



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, November 6, 2017
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 7:00 p.m. on Monday, November 6, 2017, in the Council Chamber of the City of Columbia, Missouri. The recitation of the Pledge of Allegiance was led by Boy Scout Troop 707, and the roll was taken with the following results: Council Members TRAPP, SKALA, THOMAS, PITZER, PETERS, TREECE, and RUFFIN were present. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of October 16, 2017 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Pitzer.

Mayor Treece asked that B317-17 to be moved from the consent agenda to old business.

Mr. Thomas asked if they could table B305-17 during this portion of the agenda so those that were present knew they did not need to stay if the Council was agreeable to tabling the item. Mayor Treece understood the applicant had requested this item be tabled to the November 20 meeting, but some neighbors were not available on that date, and the applicant was amenable to tabling the item to the December 4, 2017 Council Meeting along with B326-17, which was a related bill under the introduction and first reading section of the agenda. Mayor Treece asked if there was any objection to proceeding with the tabling now, which meant there would not be the opportunity to speak on this later tonight. No one objected.

Mr. Thomas made a motion to table B305-17 to the December 4, 2017 Council Meeting. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Treece asked if there was a motion with regard to B326-17. Ms. Amin suggested the Council needed to wait until the council comments section of the agenda to table that item to the same date so it could first be introduced.

Mayor Treece understood staff had asked that B322-17 be withdrawn from the agenda.

Mayor Treece made a motion to withdraw B322-17 from the agenda. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

The agenda, including the consent agenda with B317-17 being moved to old business and with B322-17 being withdrawn from the agenda, was approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Pitzer.

II. SPECIAL ITEMS**SI7-17 Swearing in of Sarah Dresser as the Manager of the Office of Cultural Affairs of the City of Columbia.**

Mayor Treece asked Ms. Dresser to join Mr. Matthes, City Manager, and Ms. Amin, City Clerk, to the podium.

The City Clerk administered the oath of office to Ms. Dresser as the Manager of the Office of Cultural Affairs.

SI8-17 Missouri Public Utility Alliance (MPUA) Resolution of Recognition and Commendation for Hurricane Irma Mutual Aid Assistance and Certificate of Appreciation for sending lineman to help with restoration of power.

Ewell Lawson, the Vice President of Government Affairs, Communication and Member Relations for the Missouri Public Utility Alliance (MPUA), explained he was present to recognize some linemen that had worked to restore power due to Hurricane Irma. He noted the MPUA had organized line crews from seven Missouri cities and one Arkansas city to work in Orlando and Lakeland, Florida, in early September. After completing assignments in Orlando, some of the crews returned home, but the Columbia crews remained to assist in nearby Lakeland. The Missouri crews were from Macon, Nixa, Trenton, Columbia, Hannibal, Independence, and Poplar Bluff, and Columbia had sent 11 of the 36 linemen, two bucket trucks, two line trucks, and two crew trucks. He shared some accolades received for the work the linemen had done, and asked them to come forward to be recognized.

Mayor Treece thanked them for their service.

SI9-17 Missouri Public Utility Alliance (MPUA) presentation of Buddy Bennett-Lee Barker Community Service Award.

Mr. Lawson explained the Buddy Bennett-Lee Barker Community Service Award was given to a member of the utility for special achievements or sustained performance to improve the quality of life in its community. For over 35 years, the Utilities Services Division of Columbia Water & Light had offered energy efficiency programs, and over the last seven years, Columbians had spent \$36 million in the local economy on energy efficiency upgrades. He noted the Columbia team had focused on social equity over the last few years, and on affordable housing. Working with the Housing Authority and the City's Community Development Department, the utility offered customer rebates, zero percent loans, and an attic insulation program for low income tenants. The utility services team had participated in forty events in economically challenged areas of Columbia, reaching 3,700 citizens in fifty days to increase participation in energy saving programs. He noted the programs had saved customers an average of 25 percent on their utility bills. Stimulating the local economy while taking care of the underserved population showed Columbia Water & Light and the City of Columbia were dedicated to the community, which the MPUA believed should be recognized. He asked Brandon Renaud and Terry Freeman to come forward and presented them with the Buddy Bennett-Lee Barker Community Service Award. He pointed out Tina Worley, another City employee, should be recognized as well as she had been highly involved in these activities.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

IV. SCHEDULED PUBLIC COMMENT

SPC64-17 Nina Hampton - Racial profiling in traffic stops.

