



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, October 18, 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, October 18, 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 ANDREA WANER, Council Member IAN THOMAS, Council Member MATT PITZER, Council Member BETSY PETERS, Mayor BRIAN TREECE, and Council Member PAT FOWLER were present. Council Member KARL SKALA was absent. City Manager John Glascock, City Counselor Nancy Thompson, City Clerk Sheela Amin, and various Department Heads and Staff Members were also present.

Mayor Treece explained the minutes were not yet complete for the July 19, 2021, August 16, September 7, September 20, and October 4 regular meetings.

Council Member Thomas asked that B322-21 be moved from the consent agenda to old business.

The agenda, including the consent agenda with B322-21 being moved to old business, was approved unanimously by voice vote on a motion by Mayor Treece and a second by Council Member Pitzer.

II. SPECIAL ITEMS

None.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC10-21 Board and Commission Appointments.

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

BOARD OF ADJUSTMENT

Olsen, Linda, 4203 Beach Point Drive, Ward 4, Term to expire November 1, 2026

CITIZENS POLICE REVIEW BOARD

Adkins, William, 1700 Forum Boulevard, Apt. 809, Ward 4, Term to expire November 1, 2024

Bonaparte, Delsie, 110 W. Phyllis Avenue, Ward 2, Term to expire November 1, 2024

Harmon, December, 200 Austin Avenue, Apt. B, Ward 1, Term to expire November 1, 2024

COLUMBIA SPORTS COMMISSION

Klarfeld, Jared, 28 E. North Cedar Lake Drive, Ward 5, Term to expire December 31, 2021

COMMISSION ON CULTURAL AFFAIRS

Gadsden, Kristin, 205 Bright Star Drive, Ward 4, Term to expire October 31, 2024

Harmon, December, 200 Austin Avenue, Apt. B, Ward 1, Term to expire October 31, 2022

Melton, James, 5007 Bates Creek Court, Ward 6, Term to expire October 31, 2024

Spear, David, 2607 Burrwood Drive, Ward 5, Term to expire October 31, 2024

Thompson, D'Andre, 605 E. Walnut Street, Suite A (Business), Ward 6, Term to expire October 31, 2024

HOUSING AND COMMUNITY DEVELOPMENT COMMISSION

Fletcher, Michael, 912 Hickory Hill Drive, Ward 4, Term to expire November 1, 2024

Shaw, Rebecca, 2615 Vail Drive, Ward 5, Term to expire November 1, 2024

SUBSTANCE ABUSE ADVISORY COMMISSION

Lindner, Molly, 1705 Brookfield Manor, Ward 5, Term to expire October 31, 2024

IV. SCHEDULED PUBLIC COMMENT

SPC52-21 Joseph Jefferies and Olivia Perner - Introduce the nonprofit Requiem Alliance.

Joe Jeffries and Olivia Perner spoke.

JEFFERIES: Hello, how are we? Mr. Mayor, gorgeous City Council, we're glad to be before you today. My name is Joe Jefferies.

PENER: I'm Olivia Perner.

JEFFERIES: And we are very excited to be speaking to you today. We just wanted to introduce -- we are working to start a nonprofit. It's Requiem Mental Health Alliance. Obviously, the service, retail, and hospitality industry goes through quite

a bit on their day-t- day. It's very difficult, and as I'm sure you all well know, it's recently taken it's taken its toll very physically upon that community. So we are working to start this and to help assist with making sure that this doesn't happen anymore -- that these type of deaths and this type of loss does not grieve our community any a longer. It's unnecessary and it's unfortunate, and it's just -- it leaves people feeling empty and it is not okay. And so we want to work to start this nonprofit, which we are doing, and we're hoping by the end of the month to have our 501(c)(3) status and hoping to get ourselves introduced to you all today to make sure we do the right things for people who need it the very, very most. Olivia? I don't know, sorry, I got like almost emotional.

PENER: It's okay. So right now, we're focusing on creating an organization that's community centered and specifically focusing on treating the -- addressing the mental health needs of the service industry workers in this town. Since that's the industry that we come from and the industry that we have the most experience with, that's where we would like to start. We are currently working with Compass Health Network to complete our 501(c)(3) application as well as build our initial coalition. And then we will also be working with behavioral health to establish services that we can either subsidize or fund entirely for service hospitality retail industry workers. From there, we would like to additionally provide trainings and other types of peer support for members of the industry so that they can tend to each other, I guess, in tandem with seeking professional services so that if they are in a situation where they're not able to seek those professional services in the moment, they still have options for, I guess, maintaining and addressing their mental stability until they can access those services.

JEFFERIES: Right, just creating a network and a community because we know that -- like it's very easy as I'm sure you all know like from previous jobs or whatever - you know, you know everybody that works at the Red Lobster or everybody that works at the Olive Garden because you work there too, but you don't know the people that work at one or the other so it's really creating that community outside of that so that way we can ideally create a network of support that is like so community-oriented and supported that it isn't just overburdening healthcare providers when it can just be like, hey you have a friend that you can reach out to, that you can be safe with -- that we can make sure that you're well tomorrow and that you're at work tomorrow and that you're happy.

PENER: Right, so in addition to fully funding and subsidizing as much of the financial cost to accessing mental health and substance abuse healthcare, within the industry, we would also like to mitigate and eliminate some of the barriers to accessing that care that aren't financial through education and through --

JEFFERIES: Resource directories and through campaigns --

PENER: Through campaigns that we do with the organizations themselves, acting not only as a funding provider but also as a facilitator for connecting people to the organizations and resources that they need. Additionally providing sponsored events to connect industry members to one another and also opportunities for them to engage in activities that perhaps don't involve going to a bar. And then, additionally, to serve as an advocate for the industry to civic and healthcare leaders such as yourselves.

JEFFERIES: And we also know we're running out of time, we have 47 seconds, but -- so in terms of like the funding approach, what we're looking for is a really

community funded approach. You know, we kind of did the math, and if every industry worker "in Columbia" gave, you know, \$15 or whatever, it would be a tremendous amount of money that we could give back to our community. And we are ideally looking for eventually some type of civic support, but we don't know when or how or exactly -- because we're still again developing that 501(c)(3) status. I think that is, I think that's it.

TREECE: Thanks for the introduction. I appreciate what you're doing.

JEFFERIES: Absolutely, we're glad to meet you all. Thank you for having us.

PENER: Thank you for having us.

TREECE: Stay in touch, Olivia.

SPC56-21

Robin Rotman - Statement in opposition to the request of Crockett Engineering for a waiver of the one-year waiting period for resubmittal of the Canton Estates Preliminary Plat and related request for R-1 zoning, pursuant to Section 29-6.4(n)(1)(i)(D) of the Unified Development Code.

Robin Rotman spoke.

ROTMAN: As the Mayor said, my name is Robin Rotman and I live at 4500 Kentsfield Lane here in Columbia. It's a pleasure to be back with you today and I appreciate this opportunity to make a statement in opposition to the request of Crockett Engineering for a waiver of the one-year waiting period for the resubmittal of the Canton Estates preliminary plat and the related request for the R-1 zoning pursuant to Section 29-6.4(n)(1)(i)(D) of the Unified Development Code. So before turning to the substance of this request, I just wanted to note for the record that the burden of persuasion in this proceeding is on the applicants, not on the public, so that means it's the applicant's job to convince you that granting this exception -- that granting this waiver is the right thing to do. It's not my job or any other member of the public's job to convince you that it isn't the right thing to do, but nevertheless, that's what I hope I'm going to do in the next four minutes. So I'm looking at the waiver request from Crockett Engineering dated October 7th, and the long and the short of it, or the crux of the applicant's argument is that the Code doesn't mean what it says. So the Code refers to the same or substantially the same zoning -- that that is subject to the 12-month waiting period, but the applicant says, while I understand that the Code refers to zoning, I believe the intent of the regulation is more for "like developments" than "like zonings" in many instances. And I have so say, as a manner of governance and rule of law, I would find it concerning for the City Council to depart from the plain language of the ordinance and to leave out the word "zoning," which is in the ordinance, and replace it with the words "like development" -- that the applicant would advocate for you to do. You know, Justice Scalia and I did not see eye to eye on many things, but textual interpretation wouldn't be one of them. Okay, so let's go ahead and turn to the zoning. So the applicant says in this letter that they need R-1 zoning. Frankly I think the letter entirely misrepresents what happened at the April 8th Planning and Zoning hearing. This letter attempts to leave the impression that the Commissioners were somehow accepting the R-1 zoning even though they voted against it, so I pulled the transcript from the April 8th hearing and I just wanted to read to you six quotes, so from six of the seven Commissioners who all expressly stated that R-1 zoning was was inappropriate. Commissioner Carroll, "I just don't think that R-1 zoning is

appropriate for this era." Commissioner Geuea Jones, "should be PD." Commissioner Loe, "cannot support blanket zoning R-1." Commissioner MacMann, "is that R-1 zoning good enough for this property? For me it is not." Commissioner Russell, "I don't think R-1 is the right thing." Commissioner Stanton, "If you're going to use PD anywhere, it would be here." Okay, but even if you bought into Crockett's argument that the Code doesn't mean what it says and it really means similar developments, this is a similar development. So the original proposal was for 113 lots. This one -- it's confusing because their cover note asked for 200, but I guess that was a typo. I guess, they -- really if you count them up, it adds up to 99 so I guess that what they meant. But this is not a material change. The letter refers to "we would" add preservation easements on the three acreage lots. That's entirely speculation. If you look at the plat, you also see three mansions being built on the acreage lots. And when I have reviewed the records for these properties, the only easement that I see currently in existence is a utility line easement. There is no preservation or I guess that means conservation easement. Okay, two more points for you just to contextualize this request. So I went back through the City Council meeting minutes from recent years to see if the Council had ever granted a waiver pursuant to this provision and I could not find a single example. Doesn't mean it didn't happen. I could have certainly overlooked something, but I think it's important to remember that this is an extraordinary remedy that is an exception from the normal state of affairs. And so my last, my last words for you are that if there was ever a development proposal where the developer should not be allowed to cut corners, where the public input process should not be curtailed, it's this one. Thank you.

SPC57-21

Kevin Roberson - Statement in opposition to the request of Crockett Engineering for a waiver of the one-year waiting period for resubmittal of the Canton Estates Preliminary Plat and related request for R-1 zoning, pursuant to Section 29-6.4(n)(1)(i)(D) of the Unified Development Code.

Kevin Roberson spoke.

ROBERSON: Hi, I'm Kevin Roberson and I live in 7355 South Bennett Drive in Columbia, Missouri, and I'm the President of the Board of the Friends of Rock Bridge and I'm also a member of the Gans Creek Allies, which is a loose-knit group of people that believe in protecting the park. I'm opposed to the City Council approving Crockett's request to grant relief to the Unified Development Code for a lot of reasons that Ms. Rotman stated earlier. I'm trying not just read-- cause in lieu of what you said you preferred -- from the heart. I do have a few notes, but I'll try and speak just off the cuff as much as I can. My general reason for opposition -- our general reason is to protect the Rock Bridge Memorial State Park from this development -- in particular, the Gans Creek Wild Area and the Gans Creek and the Clear Creek drainages also. The specific reasons are, as was noted, at least six Planning and Zoning Commissioners have stated this area is not appropriate for R-1, and I agree with that completely. As noted in the Columbia city staff mark-up summary, the staff does not believe that this is materially or substantially different than the proposal that was given earlier, and that's even if you buy into Crockett's argument that we don't really mean zoning. I believe we do, but it doesn't matter because it's not substantially different and the staff noted that, and we all agree

with them. To my knowledge and the Gans Creek Allies members' knowledge, there was no substantial or meaningful engagement with the interested party by Crockett or Rob Hill before they submitted the concept review request or even before the request of the waiver letter was sent to the City. I know that's something that -- I believe that's something that you thought was important, the Planning and Zoning thought was incredibly important, that they were to reach out to us, and I wish they had. I actually asked him -- he's a member of the Friends of Rock Bridge, and the first President's letter that I wrote -- I write them monthly -- I asked him to reach out to us and let's work on this before it's resubmitted. I know he read that because he's a member. He's proud of that and he has stated that several times. So there's been no additional meaningful studies that had been conducted and showed that this area is not a sensitive area and does not deserve special protection that we talk about in *Columbia Imagined* and the Bonne Femme watershed and many other studies. The proposal, as you all know, for a conservation overlay was just presented to you on the 4th of October, and received some considerable support and would directly apply to this tract that's under discussion. So that's all that I have of my statements. I wanted to make sure that you know that we care deeply and this is still important to us, and even though, like you, we have many things to do besides listening to me or me testifying, we do think it's important that you know we all do care. There's a lot of people here in support of that, and I'd like to ask them to stand briefly without clapping, please. [Approximately 20 people stood.] Thank you very much for your time, and thank you for your service, each one of you.

SPC58-21 William Easley - Transit system, garbage, phone system, how the City doesn't want to help low income people, and the law.

William Easley spoke.

EASLEY: Bill Easley, 705 Cook. We got fast cars coming down Cook Avenue and other places. You don't arrest nobody. Loud music, fireworks, nothing, and I got a citation a few months ago over a dog. He was going to kill a dog, and I was asked to take it. And the lady had everything, and she brought a leash, and it was found defective. So somebody called the Humane on me, and she gave me a ticket over the dog. I'm still fighting it, and I'm going to take it to the US Supreme Court because the City of Columbia don't do nothing. You don't arrest nobody, and I got a faulty dog leash that I shouldn't have got, and I'm fighting it over the damn principle. And you was - you're going -- over millions of dollars. You could have gave Columbia teachers money. You could have gave us back our city garbage, but you don't do nothing. You give it to the rich people, rich business, rich landlords, and we're going to change it. Mayor Hindman was good. I would call him and he would pick up the phone and say, "hey, what can I do for you?" That was his exact words, "what can I do for you?" You do not know how to call people.

TREECE: Thank you, Mr. Easley.

SPC59-21 Jeff Stack - Urging Columbia's City Council and other local governments to end local involuntary homelessness.

Jeff Stack spoke.

STACK: I'm Jeff Stack and I live on Sexton Drive in Columbia. I'm speaking for myself and Mid-Missouri Fellowship of Reconciliation. There's a myriad of feelings I have as I consider our unsheltered human kin and the response from our local governments. Over the past several years, as I've said before, there has been a welcoming heightening of genuine concern by the Council for those folks in our community who are homeless. I am so grateful that the Council is contributing again a lion's share of the budget to once more enable Room at the Inn to function, beginning in early December and operate throughout the winter. I also was heartened that there's been broad support on the Council for the American Rescue Program Act funding to be dedicated towards creating both a crisis center and opportunity campus as it's being called with the year-round shelter, soup kitchen, day center, and services hub. I would've preferred the robust public input process would have first been undertaken for that funding, but these two measures are indeed desperately needed and the process of making either a reality is still a long ways off -- I realize a few years away. So it does seem good to get this process underway as soon as possible. For the rest of that ARPA funding though, I am thankful -- it seems there will be a much broader community engagement process. Kudos to Council Member Waner, for your analysis, your work with it -- Durham, North Carolina -- efforts, and to try to make for an equitable inclusive process here in Columbia. I'm grateful for that. While nothing about that process will be on tonight's agenda, I am thankful that the Public Health Director, Stephanie Browning, and others behind the scenes have been working really hard to create a framework for this process to make sure it's indeed a robust community input structure. And, while praise is warranted, the reality confronted by those without shelter is always vital for us to keep front and center. Those harsh realities haunt my mind regularly, maybe many of you as well. Even though, thankfully, I only know them second-hand, I think about one brother -- I'll call him Bill. Last Monday, he showed up at the soup kitchen dressed only in light hospital bed clothes and shoes. I don't really know why the hospital released him like they did. I wasn't able to find out. He said he'd been treated for a back injury that continued to affect his balance. After he'd eaten and we'd close the kitchen, I made some calls and found there was no room at the other privately operated shelters. He said a bag of clothes he had had when he went into the hospital had apparently been thrown out and been lost. I brought him to Walmart afterward where FOR paid for a new set of inexpensive clothes, underclothes, and socks. You know, there was unfortunately no place at my place where I could let him let him stay, and he said he'd be okay just to stay at the Walmart until they closed, and then he'd try to find an outdoor space - to sleep nearby somewhere outdoors. I left there with a heavy heart. You know, I could picture a time when police, well at night, when police officers probably got summoned to the Walmart, and they merely told Bill to move along. A different reality is possible, a much more enlightening one, really for all of us, to allow for -- for the service and protection of the most vulnerable among us by being able to actually have a public emergency shelter. I would urge the City -- I mean Room at the Inn will be opening and that's wonderful. I'd like for the City and County to consider trying to provide funding beyond that so that we could try to have a shelter operated -- now, I'm not speaking on behalf of RATI because they're pretty spent by the end of those three months, but I would love to see the City and County come together and try to work out an ongoing shelter so we can take

folks to a shelter and not just move them along. But it's really critical that we try to deal with this. You know, I would like -- I think the City can pull this off, you know, with other assistance, as well. I appreciate what you've done so far, but we can do more and -- one of the things I want to bring attention to is -- of course, as you folks are so keenly aware -- the ongoing affordable housing crisis. So, you know, just providing shelter for a short time is not enough. And so, we need to continue to try to push the resources that we have and use them, and not just maybe hold quite as much as we have in reserves, but to make it usable for people to prevent folks from -- especially as winter comes on. I learned from Randy Cole earlier today that there are 900 people currently on the waiting list as you folks probably are aware -- and 120 units in disrepair. I would love for the City try to commit some funding for making those units habitable, and let us try to do what we can to make this a much more home-based place for all folks. The other thing I learned that are -- also with the 150 housing choice vouchers that are available -- the federal government's providing those resources, but apparently there are only 36 lower income units available. Jane Williams was telling me this with Love -- Columbia Love -- and so we don't have enough landlords to make those available. So there are some conundrums. But we need more public housing, more affordable housing, and I thank you for your time.

V. PUBLIC HEARINGS

PH39-21 Proposed replacement of water distribution infrastructure along portions of Garth Avenue and Leslie Lane.

PH39-21 was read by City Clerk Sheela Amin.
Utilities Director David Sorrell provided a staff report.

SORRELL: David Sorrell, Director of Utilities. This is the public hearing for the proposed replacement of water mains along Garth Avenue and Leslie Lanes. The existing water main along Leslie Lane is a six-inch diameter cast-iron pipe, and it's near the end of it's useful service life. This six-inch cast-iron pipe is proposed to be replaced with a 12-inch PVC pipe, and we intend to close a loop along Garth Avenue and include that in this project. This will provide greater reliability and increase available fire flow in this area. It would total approximately 2,025 linear feet of new water main, including replacement of existing fire hydrants spaced to meet fire code requirements, and all the customers of water services will be connected to the new main at no cost to the customers. As part of the public improvement processes, an interested parties meeting was held on August 24, and so far, all feedback we've received has been in support of the project. The project's estimated to cost approximately \$252,000 and will be paid for with water utility funds. With that I'm willing to attempt to answer any questions.

TREECE: Any questions for staff?

Mayor Treece opened the public hearing.

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

Council Member Waner made a motion to direct staff to proceed with the water replacement project on Garth Lane and Leslie. The motion was seconded by Mayor Treece and approved unanimously by voice vote.

PH40-21 Proposed replacement of water distribution infrastructure along Glenwood Avenue and Glenwood Court.

PH40-21 was read by City Clerk Sheela Amin.
Utilities Director David Sorrell provided a staff report.

SORRELL: This is the public hearing for the proposed replacement of water mains along South Glenwood and Glenwood Court. The existing water mains in this area are six-inch cast-iron pipe and they're near the end of their useful service life. This six-inch cast-iron pipe will be replaced with a six-inch PVC pipe and provide greater reliability in this area. A total of approximately 1,030 linear feet of new main will be installed, including replacement of existing fire hydrants spaced to meet current fire code requirements, and, again, the customer's water services will be connected to the new main at no cost to the customer. We held a public or -- interested parties meeting on August 24, and so far all feedback received has been in support of the project. It's estimated to cost approximately \$143,000 and would be paid for with water utility funds. With that, I'd be happy to attempt to answer questions.

TREECE: Any questions for staff?

TREECE: Tell me what I'm looking at here. I can't --

SORRELL: The shaded area on the two streets is the area where the water main would be replaced, and the blue lines are existing water mains.

TREECE: That's North Glenwood?

SORRELL: That's South Glenwood.

THOMAS: South Glenwood.

TREECE: South Glenwood.

SORRELL: And Glenwood Court.

THOMAS: Trail going down the right side.

TREECE: Got it.

TREECE: Any questions for staff?

Mayor Treece opened the public hearing.

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

Council Member Thomas made a motion to direct staff to proceed with the replacement of water distribution infrastructure on Glenwood Avenue and Glenwood Court. The motion was seconded by Mayor Treece and approved unanimously by voice vote.

PH41-21 Proposed construction of a water main loop closure along Sinclair Road from Nifong Boulevard to Southampton Drive.

