



City of Columbia, Missouri

Meeting Minutes - Final

Substance Abuse Advisory Commission

Wednesday, September 7, 2016
7:00 PM

Public Hearing

Columbia City Hall 701
E. Broadway Council
Chamber

I. CALL TO ORDER

Borgmeyer called the meeting to order at 7:05 pm.

Present: 5 - Molly Borgmeyer, Christopher Hawf, Joseph Priesmeyer, Dan Rader and Krista Shouse-Jones

Excused: 2 - Mitchell Moore and Gary Smith

Absent: 3 - Michelle Baumstark, Kim Dude and Derek Landes

II. APPROVAL OF AGENDA

Hawf moved to approve the agenda. The motion was seconded by Rader and passed with a unanimous vote.

III. PUBLIC HEARING ON PROPOSED AMENDMENTS TO CHAPTER 13 OF THE CODE OF ORDINANCES PERTAINING TO PAWNBROKERS AND OTHER DEALERS OF SECONDHAND PROPERTY

Borgmeyer stated the public hearing would begin with presentations from invited stakeholders, followed by open public comment. Borgmeyer stated comments would be limited to 5 minutes. Borgmeyer asked that all persons making public comments provide their full name and address before making their comments. Borgmeyer asked that persons making public comments limit their comments to the subject of the public hearing.

Invited Stakeholders:

1. Jeff Adams, Columbia Police Department: Adams stated that the Columbia Police Department had three goals regarding property crime, namely investigating crimes, returning property to victims, and holding offenders accountable. Adams stated the purpose of the amendments to the ordinance was to disrupt the stolen goods market in Columbia by restricting options where offenders might dispose of stolen items. Adams stated the items most likely to be stolen were those items which were easy to carry, easy to conceal, and easy to dispose of. Adams stated that offenders were looking for ways to dispose of an item without documenting the disposal. Adams stated the proposed changes would define additional stores which would be required to document transactions, similar to what pawn stores currently do. Adams stated the proposed changes would require secondhand stores to collect the seller's name, current address, date of birth, date and time of transaction, employee receiving

the item, photo of the item, and a photo of the seller. Adams stated the proposed holding time frame of seven days would allow time for the victim to report the item stolen and the police department to generate a report as well as investigate the report. Adams stated the proposed amendments would require secondhand stores to report items to the database LeadsOnline. Adams stated the proposed amendments would increase the chances that the police department would identify stolen property, hold offenders accountable, return items to victims, and limit theft in the future by reducing the places where offenders can easily dispose of stolen items.

2. Gary Taylor, Music Go Round: Taylor stated that Music Go Round buys, sells and trades musical instruments. Taylor stated he appreciated the need for some type of pawnbroker and secondhand dealer ordinance. Taylor stated his store already follows high standards regarding transactions which include the collection of the seller's name, address, picture identification, contact information, date and time of transaction as well as a list of purchased items. Taylor stated his store uses video documentation of transactions. Taylor stated his store already cooperates with local law enforcement regarding stolen goods. Taylor stated all stores should collect seller information and identification, item description and serial numbers, video or photo documentation of the seller, as well as documentation via LeadsOnline for all seller transaction over \$300. Taylor stated items brought in for trade should be documented just like seller transactions. Taylor stated he did not support the seven day hold period because it would cause storage issue as well as disruption to the sales process, specifically during seasonal sales times. Taylor stated he estimated it could cost over \$10,000 a month for his store to comply with proposed amendments. Taylor stated proposed amendments would not regulate online sales sources such as eBay and Craigslist, and would result in a competitive disadvantage for bricks and mortar stores. Taylor stated proposed amendments should focus on tracking purchases. Hawf asked how Taylor arrived at the \$10,000 potential loss figure. Taylor stated this was an estimate and could be greater during certain time periods. Borgmeyer asked if Taylor used photo or video documentation. Taylor stated that the store uses video documentation which was his preferred format. Borgmeyer asked if Taylor used a specific video resolution. Taylor stated he was not sure of the resolution. Priesmeyer asked if there was a particular instrument which was more likely to be a stolen goods item. Taylor stated he believed that guitars would be the most susceptible to theft.