Ms. Hampton, 202 Bay Pointe Lane, explained she was a member of Race Matters, Friends, and thanked the Council for their positive discussion of community policing during the prior council meeting. She commented that she knew now from reading *Pulled Over: How Police Stops Define Race and Citizenship* that there were two different types of traffic stops. One was an investigative stop and a traffic safety stop. The traffic safety stop was based upon how one drove and the investigative stop was based upon how one looked. The traffic safety stop was stressful in terms of whether one would receive a ticket or warning, but both black and white drivers viewed the traffic safety stop as fair. The investigative stop, which was based upon how one looked, was very stressful, and African-Americans experienced investigative stops, whereby their cars were searched and personal items were examined, at a much higher rate. They were forced to stand by the side of the road, sometimes in handcuffs, while passersby assumed their stereotypical criminality. It was intrusive, embarrassing, and traumatic to innocent citizens. By 1999, racial profiling had become a national issue and President Clinton had issued an executive order condemning it. States and police had echoed his condemnation, and the police were trained to use politeness and professionalism when stopping vehicles. The International Association of Police Chiefs had even adopted a resolution entitled *Condemning Racial and Ethnic Profiling in Traffic Stops*, which ended with praise for the investigative stop, using the term proactive stop. It condemned racial profiling, but celebrated the investigative stop as a key element of fighting crime, and had strengthened the institutional racial bias in American police departments. She commented that blacks did not commit any more crimes than whites. She referred to an article titled *Urban Black Violence: The Effect of Male Joblessness and Family Disruption* in the *American Journal of Sociology* in 1987, which indicated poor black neighborhoods did not have any more crime than poor white neighborhoods, and yet Americans did not associated poor white neighborhoods with crime. That bias was still resilient today, 30 years later. Persons of color had been framed to appear to be criminal for many years by law enforcement and media, and were stopped and investigated more often. Racial stereotypes were so deeply embedded that they were hardly even noticed. She noted people of color looked more suspicious to police officers due to these constant portrayals. Blacks were profiled and stopped while driving through predominantly white areas and asked why they were there, which implied they did not have a right to be there. They were also asked intrusive questions when not searched. She stated minorities recognized and felt profiling regardless of how polite and respectful officers might be as they already distrusted the police and were fearful of an investigative stop. She pointed out contraband was found more often with white drivers. She commented that the investigative stop was an institutional practice under the control of police leaders, and it was not an isolated act of individual officers. Investigative stops caused real harm to real people, most of whom were innocent. She believed the burden was firmly in the hands of citizens to address the issue of investigative stops. While bias and institutionalized profiling might never be eradicated in Columbia, it could not be tolerated, and it would not budge if its existence continued to be denied. She asked the Council to find accountability in the Columbia Police Department for the disparities in the Attorney General's Vehicle Stops report, and suggested they read the book, *Pulled Over: How Police Stops Define Race and Citizenship*.

V. PUBLIC HEARINGS

PH38-17 Proposed construction of the Clary-Shy Community Park - Agriculture Park - Phase I improvement project.

Discussion shown with B319-17.

B319-17 Approving the Clary-Shy Community Park - Agriculture Park Master Plan; authorizing construction of the Clary-Shy Community Park - Agriculture Park - Phase I improvement project; calling for bids through the Purchasing Division; appropriating funds.

PH38-17 was read by the Clerk, and B319-17 was given second reading by the Clerk.

Mr. Griggs provided a staff report.

Mayor Treece opened the public hearing.