PH41-21 was read by City Clerk Sheela Amin.
Utilities Director David Sorrell provided a staff report.

SORRELL: This is the public hearing for the proposed construction of a water main loop closure along Sinclair Road from Nifong Boulevard and Southampton Drive. When possible, water mains should be constructed in a loop configuration to provide increased reliability and fire protection services. This project was identified to provide a redundant feed to the immediate area as well as contribute toward increased capacity and redundancy in the southwest portion of our service

area. A total of approximately 2,770 linear feet of 12-inch water main will be installed along the east side of Sinclair Road within existing rights-of-way. We do not anticipate any pavement or sidewalk removal or damage as part of this project. We held an interested parties meeting on August 24th, and again, all comments and feedback received to date has been in support of the water main project. It's estimated to cost approximately \$440,000 and would be paid for with water utility funds. And again, I would be happy to attempt to answer any questions.

TREECE: Any questions for staff?

PETERS: I do have a question.

TREECE: Dr. Peters.

PETERS: When you say you increase -- you want to complete a water main loop feed -- what does that mean? Do you get water coming in both directions?

SORRELL: It can come -- it can come in multiple directions, yes. And then also, if you did have a main break or something like that, you could isolate one section and not interrupt water service to the rest of the area.

PETERS: Okay, so you're just doing it by pressure on both ends of the loop?

SORRELL: Yep.

PETERS: And then --

SORRELL: And whichever -- you know it's going to follow the path of least resistance, but then if you have a water main break or -- or something's happening - - if you have a fire and you're pulling a lot of water from one side of it, then the other side could maybe feed the rest of your customers. It's just increased reliability.

PETERS: Okay, thanks. I just was not sure what that meant.

TREECE: Mr. Pitzer.

PITZER: So, on the east side there, I thought that the right-of-way went up -- the sidewalk went up to the edge of the right-of-way on the east hand side.

SORRELL: I do not believe that's the case. Shawn, could you -- I was going to say it's quite a bit wider than that. We put that culvert in a few years ago, and it's in the existing right-of-way in there.

PITZER: Alright, I thought we did the sidewalk against the curb because there wasn't room to --

SORRELL: I think it's because the terrain sloped off so quickly. If I recall right, it's why the sidewalk's up against the road.

PITZER: That side is elevated.

SORRELL: Huh?

PITZER: That side is elevated -- where the sidewalk's next to the curb.

SORRELL: But when you get closer to the creek, it falls off real quick.

PITZER: Okay, well. Just surprised but I'll trust you.

SORRELL: I'll double-check, but I'm pretty certain we've got room to do it without disturbing what's already there.

PITZER: Okay.

Mayor Treece opened the public hearing.

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

Council Member Pitzer made a motion to direct staff to proceed with the final design for the Sinclair Road water main loop closure project. The motion was seconded by Mayor Treece and approved unanimously by voice vote.

PH42-21 Voluntary annexation of property located on the south side of I-70 Drive Southeast and west of St. Charles Road (Case No. 307-2021).

PH42-21 was read by City Clerk Sheela Amin.

Community Development Director Tim Teddy provided a staff report.

TEDDY: Good evening. And I'm going to try to stay closer to the mic. Last time, there were folks in the audience that couldn't hear me well, so just give me the signal if I'm not picking up on this microphone. Yeah, this is known as the Erickson tract. It's .9 acres, so almost a full acre. It's located off of I-70 Drive Southwest. This is a public hearing to consider annexation. The property owner, Nan Erickson, has signed a petition to annex, or what we call a petition for voluntary annexation. It is contiguous to the city limits. There is companion proposal to put it in the M-C, mixed-use corridor zoning district, and that is roughly equivalent to its existing zoning designation on the County zoning map. This is a look at its location in the context of that Lake of the Woods interchange area. You can see the outer road sweeping around it. You can see some commercialization directly south of it, and then there's a larger, more planned, area to the east where you have Port Way and Bull Run and some of the associated development there. It's an unimproved site. As I mentioned, it's got County commercial zoning. MoDOT is the roadway jurisdiction. I do want to correction to what I've got on the slide there. It's actually Boone Electric Cooperative providing electric service, and the water district. So, I beg your pardon for making that error. I thought I had changed it, but evidently, it didn't save, but what's in the staff report is correct -- Boone Electric and water district. It is contiguous to the city on three sides there so this would appear to be filling in a gap in our boundary. I'll try to answer any questions Council might have.

TREECE: Any -- this is just a statutory hearing on the voluntary annexation. We'll have another public hearing on the - on the annexation and zoning -- plat later. Any questions for staff?

PETERS: Mr. Teddy, do you know?

TREECE: Dr. Peters?

PETERS: I'm sorry. I'm the worst at that. Is this a flat land or is this more of a gully or do you have any idea?

TEDDY: Well it's got -- as you can see, it's got tree cover on it. I didn't study the topographic exhibit prior to this hearing, but I don't believe it is a flat undifferentiated piece.

PETERS: Okay.

TEDDY: Yeah.

PETERS: Thanks.

TREECE: I'm going to open the public hearing. Does anyone from the public desire -- I'm sorry -- Council Member Fowler.

FOWLER: Yes, at the last meeting, we had a procedural discussion about an annexation that then at a subsequent meeting ended up on the consent agenda because it had a majority of support from Planning and Zoning. This has those same circumstances, correct?

TEDDY: Yes, it received unanimous support for the land use recommendation.

FOWLER: So tonight is the public hearing, and then at the next meeting, it could very well end up on the consent agenda. Is that correct?

TEDDY: Yes, it's planned, and we do indicate by an asterisk -- there's a symbol on

that legislation item under the Intro and First Reading that symbolizes that and other items may be going on consent at the next meeting.

FOWLER: I don't see that on this one.

TEDDY: Not for the public hearing item, but for the -- under Intro and First Reading. That's where the annexation and zoning ordinance is introduced.

FOWLER: Thank you. Thanks for that clarification. I appreciate it.

Mayor Treece opened the public hearing.

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

TREECE: We've completed the statutorily required public hearing for the voluntary annexation of property located on the south side of I-70 Drive Southeast and west of St. Charles Road.

VI. OLD BUSINESS

B281-21

Approving the Preliminary Plat of "Old Hawthorne North" located on the north side of Ivory Lane and the south side of Richland Road; authorizing a development agreement; directing the City Clerk to have the development agreement recorded (Case No. 105-2021).

The bill was given third reading by City Clerk Sheela Amin.

TREECE: So we had tabled this item at the September 20th meeting. Would you like to have a recap of the staff report or ask the applicant to come forward with any -- we kind of hit the pause button at the end to give them time to retool their plat. Anything you want to add to bring us up-to-date, Mr. Teddy?

TEDDY: I can just inform council, and of course the audience, that there's been a couple of changes to this preliminary plat in the form of what I call mid-block walkways that the applicant is introducing to the plan to mitigate the excessive length of the blocks per our code. We allow a maximum of 600 feet so that's one of the three design adjustments that were discussed by Council in September. So, the plat otherwise appears to be much the same, and it does still require -- with the approval, it would require design adjustments unless modified again.

TREECE: Any questions for staff? Mr. Pitzer.

PITZER: Yeah, Mr. Teddy, so there was a road that was on the CATSO plan that is -- that was not on the plat. That wasn't in the design amendment, I believe, so by -- if we just approved a plat without that CATSO road, that would be in effect eliminating that road from the plan, right? There's no other action that we need to take to do that?

TEDDY: Yeah, right. The one in question is a north-south, and I've pulled up the old slide here. On the west side of the development, conceptually there's an alignment -- actually, it's more like through -- well it's through these parcels here, and that was one of our comments -- was there would be an area here that would be affected by that, but yeah, you'd be choosing not to pursue that collector through this way. There is a collector that runs through the site, east-west, which is also a feature of the CATSO map, and that could be extended to all of that in the future.

TREECE: Mr. Crockett, would you -- do you have any updates for us?

CROCKETT: Yes, sir, I do.

TREECE: Take your time. I'm ten minutes ahead.

PETERS: You have these meetings timed?

TREECE: I have milestones -- everyone cooperates.

CROCKETT: I'll do my part, Mayor. Okay. Mayor, members of the Council, Tim Crockett, Crockett Engineering, offices at 1000 West Nifong. As Mr. Teddy indicated, we did make a few corrections to the preliminary plat. And if you recall, at your September 20, 2021 meeting, the Council approved the annexation and zoning of this piece of property. They also voted, by a vote of 4-3 to deny -- or excuse me -- to approve the design adjustments. However, given that it was denied at P&Z we needed five votes. And so we went back and looked at it -- and I'll go through quickly. This is my presentation from last time. I'll go through it relatively quickly. Again, this is the preliminary plat before you tonight -- that was before you a month ago. We're asking for design adjustments with regards to the interval in which we have street connections. And the UDC indicates we have to have them every 600 feet. The old code said every 1,000 feet. Six hundred feet is rather excessive in our look, and this is an exhibit that the city put together that talked about different locations in which -- that exceeded those 600 feet. So you can see the differences there in blue. What the -- what they really asked for us to do was add a location -- another street connection here, one at this location, one at that location, and then one in the section there within the cul-de-sac. And again, I want to go through this relative quick. So, we'll go through it here. This is, again, a situation we talked about last time that's been very similar in nature -- that was already approved -- these locations through here. Basically what it does - is that adds 1,800 linear feet additional street to this development. It doesn't improve connectivity. It doesn't improve public safety. It doesn't improve response times, but it does add 1,800 feet of street or 1.6 acres of additional impervious surface -- 1.6 of additional impervious surface just to make these connections here. We have a reduction in total lots, and we're also talking about density and how we want to talk about density and how we want to encourage it, but we're going to reduce density and add street. We talked about the length of this cul-de-sac. Again, we're less than the old code -- again, we're talking about old code, new code -- but the current code allows us to go up to 750 feet at the discretion of the Director of Planning, and in this case, Mr. Teddy decided that, you know, it wasn't in the City's best interest to have that. We can make the connection to the south. I don't want to say it's impossible to make. It's not something we can't do, but -- we can -- but it crosses as draw, crosses a creek, it crosses -- tears out a lot more trees, and we just don't think it's needed to simply serve eight residential lots. Again, it's similar to other cul-de-sacs in the area. And then again, this is the third design adjustment that we talked about. And this is -- what's outlined in red is the collector street that goes east and west, and we're asking for having a limited number of driveways on that street. We had a traffic study commissioned for this area that was submitted to the city. The City's traffic engineer reviewed it and approved it. And basically that traffic study came back and said that really that collector street isn't going to serve a large function. It's not going to have a large amount of traffic in the long term. They don't believe that it's going to connect further to the west, given that that area's already developed. Now albeit in large ten and twenty acre tracts of land, but the buildable area is very small on those tracts, and that buildable area is already constructed with homes so it's very limited on where those -- that street could potentially go. Even at that, Richland Road, which is the arterial street, which is just

not very far from the north, and it actually leads somewhere. So the idea there is that -- Richland Road is going to be the road that's going to handle the traffic. Our traffic engineer came to that conclusion and the City traffic engineer agreed with that. So again, these are the design adjustments that we're talking about. Now, we did a revised layout, and we talked about this last time. So if we do the revised layout with the connections that the City is asking before because we have the 600 foot issue, and then we add a standalone collector street that runs east and west through here, you can see what we have. It's a lot more pavement. In that scenario, we're looking at about 4.2 acres of additional impervious surface. So, where's that lead us tonight. So what we did is we went back and made amended preliminary plat. And so what we did is we add pedestrian connectivity in lieu of public street connections. So what we did is we added 8-foot sidewalks or 8-foot pedways that connected some of these locations instead of simply putting in additional streets. If we put in additional streets, it's more 4-way intersections that has conflicts, and we believe that the pedestrian connectivity really serves the purpose of connectivity in the neighborhood. It doesn't have to be streets and it doesn't have to be roadways. It can be as simple as an 8-foot pedestrian connection. So where do we add them? There's the first connection that we added -- right there. There's the second location, the third, and the fourth. So we added those locations. We're putting them in public easements. They will be built to city standards but they will be maintained by the homeowners association so it was not an additional cost to the City. There are going to be permanent easements that will be in place on the final plat, and then the infrastructure would be built. Those sidewalks will be built when one of the homes on either side -- the first home that gets built -- then that section of the sidewalk or pedway would get built at that time. That would ensure that it gets put in, in a timely fashion, and it also allows -- the reason why we're waiting until then is that it allows for that first home to get built to establish the grade in that area. And so what are we asking for tonight -- we're asking for you to approve -- and this is a little bit of confusion at the last meeting. We're asking you to approve the amended preliminary plat with the following design adjustments, which include the longer block lengths, the longer cul-de-sac length, and the private residential driveways on a collector street. With that, we're asking you to approve the preliminary plat that includes the 8-foot sidewalk and pedways located in public easements. So that's what we're after for tonight, and of course, I can go through the conclusion if you'd like, but Mayor, I want to keep us on time.

TREECE: You're good. Any questions?

PETERS: Yeah, I have a couple questions. One would be -- you said that you would put the pednet, or the pedway, in when the first house is developed on that stretch --

CROCKETT: Correct on either side. Dr. Peters, on either side of that section -- when the first house goes in, they are going to establish the grade going down behind that house, and so then that section of that 8-foot sidewalk would be built at that time -- before occupancy of that house.

PETERS: Is there -- I know in Old Hawthorne, we've run into this -- where people will buy lots and then they choose not to build on them for a while, which means we don't get any sidewalks in that case for years and years. So is there any expectation that you'd put the rest of the pedway in if it's not done by in, you know five year?

CROCKETT: Yeah, I think a five-year stipulation would be fine. If it's not in in a five-year period, I think we could put a timeframe on that. That way it ensures that it gets done. I understand what you're saying -- if someone buys their forever home site here, and sits on it for 15 years, or buys both of them, then there's that missing link that doesn't get built.

PETERS: Yeah, that's certainly been a problem out there and a number of other places. And then my other question is -- do you want these voted on together or separately?

CROCKETT: It's my understanding that the preliminary plat -- the only item is the preliminary plat and the design adjustments are attached to that preliminary plat. So it's my understanding its one vote. I could be --

PETERS: It all goes together.

TREECE: There's an amendment sheet that changes mostly just the dates and the title, Dr. Peters. And then the rest would be on the preliminary plat.

PETERS: Okay, thanks.

TREECE: And just one quick question. Maybe, Mr. Thomas or you, maybe you have different opinions on this -- are these pedway connectors? I could see why they'd be desirable for the overall neighborhood in terms of connectivity and just walking paths. I assume each of those roads are also going to have sidewalks on them.

CROCKETT: Absolutely. All the roads will have sidewalks on both sides per city standard.

TREECE: Do you see -- for those homeowners, is it undesirable to have that between them or what's your sense there?

CROCKETT: If you asked me that three or four years ago, I would have said that's very undesirable. Nobody wants that in their backyard. I still think to a certain population, it is undesirable, but I think that there's a little change right now, and to a certain population, it's very desirable. So I think -- long story is -- who do you ask? Is it desirable to you or is it desirable to me. I think all of us have a different opinion, and I think that there's a certain population that does desire to be on that route.

TREECE: Mr. Thomas, you want to --

THOMAS: And I think we've seen the same transition happening with trails, which are not totally dissimilar from this. You know, there was a time twenty years ago when every neighborhood that the city tried to put a trail through or along the edge of opposed that proposal. Now real estate agents charge more for the houses right next to the trail because it's seen as a desirable feature.

TREECE: I mean I can see -- just with this map -- especially some loops within that neighborhood and Bluff Creek has some similar trails that kind of cut through the paths.

THOMAS: It would be desirable for me.

TREECE: Got it.

CROCKETT: It's surprising how many subdivisions really do have this. When you start looking around town, there's subdivisions that you don't realize that have them that really do.

TREECE: I appreciate your creativity.

TREECE: Anybody have any questions? I'll open the public hearing, anyone from the public desire to be heard on B281-21? Seeing none, any council discussion? Dr. Peters.

PETERS: Well this is I think in my ward unless it's in Karl's so -- I'm okay with all of those adjustments. I think that CATSO road that would be in there is really not going anywhere. We do have Richland Road north of that and we have WW south of that so it's unclear to me why we would need another road halfway through there. That doesn't seem to be that much of a difference so -- and I do appreciate the pedways that were put in, so for me this is a fine --

TREECE: A built environment really isn't aligning with that CATSO road anyway. It's moving off to the other direction from when I looked at it.

TREECE: Any discussion? Mr. Thomas.

THOMAS: Well I'm going to support the motion as well. The cul-de-sac length thing is certainly a well-intentioned rule to limit the amount of back and forth that city services have to do and other services that go to every door, but I don't think it's, you know, the most important thing in every situation. And within the neighborhood, as Tim stated, these pedway connections will allow, you know, easy and unsupervised mobility for children that allows shorter distances and creates more of a network for walking and biking. I also don't see the need to restrict lots on that road. It doesn't look like it's going to be really a main road. And if it's established as a residential street, then all those driveways and people turning in and out will create sort of the friction to keep speeds low. And it winds around. It's not in a straight line so -- I didn't support the annexation and zoning in the first place, but given it's now coming in the City, I do support the revised plat with these new connections.

TREECE: I failed to mention Council received three comments before 4:00 p.m. today. One from Thomas Meyer at 6200 East Richland Road requesting the Council not approve the plat or any other proposed plat that does not address these concerns regarding cul-de-sac lengths, street distances, through streets, emergency vehicle access. And then two from 6250 East Richland Road, again -- other than changing names of a couple streets, nothing was done to address Council's concerns regarding cul-de-sac lengths, street distances, through streets, emergency vehicle access - request the Council not to approve this plat. And you all received these as well. So, wanted to make sure those were on the record.

Mayor Treece made a motion to amend B281-21 per the amendment sheet. The motion was seconded by Council Member Thomas and approved unanimously by voice vote.

B281-21, as amended, was given fourth reading by the City Clerk with the vote recorded as follows: VOTING YES: WANER, THOMAS, PITZER, PETERS, TREECE, FOWLER. VOTING NO: NO ONE. ABSENT: SKALA. Bill declared enacted, reading as follows:

B296-21 Voluntary annexation of property located along both sides of Van Horn Tavern Road and east of Highway UU (5500 W. Van Horn Tavern Road); establishing permanent District O (Open Space) and District M-N (Mixed-use Neighborhood) zoning (Case No. 227-2021).

Discussion shown with B297-21.

B297-21 Granting the issuance of a conditional use permit to MFL Golf, LLC to allow "outdoor recreation or entertainment" uses on property located at 5500 W. Van Horn Tavern Road in an O (Open Space) zoning district (Case No.

253-2021).

The bills were given third reading by City Clerk Sheela Amin. Community Development Director Tim Teddy provided a staff report.

TEDDY: Yes, this is a continuing item. We've had the annexation hearing on this. Tabled at the last meeting, and this is 121 acres proposed for annexation. The majority of the tract, and that would be -- 115 acres out of the 121 are proposed to be zoned open space if this property is annexed into the city. Six acres would be zoned mixed-use neighborhood district, which would allow the potential for additional commercial functions. Also the separate bill is approving a conditional use, and that's for outdoor recreation and entertainment. And what that does -- it basically ratifies the existing activities that occur on this site. It's known as Midwest Golf and Sport. It's a par 3 golf course. It's miniature golf, laser tag, outdoor games, believe batting cages, a go-cart track -- all of which are enumerated in the conditional use ordinance. And there's some restrictions on enlargements of those functions as well replacement with something else. So that's our way of handling open space. Generally open space district means basically everything from a park to passive open space to things by conditional use that could allow these entertainment functions. So, it will not be developed on a large scale except as that kind of facility according to this zoning. The applicants indicated that they are interested in possibly adding a restaurant to the existing entertainment venues, and that's what requires the M-N zoning. That's not an allowed use, so that's why the six acres. A couple different views of the site, and just to recap -- one of their desires is to have the ability to connect to city sewer, and the Perche Creek trunk line is located to the east., and that connection would be their project to design, get approved, and financed. This is not a public sewer project -- would have to get the City sewer utility's approvals. Just recapping what the utilities are - it's in the Boone Electric service area, not city electric, Consolidated Water District No. 1, not the city water, and the Boone County has maintenance jurisdiction over Van Horn Tavern Road, which is the public road approach to this site, and there's no plan to change that. I mentioned the travel distance it takes to get here using Gillespie Bridge at the city limits or coming from Strawn Park so there are some considerable distances, and that would give us pause if we were to annex west of the Perche on a large scale. Just a view of the proposed M-N zoning within the larger tract, which I said is going to be mostly this open space district with the conditional use. This is an additional exhibit just to show you how extensive the floodplain and floodway is on this site. You'll recognize the golf course ponds are right here so that'll give you some orientation. This crosshatched area is what's called the regulatory floodway, and that's an area that can't be disturbed. It can't be filled. If anything is placed that's an obstruction to the floodway -- what's called an engineering no-rise analysis would have to be done to determine that that obstruction would not make that floodway level rise more than a foot. And the function of the floodway in nature is to allow a flood event to pass downstream. So it's -- you can think of it as an extraordinary channel width that's needed to get those floodwaters downstream, whereas the ordinary floodplain also called the flood fringe or a special flood hazard area -- that's an area where special care has to be taken to elevate development sites, building sites -- so that the lowest floor level is above the elevation. Well this whole site is in either floodway or floodplain, so that -- or

almost all of the site is-so that would mean that a large scale development would possibly not be feasible because they'd have to elevate the site so much within that floodplain area. So I just wanted to share that information with Council. And then upon annexation, it will be subject to all of the city ordinances. And they would have to plat in conjunction with any future building, so we'd get a subdivision plat on this property. Try to answer any questions.