3. Pat McCollum, Family Pawn: McCollum stated Family Pawn already worked with the police department, was reporting to LeadsOnline, as well as willingly turning over stolen goods. McCollum stated the commission should consider why changes were being made to the ordinance and if changes were even necessary. McCollum stated that Family Pawn had completed 39,000 transactions in 2014 and 2015, and only 42 items were found to be stolen goods. McCollum stated that stolen goods were not going through Family Pawn, but were possibly going through other secondhand goods stores or other markets. McCollum stated he was concerned with prosecution rates of stolen goods. McCollum stated keeping video documentation for one year would be a burden to the store. McCollum stated the ordinance did not specify the use of LeadsOnline, and he was concerned the City would change the database option in the future which would be a problem for Family Pawn. McCollum stated more regulation was not necessary.

4. Michael Trapp, Ward 2 City Councilperson: Trapp stated he asked the commission to assist the Columbia Police Department in engaging stakeholders regarding the proposed changes. Trapp stated he became involved in this issue

when he was approached by an individual who had assisted a friend in getting stolen items back from secondhand stores after they were stolen and sold by a heroin addicted son. Trapp stated this individual asked about a waiting list and database in order to combat the stolen goods market. Trapp stated he spoke with City police and found there were already proposed changes to an existing ordinance to address this issue. Trapp stated he was supportive of small business and was also supportive of taking steps to address crime. Trapp stated this ordinance was an attempt to balance out the burden placed on pawn brokers and secondhand dealers with the needs of the entire community. Trapp stated the current ordinance was a draft and would be re-drafted before coming before City Council based on the public hearing feedback. Trapp stated public comment would be welcomed when the ordinance comes before City Council. Trapp stated the final ordinance should still allow business owners to operate while increasing safety in the community. Trapp stated it would take four votes for the ordinance to pass and recommended everyone discuss this with their City Councilperson as well as the Mayor. Trapp stated pawn brokers already face a regulatory burden which secondhand stores do not currently face. Trapp stated his goal would be a workable ordinance which provides as much accommodation as possible while also increasing safety.

5. Neil Copeland, Play It Again Sports: Copeland stated Play It Again generally required a driver's license from sellers. Copeland stated some ordinance changes were over burdensome, specifically photographing items and the storage of hold items. Copeland stated Play It Again already has video documentation of transactions. Copeland stated the photo requirement, in addition to video documentation, would cause a decrease in customers, especially those wanting to sell small items like shoes. Copeland stated stores right outside the City limits would not be required to follow the ordinance which might drive away businesses within the City limits. Copeland stated Play It Again also buys and sells at many offsite events which may be limited within the amended ordinance. Copeland stated he supported the purpose of the ordinance, but believed there were changes needed. Copeland stated a dollar limit may be necessary so low dollar items were excluded. Priesmeyer asked if there was a particular item which would be more likely to be a stolen goods item. Copeland stated golf clubs would fall into that category.

Borgmeyer stated the floor was now open for public comment. Borgmeyer reminded persons making public comments to state their name and address and to limit comments to no longer than five minutes. Borgmeyer also stated the amendments to the ordinance were in draft form, and that the City was simply seeking feedback at this time.

Public Commenters:

1. Kristen Lewis, owner of Plato's Closet located at 2609 East Broadway: Lewis stated she has worked with multiple police departments in the state. Lewis stated she has already provided a letter to the Council regarding the store's current standards, and Councilperson Trapp has visited her store in response. Lewis stated she currently required photo ID and contact information, and this was sufficient in Chesterfield, Kirkwood and St. Louis County. Lewis stated she cooperated with local stores' loss prevention strategies. Lewis stated she does not support the seven day hold on items or photo requirements. Lewis stated she has two cases open with the Columbia Police Department regarding stolen goods, and neither had been resolved for over 30 days. Lewis stated she did not support regulations which further taxed an understaffed police department. Lewis stated she realized proposed amendments did not include secondhand clothing items, but she still had concerns with the amendments regarding jewelry

items.