Adam Saunders stated he was speaking on behalf of Build This Town and Friends of the Farm, and thanked the Council for their support of this project in the past. He commented that this project had a lot of layers and would impact many people and organizations. The Columbia Farmers Market, the Columbia Center for Urban Agriculture (CCUA), and Sustainable Farms and Communities partnered with dozens and dozens of local farmers within a 50 mile area. The site itself would serve thousands of people. He commented that the ARC was a great investment in health through physical activity and the Agriculture Park would be an investment in healthy food. It would provide a place to access and purchase fresh produce and learn from where food came. He asked those in support of this project to stand, and approximately 20-25 people stood. He explained Build This Town was the private fundraising campaign that paired with the City's generous support. He asked the City to look for opportunities and to consider putting more money toward this project in the months and years to come. He thanked the Council for their consideration of this proposal.

Robbie Price, 2801 Woodard Drive, explained he was an architect with Simon & Oswald Architecture, and further described the project. He stated a 34,000 square foot open market building would comprise the Farmers Market facility, and noted it would be capable of holding almost 100 vendors and provided covered space for the public. It would be a multipurpose building in that it would not only be able to accommodate the Farmers Market, but it would also provide Columbia a unique structure that could be used for other functions. The CCUA would have an associated barn and greenhouse to be used as production facilities. There would also be an outdoor classroom for educational purposes and parking to help address some of the overcrowding issues. They were hopeful they only needed to build part of the lot due to sharing opportunities with the Columbia Public Schools and other area entities. He pointed out they made sure the buildings were oriented to the south to take advantage of solar.

Mr. Ruffin asked Mr. Price how he envisioned a building of this shape being used for other activities. He wondered about the kinds of activities that would be appropriate for the space. Mr. Price replied there were bathrooms in the center so it could be utilized for many activities, to include a car show, a local gathering of a social group, a meeting venue, and a party venue. He thought there would be many opportunities for the City to gain income from the property.

Mr. Pitzer asked how the structure compared in size to the space the Farmers Market currently utilized. Mr. Price replied the Farmers Market had space for approximately 70 vendors now. This building would have capacity for up to 100 vendors. It would be 540 feet long and 60 feet wide, providing 34,000 square feet of space under a roof. Mr. Pitzer understood the space would essentially be extended. Mr. Price stated it would start where the Farmers Market began on the eastern side of the chip and seal driveway and extend 540 feet to the west. It would be located right about where the Columbia Public Schools Aslin Building stormwater management retention started.

Mayor Treece understood Mr. Price had prepared the plan and construction documents, but Section 3 of the ordinance stated "the plans and specifications for the improvements, as prepared by the Director of the Parks and Recreation, are hereby approved," and asked for clarification. Mr. Griggs replied that was the language regardless of whether they contracted with a vendor. Mayor Treece understood Mr. Price was on the Board of one of the not-for-profits. Mr. Price stated that was correct. Mayor Treece asked if a

situation such as this had occurred in the past whereby an outside group provided construction documents, which the City adopted and put out for bid, and how the situation had been handled. Mr. Griggs replied the City contracted with architects a lot. Mayor Treece understood, but noted the City was the client in those situations, and the City owned the product. He wondered if there might be an issue of liability, etc. in this instance. Mr. Griggs stated he thought this was similar. The City was not paying for the work, but the plans were still being provided to the City so the City would put them out for bids. He noted they had weighed the pros and cons of the money being provided to the City and the City contracting with the architect, but Simon & Oswald Architecture had been a partner on this project for a while already and the process would move faster without the City being involved in that manner. Mr. Price pointed out the plans were currently being reviewed by the City.

Mr. Skala understood the water quality basin was necessary due to the impervious surfaces associated with the project to address stormwater runoff. Mr. Griggs stated that was correct. They had looked into a regional basin, but it would have taken about half of the site. As a result, they would only address what needed to be handled on this property per code. Mr. Skala asked if there was any thought as to what the practice field might become in the future. Mr. Griggs replied it would be an open space playfield until Council deemed it to be something else.