TREECE: Any questions for staff? Mr. Pitzer.

PITZER: So that section of M-N zoning where there's an existing structure there I think, is that a higher elevation than the --?

TEDDY: I don't know where it would be if a building was built there today. We'd have to look at the topography of that site. It could be graded possibly to create that floor elevation that's needed to overcome the floodplain.

PITZER: Okay. Well was it -- was that building then - you're saying it was built before there was any restriction on building in the floodplain?

TEDDY: It might have been different, or it may have gotten -- I don't have documentation on what the county might have issued. They've got a similar ordinance, but if it's something recent, perhaps it's documented.

PITZER: Okay.

TREECE: Any additional questions. Seeing none, I'll open up the public hearing. Would the applicant like to make any comments?

CROCKETT: Members of Council -- Tim Crockett -- Crockett Engineering, 1000 West Nifong. Again, before each night, as an annexation and zoning of this piece of property -- the current zoning of the property is REC in the county, which is comparable to the O zoning we are requesting. So we're asking for like zoning with the exception of the M-N that's internal, and the purpose of that M-N is, of course, so we can build a restaurant. The type we want to build is something along a top golf concept on a smaller scale. So that's what they're looking at doing out there. So Mr. Pitzer, the answer to your question is -- yes, all the construction out there has all been permitted through the County, and abides by the FEMA regulations. So the FEMA regulations state -- or excuse me -- the county regulations with regards to floodplains. The FEMA regulations state that we need to be at or above floodplain elevation with our structures. The county, like the city, says we need to elevate those structures two feet, and so those structures out there, I believe, are at least two feet above the base flood elevation. Consequently, any future addition, any future building that we do out there, if annexed, or even in the county would have to be elevated two feet above the base flood elevation. So yes, that little area out there -- if go out there and look at the highest point -- now it doesn't look like much -- it's just elevated slightly. Now keep in mind, it's 122 acres, and we are only really developing a small piece of that. We're only developing 6 or 7 acres total, and most of that is already developed. What we're looking to add is some parking and add building spot. And so, that area that's out there is slightly higher than everything else around it and it is above the base flood elevation. Again, this property is being sought to be annexed so that we can tie into the city sewer. The city sewer runs along Perche Creek that's out there currently. It's a 60 or 66 inch sanitary sewer line that's only at less than 20 percent capacity. Of course, that comes with a situation -- a couple years ago, we had the Henderson Branch sewer and how council decided not to construct that. I'd like to remind you that this extension would be at the cost of the developer. During the public hearing, there was some public comments

made with regards to how much the city has to spend on infrastructure for this piece of property, and I'm telling you that right now there is no money being spent on this piece of property for infrastructure. This sewer would be built at the expense of the developer. They aren't asking for the City to contribute to that at all. It would be a force main that would come out there and serve this piece of property. In order for us to pull a building permit, we'd have to go through and plat the property. So in order to pull a permit, we have to have a legal lot -- to get a legal lot we have to plat. When we plat the property, there is that outer road that runs through there -- that goes from bridge to bridge that is the missing connection for an outer road along I-70. When this piece of property goes through the preliminary plan process, my plat would have to grant the right-of-way for that road. So that's a benefit to the city, knowing that the city doesn't have to come in in the future and have to acquire that, have to purchase that and buy that right-of-way. So that would be something that would be required at the preliminary plat stage. And again, the floodplain and floodway -- Mr. Teddy briefly talked about this -- there is floodplain and there is floodway. But we're not developing in the floodway. There may be some yard games down in the floodway, but that's certainly allowed. That's certainly no problem there. And when you look at FEMA's regulations, two of the exact uses that they use is recreation and playgrounds. Those are two exact terminology that they use from the regulations -- what's suited for floodplain areas -- and so that's exactly what we're looking for here. And again, we're looking at like-zoning and all of the development is going to be permitted with FEMA regulations in mind. And so, there's a check with that -- any time we submit anything to the city, the city stormwater engineers review that and we have to certify all elevations. We have to certify, as Mr. Teddy said, no rise if we're in the floodway, which we have no intention of. And again, it's just a very small piece of this property. So with that, I'm happy to answer any questions that the Council may have and I appreciate your favor -- you know -- consideration.

TREECE: Any questions for Mr. Crockett? Alright, thank you.

CROCKETT: Thank you.

TREECE: Anyone else from the public desire to be heard on B296-21 or the conditional use permit, B297-21? Ms. Amparan, good evening.

AMPARAN: Hello, good evening. Hi, I'm Carolyn Amparan speaking on behalf of the 4,200 members and supporters of the Osage Group Sierra Club in Boone County and Columbia. Tonight, we wanted to just ask you, as kind of the bigger picture, not to approve an annexation or new sewer connections, and the bigger issue is that the West Area Plan has not yet been completed. The West Area Plan was initially discussed back in February of 20, and that is for an area of 26 square miles to the west of the city, and this is something that the city and county both need to work on together. Unfortunately, it got somewhat set aside due to the pandemic, but it is still a really important issue, and the -- I really appreciate the staff sharing how this property is in both the floodway, and predominantly the rest of it is in 100-year floodplain, because those are the type of sensitive issue that need to be considered when we develop the West Area Plan. And so that's a good example of why we need this plan before we start approving annexations and further developments, and although you're not being asked to approve a building permit tonight, it is very possible -- we want you to consider that we can't just automatically approve building permits and development permits even if they are

going to be in the 100-year flood zone and raised the required two feet because the regulations have not yet caught up with the facts of climate change, and it is a fact that 100-year floods are happening much more frequently, and it's also a fact that if we allow fill in the 100-year floodplain to build these structures up two feet, then we're just displacing these flood waters into other areas. So, we'd ask you not to approve the annexation or new sewer connections until the West Area Plan can be completed, and to perhaps reignite that process.

TREECE: Would anyone else from the public desire to be heard? Ms. Dokken, good evening.

DOKKEN: I'm Dee Dokken. I live at 804 Again Street. I'm speaking as an individual today, but I'm speaking to the process. Since this was on the consent agenda last time before it was taken off -- and that implies that Planning and Zoning -- there was no controversy or they approved the annexation as well as the zoning. They did discuss the zoning. That's probably a reasonable zoning, the best zoning possible, but they are deciding on zoning if it is annexed. They are not -- they did not discuss annexation. They are not allowed to discuss annexation. When it's put on the consent agenda the way it was, it implies that P and Z has approved both the zoning and the annexation. I think that is not a transparent process. It means you have to watch the agenda with an eagle eye. As you can see, there was some controversy and some discussion on this annexation. Thank you.

TREECE: Thank you. Any further public comment? Does anyone else from the public desire to be heard? Seeing none, I'll close the public hearing. Any discussion on B296-21 or B297-21? Mr. Thomas.

THOMAS: First of all, I just want to declare an ex-parte conversation with the applicant here by Zoom a little while ago. On the face of it, this looks like a reasonable request -- requesting a sewer connection for a small development on the existing property, not significantly changing the uses. And I appreciate the thoughtfulness that went into that decision, but I am going to vote against the annexation and zoning. There is a much bigger issue at play, and both Carolyn and Dee referred to this. Our city is expanding at a very rapid rate and losing density as we go, and this is not the way we want to develop to be resilient for the impacts of climate change that are coming. We want to stay more compact. And we've already jumped the Perche Creek with one property that we've given a sewer connection to, and I really think if we don't stand firm against this development trend west of the Perche, then, in a few year's time, there's going to be a lot more sewer connections up that hill and a lot more annexations. And then, we're going to have to build a road bridge across Perche Creek and there's going to be all kinds of infrastructure going out there, and we're just perpetuating the low density sprawl that's happening kind of all around the city, which really has to stop. I don't know whether you all followed -- I know Pat attended Chuck Marone's presentation last week or a couple weeks ago, but if you've looked at any of the resources by Chuck, he really sees the natural tendency of cities to grow low density, publically subsidized infrastructure. So I'm going to vote against this until we have a community-engaged West Area planning process, so that we can really hear from all of the stakeholders, not just the owners of particular parcels -- how they want to see that area west of the Perche develop.

TREECE: Any further discussion?

B296-21 was given fourth reading by the City Clerk with the vote recorded as

follows: VOTING YES: WANER, PITZER, PETERS, TREECE, FOWLER. VOTING NO: THOMAS. ABSENT: SKALA. Bill declared enacted, reading as follows:

B297-21 was given fourth reading by the City Clerk with the vote recorded as follows: VOTING YES: WANER, PITZER, PETERS, TREECE, FOWLER. VOTING NO: THOMAS. ABSENT: SKALA. Bill declared enacted, reading as follows:

B315-21 Granting a design adjustment relating to lot frontage and lot access in connection with the proposed Final Plat of Freedom House I located on the west side of William Street and north of Walnut Street (107 N. William Street); requiring execution of an irrevocable access easement (Case No. 195-2021).

Discussion shown with B216-21.

B316-21 Approving the Final Plat of "Freedom House I" located on the west side of William Street and south of Windsor Street (107 N. William Street) (Case No. 195-2021).

The bills were given second reading by City Clerk Sheela Amin. Community Development Director Tim Teddy provided a staff report.

TEDDY: So, as is our custom when design adjustments are requested as part of a subdivision process, there are two separate ordinances so that's why there's the two separate bills. One is the design adjustment, and the other is the plat that relies on it. This is Freedom House. It's known as Freedom House I, meaning it's the older of two facilities, north of Freedom House II, and they provide housing for persons with disabilities. An their desire is to tear down the building known as Freedom House I at this location on William Street and replace it with a new building. It would be 13 accessible apartments, a total of 17 beds in that. And in doing the project, they want to reorient the building so it shares an access with the project to the south or the -- excuse me -- the facility to the south that has access off of Walnut. Just a different aerial view. It's within the Benton Stephens neighborhood. That's Lions-Stephens Park that's directly east. Freedom House II, the newer of the facilities, which is not part of this request other than it plays a role in the design adjustment -- that's to the south. Just out of frame there, but you can see some of the grounds of property owned by Boone Hospital to the south. There are homes to the west and north of this. Part of the Benton Stephens neighborhood.

PETERS: Excuse me, Mr. Teddy, was that last picture -- was north at the top of the picture?

TEDDY: Yeah, north is at the top, yes.

PETERS: Okay. Thank you.

TEDDY: Yes, and that's William Street on the east that this property has frontage on.

PETERS: Okay, and that's the one they want to replace?

TEDDY: Yeah, the building that's to be replaced, yes.

PETERS: Not the one on the corner of Walnut?

TEDDY: No, no, there's no changes to that facility other than they want to link these two facilities together. We'll show that.

PETERS: Okay. Thank you.

TEDDY: And this is a fairly complex legal description for this property. Several lots

that were part of an old plat, and then there are some survey tracts. So, you've heard us say this before -- we do require a subdivision process to create a new modernized lot. Along with that, they're going to grant additional right-of-way and a 10-foot utility easement. William Street is only a 40-foot right-of-way, which is what we'd consider substandard so the 10 feet will help provide for potential future needs with that street. You can see on this plat the footprint of the building that's to be torn down, and the design adjustments relate to street frontage and lot access. They desire their vehicular access to be off Walnut across the other property to the new building to be built here, and so that will be their primary and basically their sole vehicular access. There is still a possibility for non-vehicular access or pedestrian and wheelchair access to William. It is zoned multi-family district, and it's located also within the Benton Stephens overlay so copies of their site plan, just for Council's information, have been submitted to that neighborhood organization. That's one of the terms of that ordinance -- that that neighborhood association be allowed comment. And then there are some specific standards that modify our regular zoning code. Covered these points -- other than the location of the primary access as proposed, the plat conforms to our standards. So they're waiving our requirement that the lot access off of actual street frontage -- and I want to make it clear that this is not a lot that's land locked so to speak. It does have actual street frontage on William, but it's not to be used for the purpose of their access. And this is conceptual site plan that supported that design adjustment. It shows a parking lot approached from Walnut, and then a main building entrance facing that parking lot. So you're again looking north. You can see William Street on the east side. Provided elevations to our Planning and Zoning Commission. This is a floor plan. A lot of exhibits that we wouldn't normally require as part of the platting process, but, again, they're considered to be material in evaluating the design adjustment. This is kind of a reverse plan, a drawing that the applicant provided. And actually they did provide this to the Planning and Zoning Commission. I commented in my supplemental memo that there was some materials that were new that weren't shared -- hadn't been shared with the Planning and Zoning Commission, but I believe they saw this graphic. It just shows the effect of, in essence, flipping the building so the parking lot would be on the north side and the access would be off of William instead of off of Walnut. They provided a number of site photographs, just a sampling here, but in the agenda packet, including links that the public can access. There's a number of additional photographs that they've provided to show this building and its setting. This is looking at the existing parking lot on the north side of Freedom House I as it comes off of William, and this is the curved driveway that sweeps in front of Freedom House I that also accesses off of William and joins that driveway that we just saw. This also is a diagram that the commission has seen provided as supplemental information to the council. It's a turning diagram and it shows, basically in these colored lines, how a large single unit vehicle such as fire apparatus would maneuver around Freedom House I and then on into -- I beg your pardon -- around Freedom House II, the newer building, and the up into the redeveloped building, which is shown in some colored lines there, yellow for parking spaces, and there's a green outline of the proposed new building. So they're showing that with the removal of some parking spaces, it would be possible to interconnect the two parking lots and rely on that combination of parking lot aisles to bring a large single unit vehicle into the site. I have talked to the fire chief

about this development in particular. The Fire Department would approve of this kind of an access, possibly not the preferred, but for Council's information, they would approve of this. And this is a photograph looking straight in from Walnut. Commissioners had a lot of comments, not only about maneuvering vehicles into the site, but how would residents access the surrounding neighborhood. How would they get out to the public ways? So this is looking straight north. Freedom House II is to the right in the image. That's their parking lot. They pointed out there's a walkway there. They would enhance that system to create in essence a designated accessible route so that residents could access Walnut. It's staff belief that we ought to have another such access to William, looking at amenities like the park, the public sidewalk there. Although there's a fairly steep grade on that front yard on William, we feel that there should also be an accessible route made, and it might require some turning and twisting of a walkway because there's certainly going to be some grade limitations to overcome there. So this went through our process -- a lot of talk about the site planning -- and the commissioners were not convinced there was enough evidence presented to them that would justify the design adjustment to take access off of Walnut. It's stated in the ordinance that one alternative we can consider is a private access easement over another property in lieu of access to the adjacent public street, and that document would have to be drafted and approved by Ms. Thompson and the Law Department. But -- that's noted in your ordinance that that would be a condition of approval should you approve the design adjustment. But, the vote was -- no votes in support of the design adjustment. And then they did make a recommendation, 8-0, to approve the final plat, but that would be removing the note regarding the design adjustments because you take that away and it stands on its own. But there would still be this issue of how they want to access the site. One exhibit, I want to show that was included in the supplemental materials is an additional accessible pathway, and their representative can speak to this -- one of the things the commission said they really wanted to see was maybe something additional that would give an indication of how persons would access the site and leave the site. So those routes would be from the front door at about the center of the lot, and then through a walkway that would be delineated through the parking lot. And then they do have some walkways adjacent the buildings. They have a parallel walkway with the Walnut sidewalk. But there'd also be a rather serpentine accessible path, meaning it would have to be curved or change direction to overcome topography so that there's no more than a five percent slope in keeping with the Americans with Disabilities Act. But that would be a way to reach William Street more directly. It's our feeling, also, that the front on William is important, perhaps from a resident enjoyment perspective -- beautiful open space across the street in the form of Lions-Stephens, which occupies that whole block, so, having some kind of means to view it. Our Benton Stephens overlay does provide for a requirement of a front porch, and they have shown that there'd be a front porch on the building, and if that can be used as a way to get fresh air and also take in the view of that park, that would be a positive thing, we think. And, I'll try to wrap it right there.

TREECE: So I've got a substantive question, a process question. So, just back up to your last comment -- you haven't seen any rendering or any drawing that creates any type of William Street access to any of those units, correct?

TEDDY: Other than what I'd just shown - they're taking out a driveway. They're

taking out most of or all of the driveway system that's to the north of the building. They have a version where there's kind of a driveway stub.

TREECE: But no pedestrian access.

TEDDY: No, not directly to the building, but they have added this exhibit showing they'd be willing to add that.

TREECE: That sidewalk?

TEDDY: Yeah.

TREECE: But there's really no way to enter the building without going through the parking lot, correct -- in the rear?

TEDDY: Yeah, I see what you're saying. I believe they'd have to add the front door. Right now, there's a door that accesses interior room according to their floor plan.

TREECE: Just a process question -- you said planning and zoning voted 0-8 on the granting the design adjustment. They did vote to approve the final plat, but without that design adjustment, but the final plat we have assumes those design adjustments, correct?

TEDDY: Yeah, it's got a note on it that indicates access may be off of Walnut.

TREECE: Got it. So, if council did not -- if council rejected the design adjustment, could we approve the final plat tonight? The final plat is wrong, correct?

TEDDY: Yeah, they would have to be directed to remove that note.

TREECE: Okay, got it. Thank you.

TREECE: Any questions for staff? Seeing none, I will open it up and ask if maybe the applicant wants to provide any additional light here. Would anyone like to be heard on B315-21 or B316-21?

MILLER: Good evening Mayor and Council. My name is Dianne Miller. I live in Briarwood Lane, I'm in Fourth Ward, and I'm the President of Freedom House Board of Directors. And I'm here representing the owners and residents. Mid-Missouri Barrier Free Housing for the Physically Handicapped has been in business for over 40 years, serving the physically disabled. The building has greatly deteriorated, and a great team of professionals have been hired and successfully designed secured funding to replace the 13-unit apartment building with a new one. It has taken three years, but we are ready to start construction if we can get approvals from the City Council. I would like to introduce Ken Nuernberger, our partner at NDS and management company, who will give a brief history of Freedom House I and II.

NUERNBERGER: Again, Ken Nuernberger, NDS Consulting Group and NDS Management. Thank you for listening to this. It's been very difficult, complicated as you may see by the site. And so when we were hired as managers, the property was poorly run. I think you may have heard from neighbors that talked about the previous management. I don't want to go into all of that, but we have -- and our manager, Michelle Fort, is here to discuss things at the end about how she's worked with the existing residents and dealing with the residents. But we've corrected that, and then as part of that, we got to know the neighbors and we got rid of drug problems and bad tenants and bad tenant caregivers. But the building was falling apart, so at some point, we could only do as much as a manager unless we could get money. So for the last three years, my consulting firm has been working with Dianne Miller and her Board to try to find \$3 million to rebuild this because everyone whose gone through, from the architects to the gaps in the walls -- that this would have been a lot of money to renovate it in the same position and not achieve really what today modern codes would be for physically disabled

individuals. One of the challenges is how do you raise \$3 million from a small group that doesn't have a big fundraising capability - so you go to all kinds of places to get it. So we've been eminently successful in getting money from the Federal Home Loan Bank Board, City of Columbia HOME funds -- I just went to the IDA Board of Boone County about issuing bonds. With tax-exempt bonds, you get four percent credits that allow us to raise almost \$2 million of equity. And then also, from Missouri Housing Development National Trust Fund money. So if you can imagine, there's a few sources of money to do all of this, and we've achieved that. So one of the -- there was -- so over three years in trying to put all that together -- things sort of changed. We thought we kind of had an understanding with our local architect and engineers that the original site plan would work, and obviously, that's not true, and that's why we're standing here today. We actually -- I just want to point out that when we went to the Planning and Zoning Board, I tried to see if there was any compromise that could be worked out. They really wanted it to either meet the code as interpreted or they really would still vote 8-0 against it, and so we realized there was really nothing we could do. So the big issue I think that causes a lot of the problems is Freedom House II. Because it was built later in 1995, it is under a separate -- same board members but different owner. And it has to be that way, because that's how HUD and almost every other finance does it today. So, these are run as one. This one is run as one 25-unit project, but there are two different owners. If it was one owner, Walnut would work. We'd be able to come in. I want to emphasize we have made compromises, so there is an entrance off of -- and we thought it was a good idea -- entrance off of William and access to William Street that we added in, and a better access to Walnut. And with that we -- also I want to point out that we tried to buy the house on William. If you saw, there's a little yellow house, and the owner there, to his prerogative, wanted \$200,000. There was no way we could possibly afford that and put it into the project. That would have solved all these problems. So there are some things that solve everything, but when we get down to it -- when you can't do it, you just are trying to make this thing fit in there. So we have the two owners and we want to try to find -- I also should say that, and I want to be very clear -- that there are some people that felt I may have misrepresented something. I want to clarify that. We did meet with neighbors. We did talk to the neighborhood's association -- a couple meetings, but I do know that the neighborhood association itself never took a vote or ever took a position. But when I say neighbors, I have talked to most of the neighbors on the north side, and we have tried with our architect, who will be next up here, Curtis, to talk about how he tried to design with their interpretation and their ideas, which was mostly -- they wanted to get the parking lot off the north side -- and that we could have long-term a one [inaudible] ingress and egress to control who comes in and out for security. So we are trying to do something that will really work for the next 40 years because this building -- they owned it for 40 years and almost had their HUD loan paid off. So that is all interprets to how we are trying to stand on one foot and spin wheels and do everything to make this work. So that's why we're here. With that, if you'd like, I will turn it over to Curtis Goben, our architect.