2. Brian Mayse, general manager of Family Pawn with two locations at 915 Business Loop 70E and 2416 Paris Rd: Mayse stated he disagreed with the proposed amendments specifically the seven day hold period. Mayse stated this was especially problematic with regards to the precious metals market. Mayse stated Family Pawn currently used video documentation in all stores, and he was concerned with criminal liability for a video malfunction as well as the one year's storage requirement. Mayse stated he supported balancing the level of regulation between pawn shops and second hand shops. Mayse stated he did not understand the correlation between pawn shops and substance abuse issues. Rader asked how long items remain in the store. Mayse stated the average was three months, with the exception being precious metals and firearms. Shouse-Jones asked if precious metals were usually melted down the same day. Mayse stated Family Pawn was required to hold items for 24 hours. Shouse-Jones asked how quickly items are entered on LeadsOnline. Mayse stated this was done every evening. Mayse stated Family Pawn had very few stolen items which resulted in only 42 items being identified as stolen goods out of about 40,000 items in inventory. Rader asked for clarity on the 42 items. Mayse stated the 42 items were all put on police department hold, but not all resulted in prosecution. Mayse stated he did not know of anything further Family Pawn could do to support law enforcement. Rader asked if it was possible more stolen items are coming to Family Pawn but were not being identified. Mayse stated it was more common for the victim to decide not to prosecute when stolen items were identified. Hawf asked if other businesses should be brought up to pawn broker standards. Mayse stated the burden put on pawn brokers was a significant burden, and there probably were other stores which should be required to increase standards. Hawf asked for an example of a store which does not meet standards. Mayse stated any other secondhand store outside of pawn brokers were currently at lower standards than pawn brokers. Rader asked for clarity about stolen goods coming to pawn shops. Mayse stated pawn brokers were required to have such high standards that stolen items were not coming to pawn shops often. Mayse stated attention should be paid to reducing items being stolen in the first place.

3. Danielle Muscato, 607 Randy Lane: Muscato stated the proposed amendments required head coverings be removed for a photo. Muscato stated if the photo requirement remained in the ordinance, there should be a religious exemption added.

4. Dan Trim, owner of Tiger Pawn, 1209 Business Loop 70E: Trim stated transactions at Tiger Pawn required a photo ID along with a description of the item. Trim stated video documentation and LeadsOnline were both utilized at Tiger Pawn. Trim stated the number of stolen items coming to pawn shops had been reduced tenfold in the past ten years. Trim stated he had received negative customer feedback regarding the photo requirement, and asked that this portion be removed from the amendments. Trim asked if a photo of the seller with the item was unnecessary, and asked that this portion also be removed from the amendments.

5. Stacy Allen, owner of New Beginnings, 7 S. 10th Street: Allen stated New Beginnings hand writes all information about consignors and inventory. Allen stated the store does not require a photo ID, but does have seller contact information. Allen stated there would be negative customer feedback if she required photos and identification of her customers. Allen stated she did not support the 7 day hold period due to storage issues. Allen stated the amendments would require increased costs due to technology upgrades, additional staff, and

additional storage. Rader asked how long items stay on the sales floor. Allen stated items could be sold the same day, but were rotated out at the end of the 90 day consignment period. Shouse-Jones stated the amendments have excluded clothing items, and asked if New Beginnings purchases precious metals. Allen stated the store does not purchase precious metals. Shouse-Jones asked how Allen determined if a jewelry item will be purchased. Allen stated purchases were made at her discretion, and she directed sellers of precious metals to pawn shops.

6. Paul Modesitt, 2200 Powell Drive: Modesitt stated he was concerned with the assumption that pawn shop users were drug users. Modesitt stated he regularly uses pawn shops for loans. Modesitt stated individuals should be responsible for cataloging their own items. Modesitt stated he did not support more regulations for pawn brokers and second hand shops. Borgmeyer stated the commission was not assuming that all customers to pawn and second hand shops were substance abuse users. Borgmeyer stated the amendments were currently in draft form, and the public hearing would provide feedback for additional changes.