Corrina Smith stated she was the Executive Director of the Columbia Farmers Market and explained the Market had been started in 1980. For the majority of that time, they had been at Clary-Shy Park, which had formerly been known as the Boone County Fairgrounds, because they had rented the current lot since the City had acquired the property. As tenants, they had been fortunate to not only have the use of the space, but also a wonderful working relationship with the Parks and Recreation Department. She noted the Market had been a centerpiece of the Columbia community for the last 37 years and had grown and expanded during that time. It was a producer-only market, meaning that all of the vendors had to grow, raise, or make what they sold. In addition, they had to be within a 50 mile radius of Columbia. During the four hours they were open on Saturdays in the summer months, they saw an average of 3,000 customers. She stated they were maxed out at 80 vendors now, and the expansion of the shelter would allow them to go from 66 stalls to 98 stalls. The Market was a four season market, which operated 50 out of the 52 weeks in the year, so they moved to the Parkade Center during the winter months. The proposed shelter would allow all local farmers to sell year round at the same site. She commented that every major city had a permanent farmers market site, and listed those in Missouri, which included Springfield, Kansas City, and St. Louis. The proposed project would allow local farmers to sell produce, meats, and goods, and provide a centralized community meeting space, a place to purchase local, healthy, and fresh foods, benefits to low income families, an incubator for local businesses, educational opportunities for children, and an improvement in the quality of life for Columbia citizens. It was estimated vendors had sold almost \$2.1 million of goods, and this money not only went to Boone County, but it also went to the small communities where the farmers were located. She stated the Columbia Farmers Market fully supported this project and were excited for the opportunity to continue to grow.

Mayor Treece asked if State Law had changed to allow electronic benefit transfers (EBTs) at farmers markets. Ms. Smith replied they had been accepting EBTs since 2010, and their partner, Sustainable Farms and Communities, provided matching funds. Through that partner and another organization, they were able to match up to \$50 every Saturday. Mr. Thomas asked if Ms. Smith was referring to the Access to Healthy Foods program. Ms. Smith replied yes. Mr. Thomas asked if she had numbers on how many matching dollars had been provided to eligible shoppers to access food at the Columbia Farmers Market over the years. Ms. Smith replied she thought the combination of EBT and matching dollars had been close to \$60,000 or \$70,000 in 2016. Mr. Thomas asked Ms. Smith if she had a sense of the number of families that qualified for the program that were

there on a typical Saturday. Ms. Smith replied she believed 150-200 families had signed up on average in the past year. Mr. Thomas stated he thought that fit well with the Strategic Plan in terms of social equity.

John Bowders, 1342 Overhill Road, explained he was on the Disabilities Commission and that the architect, Mr. Price, had met with the Commission in February regarding the proposed plans in order to obtain input to make the facility as accessible as possible. He pointed out he and a couple other members of the Commission had met with Mr. Price again to ensure the site was accessible. As a group, the Disabilities Commission felt they had done a good job with the proposed plans.

John Corn stated he was the current Board President of the Columbia Farmers Market, and noted he had been a grower and vendor of the Market for over 15 years. He urged the Council to vote yes on the proposed project. He commented that the Columbia Farmers Market had been fulfilling the demand for fresh and local food for over 37 years, and during that time, the number of customers had skyrocketed. In the beginning, the Columbia Farmers Market had only been open from April to September, but the demand for fresh food was year-round now. They were able to meet the year-round demand by producing indoors, and much of it was through sustainable, organic, and low input means. They had the ability to do this due to advances in proprietary farm technology, new variety of plants, and sophistication of harvest and storage methods. The missing component to this direct farmer to consumer transaction was a good sturdy roof. While farmers and growers had kept up with the demands of production, the infrastructure had not. He asked for help in providing a safe and sound place for vendors of the Columbia Farmers Market, and noted they envisioned it being a must stop place every weekend for local residents and those visiting Columbia. He commented that if approved by Council, the Columbia Farmers Market would do their part to continue to bring fresh, local food for 37 more years.