TREECE: Any questions for Mr. Nuernberger?

PETERS: I just have a question about -- you said you now have access to William Street.

NUERNBERGER: Yes.

PETERS: Can you describe that?

NUERNBERGER: Yeah. The last -- I don't know if, Tim, you can put that up again. Yeah. It seems to be confusing to people. If you look up in the very top right of this map, you'll see the squirrely line. That's how much drop there is still from the building to get to the highest point on William, which is the north corner -- where the bus stop is, but the bus stop's not there. So we are going to take the bus stop out. So there is in fact, and we agree that we probably should always have that -- an access to William, and then we did put a front door -- we have not, if you all agree, I want to make it clear the door presently -- there will be a door. There will be an entrance. It happens to go into a unit that we were just using for maintenance. We'll change the maintenance and make that an entrance. We just didn't go through the drawing yet, but there's a room it goes into, and that room can be an entrance that people can come and go out of more than just straight out a corridor so they can actually go on the porch. So we did that, and I want to emphasize we also thought it was a great idea -- what was recommended by P and Z is to have a really good better designated access to Walnut. And you can please ask Michelle for it or ask one of the board members who used to work there -- he will be up there later. Almost everyone goes Walnut Street. They don't go -- it's too dangerous, too hard, and there's nothing to get on William. If they go to William, they're going to go down to Walnut because that's where they go -- to downtown -- they go to hospitals or they go to the bus stop. So even if we were to move it around, everybody would go through -- the spinning around -- people would have to go to the back door to go to Walnut to get where they need to go. Others can better describe that. I don't deal with it on a day-to-day basis of course.

PETERS: Okay, thank you.

TREECE: Any other questions for Mr. Nuernberger? Thank you.

TREECE: Curtis, you want to shed some light on this?

GOBEN: Good evening. Again my name is Curtis Goben. I'm with Wallace Architects, representing the client. To kind of go through some previous history, which some has been already stated this evening -- was the existing property that they have now. The facility had ultimately achieved its useful life as the building and has seen deterioration and dilapidation throughout the structure. Let alone, the original facility was not designed to be fully accessible. I was, at one point, a senior living facility and was a good facility for its time, but to meet current, today standards and also to bring up to full compliance for accessibility, the building is deemed that it is in a -- not feasible to rehabilitate the existing facility, so therefore, we propose to provide new. And, in providing new, we went through a various multi-step process to go through how can we best utilize this property to meet what's required the city, and also take into consideration the actual end user and also the neighborhood around. So, the original team met and went through door-to-door to get some neighborhood input from direct citizens themselves -- some of the issues they've seen and what they would like to improve. Going through the process, one of the big issues was security at this property. Let alone, management could attest to what that security issue was as well. Based on how the original property was oriented with the north parking lot, obviously to the north, and how it abutted the residential property lines below that -- and also directly accessed from William Street -- allowed for undesired pedestrian traffic to enter that street -- and tended to be some criminal activity at times. Through various management practices, now

they have tried to divert that. But ultimately, we also want to consider how can we more effectively make this a safer building for the tenants that will be going back in this place. In doing so, the parking lot would be relocated to be centralized, away from public view or meandering pedestrians, so that it is strictly serving the people that are in this building. And to that, that also allows for buffers and such from the parking to neighboring properties but also allows for a more direct and internal access and communication between the two properties as these both are Freedom House -- Freedom House 1 and Freedom House 2 properties they will -- they work together and they are sister organizations. Best for effective means of travel for both the people actually living in the facility to mingle between the two properties, and also as previously indicated by this slide up here -- is you would access through a sidewalk that meets ADA standards -- have a designated pedestrian cross through the least trafficked area of the parking lot, and then it again -- connecting back to access that will lead you to William Street and a more accessible path. The current conditions at the northeast end, where we're showing that kind of switch back ramp scenario and why that was a problem to begin with -- was not accessible in any means nor was the drive and parking that was there accessible. So it was actually problematic in its current state for people with accessible needs to use it -- prone to other accidents and people falling. So if anybody would currently access William Street from the property, it's a hazard. So that's one of the main things that we wanted to focus on -- is improving the life safety and welfare of those on this property, and that was one of them. In addition to everything else, with the site and its constraints through topography, we wanted to best [inaudible] orient this building -- that could also serve either direction of the facility and also create a nice aesthetic to William Street as it is directly across from the park. In doing this process, it was kind of a leveling of the scales so to speak -- to what we can get and compromise because we tended to not fully execute everything 100 percent. In our eyes, what's the best means that we can come up with through all various scenarios, and in that, we did multiple iterations of buildings, some of which was shown on here where we would simply mirror the building -- how does that impact parking, what kind of retaining wall systems does that implicate, how does that actually affect site grading, and how does that actually affect the runoff and grading that goes into the adjacent property? Currently, I believe there's a 19-foot difference between the northwest end of the property to the southeast, and from the current footprint of the building, directly at the face of the building to the street at Walnut -- William Street is just shy of a 10 feet drop. So, there's a considerable grade change for us to achieve an accessible route regardless of what building and where we put it. So in trying to incorporate all of these, we also said, well can we reduce the footprint of the building to gain some more leverage within the site interiors? And, doing so would bring about the discussions of a two-story building. Well those discussions also hinder itself to not serve the best means possible for an accessible person that's living in this facility because we are providing two stories. Although we do have access and can provide an elevator, the means in which the building is operated simply just wasn't conducive. The feasibility of this was trying to keep a good management and care facility to maintain the users the best that they can to provide them a safe means of living, and having two stories, multiple levels, was not conducive for those operations -- let alone, some of the higher costs associated with that. So ultimately what we did

was we turned this into where these two properties joined together in marriage, a relationship that's better suited for the actual operations of the users and management team versus having a property where it's back a door is to it without an accessible route between the two, meaning that you would have to leave the property to go to the other property. So we're trying to solve all these while combining what our restrictions are, having some neighborhood input, and ultimately, we're trying to improve the security of this property as well, through various means of sight lines and accessibility, and also through the great management team we have on board here. Additionally, the only other thing I can add is that our goal is to improve this site, and that's what we think we're doing. We really do believe that the life safety and welfare is at a priority here, and we don't necessary believe that we're hindering any of it -- that we're improving this facility for its end users. And not only that, this building is designed as being a new building, another 50 years plus easily, so we hope that this relationship within this neighborhood can continue to be strong.

TREECE: Thank you Mr. Goben. Any questions for the architect? Seeing none. You might hang around if we have other questions. Would anyone else from the public desire to be heard on this issue?

GOBEN: Our civil engineer, Kevin Murphy.

MURPHY: Good evening, Mayor and Council. Kevin Murphy with A Civil Group -- offices at 3401 Broadway Business Park Court. I don't want to be redundant here, but as a site design professional on the site, I can honestly say that this proposed layout is the -- with the requested design adjustments -- is the best option, solution for the residents of this facility, the management of the facility, and surrounding neighbors and neighborhood. We've designed hundreds of sites that have had this kind of topographic relief, or rather, such extreme elevation variances. And on such a small parcel of land, has resulted in placing multi-story buildings, and various grading that does not work for the site and/or the residents has been pointed out. This is not a health safety issue for the city as all fire department, emergency services requirements have been met and approved. It's plainly an issue of providing the best access for the property for much needed housing for disabled citizens, and this proposed layout provides exactly that with ADA compliant routes to both William Street and Walnut street without having to, at this point, completely redesign the site and building, which would cost this organization tens of thousands of more dollars that could be utilized so much better for the disabled citizens of our community. The mayor had asked the -- yes, we are -- hopefully that was pointed out that -- yes, we do have ADA access from the building to William Street. We have a front door that we will be creating. We had one, again -- it will be a regular front door and front access to the building to William Street -- the issue I think that Planning may have had. We also had vehicular access with a parking space provided on the street -- on William Street. I think planning's issue was that that parking and that access, vehicular access, from William Street does not directly go to the parking that's needed for the site. The route from Walnut Street to the building on this other side is the best ADA route, mostly at two percent grade versus a five percent out to William Street through that circuitous route there. And, again, the bus stop is now at the corner of Walnut Street and William Street, and not at the northeast corner of the property that we're dealing with. And this is how the people access it now because the William

Street access to too steep. They come out Walnut and either go downtown, go to the bus stop, or they utilize the hospital facilities at Broadway and William. And I could go on about the topography on the site, but it's quite drastic, and we think this is the best fit for the site. I'd be happy to answer any questions.

TREECE: Any questions for Mr. Murphy? Thank you. Does anyone else desire to be heard?

FORT: I'm Michelle Fort. I'm the property manager at Freedom House, and I'll be very brief. I just wanted to point out the tenants currently go out the back door to Walnut, and we appreciate all the stuff that we've received from P and Z because we were able to add the switchback sidewalk to the north to provide ADA access, and all the tenants are currently -- that we are going to move out -- they are wanting to return so that says a lot about the building and how they've -- able to give us their feedback. The new building is offering a lot safer of an environment and their independence.

TREECE: Thank you. Any additional public comment?

NORGARD: Good evening. Peter Norgard, 1602 Hinkson. I am the neighborhood President for the Benton Stephens Neighborhood Association. Also, full disclosure, I sit on the Board of Adjustment and so for that reason I have kept out of this discussion for the most part -- just because it may come before the Board. Just to shed a little bit of light on the process that the neighborhood association has for seeing projects -- typically that's triggered when a building plan is submitted. Because this is not a building plan, the neighborhood was never officially given by the city any drawings as far as I know. So our participation has mostly been unofficial and invited at the request of Freedom House I, which I have to say three years ago we sat down with them and had a nice roundtable conversation and some of these same plans then are appearing now. And they have been receptive to changes that various members of our neighborhood have requested. But again, the neighborhood association itself did not chime in on this. I don't think that -- as far as I can tell the neighborhood is agnostic on this design adjustments. I'm not really sure that our neighborhood really fully understands that but I think anybody that has walked through that building knows that it is in very poor shape. So, take that for what you want, but -- I don't have anything else to add.

TREECE: Thank you, Peter. Ms. Fowler?

FOWLER: It's not a question. Well, it could be a question for you. There's a -- the Benton Stephens overlay -- what would the overlay require of this building that that's not currently shown in their plans or discussed in their plans? I know it needs a front porch.

NORGARD: Yeah, it needs a front porch. We need sufficient parking. So for whatever zoning designation this receives, it would have to have sufficient parking as long as it's residential. So our overlay only touches on residential. Since this is a residential facility, I think that it would receive some form of residential designation. I'm not sure if the overlay actually touches on anything other than R-1 through R-MF. But it would be required to have a porch and 50 percent greenspace and -- I don't think that it would comply with the 50 percent green space, just looking at it, but, you know, that's just by eye.

FOWLER: I can also ask Mr. Teddy to weigh in on that question.

NORGARD: Right, and like I say, it could be dependent on the exact zoning designation that they are going for.

FOWLER: Thank you.

TREECE: Thank you. Any additional questions? Any further public comment?

POWELL: Good evening. My name is Krystall Powell, and I am a tenant of Freedom House I, and I'd like to address each of you as a member and collectively from each of the tenants. I'm speaking for them. We want to address the grade of the driveway. We've talked about this a lot this evening, but it's difficult to maneuver as tenants, because -- I'll give you an example. Over the winter, with the snow and ice on the road and on the parking lot, for me personally, I drove around the block and tried to get up the grade of the driveway, and I slid back down. It took me four attempts. Finally the fourth time, I finally got enough of a run and made it up. However, there's another tenant that lives in the building that is in a wheelchair, and I'm not sure what exactly happened, but he ended up sliding down that steep driveway headed to William Street and tipped over. What happens if he hadn't stopped and tipped over? Would he have ended up in the street? That's our concern with the driveway on Walnut -- I mean on William Street. So there's serious concerns for us, as the residents and the tenants of that building. These conditions are not safe for people who use a wheelchair, a walker, who use a cane, to be able to get to that street to the sidewalk. We need an alternate path to get to a safe area, and that's not it. We need something different. All of the current tenants of Freedom House I have seen the design plans of the new building that have been submitted, and they like how the parking lot is on level ground. This will ensure that each tenant, whether ambulatory, deaf as in my case, or one that uses wheelchair, cane, walker, or etc. will be in safe getting around the property and to use the sidewalk to go to do their personal business. With the current plans, this will have a centralized office, centralized parking so that everyone is aware of all the tenant's movements on the property and can use caution to promote safety for one another. And that's what we promote there -- for each one of us is safety, and we look out for each other. Thank you for your time.

TREECE: Thank you for coming tonight. Is there any further public comment? Please. There might be a microphone here on the side that is accessible for you.

EBERT: Oh, over here. Thank you - thank you very much, that's great. Good evening. My name is Matt Ebert. I am a member of the Board for Freedom House, but was also a tenant there for between 9 and 10 years. That was the first place I moved to after having been -- after becoming paraplegic. And, it was the first time living alone as a disabled -- specifically as a paraplegic person. That site, its proximity to Conley Road, its proximity to Boone Hospital, to downtown, to Stephens Lake Park, just down Walnut, and to Stephens-Lions, right across the street -- I never myself used to be a porch sitter and within the first few months of sitting there, I sat out all fall and all spring and all summer watching the kids play at Stephens=Lions Park. And that became even a communal thing. You'd sit with other people and you got to know your neighbors. And the size of this building is ideal. It promotes a sense of community because you do get to know everyone that's in the building with you as opposed to a 200 person multi-story kind of thing. And, I think that's a special thing for this kind of housing because it's not just a community of people in that the sense that they live together, but they're all there for shared reasons. They're all there for a common set of struggles, and that promotes an extra level of the bond of community that is formed in a place like that. When I happened to be there -- that was prior to the current management and there were management problems

and tenant problems, and of course the building is in really bad shape, but its function and its purpose was still quite clear and came through to me when I needed it most -- which is a place that I could access and that was adapted to my new living situation that I was also newly getting accustomed to. It gave me a place to feel like I could function on my own. And, at that point in time, you know, I was still in my late 30s, mid to late 30s. I had lived alone before but never in this new state of being. And what was provided for me by Freedom House existing, even in the condition it was and still is in, was invaluable. And I knew at that point that when they asked if I would like to be a board member that I wanted to advocate for that building and the concept of why it's meant to exist because it did something for me when I didn't really know I was going need something to be done that much for me, and that building and its community provided that. I think that continuing to help promote this sort of place and to advocate for it is vital, not just for the residents, but the community that those residents live in. Thank you for your time.

TREECE: Before you get away, you mentioned the front porch on William Street and how much you sat there looking at the park. From the rendering I'm looking at now, it doesn't look like there would be that type of amenity on this. Do you have any thoughts or suggestions?

EBERT: I think the biggest thing is if there's an access to William Street that is safer than what there is now -- and to speak to the lady that was up before me, I have seen people slide all the way down and spill out into the street. That needs to be fixed. If there is any way of access there, you will find that people will start to gravitate to hang out around that. I don't know if that's considered a negative thing. It might not be a porch, but if there's an area where you can see across the street. And just having access to the park, even if that means going down to the sidewalk and crossing the street and sitting in the park. People would be more apt to do that with a direct access to William Street than to cut across the Walnut parking lot and hit Walnut and go down to the corner of William and Walnut, and make a left and head to Stephens-Lions Park. If you could go out the door of the building and go right down to William Street and be directly across the street from the park, that to me -- when I lived there -- and I saw that was often the difference for people as to whether they engaged with that park at all -- it was could they get to it. And a lot of people didn't like trying to go down the driveway, but they didn't want to go the extra longer way out around Walnut so they sat on the porch and watched the park from the porch. And you know there are some people who that would be what they would just want to do anyway, but I think the people that I started to sit around initially went down to the park if they felt they could safely get down the driveway and across the street. And going around, if you're in a manual chair pushing yourself all the way around Walnut and then down to the corner, it's a longer hall around. And, you know, that's sort of kind of what the purpose of that building and its property is to me is access. It's just sort of what it means in the most generalized, idealized scope is access. And if that's access to William Street and that little park across the street, that's to the betterment of the people who will live there, and I saw it. It was for me, and I saw it in other people who took advantage of the access that they had and still have right now at the time, which is not safe. If you really want to get out and you don't want to be inside all the time, you're willing to take that chance of trying to go down the driveway.

TREECE: How long did you live there?

EBERT: Nine years.

TREECE: Wow. Do you know what the average length of stay is there? Is it someone's permanent home, is it transitional housing, is it --

EBERT: When I was there, there were people that were there when I moved in who were still there when I moved out. I don't know how many of those people are there, but for someone like myself, I had had years of negative experience of several problematic tenants, and fighting with those tenants for years via going through the old management, who turns out was friends with those tenants and wasn't filing any of the complaints about them and such. I sort of hit my rope where it was no longer a fun place to be. It was not -- my life wasn't better being there, and that wasn't from the facility standpoint. It was purely a problem, which they have taken care of now.

TREECE: Right, and you're still on the board obviously.

EBERT: Yes, and I've seen the difference in the place now versus -- and it feels different to go in, just the tenant feeling -- the mood is a different thing than it was when I was there, and it's a better thing. I'm so hopeful for these people that have signed on to go get displaced for a year and a half or a year whatever it would be and come back -- that they're coming back to a new place that still has all the benefits of that place's location, but all of the problematic tenant issues are gone and a lot of security issues are also have been resolved. It's a hopeful thing for what these people are going to be returning to whenever the project is done, and that makes me happy as someone who used to live there because I know what it meant for me, and I got the benefit out of it when it was in its really dilapidated state. So for people that are going to be coming back into it as a new facility, I just think it's really going to be spectacular for those people.

TREECE: Thanks. Thanks for sharing your story.

EBERT: Thank you for letting me run long. I apologize.

TREECE: Any further comment? Anyone else from the public want to be heard? Anything you want to clean up, Curtis?

GOBEN: The information here is not clearly shown via the lack of graphics, but it is shown on the William side street. On this elevation if you look at the bottom right corner, that would be the front porch seating area that would over look William Street and the park across. That was actually just shown as a rectangle on the plan that you saw before, but that is indeed captured.

TREECE: Alright. Thanks. I will close the public hearing. Any council discussion? Anyone want to start us off? Dr. Peters.

PETERS: Sure, I'm happy to because I've -- I drive by there pretty frequently, and I would agree that circle drive on William Street is massively dangerous because it is very steep. I can't imagine going down there in a wheelchair. Initially I had thought that they needed access from William Street just as like a u-through, you know, some kind of pass through especially for the Fire Department, but if the Fire Department feels that they can do okay without that, then I'm alright with just that Walnut Street entrance. I so think this sounds like an improvement over what they have. I'm sort of bummed to see all the trees that are going to have to come down when they move the building north, but I think the security will be improved with all the parking in the middle and just, you know, more eyes on what's going on. So, for me, I think this is an improvement, and I'm okay with it.

TREECE: Tim, can you clarify that Fire Department did review the shared parking lot

and access issue there?

TEDDY: Yeah, a conversation with Chief Woody just last week -- we discussed it and he brought his fire marshal into the discussion and said access approved.

TREECE: Alright. Thanks. Any further Council discussion. Ms. Fowler?

FOWLER: Can I take this opportunity and ask Mr. Teddy about the Benton Stephens overlay? So, we're looking at a front porch on the north end of the side elevation that faces William Street. What other requirements of the Benton Stephens overlay that are consistent with the UDC are in effect here?

TEDDY: Well, that are consistent with it? I mean there's one that modifies height. It's consistent with both. It's consistent with the UDC and Benton Stephens on height. That's a two-story building maximum requirement. Mr. Norgard mentioned parking. The parking ratio we would use for this -- because it is a facility for disabled persons, it would meet our parking standard. Haven't done top to bottom review of the Benton Stephens overlay standards as part of this plat though so things like open space ratio, we'd probably have to look at that separately.

FOWLER: Would you do that review when the --

TEDDY: Oh yeah. I mean they building plans in so -- yeah, that review does need to be done, so if there are any deficiencies, that would have to be reported to the applicant.

FOWLER: And they'll have to take care of that as far as the open space or the green space.

TEDDY: Yeah, they'll have to take care of it.