7. Brett Wismen, owner of Consign & Design, 9 N. Tenth Street: Wismen stated he currently goes to customers' homes to hand select items, which did include clothing and high end hand bags. Wismen stated he did obtain seller photo ID and contact information. Wismen stated he would like to continue with the same buying process.

8. Sabrina Garcia Rubio, owner of Maude Vintage, 818 E. Broadway: Garcia Rubio stated her business buys, sells, and trades clothing and costume jewelry. Garcia Rubio stated she requires the seller's name and contact information. Garcia Rubio stated she has never experienced stolen goods in her store. Garcia Rubio stated she was concerned with the loss of profit which may occur as the result of new regulations. Garcia Rubio stated she also purchases at seller's homes. Garcia Rubio stated she was concerned about the 7 day hold requirement as well as staff needed to document transactions. Garcia Rubio stated the average pay out for a piece of jewelry is \$2.73, and she found the requirements for low profit items troubling. Garcia Rubio asked the commission to reconsider the stores which would fall under the ordinance as she felt the current format would create an unnecessary hardship.

9. Matt Taylor, manager of Music Go Round, 2609 E. Broadway: Taylor stated he had approximately 5 stolen items identified in six years of business and had worked with law enforcement regarding these items. Taylor stated adequate employee training helps prevent stolen items being purchased by the store. Taylor stated he would like to know the statistics regarding stolen items being sold for drug use. Taylor stated stolen goods were more likely to be identified on sites such as Craigslist.

10. Taylor Bacon, owner of Hitt Records, 10 Hitt Street: Bacon stated Hitt Records has a large inventory of low value items. Bacon stated he also purchased at customer's homes. Bacon stated the video and photo requirements would not be sustainable for the amount of items in inventory as well as being unwelcomed by sellers. Bacon stated he supported the purpose of the amendments, but did not think the ordinance should include records stores.

11. Larry Wayland, owner of Modern Arms, 3202 Brown Station Road: Wayland stated Modern Arms was a pawn shop specializes in firearms and select sporting goods items. Wayland stated he was concerned with the expense of video documentation with storage for one year as well as liability if video equipment malfunctions. Wayland stated the photo requirements were overly burdensome. Wayland stated there should be a focus on the criminal element and not increased regulation of stores.

12. Ted Sharp, manager of Slackers CDs and Games, 1010 E. Broadway: Sharp stated he did not have the staff or resources to document all inventory or the storage to hold items. Sharp stated he was concerned how bartering was relevant to the subject of substance abuse, because sellers bartering were not receiving cash. Sharp stated he was concerned with the age limit of 18 noted in the amendments because much of his clientele were younger than 18 years old. Sharp stated he was concerned that large businesses would not have to comply or would have the resources to comply when small businesses did not have those same resources.

13. Jay Lindner, Forum Development Group, 1400 Forum Blvd: Lindner stated the Forum Development Group served as landlords to several secondhand shops. Lindner stated he was concerned with crime taking place within the businesses and felt that resources should be directed to stop shoplifters. Lindner stated the amendments would not address criminals selling items outside of the City limits. Lindner stated regulations would reduce customers in Columbia.

14. Eugene Elkin, 3406 Rangeline Street: Elkin stated he was concerned with the attack on businesses while City revenues were decreasing. Elkin stated pawn and secondhand shops recycled items and he supported green businesses. Elkin stated he supported obtaining seller's identification with a list of the items, but felt that further restrictions complicated a source of City revenue. Elkin stated he supported business which sold low dollar items and felt that losing these businesses would perpetuate theft.

Borgmeyer thanked attendees for participation and stated the Columbia Police Department would be sharing any revisions to the draft revisions to the pawnbrokers ordinance. Councilperson Trapp stated there would be a brainstorming session about ways to prevent theft and the sale of stolen items on October 13th, 2016 at 5:30pm at City Hall in Conference Rooms A and B.

IV. ADJOURNMENT

The meeting was adjourned at 8:33 pm.

Members of the public may attend any open meeting. For requests for accommodations related to disability, please call 573-874-7214. In order to assist staff in making the appropriate arrangements for your accommodation, please make your request as far in advance of the posted meeting date as possible.