eapen Thampy commented that he wanted to provide a contrarian perspective to some of these discussions and state his support for Chief Burton. He noted Chief Burton had instituted a change in SWAT policy as a result of the SWAT raid Mr. Masters had referred to earlier, and understood Chief Burton felt it was time for law enforcement to get out of the marijuana business. He stated he thought it would be great if the Council could consider a resolution urging the General Assembly to examine drug related issues and offenses. He believed marijuana reform was a current issue, and thought it would improve relationships between the City and certain communities if they were to take a position.

William Maxwell, 706 Fairview Avenue, explained he had been a Columbia resident for 43 years and felt there had been great improvement with issues of unequal policing since Chief Burton had become the police chief. He applauded the good intentions of Race



Matters, Friends, but felt they were out of line for blaming Chief Burton for the problems. He did not think Chief Burton could be blamed for poverty and the drug wars. He pointed out Chief Burton had changed the previous policy on SWAT raids as they were no longer used for low level marijuana investigations or the serving of warrants. He believed another good example of leadership in Chief Burton was the firing of Officer Sanders, who had assaulted a suspect that had been handcuffed in a holding cell, even after the internal review process had cleared the officer. He felt Chief Burton had done a lot to improve the professionalism of the CPD. He thought that if they had the personnel to seriously do community policing, it would solve a lot of the problems, but they were understaffed. It was near impossible to do community policing with current staffing in order to really undermine the problems of the minority community being burdened by police trying to enforce the law. He pointed out some of the low morale in the police force had to do with Chief Burton trying to make the police force more professional and less abusi

## **XII. ADJOURNMENT**

Mayor Treece adjourned the meeting without objection at 10:08 p.m.