THOMAS: I read the Planning and Zoning Commission minutes, and I understand why that body kind of feels a very strong allegiance to the letter of the Code and the need to uphold, you know, what it says, and what the most likely interpretation of that is. But, I think we know that all of our codes are at some level imperfect. And we've already had one unanimous vote tonight to grant a waiver on the length of cul-de-sacs and so on, in response to another -- to an adjustment that the developer offered. So, it's very clear to me that the best outcome is the one that's being proposed with the less steep access to Walnut Street, and the applicants have gone an extra step and designed a less deep access down to William as well as the porch being there so this seems like a very good request.

PITZER: Yeah, so the improvements -- I mean it sounds like these have been since the Planning and Zoning vote. Correct? The porch, the additional --

THOMAS: [inaudible] Yeah.

PITZER: And then there's the issue of the permanent easement -- access easement - - to Walnut.

THOMAS: Oh yeah, so there has to be like a legal document for that.

PITZER: Right, I mean I think all these things are improvements over what P and Z looked at. Are they reflected in what we're voting on here, or is that a separate process or review of the building plans? That's kind of my question. Is there anything legally binding in what we approve here?

TEDDY: I think we're saying to them that you really should recommend the design adjustment based on the presentation. I mean they've represented that they'll have that second access. They'll have the front porch. The front porch, I believe, was represented as part of the building. However, it didn't have any kind of a walkway system. There was a short driveway one of the speakers mentioned coming off of William, and that would just be a place for someone to transition to a

vehicle. But other than that, I believe that porch was on there. They're going to strengthen the internal linkage to it. I was basically accessed through, I think they described it as a maintenance space, and that's what we saw in the floor plan as well. They've indicated to us that they're going to change that. So I think they're good for that change. You know, I will expect to see it as part of the building plans going forward.

TREECE: I'm a little torn. I mean I think it's close the -- and what concerns me is over riding a 0-8 vote of Planning and Zoning. If this was not a disability, for lack of a better term, group home, would we allow -- if this was students, would we allow going through someone else's parking lot to get to their parking lot, and only entering the unit from the parking lot. I think the front porch ameliorates some of that, but the porch is so small. Given Mark's comments to us, I think what is going to end up happening here is people are going to sit in their rooms and look out the window, and they're not going to have that sense of community on the front porch. I don't know if that could be approved at all. I do like having the connectivity with the park with some more permeability or some more outdoor space there, you know. I agree with everything here. I think it's really close. I wish you all could buy the yellow house and do what you want to do there. So I'll probably end up going with the majority.

THOMAS: Do we need to take any action regarding the access across the other lot?

THOMPSON: No, once -- if you grant the design adjustment, then the next step is to ensure that they have adequate documentation in place to make that happen. If they don't do -- if they don't get adequate documentation that's approved by my office, then that can't happen

THOMAS: Got it.

THOMPSON: So in essence, it could prevent that from going forward even if you approve the design adjustment because we to approve the alternative access and appropriate covenants across one property to get to the other.

THOMAS: But that would be initiated the applicants?

THOMPSON: Yes, in working with my office in order to make sure that language is okay.

TREECE: Any further discussion? Any inquiries? Council Member Waner?

WANER: And just to clarify, the 8-0 or 0-8 -- the denial from Planning and Zoning about the adjustments -- there was additional discussion and a redrawing of the site plan as a result of that meeting, correct?

PETERS: I think they did the walkway. You know, the zigzag walkway. I don't know if they did anything else.

WANER: So Planning and Zoning did not vote on that particular piece.

TREECE: Is that right, Curtis?

GOBEN: Yes.

TREECE: And you added the front porch and serpentine path.

GOBEN: Yeah, [inaudible] the front porch on either corner of that end and presented both, but as far as the -- showing the actual, on paper, the two new routes of how that will meet accessible, no we did not, and they did not have that at that time.

WANER: Got it. So, that came as a result of that discussion during Planning and Zoning.

GOBEN: Correct.

WANER: So maybe their vote might have been differently had that been there.

TREECE: Curtis, is the topography -- I assume that east side elevation there that we're looking at now -- is that all flat? I mean have you thought about adding -- not to micromanage this too much -- but have you thought about adding some additional columns on those other peaks and extending that front porch the length of that?

GOBEN: We can make the front porch larger. I mean -- it's not -- Ken, can help speak to that -- but, I mean, yes. You can make that gable larger and it's a matter of adding some columns.

TREECE: Make it look some more residential, front-facing on that streetscape so it's a little more -- not all those windows need to be doors obviously. I appreciate what you're trying to do with security access there, but --

PETERS: It would be nicer if there was length to that porch so people could sit out there. More than two people crammed together on one corner.

NEURNBERGER: Can I speak a second?

TREECE: Sure, Ken.

NEURNBERGER: We did not do nearly -- we weren't aware how the presentation should have been done for the Planning and Zoning so Curtis wasn't there. It was sort of -- not nearly as succinct as this was. We wanted to make sure [inaudible] so one of the things about the P and Z -- trying to figure out what they could do and not do became confusing a little bit for all of us, and I was there. And, we have in fact -- I think it wasn't clear that we had planned in a porch. I think the idea of the porch -- we can -- we'll work to expand the porch. That's never been a problem frankly. We heard that they wanted the porch and the access --we wanted to figure out how to do it. We couldn't do all the grade standing at a platform like this figuring out how many feet it was exactly from that corner. So that's why -- so there is new information, and I think it is helpful. Had we done it like this, it might have been a different result, because I didn't find much negative - you know, intense negative. It was more about -- gee we don't want to go over this zoning district this way -- and even mentioned the architect looked [inaudible]. He wasn't there to explain all the things that you heard tonight either -- all the options that we had gone through prior to even meeting with the neighborhood and figuring how to do it. Thank you for that.

PITZER: Seems like this plan is improving throughout the process and it continues to improve tonight even as we sit here. I agree -- you know I have a little bit of concern about overriding a 0-8 vote. I mean is it worth having P and Z take a look at it again and -- with all of the new information that we have.

TREECE: That's up to you. Do we have a natural gap anyway with respect to approving the plat?

THOMPSON: This is - you're talking about a gap as far as it coming back?

TREECE: Is the plat in front of us reflective of the current iteration? Does that make sense?

THOMPSON: You are going to have to answer that.

TEDDY: [Inaudible]

THOMPSON: Right, so you're granting -- on the plat, you're granting the design adjustment.

TREECE: Got it.

THOMPSON: Not necessarily --

TREECE: Not necessarily their renderings.

THOMPSON: Correct. You're not approving the renderings because -- I will tell you this, all of the renderings are a little bit inconsistent at this point in time. That's going to have to really be managed as it comes through planning -

TREECE: As building codes.

THOMPSON: Building permits.

TREECE: If you want to make that motion, Mr. Pitzer. It's certainly in order. I don't know that given where we are at if it is necessary, but --

PETERS: It just seems like it's just an extra step. Somewhat of an unnecessary step, although I agree with everything you said regarding -- I don't like to overrule planning and zoning, but I don't know that they want to see this again either.

THOMAS: I'm not sure they'll change their minds actually. I mean I think it was a very principled vote. From my reading of the script, there was a lot of sympathy and desire to find a way to help the applicant. I kind of felt they felt they had to vote it down so I probably would oppose the motion to send it back.

B315-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: WANER, THOMAS, PITZER, PETERS, TREECE, FOWLER. VOTING NO: NO ONE. ABSENT: SKALA. Bill declared enacted, reading as follows:

B316-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: WANER, THOMAS, PITZER, PETERS, TREECE, FOWLER. VOTING NO: NO ONE. ABSENT: SKALA. Bill declared enacted, reading as follows:

B322-21

Authorizing a cooperative agreement with the State of Washington, on behalf of its Department of Enterprise Services, for the purchase of transit buses.

The bill was given second reading by City Clerk Sheela Amin. Acting Public Works Director Shane Creech provided a staff report.

CREECH: This is an agreement requested by the State of Washington in order to use their transit bus purchase contract. This will save the City approximately \$20,000 to \$30,000 per bus. The City does this frequently with the State of Missouri and has done the same with other states when deemed beneficial. Following execution of the agreement, staff will purchase three 35-foot CNG buses. It will take up to one year for the buses to be produced and delivered. Councilman Thomas asked earlier today about the lifetime costs associated with CNG buses versus electric buses. An electric bus currently costs approximately \$750,000 while a CNG bus runs just over \$500,000. The City currently has four electric buses, and we've had them for about one year. Each of those buses has a one-year warranty. To date the electric buses have performed well with low maintenance costs and significantly better fuel efficiency. However, it's my understanding that the city had a really bad experience with first generation electric buses and would like the additional time with these electric buses before adding additional ones to the fleet to gauge long-term reliability. Currently, the City has four electric, three CNG, and 14 diesel buses. The three CNG buses purchased under this contract will replace three of the existing diesel buses. Happy to attempt to answer any question.

THOMAS: Yeah, so -- am I correct in understanding that if this proposal was

changed, and you purchased three electric buses to replace the three diesel buses, they'd be, you know, a significant cost increase to the city to do that, at least at the time of purchase?

CREECH: Purchase price wise, you can buy three CNG for the price of two electric buses, apparently.

THOMAS: But you also said that the maintenance and fuel costs, certainly the fuel costs for the electric buses are very low, and that's that brilliant rechargeable battery business -- when the bus is continually accelerating and decelerating and it just keeps pushing the energy back and forth. It's a beautiful piece of physics. John?

GLASCOCK: That's if they work.

THOMAS: That's if they work, yeah.

GLASCOCK: So, we had a very bad experience with electric buses the first time and we sent four of them back, and many cities sent those back as well, not just us. So, we would like to really try them out first before we start investing heavily in them. We'd love to invest in electric, but they just -- we just haven't had a good experience.

THOMAS: But you got four more a year ago.

GLASCOCK: I believe it's -- three or four?

CREECH: We have four right now.

GLASCOCK: Different brand.

THOMAS: And things are going okay, so far?

GLASCOCK: So far.

THOMAS: Yeah.

GLASCOCK: But so were the others for a year.

THOMAS: I see, it was after a year that we started seeing problems.

GLASCOCK: Yeah, I mean, we had two of them down for two years solid -- never used them.

THOMAS: And wasn't it partly about availability of parts?

GLASCOCK: Well, no. And we didn't mechanic wise and, you know, that stuff. We had one catch fire, you know, from the brake-drum. So, I mean, we really want to test these out. We've had really good luck with the CNG since 2007. We also own the CNG station in town, and so you know, we've had good reliability in that -- trying to get rid of the diesels.

THOMAS: Now, we do have a Climate Action and Adaptation Plan looking to reduce city emissions, I think by 50 percent by 2035, which is the time period that these buses will be operating.

GLASCOCK. And this does help with that. I mean it's less than diesel.

THOMAS: So CNG is an improvement over diesel for sure, yeah. We did discuss a, quite recently, some kind of a new entry on the council memos to say what the climate impact -- has that been approved? Are we definitely doing that?

GLASCOCK: I don't think Eric's come up with it yet -- of what he wants to measure.

THOMAS: Okay, because that would be helpful here. Great. Well, that's all the questions that I have right now. Thanks, Shane.

TREECE: Any further questions? Mr. Pitzer?

PITZER: Is this an agreement to buy a certain number of buses or is this an agreement to work with the State of Washington if we choose to buy buses.

CREECH: Just a cooperative agreement with the State of Washington in order to use their better deal on buses.

PITZER: Okay, so there's no requirement that we actually do anything. Okay. Thanks

GLASCOCK: And it helps us get in line to get a bus.

TREECE: I'll open the public comment. Would anyone like public desire to be heard on B322-21.

AMPARAN: Good evening, again, Carolyn Amparan, speaking on behalf of the Sierra Club Osage Group and its Columbia members and supporters. I appreciate you took this off the consent agenda so it could be discussed, and we would like to ask the Council to stop buying compressed natural gas buses. It's important -- and the other thing is, if you can't feel like doing that right now, it's really important that whenever we look at buying new vehicles for the city, we always look at the lifecycle cost of those vehicles. It was mentioned earlier in the staff report about the upfront cost. According to research, those fuel costs and those maintenance costs together add up to about a savings of \$400,000 over the life cycle, comparing a CNG bus to less expensive electric ongoing operations costs. So you can see that it's really important not just to look at those upfront costs. Additionally, we would like to ask that all lifecycle analysis for costs include the social costs, not only of the impact of the greenhouse gas emissions, but also the impact of the air pollution because CNG buses also produce more nitrous oxides and particulate matter than electric buses. I understand the comment about, you know, that they've only had the new buses for about a year, but a lot of cities are investing in these buses and a lot of school districts are investing in these buses for their school bus transportation. So, I think with probably some research, we could find some communities that have had the buses we are interested in buying for more than a year and find out what their maintenance and operating performance has been. So, we would really like to ask the Council not to approve these buses. As Ian pointed out, these buses are going to have a service life of at least 12 years, and that will take us up to the first deadline for the municipal operations cut of 50 percent that's due by 2035. And right now, there are really no specific plans for the City of Columbia and how we're going to get there, so every single one of these decisions begins to be important. The other thing I wanted to point out is that there are a lot of government funding programs that are helping municipalities buy electric buses. There's been a variety of state programs, there's federal programs -- the Biden administration is all in on this conversion, so I think that we could anticipate that there would be funding to help pay for electric buses, but not CNG buses. And it's also important that we stopped buying fossil fuel infrastructure to send a message not only to the public that we're committed to our Climate Action and Adaptation Plan, but also to city staff. Thank you for your time.

TREECE: Thank you. Any further public comments? Mark, good evening.

HAIM: Good evening, my name is Mark Haim. I live at 1402 Richardson Street and I'm here speaking on behalf of the members of Mid-Missouri Peaceworks. I'll keep this very brief. Everything Carolyn said we agree with. Beyond that, when the compressed natural gas facility was being debated several years back, we said that this was not a very good idea because whenever you invest in fossil fuel infrastructure, you intend to use it for an extended period of time. So it's not just the immediate impacts but the overtime impacts that you look at, and when it comes to greenhouse gases, compressed natural gas is not as much an improvement over diesel as some people think it is because of the fugitive methane issue, and that is something to keep in mind. We should be phasing out

our compressed natural gas facility rather than buying new equipment that's going to need to use that facility. And, it really is a thing. If we're serious about meeting the goals of the Climate Action and Adaptation Plan, we've got to take action now that will impact the future and get us to those goals in a timely way. I'll leave it at that. Thank you.

TREECE: Any further public comment? Mr. Creech, do you know if the Washington State cooperative agreement only applies to CNG buses or does it apply to electric buses too?

CREECH: I am not sure on that. I could check and get back to you though.

TREECE: Thanks, it may not be necessary. Any further public comment? I'll close public hearing any Council discussion? Mr. Thomas?

THOMAS: I got a question for staff just to clarify then. So, this bill tonight is simply to sign an agreement to position ourselves to purchase some vehicles at a particular price, and if staff wanted to go ahead and actually purchase those vehicles, that would come back as another bill? Or not?

TREECE: The council memo says staff will proceed with procurement of the buses once the bus cooperative agreement has been executed.

CREECH: Using a grant that was previously approved by Council. But we need this cooperative agreement in order to use the State of Washington's costs. So we'd be able to move forward if approved.

THOMAS: Okay, and when the Council approved the -- was it the acceptance of the grant that we approved? Was -- is that with the explicit understanding of what kind of buses these would be or is it for any public transit vehicles that we should choose?

CREECH: We received a federal grant and council authorized appropriation of those funds at the September 7 meeting.

THOMAS: But with no particular specified purpose. Okay, great. Thank you.

TREECE: My sense was that grant was to replace diesel buses. We didn't say with what.

THOMAS: Right.

FOWLER: I see Mr. Glascock nodding his head -- so we could use that grant to replace diesel buses with electric buses.

GLASCOCK: If Washington State has an electric bus contract that we can get on.

FOWLER: That's part of their --

GLASCOCK: And, you'd get two not one, or three, I mean.

THOMAS: Or we could not even go through Washington State. Presumably, we could buy electric buses through some other --

GLASCOCK: Probably not as quick as they can. Because we, I mean, we don't buy that many buses. They buy lots.

PETERS: Do we need new busses?

GLASCOCK: How many diesels do we have?

CREECH: About 14.

GLASCOCK: Fourteen, yeah, we need busses because those diesels are at the end of their life and some of them are past their life.

THOMAS: We only run six bus routes now, with one bus on each.

GLASCOCK: We still need buses, I mean they're down. The diesel ones are down quite often. And we have -- I think 25 percent spare ratio is what we try to run, somewhere around there -- 15 to 25 percent.

PETERS: If the City quit supplying -- if we got out of the natural gas business, which I know at the moment we're not planning to do, how would we fuel these buses.

GLASCOCK: Well, that station is going to stay there probably. Clean Energy was our partner and they'll probably operate it long after if we get out of it.

PETERS: Okay.

TREECE: Any further discussion?

GLASCOCK: They have them all over states so.

TREECE: I'm probably not inclined to support this if it means we're buying CNG buses.

THOMAS: I'm the same.

TREECE: I'm inclined to support it if it gives us a better price on all of the above, and we come back with what those all of the above options are.

THOMAS: So we get to vote again on any choice of a particular type of vehicle.

TREECE: Well and assuming if four council members say that. I mean, it's -- I can't imagine Washington State transit bus cooperative agreement is solely limited to CNG buses, but the memo suggests that if we approve this, they're going to pull the trigger on a purchase order and they're going to make two buses that we're then going to buy after we've already ordered them.

THOMAS: It's just all going to happen one step after another.

TREECE: Welcome to divining the will of the Council Mr. Creech.

PITZER: So I'd want to understand just the financial implications. I mean, there was a \$1.6 million dollar grant to buy those three buses, and then the City matches it with like \$200,000. So, you know, I'm not sure that we can afford \$1.8 million. But we're only putting up \$200,000 here for these three buses according to the memo from September 7. So, if we don't do this, do we lose that \$1.6 million and -- or, you know, are their strings attached that -- it could only be used for the CNG buses, for example, and then we have no buses.

TREECE: I'm willing to learn more about that. I just --

PITZER: So, do you want to defeat this or you want to learn more?

TREECE: I'm inclined to pass this as long as staff comes back with the choices of here's what we can -- after further review -- we can do this on the electric side or this on the CNG side. My sense is that grant was to replace three diesel buses, which we would be doing anyway. It's just with what. And if the technology isn't there yet on the electric side, I'm okay with that too, because I do think CNG is better than diesel, electric maybe better than CNG.

PETERS: So would we be better off, like, tabling this and asking the staff to come back with more information.

TREECE: Fine with me.

THOMAS: Maybe rather than amending it.

PETERS: I don't want to amend it because I don't know. I mean, I sort of feel like we're getting in the weeds.

TREECE: I agree.

FOWLER: So, but what's the timetable on the grant? I'm looking at Mr. Creech about this. So if we table this or we ask for a different bill to come back, where does that put us in relation to being able to receive that grant and use that grant?

CREECH: I'm not aware of any issues with timing of the grant. It's more when we get the agreement with Washington approved and then issue a purchase order, it's about a year before the buses are received. That's the biggest lag. The thing I'd add

is, by cost, we'd only be able to replace two buses whereas we're looking to get three here.

FOWLER: Yeah, we understand that.

GLASCOCK: Mayor?

TREECE: Yes, Mr. Glascock.

GLASCOCK: So what I'm hearing is, and what I would tell you to direct me to do, is pass this with the understanding that we're going to bring back to you a report on the cost of State -- Washington State, and I'm going to bring back a diesel cost, I'm going to bring a CNG cost, and electric costs. How's that? And, whether the grant is available for all of them.

TREECE: Yep, and if we have transit funds to supplement the difference.

B322-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: WANER, THOMAS, PITZER, PETERS, TREECE, FOWLER. VOTING NO: NO ONE. ABSENT: SKALA. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

- B317-21 Rezoning property located on the south side of Vandiver Drive and east of Centerstate Drive from District PD (Planned Development) to District M-C (Mixed-use Corridor) (Case No. 255-2021).
- B318-21 Granting the issuance of a conditional use permit to University Centre, LLC to allow for the construction of a free-standing drive-up ATM facility on property located at 111 S. Providence Road (Case No. 234-2021).
- B319-21 Vacating a utility easement on Lots 1 and 2 within the plat of MPC Station #94 located on the east side of Providence Road and north of Locust Street (Case No. 159-2021).
- B320-21 Authorizing a right of use license permit with Wyndham Ridge Homes Association for the construction, installation, maintenance and operation of private neighborhood identification signs within portions of the Thornbrook Terrace, Abbingdon Terrace and Leighton Drive rights-of-way.
- B321-21 Authorizing a right of use license permit with Midwest Petroleum Company for the installation, maintenance and operation of a 12-foot driving lane and landscaping within a portion of the Providence Road right-of-way.
- B323-21 Authorizing construction of sanitary sewer rehabilitation project #8 in the Parkade Boulevard, Lynnwood Drive and Albert-Oakland Park areas; calling for bids through the Purchasing Division or authoring a contract for the work using a term and supply contractor.
- B324-21 Authorizing an intergovernmental cooperative agreement with Boone County, Missouri and The Curators of the University of Missouri for a chemical analysis sampling project as it relates to the Hinkson Creek collaborative adaptive management (CAM) implementation process.
- B325-21 Authorizing an agreement for study services with Midcontinent Independent System Operator, Inc. to provide an estimate of cost to allow the

- interconnection of the Boone Stephens solar facility with the City's electrical system at the Bolstad Substation.
- B326-21 Authorizing an amendment and renewal of an intergovernmental user agreement with St. Louis County, Missouri relating to a prescription drug monitoring program.
- B327-21 Authorizing a contract with the Missouri Department of Elementary and Secondary Education for the Healthy Families Missouri Home Visiting program.
- B328-21 Authorizing a memorandum of understanding with Office of State Courts Administrator to establish guidelines for participation in the debt collection and tax offset programs.
- R160-21 Setting a public hearing: proposed reconstruction of the pavement, curb, gutter, sidewalk and driveway approaches along Walnut Street between College Avenue and Old Highway 63 North.
- R161-21 Setting a public hearing: proposed construction of a sidewalk on the west side of Audubon Drive between Azalea Drive and Shepard Boulevard.
- R162-21 Setting a public hearing: proposed construction of the south parking lot expansion project at the Columbia Regional Airport.
- R163-21 Authorizing an agreement with Enterprise Leasing Company of STL, LLC for the lease of a car wash facility at the Columbia Regional Airport.
- R164-21 Authorizing a cooking matters satellite partnership agreement with Operation Food Search, Inc.
- R165-21 Authorizing an agreement for professional services with Trekk Design Group, LLC for surveying services associated with the Stewart Road, Edgewood Avenue and Westmount Avenue Private Common Collector Elimination (PCCE #30) project.
- R166-21 Authorizing Amendment II to the grant award agreement with The Missouri Foundation for Health and Columbia Center for Urban Agriculture to supplement the construction and programming costs associated with the Clary-Shy Community Park - Agriculture Park.
- R167-21 Authorizing the use of a design/build process for construction of a bridge as part of the Perche Creek Trail Phase I: MKT Trail to Gillespie Bridge Road improvement project.

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

VIII. NEW BUSINESS

IX. INTRODUCTION AND FIRST READING

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

- B329-21 Voluntary annexation of property located on the south side of I-70 Drive

- Southeast and west of St. Charles Road; establishing permanent District M-C (Mixed-use Corridor) zoning (Case No. 271-2021).
- B330-21 Rezoning property located on the west side of John Garry Drive and north of Cedar Lake Drive from District M-OF (Mixed-use Office) to District R-MF (Multi-family Residential) (Case No. 256-2021).
- B331-21 Rezoning property located on the west side of Commercial Drive and property located on the south side of Cedar Lake Drive from District M-N (Mixed-use Neighborhood) to District M-C (Mixed-use Corridor) (Case No. 256-2021).
- B332-21 Rezoning property located on the east and west sides of Executive Drive, the east side of John Garry Drive, and the south side of Southampton Drive from District M-OF (Mixed-use Office) and District PD (Planned District) to District M-N (Mixed-use Neighborhood) (Case No. 256-2021).
- B333-21 Rezoning property located on the south side of Southampton Drive and west of Executive Drive from District M-OF (Mixed-use Office) to District M-N (Mixed-use Neighborhood) (Case No. 256-2021).
- B334-21 Granting design adjustments relating to the proposed Arbor Falls PD Plan No. 4 located on the south side of Pergola Drive and west of Talco Drive to allow a longer cul-de-sac length, a longer block distance, and private residential streets to deviate from required design specifications, right-of-way dedication and street widths (Case No. 140-2021).
- B335-21 Approving "Arbor Falls PD Plan No. 4" located on the south side of Pergola Drive and west of Talco Drive; approving a revised statement of intent (Case No. 140-2021).
- B336-21 Granting the issuance of a conditional use permit to White Oak Investment Properties, LLC to allow a "bar" use on property located at 504 Fay Street in an IG (Industrial) zoning district (Case No. 274-2021).
- B337-21 Authorizing construction of Fire Station #11 to be located north of the intersection of Scott Boulevard and State Route K; calling for bids through the Purchasing Division.
- B338-21 Authorizing Amendment No. 1 to the agreement for professional engineering services with Allstate Consultants, LLC for additional materials testing services during construction of the Discovery Parkway extension project.
- B339-21 Authorizing construction of the Landfill Fuel Station improvement project located at 5700 Peabody Road to include the installation of two (2) diesel fuel dispensers and metal canopy with lights, concrete pavement, storm water inlet and piping, and upgrades to the mechanical and electrical systems and existing control and fuel monitoring equipment; calling for bids through the Purchasing Division.
- B340-21 Authorizing the acquisition of an easement for construction of the Lakeshore Drive and Edgewood Avenue PCCE #23 sanitary sewer improvement project.

- B341-21 Authorizing an agreement with SuperSonic Transportation, LLC for the reimbursement of eligible project costs under the Missouri Department of Natural Resources Air Pollution Control Program Volkswagen Trust Electric Vehicle Charging Infrastructure Program for the construction of a Direct Current Fast Charging (DCFC) station on Creekwood Parkway.
- B342-21 Accepting conveyances for temporary construction and sewer purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B343-21 Accepting conveyances for electric utility and underground electric utility purposes.
- B344-21 Authorizing a first amendment to tower co-location agreement and memorandum of first amendment to tower co-location agreement with Cellco Partnership, d/b/a Verizon Wireless, for the lease of City-owned property located at 1808 Parkside Drive (Solid Waste Utility - Storage and Mulch Site).
- B345-21 Authorizing a program services contract with the Missouri Department of Health and Senior Services for WIC local agency nutrition services.
- B346-21 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for the COVID-19 and Adult Vaccination Supplemental project.
- B347-21 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for public health emergency preparedness services.
- B348-21 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for HIV prevention services.
- B349-21 Authorizing an agreement with Columbia School District No. 93 for teen outreach program services.
- B350-21 Amending Chapter 27 of the City Code to establish an electric standby and supplemental service rate for industrial customers.

X. REPORTS

- REP75-21 Request for an amendment to the ordinance related to the Columbia Sports Commission and the appointment of hotel or motel members.
- Convention and Visitors Bureau Director Amy Schneider provided a staff report.

SCHNEIDER: I just wanted to ask that the Council consider asking -- allowing us to bring this back as a change to the ordinance. There's been a lot of residency changes within our hoteliers in the past year. We have some hoteliers that could have applied for this, but they live in the county instead of the city. All hotels in the city -- all hotels are in the city limits that collect the five percent lodging tax that funds our department. So, we feel that because the hotels are inside the city limits that it would be okay to have the hoteliers in the county.

TREECE: And they're on the commission by virtue of their employment of the hotel.

SCHNEIDER: Correct.

TREECE: Any objection?

PETERS: That sounds reasonable to me.

TREECE: Seems reasonable. If you can put on the Consent Agenda, that'd be great.

REP76-21

Request from the Building Construction Codes Commission to review the 2021 International Codes.

The Council asked questions of Community Development Director Tim Teddy and discussed the report.

TREECE: So, this seems to be a perennial debate to update. Sounds like we're operating on 2018 construction, 2017 electrical. I didn't go through here. The only concern I would have is, are there other energy and environment related changes that you need Council's direction to reconcile with those two Commission's -- climate action adaptation committee before they come back to us?

TEDDY: No, I think the expectation is that we'll have that kind of inter-commission or board discussion, and there is a member also of the BCCC who represents that constituency. So, yeah, so they'll give the energy code as well as all the other volumes in the model code of a going over and discussing any local amendments that they want to make.

TREECE: Mr. Shanker, anything you want to add to that?

SHANKER: [Inaudible.]

TREECE: Any objection to ask building construction codes to reconcile those international codes. Ms. Fowler?

FOWLER: Yes, I wanted to add something to the conversation, and I know we do have a member of the Historic Preservation Commission who's also a member of the Building Commission, the Building Construction Codes Commission. But there's been conversation at the Historic Preservation Commission and from various members of the public that there is a portion of a code that the city has not adopted or not reviewed that would encourage the restoration of existing structures as opposed to the construction of new structures. Do you know what they are referring to when they say that?

TEDDY: Well, there's a separate volume called the Existing Buildings Code. There's a model, Existing Buildings Code, that's part of the international codes commission family of codes. So that could be it. Years ago, that was handled in a particular chapter of International Building Code, but now it's a separate volume. So that's one.

FOWLER: And has the city incorporated that into its review when it has these periodic every three year, every four year reviews.

TEDDY: Yeah, I thought we had adopted all of them in some form with amendments. So, and I believe it was a separate code in 2018. So, I'll have to look at -- look and see if that's actually in the approving ordinance.

FOWLER: Can we add to this?

TEDDY: I think we use them all. I mean, we use the Property Maintenance Code, that's one of them -- slender volume that one. But the fire code, electrical.

FOWLER: So in my conversation earlier today with the City Manager, I was talking with him about whether or not, as part of this process, we look at the ways in which we encourage versus discourage the restoration of existing structures, particularly

historic structures, which by our definition is more than 50 years old. And that I should ask specifically, that we ask that this review that is about to be undertaken include a review that looks at that.

TEDDY: Yeah, in other words, what code adaptations are specific to the needs of existing buildings, buildings that might have been built before there was any building code - that sort of thing.

FOWLER: The overall goal being that we're not in an environment where the only choice that people have is to take down a structure with a historic facade that adds to the character of our community. So, Mayor, how would I include that in?

TREECE: I think all we're doing is asking -- well, so in the past, we've asked Building Construction Codes to interface with Energy and Environment. I think we could also ask them to interface with Historic Preservation Commission to see if there are -- I mean, we went through this when I was on that HPC with exposed brick walls, open stairwells creating a chimney, I mean, other areas where that building and building code may conflict with adaptive reuse. So, I don't know that we need to adopt a separate code. It'd be nice if maybe there are some key takeaways from that that HPC might help inform Building Construction Codes opinion.

FOWLER: Or that the Building Construction Codes could inform -- I mean, it's a mutual -- to everyone's mutual benefit. Yeah, I would like for us to have a cooperative endeavor that looks at it from that perspective.

Mayor Treece made a motion directing the Building Construction Codes Commission to review the 2021 International Codes in liaison with the Climate and Environment Commission and the Historic Preservation Commission. The motion was seconded by Council Member Fowler. Mayor Treece asked if there was any objection, and no one objected.

REP77-21 Early resubmittal of permanent zoning involving 2550 and 2700 E. Gans Road.

Community Development Director Tim Teddy provided a staff report.

TEDDY: Yeah, this is called early submittal of permanent zoning, and there's a provision in our Chapter 29, Unified Development Code, and it's actually been in Chapter 29 for many years. I found the same language as in our 2004 zoning ordinance so it wasn't a feature that was added with the UDC amendments. But it basically says that an applicant for rezoning cannot submit an application within one year of the same or substantially the same application for zoning if that request was recommended for denial by the Planning and Zoning Commission and then withdrawn, which is the case we have here, or denied by Council -- and, I think I flipped the language that says denied by Council or withdrawn after a negative recommendation by the P and Z, but that's the idea. And so this applicant would like to proceed earlier than the anniversary date of the application that was recommended for denial by the P and Z and then later withdrawn.

TREECE: And, so that anniversary date is what?

TEDDY: It's February 8 -- that's when they filed it.

TREECE: So, of February 8 of 2022. If we granted this waiver, we're already in the second meeting of October -- we're basically talking about November, December, January -- three months advantage. Any discussion on the report?

PETERS: I'm not in favor of going for, I mean, I would -- I'd let the wait until February. I don't think we need to do this early.

FOWLER: I just had a question about how we calculated the one year. So it's from the time that they submitted or this matter was voted on? I thought it was later than that that it went to P and Z. How do we -- how does the clock start ticking?

TEDDY: It most certainly did go to P and Z later, but the application was submitted February 8 of this year so --

FOWLER: And so that's what controls --

TEDDY: The way I read that paragraph.

FOWLER: -- when the clock starts ticking?

TEDDY: Yeah, it says it can't be the same or substantially the same as an application that was submitted within a year of -- and then the event is -- the event is denial and withdrawal or -- because then -- if it's not that, then is it the date of the meeting, is it the date the withdrawal. You know, it's that kind of ambiguity.

FOWLER: I understand. Thank you for clarifying.

TREECE: So, I'm trying to reconcile Mr. Crockett's letter or request with Robin Rotman's thoughtful analysis during scheduled public comment. If they resubmitted -- what's councils attitude if -- and so, Mr. Crockett makes the -- so the ordinance says substantially similar zoning. He says what it really means is substantially similar development and this is not substantially similar. If, without coming down one side or the other on that, if they came back with a PD, that would be a different zoning. Would we have a different attitude about that in terms of its definition? Maybe. And, I wasn't at the last meeting where you all talked about administrative delay and where we're at on that. I mean, we're -- this area has potential for growth and transportation improvements. I don't know the best way. I don't want to stick my head in the sand with respect to everything that could happen here. But we ought to be thoughtful as to how we're contemplating stuff on the other side of the city limits as well, so I'll just make that comment.

PITZER: I agree with that. I think one of the interesting things here is that we haven't weighed in on this specific issue. I mean there's been a lot of discussion, but it was withdrawn before we took any action. So, I'm not sure exactly what that means other than there's, I think, still some uncertainty on where this Council wants to go on this project and then what you're saying as well. And I don't know exactly how to handle that. You're right it's -- you know, we're talking about a few months at this point. I mean it does look like what was proposed is fairly different. I mean it looked like they were responsive to some of the concerns they heard and came up with -- almost completely redrew the portion of the site that was most in question. So, I would throw that out there. And I'm not sure what's best to do here. It's kind of a complicated situation, but I'll just -- but I do just find it striking that we haven't weighed in on this yet.

TREECE: And I don't know that the applicant should necessarily be disadvantaged because they chose to withdraw. Had we denied it, I could see not granting the waiver. At this point, we haven't even had a public hearing. We've had a lot of public comment, but no public hearing.

PETERS: Well, the other thing is that we have talked a little bit about doing a south area plan. I know I've talked to the County again about that. I don't know that Ashland's interested. I'm not sure where we're going to get with any of that, but I think we do need to have a better plan than just waiting for whoever shows up that

wants to develop this. I mean unless our decision is we're willing to develop all the way up to the edge of, you know, Rock Bridge Park or whatever, but I don't think we've come to that decision either. So I think it would be helpful if we could get some weigh in on where we ought to go. Right now this is in the County. It's not even in the City. It's sort of messy.

FOWLER: As far as proceeding this evening, it would be my preference that we deny the request for a waiver and that we move forward in forming a body to start looking at the conservation overlay that -- as requested by the community, given the sensitivity of the wild area as an irreplaceable asset to the State of Missouri and to us, living proximate to it in Boone County.

Council Member Fowler made a motion to deny the request for a waiver and to move forward in forming a body to start looking at a conservation overly. The motion was seconded by Council Member Waner.

TREECE: Any discussion?

PETERS: Fine with me.

TREECE: So again, in terms of process, I don't know how the City Council contemplates an overlay for land that's not in the city limits.

PETERS: That's really more of the County job, but I think the County would like our help.

TREECE: We have a meeting with the County coming up at the second work session in November. I, you know, I feel more strongly about the potential roadway improvement on Gans road and how that eventually connects to South Providence, and what that means for development on both sides. And right now, city limits just go to the north side of that. I've long believed we can't stop planning in the center of the road because if we -- the unintended consequence, and Mr. Pitzer, I thought your point on this was well taken -- it's going to develop under County standards and then when it does come into the City, it's not something that meets our expectations or our community's expectations. So, I'm not opposed to the planning process. I just think we ought to be well aware of all the potential impacts there, not the least of which is a NCAA national cross country meet there in 2025 and that landscape could look a lot different then. So, I don't know how to proceed with that process without a lot of stakeholders at the table.

PETERS: Is this something we could discuss with the county at the second meeting? I don't know what else might be on the agenda for that meeting.

TREECE: I just think it may be the first opportunity we have to visit with them.

PETERS: Well, and maybe in discussion with them, we can decide if we can get something together jointly to look at this as a city and a county issue. Realizing our reduced [inaudible] in the middle of the road at the moment, and we might want to address that.

TREECE: Yeah, and I'm not sure we can impose a conservation overlay on anything.

PETERS: No, but we can work with them to come up with something that works for all the citizens and the County and the City, hopefully.

THOMAS: I think we can create the conservation overlay for an area on a map that would be triggered if it comes into the City. I think that's the purpose of the group that's asking for that. We're not imposing it on the County. We're just saying that under the conditions of which this land is annexed into the City, this applies.

FOWLER: I would agree with that statement. I have a copy of it from the last meeting.

PITZER: I just think that -- to my point from the last meeting, that just encourages that development to occur outside of the City, potentially, and in this specific case, we're talking about a relatively small portion of land. For instance, I mean, the City does come to the other side of the street. It is two parcels to the east with the park. And so it's a relatively narrow sliver of land, and the City's not going to jump past Rock Bridge State Park anytime in our lifetimes. So it's only -- in a sense it's natural to plan for whatever is going to happen there. I'm just not sure that that is -- I'm not sure that's going to get us where we want to be. Not sure what it is. But I'm not sure that's that.

TREECE: Well not to be too prophetic here, but I remember when the State put a moratorium on the billboards, and before the bill took effect on August 28, that summer they built a whole bunch of new billboards that got grandfathered in. And, you know, a lesser developer would step up and do something that none of us want.

FOWLER: I'm not persuaded by this argument that it needs to come into the City so we can manage that development. I am a former Boone County Planning and Zoning Commissioner, and they have zoning they could build on now in the County that would be much less dense and more protective of the wild area, which is irreplaceable. So I've never -- that argument has never held much sway with me. I think we have in front of us an opportunity for a planning process to engage with the County. Gosh knows, we need to engage with the County on a lot of things right now. And so, they probably have heard from our community, both Boone County residents just over the line in the City and City residents about the importance of this area. So let's pursue that with them when we have this work session with them in November and let's let the applicant wait out their year.

TREECE: You've made a motion. You've seconded it. Your --

THOMAS: I support the motion.

TREECE: You support that. Everyone okay with that?

PITZER: What, talking about this in November and waiting for the year.

TREECE: Talking about a planning process in November.

THOMAS: Actually I'm not sure it matters. Don't there have to be four votes to --

TREECE: Yeah, I don't see four votes here for granting the waiver request.

THOMAS: And could that even be granted tonight based on an item on a report?

TREECE: I don't know. I thought that was curious too -- why the request ended up as a report.

THOMPSON: Yeah, that's actually the process. The process is to get Council's consent. All they need is Council's consent, which can be done by motion.

TREECE: So Dr. Peters, you're kind of in the swing seat here. With respect to denying the waiver and having some discussion on November 15 with the County on some planning process, I assume you're okay with that.

PETERS: Yes, I'm okay with denying the waiver and discussing it in November. Yes.

TREECE: Okay. Very good.

The motion made by Council Member Fowler and seconded by Council Member Waner to deny the request for a waiver and to move forward in forming a body to start looking at a conservation overly was approved by

voice vote with Council Member Pitzer and Mayor Treece voting no.

REP78-21

Request of the Climate and Environment Commission to explore options to increase the accessibility of Home Energy Scores.

Sustainability Manager Eric Hempel provided a staff report.

HEMPEL: The report that's attached to your memo tonight is from the Climate and Environment Commission, and describes the benefits of improving public accessibility for the Home Energy scores. This improved accessibility meets -- supports several Climate Action and Adaptation Plan actions as well as an existing Columbia Water and Light incentive program. That Water and Light program, the Home Performance with Energy Star Program, has been providing home energy scores to participants since 2012. At that time, there was no platform to make those home energy scores publicly available. Now, and since 2018, the green building registry is a web based map interface that allows Home Energy scores to be publicly available. In the intervening years between 2012 and 2018, there were around 4,000 homes that received Home Energy scores. Those scores are not publicly available so that reduces the potential value of the scores to current and prospective homeowners, renters, and the real estate market. So the Climate and Environment Commission report asks for Council support of city staff's development and implementation of opt-out policies and processes for existing and future home energy scores on the green building registry, provided those processes and policies are found to be consistent with federal and state law as determined by the city of Columbia legal counsel.

FOWLER: So help me understand why we have to have opt-out at all because if you have -- and I'm going to give you an example and tell me if this is -- if my analogy is correct. So if I have a rental property and I have a rental certificate, the fact that I have that certificate is public information.

HEMPEL: Correct.

FOWLER: So, the fact that my property may or may not have violations against it is public information if I have a rental certificate. Maybe -- I'm looking at Nancy and she's nodding.

THOMPSON: Correct. I mean, all of this is public information so when he said that it's not publicly available, it is publicly available, but it is not published on the City's website. So it is all public information -- the home energy scores. It just isn't published on the website. What they're asking you to authorize is a program where it's automatically published on the City's website as opposed to the current policy -- is -- someone has to opt in to have it on the City website. What they're asking is to change that to an opt-out, so if someone did not want their information published on the City's website regarding the home energy score that their home received, then they would have that opportunity to opt out.

FOWLER: So my question is about why would we allow them to opt out if it's public information -- and that we're going to bring it and make it easier for the community? I mean, why would we even have an opt-out feature? I like the idea. I can't wait for you to put this up. In fact, I remember there was a period of time I could look this stuff up even though there were some inaccuracies in it. So why do we have to have an opt-out?

HEMPEL: You know, that's just the -- I think it was the most publicly accommodating

approach that we came up with. If there is a case where a homeowner, property owner, did not want the results of their home energy score to be public, that that would be an option.

FOWLER: I -- as a public policy matter, I'm troubled by that even though I understand the reasons why we're moving forward with it. Because if we're trying to establish that we're serious about climate action, that we're serious about our Climate Action and Adaptation Plan, that we're serious about bringing these things forward, then we should use every tool in our toolbox to get us closer to cutting our greenhouse gas emissions by the appointed years in the schedule that's in the Climate Action Plan, and this sounds like a great tool in the toolbox and we should just go forward with it without any opt-outs. That's my opinion, but I'm in support of what you want to do. I just wish we didn't even have to have an opt-out provision.

GLASCOCK: I would just say it's still public. You can still get it. It's just not on the website. And so, you know, it's still public information, if that person doesn't want to publish it -- their score -- I don't see a problem with that. I don't get -- because if I want it, I can go down to City Hall and get it.

FOWLER: Maybe as part of that, if we're going to offer an opt-out, we could also have instructions saying, here's how you get it, if you can't find it on the website. Here's how you can also inquire of it.

GLASCOCK: Yep, I mean --

FOWLER: Okay, just give our public as much information as they can to determine those things for themselves and make their decisions accordingly.

HEMPEL: Certainly, and that is the intent behind this.

FOWLER: I understand. I didn't mean to give you a hard time, Eric. I just think that -- this is a tool we need to be maximizing.

HEMPEL: I appreciate the discussion.

TREECE: Does the rest of Council agree?

PETERS: Fine.

REP79-21 Utilizing the Wabash Station as a warming center.

Acting Public Works Director Shane Creech and Public Health and Human Services Assistant Director Scott Clardy provided a staff report.

CREECH: At the previous council meeting, there was discussion regarding the use of Wabash Station as a warming center and the possible desire to adjust the forecast temperature used to determine the evenings the facility would be opened for use. Last year, Wabash Station was open nine times using a forecast temperature of below nine degrees. There were also concerns expressed regarding if increased use of the facility would violate any Federal Transportation Administration requirements. Staff reached out to FTA staff, and while they did not specifically approve the use, they only require that it not interfere with normal transit operations. Staff asks the Council provide direction on what forecast temperatures should be used for the 2021-22 winter season.

CLARDY: Scott Clardy, Assistant Director of Public Health and Human Services. Wanted to give you just a little bit of an idea of how this process works. When the warming center is activated -- we go through a process where City Council is notified, Community Relations is notified so the word is put out, Police Department is notified so they can provide security. The warming center when it opens -- we've

been partnering with the -- let me get the name right -- the Columbia Housing, I'm sorry, the Columbia Homeless Outreach Team - to actually open the center and bring -- when people come in, their role is basically to make sure folks understand what other warming centers may be available at that time and also to talk to them about appropriate behavior while they're going to be there. What we have seen -- and they're usually there for a couple of hours. So this has been primarily New Horizons and Phoenix that have been doing this. What I would tell you is that last year, on the first night that we opened this, we had four people there. And by the time -- the last time we had it open, there were 19 people there. We think that a big reason for this is because our policy on in and out privileges is different than that of RADI -- of Room at the Inn. Room at the Inn, you come in, you stay, if you leave, you stay out. You don't come back in. We don't allow that -- or we don't have that. We allow in and out. And so, we think because of that, we're seeing more and more people come to this facility that to my understanding was originally meant to be a, you know, a sort of a facility for those who can't go anywhere else or won't go anywhere else. So I wanted to make you aware that. Also, we had several nights in February where we were open and this -- New Horizons and Phoenix were not able to come all those nights. That's not sustainable. Frankly, what happened was we got called at the last minute on a couple of those nights, and Steve had to go down there and open the place up. I'm just being honest. That's of concern to us because we don't have people who are trained in opening a shelter and dealing properly with folks who are experiencing homelessness, folks who are experiencing substance abuse, folks who are experiencing mental illness. So my reason in telling you all this is, I don't know how sustainable that would be. I think eventually, we would have to look at bringing some staff on that were properly trained to open this facility if the Columbia Homeless Outreach Team was not able to sustain continuing to do this. I don't mean to be passing judgment in any way. I'm just telling you what our experience was last year so you could use that to be informed. I'd be happy to answer any questions.

PETERS: Have we talked about Columbia Homeless Outreach group to see whether they think it would be appropriate to raise the temperature when we open this homeless shelter, and if they think they could staff it.

CLARDY: I haven't talked to them. I believe Steve has, and I think that's where some of the concern comes -- that it would not be sustainable if we would have even more nights. And I thought I would, if you're interested -- we actually did a cursory look at how many more nights that would have been over the past two or three years. In 2019, that would be 18 more nights, in 2020, it would have been six, and in 2021, it would have been seven more nights. That was a very cursory look today. We tried to get a report from the National Weather Service and they told us they'd get back to us in a week. So we went back and did some checking on our own, and that's what we came up with.

THOMAS: Scott, have you correlated with Room at the Inn that there were empty beds some of those nights that you were open, and there were?

CLARDY: Yes, yes.

PITZER: Have you -- are you going to -- would you continue with that same policy allowing in and out?

CLARDY: I think so. I mean, if we don't -- if we would do the same thing as the Room at the Inn then we're basically just imitating Room at the Inn. You know, the idea,

again, my idea or my understanding was that this was to open a shelter for people who could not go to Room at the Inn because of various behavior issues or other issues. And so, if we would have those same rules in place, I don't know what benefit it would be for us to have this facility, although I understand your point.

TREECE: So let me naively ask -- if it's nine degrees out, why would someone want to leave the facility?

CLARDY: Our experience is that that's related to substance use issues.

TREECE: I mean, this is -- it's a challenging population, and my understanding is they defecate on the -

CLARDY: On the bathroom walls. That's why we had to stop that.

TREECE: And porta-potties companies will not come relieve that, and so Scott gets out, or Steve gets out there with a bottle of hot water and an ice scraper and scrapes it down and cleans it for the next person.

CLARDY: I believe -- didn't we have some janitorial staff that actually resigned over that?

GLASCOCK: Yes.

TREECE: Well-intentioned people bring soup. People fight over the soup. People ingest the soup, throw up in the lobby. We clean that up. And again, I'm just trying to illustrate. There's no easy solution to this. And this is the population that doesn't fit with our hotel vouchers, with Salvation Army, with Room at the Inn.

CLARDY: Right. The way Steve always puts it is that these are the most challenging folks. This is the most challenging subpopulation of this population.

TREECE: And they're still human beings.

CLARDY: Absolutely. Other questions?

TREECE: Thanks, Scott.

REP80-21 Renaming Columbia Regional Airport.

The Council asked questions of Economic Development Director Stacey Button and discussed the report.

PITZER: Yeah, so this is the second time it's coming to us. I mean, and I agree with the idea that if you're going to do it, you know, this would be a time to do it. I guess I'm not overtly persuaded. We had two groups, I mean -- the Airport Advisory Board didn't even initiate this. There was another group that initiated it, and then they came to the Board. The Board didn't agree with them so we've - so there are kind of competing recommendations on what that name should be. And so it doesn't seem like a completely cohesive process in getting to us. So I understand, you know, that the idea be behind removing Regional from the name and implying that there's more -- get wherever. You know, the other side of that is the idea that we want to work with other partners within the region. You know, so there's some connotation there. So, I don't know. I get the desire and the intent. You know, if there was a more -- I guess if everybody was on the same page, I would feel better about doing something. PETERS: Could we see what Stacy has, if she has any comment?

TREECE: Director, anything you want to add?

PETERS: If you don't have anything you want to add, that's fine too. But I just thought I'd ask because you're more involved in this than --

BUTTON: Thank you. I appreciate that. There was a letter included from the Airport Advisory Board chair, But I think Council Member Pitzer covered their rationale from that. So, no, I don't have anything else to add.

PETERS: Okay.

TREECE: You know, I would -- my preference would be to be a little more thoughtful about this. And not that this is an off the cuff recommendation, but I would suggest that any name change of the airport ought to be driven by some type of marketing study, focus group -- does it -- are people not buying tickets to inplane or deplane at Columbia Regional Airport because of the Regional moniker? Are we going to sell more tickets if we dropped the Regional monitor? Is it more reflective to be something else or do we just say, Columbia Airport, and drop the Regional and not add National? I get the sense that before we order signage for this new building that it would be timely to do it, but I think we're a ways -- I think we've got a few months to do that. I'm just not sure that we want to -- I'm not sure that we're the best decision-makers when it comes to -- and whatever we do ought to improve the marketing and marketability of the airport.

REP81-21 Ward Reapportionment/Redistricting.

The Council discussed the report.

TREECE: We had a work session on census and ward reapportionment/redistricting options. Any discussion on the potential drafts and next steps?

PETERS: Well, I'm the one who asked for this. So, and I don't really -- we can do it one of two ways. I think the B option would work fine. It moves a little bit out of Mr. Pitzer's ward and connects it to Ward 4, and it moves a little bit out of Ward 1 to Ward 2. And I don't really think it should be that big a deal to do that. However, if people feel that we really need to get a committee together and have someone from each ward to get together and sit on a committee to determine that, that's fine too. So, you know, my -- I would just do it, but I don't know what everybody else thinks. So, what do you guys think?

FOWLER: Well now that the census data has arrived, which was my objection earlier to moving forward with whatever we call it -- a taskforce or a committee or otherwise -- I think we're positioned now to go ahead and move forward with a task force or committee or an advisory group, and to begin the process. And that would be my recommendation.

TREECE: Anybody else agree with that?

THOMAS: Yeah, at the very least, I would want to have some time for myself and any other council members who want to to, you know, discuss the proposals in a more ad hoc way, but I think I agree with you, Pat. I think we should go ahead and set up a task force to look at these options and make sure that people plenty of time to review them. We're not in a hurry to implement this because it's not going to happen until after April.

PETERS: Well, one thing to think about, though, is, if we were to forward with B, we would have -- we are going to have to ask the Law Department to come back with this anyway -- so we're going to end up having a public hearing on it. And that, because it's going to take two to four weeks or six or eight weeks, however long it takes, is going to give people a chance to have discussed also, although perhaps not as specifically as a commission.

THOMAS: Yeah, but if we direct staff to come forward with an ordinance, we're like making a decision without getting public input first.

TREECE: But we would get public input at the public hearing.

THOMAS: Right, but I don't think that's adequate for a decision like this.

TREECE: I guess my sense -- as someone who wanted a more robust process earlier this summer, I'm surprised we haven't seen a dramatic shift in the wards, and it's a relatively simple task to rebalance that as we've seen, especially in the Trial B discussion draft. I'm not sure we need to reinvent the wheel for something that is a fairly simple solution. And, I don't know that it changes the makeup of this Council dramatically. I'm not sure you could say the same thing after April.

PITZER: Yeah, I wanted to see the data also. That was why I didn't want to move forward earlier in the summer. I think the data showed that there's, you know, there are some ways to fix it, or change things relatively easily. I, you know, I did like the process that I think Jefferson City went through because they just went through this I believe or maybe they're still wrapping it up. But they actually had, I think four options -- because they were in a similar situation where there were some minor population shifts that needed to equalize the wards, and they had four options that did that. And then they had an open public input meeting, not a city council meeting, just a -- sort of public work session where the four options were presented, and anybody could come and provide feedback and input on those. And then, you know, the City Council received all that input and processed it. And that seemed like a reasonable way to get public input on relatively small-scale shifts that addressed what needs to be done in terms of changes to populations. So we don't have four options. There were two that were presented. You know, maybe there are two others, maybe there's some other number that would be an appropriate number to put forward in a plan like that.

WANER: I like it when Matt and I agree on things. It makes things helpful. I do agree that the Jeff City process is something that could be replicated, scaled here, you know, for transparency and accountability purposes. I don't want us drawing our own districts and wards without public input so the opportunity to present some options and get public feedback -- I would be supportive of that. I don't -- I wouldn't want to see just one city council meeting where it's a public hearing at the beginning. I would like an entire meeting of some sort dedicated to that so I could get on board with that.

TREECE: And who would host that?

PETERS: Do we want to have a committee then. I mean, we could do a committee with one person from each ward and then one person sort of presiding, and which I guess we've done the last two ten-year--

TREECE: But that's not what I'm hearing Jeff City did. I'm hearing --

PETERS: Yeah, but then they could come up with that, or they can look at that and have a public engagement.

TREECE: You're suggesting just a different -- outside of, not necessarily outside of this room, but outside of this meeting process, we have a listening post on -- because I would like to hear from the neighborhoods that are being moved from 5 to 4 and 1 to 2, and --

WANER: Does the mall really want to join the Second Ward? I don't know.

PETERS: No one lives there though so they don't care.

FOWLER: It's not just the mall. There're residents involved in there.

THOMPSON. You know, the only complicating factor you have at this point is that your election filings are going to happen and begin before you can establish new ward lines. What the trial maps showed you today were where each one of the existing council members resides in order to make sure that you don't redistrict

someone outside of their ward. We're not going to have that information for you for some time, until after the -- really until after the election. The complicating factor that you have is that when you start shifting those boundaries, even if you don't make it until after the April election, you may have to start taking into account where the candidates are located as well, which may get very complicated depending upon what happens between now and the close of filing.

AMIN: And the close of filing is January 11, 2022 in case --

PETERS: But I think Ward 4 will be the only real issue because it did not sound like Ward 3, unless someone comes up with something really -- really wants to redraw the ward lines in this strange way, Ward 3 was like the only ward that didn't need to move anything.

TREECE: Right, and the reality is with respect to the city attorney's comment is that -- we're only making it possible for more people to be eligible to be candidates in Ward 4 before or after the election, and since 1 or 2 are not open in April, there's really no jeopardy there and no one is changing -- we're not changing 3 at all.

PETERS: And the mayor is --

TREECE: At large.

THOMPSON: Yep, that is true. That is true when you consider the affected wards and which wards will be up for election. You would just be expanding the opportunities in Ward 4.

TREECE: Ms. Waner, do you want to make your suggestion in the form of a motion? See if there's support for that. Or maybe a joint motion between Mr. Pitzer and Ms. Waner?

WANER: Let Matt do it this time. It's only because I didn't have the phrasing so that's why.

PITZER: Right, right, no, I'm just trying to think of exactly what we're looking for. I mean, if -- we only had the two options, and so maybe there are -- I'd like to have more than two choices. So I guess the motion would be to look for a couple of other additional choices.

PETERS: Well Mr. Glascock says we can get a few more. I mean the GIS guys did other.

TREECE: This is also a smart community. We can crowd crowdsource. I am confident this community can crowdsource a different map for us to look at.

PITZER: That's a different process though if you're asking for --

FOWLER: That's a committee or a task force. Yes.

PITZER: So my motion would be to come back with a couple more choices, and to set up some sort of a process to have community and public input on those choices. And then we would consider that input and decide what we want to do after that.

Council Member Pitzer made a motion for a couple more choices in addition to what was provided tonight, and for some sort of process to obtain community and public input on the choices that could be considered when the Council made a decision. The motion was seconded by Council Member Waner.

TREECE: Discussion on the motion?

PETERS: Do we have any kind of timeframe? I mean, do we want to look at this in January because we, you know, what -- do we have a timeframe?

WANER: January being after filing closes?

PETERS: Well, yeah, it can be after filing. I'm just trying to think of getting something organized and getting information out to the public, and then, you know, the holidays where nothing seems to happen.

TREECE: So this is the second meeting October. I could see staff taking the month of November to generate a couple more trials. Don't want to do anything in December. We'll get criticized for that. I think we come back -- Madam Clerk - when does filing close.

AMIN: January 11.

TREECE: So, let's come back after January 11. And, we know the trials aren't -- I mean potentially the trials may not jeopardize -- well I don't want to presuppose anything. But let's come back up after January for that public hearing.

WANER: And the different trials that we could hope to see from the GIS folks, I think -- in our pre-council, we talked about whole count census data -- and I'm looking directly at you -- whole count census data in conjunction with maybe something like the ACS data to create a map based off of both of those -- is that possible? Or options? I mean, just thinking about what we're limited to with the census data.

TEDDY: Yeah, I think the maps will be drawn with the population data, but you can bring in some other themes and look at those as a way to help you evaluate that. And it could be ACS data -- it could be other aspects of the redistricting, like the voting age percentage, which would theoretically give certain weight to the population.

WANER: That's how my brain works is -- the equality of the population numbers, but also looking at income, looking at racial status, looking at voting age household -- all of that together, I think would be helpful to overlap it.

FOWLER: So I'm going to oppose this motion. I think that by -- the last process brought forward five different options that the reapportionment committee worked on, and that they discussed, and they had public hearings. I remember speaking at at least one of them. I remember attending several of them. And, in the materials that Mr. Teddy provided to us, they gave us some guidance on how to avoid a challenge to our districts, after they made a couple of disparaging remarks about lawyers that I tried to ignore. They got to standard criteria includes population of quality, compact districts of contiguous territory, retention of existing neighborhood boundaries, retention of precinct boundaries, cohesion of other existing communities of interest, desire to retain historic boundaries, and consideration of incumbency. Those are the very things that our reapportionment committee worked on and then brought forward recommendations to City Council, and I think that they play a valuable role in considering all of those things -- and having the ability to invite the public in at various times, particularly the neighborhoods that would be affected. So that's why I'm going to vote against this motion and go back to the idea that we focus on a reapportionment committee.

TREECE: Any further discussion on the motion?

THOMAS: Could you state the motion again?

PITZER: So we're going to come back after January 11 with more than two choices, and we'll look at them, and then we'll have a public input process. Not a council meeting, but just a process --

THOMAS: Like a council work session, like we did in June with the ARP funds?

Before the council meeting and everybody coming up?

PITZER: Well, I'm envisioning.

PETERS: Informal.

PITZER: Yeah, I mean, more informal. We would receive the options, but then there would be some other type of meeting that's not a council -- so we wouldn't be --

THOMAS: -- which would be organized by staff.

PITZER: Yeah, the City would organize it and be open for everybody, and there would be other ways to provide public input. You know, like when the schools redraw their boundaries, they have a series of - they have public meetings.

THOMAS: Open houses.

PITZER: Yeah, open houses. Yeah.

TREECE: It may not be unlike a interested parties meeting where they have different engineering renderings and people fill out forms, comments.

PITZER: Yeah, yeah.

TREECE: Any further discussion on the motion?

PETERS: I think I sort of like Ms. Fowler's idea better. I know surprising. Because I think it gets more input perhaps than just the GIS guys coming up with some other options.

TREECE: It's -- we could still go there after that, but -

PETERS: Start with this?

TREECE: I would suggest we start with this and just see if that's the community desire.

PETERS: That's a thought too.

THOMAS: If we go with your option, Pat, then we will have to go back to the kind of resolution that Brian brought forward and a process for making the appointments, and --

FOWLER: Uh-huh. It's a well-worn path.

THOMAS: We've done it before.

FOWLER: Yes.

The motion made by Council Member Pitzer and seconded by Council Member Waner for a couple more choices in addition to what was provided tonight, and for some sort of process to obtain community and public input on the choices that could be considered when the Council made a decision, was defeated by voice vote with only Council Member Waner, Council Member Pitzer, and Mayor Treece voting yes.

TREECE: Motion failed.

PETERS: Can I make a motion then that we have -- that we set up a commission or committee as previously recommended, where we have a representative from each ward and we have one person that's the ad hoc member of that commission so we have seven members and ask them to look into this?

Council Member Peters made a motion to establish a seven member ward reapportionment committee. The motion was seconded by Council Member Fowler.

TREECE: Discussion on the motion?

WANER: Is when is there a process by which we determine who is an appropriate candidate for us to put on that commission, committee, whatever it's called.

TREECE: If you want to follow the well-worn path, each council member selects a member from their ward, and the mayor selects an at-large member, who shall be chair.

WANER: There's no particular background, expertise criteria. It's just anybody in the Second Ward.

PETERS: It sort of depends who's done this before. I mean --

TREECE: I would suggest to you that there -- we may not want to be prescriptive, but there are probably some intersectionalities with respect to citizen engagement, map-making, political science, equity that we -- gender diversity, geographic diversity, professional diversity that that will enhance the product. Would you accept an amendment to your motion that this task force complete its work of no later than March 22?

PETERS: I could. Why would you want to do that?

TREECE: Because I do not want to politicize the process with the April election. And you have two people on this body that are not running again that have no vested interest in how these lines get drawn.

PETERS: Okay.

TREECE: Other than for the good of the city for the next 10 years.

PETERS: I would accept that amendment. Yes.

TREECE: And if this committee can conclude its work and submit a map to us for first reading and second reading in March, I'll support that.

PETERS: Does that sound reasonable?

FOWLER: Can I ask a question, a process question? So folks will go through and they will file their papers to run for office. And because we are 14% off, rather than being less than 10%, off, somebody's got to move. And so when -- if we conclude this work before the election, not knowing who those representatives will be for two wards that have geographic boundaries, are we making that more complicated -- by trying to finish that before? Would it be less political to set it up and expect that they would finish their work after the election and come back with maps that they would recommend to us at that time?

TREECE: I don't think you want to do that.

FOWLER: I don't understand why not. Can you help me understand that you? You are the master when it comes to political understandings that I --

TREECE: It probably requires more conversation than we have right now.

FOWLER: Okay, but I'm concerned that we're throwing a level of complexity into the election as a result.

TREECE: We are. That's why it would be easier to do Mr. Pitzer's motion.

FOWLER: I know, I know, but I don't think that's acceptable to the public.

TREECE: I think, you know, not again, I don't want to pre -- a what if scenario would be. If we do Dr. Peters' motion, we go through this process. What's going to happen after the election is that we will elect a new Fourth Ward representative. And, the reality is those -- it's the Fourth Ward and the Second Ward that need to be rebalanced. And after the election, some new constituents are going to be added to the Fourth Ward. Where they come from or what that word looks like, we don't know. But if one of those categories is incumbency, and I don't say that in the form of incumbency protection, but obviously we're not going to draw a new Fourth

Ward that doesn't include the representative. Right? The reality is they're just going to have 900 more constituents at some point during their term.

PITZER: We didn't have a say in electing that person.

TREECE: They can come to the meetings. The motion's been made and seconded. Are you okay with my amendment? Ms. Fowler, are you okay with my amendment with respect to --

FOWLER: I still have that uneasy --

THOMAS: I also don't really understand the need for it, but I don't have a huge objection to it. It seems like that should be a reasonable time frame for all of this to happen.

FOWLER: It does seem like it's a reasonable time frame.

PITZER: I guess my concern would be -- well, just the uncertainty. So you're introducing a number of additional influences into the process. That will be coinciding with an actual election for a couple of -- for two of the ward seats and the mayor's race.

THOMAS: But we're not going to adopt those boundaries until after April.

TREECE: No. No, we will adopt them before April.

THOMAS: Oh, no.

PETERS: But they won't go --

THOMAS: I thought you just said that the committee gives us its recommendations.

TREECE: In time to first read in March and approve the second meeting in March, or before.

FOWLER: Be done in February in order to make that.

THOMAS: But that opens a can of worms that you know --

TREECE: No, it avoids the can of worms by not injecting politics into this discussion.

PETERS: So they will not become -- that would not become active until after the April election.

TREECE: It would not affect the April election.

PETERS: It would not affect the April election.

THOMAS: Okay, well we agree then. So they will not become --

TREECE: It won't be effective, but they will be effective in 24.

THOMAS: As long as they don't become effective until 24.

FOWLER: I thought Nancy told us that as soon as we vote on it, it happens immediately. Can we vote on it, Nancy, with it's effective as of this date?

THOMPSON: Yes. You can delay an effective date.

FOWLER: Alright, we're good.

PITZER: My real point was that you're going to have people in the process looking at who's running and drawing lines -- they could draw lines based on who is running.

TREECE: Yeah, that's why I think your motion to have the nonpartisan demographer, right? For different maps and we have a hearing on the is more --

PITZER: I don't know that's going to happen. I'm saying it's possible.

PETERS: Well, we can always vote it down, but that's my motion. So let's -

The motion made by Council Member Peters, seconded by Council Member Fowler, and amended by Mayor Treece to establish a seven member ward reapportionment committee whose work will be completed in time for a decision to be made by the Council at the second council meeting in March of 2022 was approved by voice vote with only Council

Member Pitzer voting no.

TREECE: When can you bring back -- so we have a draft ordinance as I recall.

AMIN: It's a resolution.

TREECE: We have a draft resolution. Can we have that on the agenda for November?

THOMPSON: We can be on your next agenda.

TREECE: Thanks.

THOMPSON: And what I would -- based upon your conversation - would propose that task force submit their report to Council no later than February 15 so it can -- their report can be on your meeting for February 21. We can have an ordinance then for the two meetings and -- looking at the calendar, that's all I can come up with.

TREECE: Thanks.

REP82-21 Residential Curbside Yard Waste Collection.

The Council asked questions of Utilities Director David Sorrell and discussed the report.

FOWLER: So, since asking for this, we haven't gotten a lot of mail, but we've gotten mail about the fact that taking yard waste to the landfill is a bad idea from a climate action point of view. And, one of the things that came back in staff's report -- there's no option there -- and, I can understand that there's some cost involved -- there's no option there for there to be yard waste pickup to go to the mulch site in the staff's report. It's, we can pick it up, we can take it to the landfill. So, I don't know that that's the outcome that I was hoping for. The idea -- a lot of people have suggested that we should just mow our leaves down and leave them on our yard, but not everybody -- I would do that in a heartbeat -- but not everybody else will. There'll be lots of bags to collect. So, do you have anything additional to -- is there any way we can get to the place where we're putting stuff up and taking it to a mulch site on behalf of our end user.

GLASCOCK: I'd probably create a new route, but --

SORRELL: David Sorrell, Director of Utilities. We'd need more than one new route because when people are putting leaves at the curb, in bags, it's not uncommon to drive up and see 30-50 bags of leaves. It would probably require five or six additional routes just to do that, and, I did a vacancy report this morning. I got 19 vacancies in the solid waste division alone. Fifteen of those are refuse collection positions. So, we literally could develop the routes. We don't have the staff to do it. Just could not be done physically with the staff that we have.

FOWLER: I'm going to ask a question that I already know is painful Mr. Sorrell and that is -- I remember when there was a big storm and there were all these limbs and your staff was out, our staff was out, on Sundays picking up limbs because of all the storm damage.

SORRELL: That would have been Public Work's staff that was doing that, not solid waste staff. With backhoes and putting it into dump trucks and such, that would have been Public Works and the sewer utility doing it. Solid waste does not have the equipment to actually pick up limbs and put them in dump trucks and we don't have dump trucks. So, that's kind of an emergency situation. That's a weather-related event where Public Works, sewer utility -- there might have been some folks from water and what have you that would have gone and done that. But

that was a one-time event. That's not something we're going to schedule to do multiple times in a season.

FOWLER: I understand.

PITZER: Question Mr. Sorrell, a few years ago, didn't we look -- didn't we study whether -- you know the environmental effects of putting organic material in the landfill versus composting it or mulching it?

SORRELL: Yes, we did do an organic waste study that Burns and Mac completed, and their results were that we would be better off to compost it in our backyards than to haul it across town and put it in the landfill. That we'd actually produce less emissions by composting it at our homes.

PITZER: Okay, did they look at whether we composted in a central location versus putting it the landfill? Or was that not --

SORRELL: That was not part of the study, no. We don't have enough of a market for the compost that we generate to make that feasible at this time. We make a lot of compost. Not very many people come and purchase it. But, I mean, they had a lot of different scenarios in there, and one of it was compost -- well actually, they did have a deal with composting it and then hauling it to agricultural land and applying it on that property, and it still didn't work out to be more environmentally beneficial. I can get you a copy of that report. I'll send it to John tomorrow.

TREECE: We don't really take public comment contemporaneous with reports, but I will tell you that Council received a call this afternoon that has been forwarded to you and your 4 pm -- that people should -- that yard waste is biodegradable and plastic bags don't make sense, and people should just compost them.

THOMAS: Are there any private companies that, for a fee, will pick up yard waste and take it to a composting facility?

SORRELL: There are private companies that I know will basically blow your leaves all up in a pile and then they vacuum them up, chop them up, and put them on a trailer. Where they take them, I don't know.

THOMAS: Yeah, well, I mean, it's better if people just composted in their backyard like Burns and McDonnell said.

WANER: Forgive me. I'm new still. Is this a problem every year?

THOMAS: We have a new system.

SORRELL: We have a new system.

WANER: That's my question.

SORRELL: We have a new system. In previous years -- this went into effect last fall, where you had to put everything in bags, so it still wasn't an issue last fall. And then in February of this year, everything has to be in a bag with a city logo. Prior to those two changes, you could put anything you wanted at the curb and we would pick it up.

THOMAS: Including 30 bags of leaves.

SORRELL: Or two bedrooms, a sofa, and a kitchen.

REP83-21

RubinBrown LLC Final Contracts Audit Report.

Mayor Treece understood this report was provided for informational purposes.

TREECE: We had a work session on this at our previous city council meeting. I assume this is the final report for that.

REP84-21 Finance Report.

The Council asked questions of Finance Director Matthew Lue and discussed the report.

FOWLER: I have a question for Director Lue. On the business licensing rebates, you and I talked about earlier today that there was a low response to that.

LUE: Yes.

FOWLER: I'm bringing it up just so that it has another opportunity to be amplified out to our business community that those things are available, and that the sum of money that we set aside to use for that purpose, including COVID-related expenses from hotel, motels, and event venues has not been tapped, That money is still available.

LUE: That's correct. We've used close to \$200,000. I think we have \$600 set aside.

FOWLER: And do we have a closing date yet as to when people can stop applying for that money or that rebate?

LUE: We have advertised it three different times now. I have personally emailed DBE/MBE/WBE companies. So, I would really like to probably wrap this up -- end of October. I mean, we could probably do the end of November at the latest, and then find another -- repurpose, whatever funds are left because I don't have faith that they'll be used up.

FOWLER: Thank you for providing us with the report.

TREECE: I appreciate the cash balance report. It's an unprecedented look at where we are for the public and Council for that matter. So, thank you.

LUE: Thank you.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Rebecca Shaw, Rick Shanker, Sue Tillema, and Eugene Elkin spoke, and the Council discussed various topics.

SHAW: Good evening, Rebecca Shaw, 2615 Vail Drive. I'll start by saying thank you for the appointment to the Housing and Community Development Committee. I'm excited to work on that - start -- hoping to understand things better. I wanted to comment on transportation this evening. So it happened last week that my car had to be in the shop, and it was finished around lunchtime, and so I thought, I'll be a good citizen and I'll take the bus because there's a bus stop right by the hospital. However, the black line that runs past the hospital only had one bus on the route that day, and it was a -- looking at the time on the app, my app wasn't refreshing, one, to tell me where the bus was at any point in time. And I waited about 30 minutes at the bus stop by the hospital. I still saw no bus, however, five buses on the Trowbridge and Campus Parking Loop passed me while I stood there. So, just a general comment that our transportation system is focused heavily on our student population in this town, and not the needs of others. There should be more than one bus that's going from south Columbia to city center on any given day. I'd like to say that I realize that there are a lot of complications in opening the Wabash Bus Station during colder weather. I hope that we can find a way to work through that, as a city, because just showing a little bit of compassion for people can mean a lot.

And, I understand that no one wants to work in the conditions that were described. However, we have to do something for those people still so there's got to be a solution. Creative thinking, right? I know that Phoenix care and others -- there are lots of citizen volunteers that work with those same individuals all the time. Reach out to your public. Start that partnership with them. Listening to the ward reapportionment discussion earlier -- it just so happened that in the zoomed in version that Mr. Teddy showed of the switch from Fifth Ward to Fourth Ward, part of that was my neighborhood. And the crossover of Forum where Fourth Ward would then extend, actually kind of cuts my neighborhood in half it seems. So that is one thing to consider. I know that, Dan, I believe it's his name, worked on a lot of different things. I know that there are a ton of things to think about, but as we do this task force and this committee, and as the board makes decisions, we just need to remember to keep our homeowner's associations in tact if possible and our neighborhoods because everyone in that neighborhood is experiencing the same issues and concerns generally. So we wouldn't want to have to split between two members. Thank you.

THOMAS: May I respond to one of Rebecca's comments?

TREECE: Yeah, sure.

THOMAS: Thank you. Not only does the bus system cater to the students, but caters to students that own cars and drive cars. Every person on every one of those Trowbridge buses had driven their car to some parking lot location to then get on the bus, and it is an infuriating way to run a transportation system. Thank you.

SHANKER: [Rick Shanker] I live at 1829 Cliff Drive. I just wanted to clear up something about the codes. When the code commission meets to look at new codes, we look at different aspects of all the codes. It's a public forum. Everyone's invited. Municipalities can either adopt or deny the codes, or they can adapt them to their own situations, which we do. We look at costs and safety, and the public's more than invited to all the subcommittee meetings. In regards to the historical portions, there are ways by which someone who has a project that doesn't meet the code can come appeal to us, and typically, we're really lenient about that. When all the alleyways were being developed, a lot of the ceilings weren't up to the code, and obviously, you can't dig a hole to make them deeper. So there's a lot of accommodation for that. In regards to the City Council, the City-County meeting you're going to have, we have talked -- Dee Dokken and I and Jan Weaver - talked to the County. They actually have a conservation allowance in their zoning, and so you might want to about that, and we would like to be a part of that conversation, that work session.

TILLEMA: Sue Tillema, 306 Westridge Drive. I was going to comment on a couple of things. I'm very glad that you voted not to give the -- to make the proposal for Canton Estates to wait another year. I voted, I'm sorry, I presented when county zoning went in and we tried to get different places protected, and that's why there is only one house for everything ten acres currently in the County. That is currently where Canton Estates wants to be placed. They have some protection, and if they wanted to change it to get a higher density, they have to go and get checked -- they have to get the zoning for that property changed there. The other thing I would like to say -- I was staying last time and this time to try hear everything that was going

on -- and because there were things late in the discussion, and when you were talking about how you were going to spend -- I can't remember what they were called, but the money that's been given because of the pandemic -- I came away feeling it was going to things that were going to help the less fortunate males at much greater extent than females. We talk a lot about the homeless, but we have a lot of working mothers with children that do not appear to be necessarily the one that are as visible as the homeless. However, there are many more of them. They are our -- the children are the future of our City and our country, and they need to be considered seriously. And, I think there is too much discussion that doesn't think of the women that are working out there that don't get a lot of the help that they need.

TREECE: Thanks, Sue. Sue, before you go, what would be some of your suggestions there? Child care, family leave?

TILLEMA: Childcare is one of the big things I think that was probably, or -- and to be sure that there's after school care because it's not just the full time. I was talking to my daughter and she said -- I didn't realize that it had gotten so expensive. My girls are in their 40s. She was saying it was \$1,200. Now this isn't local. I don't know what it is here for a month.

WANER: I'd say it's pretty close.

TILLEMA: So I don't know how people afford it. So, I know what's happening in a lot of cases -- is you're depending on neighbors or you're depending on -- I think in some of the communities, it's just that they don't pay it. It's more of a barter system. And, I remember when one of the women that had used to clean with us regularly, and she was African American, and she'd keep kids overnight. And, I'm pretty sure that that wasn't necessarily much of a payment. So I think --

TREECE: Transitional housing for women with children?

TILLEMA: Yes, very definitely.

TREECE: Specialized housing for domestic violence?

TILLEMA: And, also, I think -- I haven't been working at Loaves and Fishes, but when it was in the public housing, women did not feel comfortable coming there, nor children, so it was almost exclusively males. We did sometimes have people come and try to get containers of food to take home -- and sometimes they'd even send their kids, to take home to eat in their homes. So I think trying to figure out some of these things that some of you have much more exposure than I do, but I -- that was just what I was hearing of how you -- I think you want to look at the -- some of the senior citizens, but there are more avenues available to them than the folks that are more 20-60.

ELKIN: Eugene Elkin, 3406 Range Line. I'm glad this lady's talking about the women. I've talked about it many times. One of my stories tonight is -- possibly in May or June of this year, I told a story here at city council -- a particular individual. This story took place right after church. I approach her, thinking I'm having a very normal conversation because it's only the second time I've talked the person, and I was very impressed with -- she tells me about her background and what all she's been through. And suddenly before my eyes, she spins around, pushes her clothing down on the back side, and starts saying I've got a boo-boo. And she repeats this over and over and over. So this past week, I did come across her, and I said, you know, I've been concerned about you, I never saw you again. Lord, she had family in

Columbia, Missouri, that finally took her in and she's not on the streets and she is looking at getting a disability for her mental, drugs, all these different issues that we have no idea -- we the ones that actually approach them. Well, they sound pretty normal. Some people can say, you know, like two plus two adds up to four, and some you wouldn't even talk about intellectual because they're so strung out on different issues. The reason I brought that up is -- thank God one woman had family to get her off the streets. As far as I know, we do not have a women's shelter in Columbia, Missouri. We might have in our past on Range Line, but as far as I know that's full or no longer being made available for the women. Homecoming, I regretfully stand here and have to tell this, but I was in downtown Columbia late night Thursday and Friday night -- and on Saturday night, when all this ruckus took place. Only problem is I witnessed too much on Friday, and that's kind of the reason I didn't go on Saturday. I watched cars burn rubber, and this rubber I'm talking about apparently was a special tire on a large black car. And, the guy would put his breaks on and peel and peel and peel, and the Broadway and Tenth Street corner going to the north would definitely have showed two very dark black marks where he was showing off. Well, this went on repeatedly. And we've talked about, do we need more police? What do we need? I'm think we're needing more visual walking officers because when they see the cop car is gone down here, okay now. You don't see a cop one, anywhere. And we tried to turn our backs on this violence when in reality, knowing that the Saturday night that I didn't go down that there were two different shootings. I'm sorry that I talked until the red light came on, but my point is please, please address the violence. There's that one thing and the City could use it too. If you're using, you're causing the violence in Columbia, Missouri. There's just no way around it. Using means using illegal, and we have legalized one piece, and that's all that's supposed to be legalized or legally used. Thank you.

FOWLER: Yeah, I wanted to follow up on a conversation we had at the end of the last meeting, which was talking with the League of Women Voters about what their plans were now that we have the census data. Census data applies to more than reapportioning the wards. It has lots of other implications. And so they did respond positively back that they're interested in partnering with the Daniel Boone Regional Library and other organizations, including the Health Department and the school system and other stakeholders, the County, about hosting a program, probably in mid-January. So I think that -- I am a League Member -- I will join their efforts and keep you posted as to how that's developing. But this is the kind of thing the League does really well, so.

THOMAS: I had a request from a constituent, and it's something that I've thought about a few times. People would like to contact the boards and commissions directly, and there's really no way to do that. And, I just wondered if we could consider creating -- you know, we create seven email accounts for the seven members and put them on the website -- could we create an e-mail account for each board and commission and give the chair of that board access to receive those emails, respond to people, incorporate that input into agendas, and so on? Is that something that Council would support and that staff could organize?

WANER: We have that.

THOMAS: Oh, you do?

WANER: In some capacity, that exists, because that's how I used to receive emails on the Human Rights Commission -- was we had HumanRights@CoMo.gov and that went to my staff liaison.

THOMAS: Okay. Well I don't think there's one for the Bicycle/Pedestrian Commission.

WANER: Maybe not.

THOMAS: Maybe it's something your commission requested?

WANER: Don't know. It was in existence before I got there, but I only mention it to say the framework exists at least.

PETERS: Could we get a report back that would address how to expand that if we need to or how to give citizens the information if it already exists? Would that be reasonable?

THOMAS: Could we request a staff report on that?

TREECE: Is there sufficient support on council to do that? I mean, as a former chair, that seems -- I'd rather have a alias HPC@CoMo.gov than my personal email address out there.

THOMAS: Yeah. That's what I was thinking.

FOWLER: I'm supportive of this.

THOMAS: Just like our Ward 4.

TREECE: I don't know that we need a report. Do you want to ask the chairs if they -- we need a report, Sheela says. We will get a report.

PETERS: I just have -- I did meet with some of the neighborhood associations and the first thing that we identified was wanting to address the administrative replat that can happen in residential areas where we combine two properties that Mr. Teddy or whoever is in charge or whoever is the director of planning and development can approve without anybody knowing about it. So, I did not know whether we need a report to see how we can change that or if we just need to go to the Law Office and ask them to come up with a change? So I'm going to ask you, Mr. Glascock, what you think, and then I guess the Council -- if you guys are okay with moving forward on that. That seems to be somewhat a reasonably simple thing to do. It affects a number of the neighborhoods.

GLASCOCK: I think we'd probably do a report first and then direction to bring something back.

PETERS: Make sure we don't have any unanticipated consequences of changing this out of the residential areas?

GLASCOCK: Correct.

PETERS: Yeah, okay.

TREECE: It is my understanding that on Thursday, October 28, the Mayor will be narrating a spooky tales tour. I believe based on a script that Commissioner Fowler helped craft.

FOWLER: I am the author of that, yes.

TREECE: We will be starting -- stay tuned for additional information, however I believe we'll be meeting at the columns at 7 pm on Thursday, October 28.

AMIN: Which columns?

FOWLER: Good question.

TREECE: Excellent question, the University columns. And then we will go from there

on a short walking tour. I hope you all join me.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 11:17 p.m.