Billy Polansky, 1009 Coats Street, explained he was the Executive Director of the CUA and expressed their support for this proposed project. Since 2009, the CUA had been helping people connect food and agriculture in the land. They had established programs reaching all corners of the community. He noted this would allow partnerships and various successful programs to be located in one place. In the three acres proposed, they would be able to produce about 50,000 pounds of food annually, which would go to local food pantries. Aspiring farmers and backyard gardeners would gain hands-on skills, and thousands of students from public and private schools would come to the site on field trips. For many, this would be their first exposure to agriculture. He believed this would encourage fruit and vegetable consumption, which in turn would improve the health of the community. He asked the Council to vote in favor of this project and for their continued support as they moved forward in the future.

John Clark, 403 N. Ninth Street, urged the Council to approve this proposed project and stated he was pleased to see the vision of an urban-rural interface come to fruition. He believed this collaboration between CUA, the Columbia Farmers Market, Sustainable Farms & Communities, and the City was a model as it had many layers. It was also a good model in terms of a public-private partnership. He pointed out Phase 3, 4, 5, or 7 of the Douglass Park plan included a year-round multipurpose building using this same public-private partnership model where the land was owned by the City, and the improvement would be developed, owned, and used by a variety of non-governmental organizations. He reiterated his request for the Council to approve this tonight.

Kenneth Pigg explained he was the Chair of the Sustainable Farms & Communities, Inc. Board, and stated they had been working with the Columbia Farmers Market since 2012 in terms of the Access to Healthy Food program. The program matched the first \$25 of EBT benefits that were redeemed at the Farmers Market. He noted they had seen growth since 2012, when they had served about 55 households, because they had served 305 households last year, which represented over 1,000 people in the community that were within 130 percent of poverty. He pointed out they served a regional group, and

were seeing a growing demand for those matching funds. They spent about \$40,000 last year, and anticipated spending \$50,000 this year. He stated the average expenditure for food budgets in those families was about \$100 per person per month, which was not a lot of money. He commented that they had worked as an organization since 2000 in trying to get this type of facility built, and was thankful for the partnership with the City and the two non-governmental organizations. He encouraged the Council to approve the project.

Steve Johnson stated he was the Executive Director of the Missouri River Communities Network in Columbia and noted they had been working with the Columbia Farmers Market and CUA for several years in providing resources and grant writing support. He commented that about \$750 million was spent in Boone County annually on food, and on average, food in the grocery store traveled 1,500 miles. He pointed out they lived in one of the most fertile areas of the world and had water, and instead of sending the money to California, Texas, or Argentina, they could support local farmers by increasing the amount of money spent on food locally. He encouraged the Council to support the project.

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

Mr. Skala noted there was not much not to like about this project as it included social equity, public-private partnerships, and public health. He stated he would enthusiastically support this collaboration.

Mr. Thomas agreed and pointed out it supported local economic development. He felt this was an investment in an industry that was needed. He believed food systems needed some reforms on a national basis, and projects like this, which emphasized local and healthy food, would do a lot. He stated it was also infill development, which would improve the usefulness of property in the heart of the community. He commented that he was happy that only the first phase of the parking area would be constructed. He understood improvements would also be made to the path connecting the Farmers Market area and the Columbia Public Schools buildings so people could park there. He noted it was an unusual model, but a model they wanted to see more often.

Mr. Trapp commented that he had been working on a Farmers Market pavilion his entire political career, and was very excited this would be done. He noted one of his early critiques had been to not build a project that was too big to build, and the proposed project far exceeded his dreams or expectations of what could be done. He stated the City's contribution was relatively small. He thanked their partners for raising this incredible amount of capital. He loved the business incubator and small business development aspects. He thanked the Parks and Recreation Department staff for embracing a fairly wild idea with groups that had not had a history or capacity of conducting big capital campaigns. He believed this was outstanding.

Mr. Ruffin stated he believed this was an amazing addition to the City and First Ward, and noted he wholeheartedly supported it.

Mr. Skala asked if this fit within the transit scheme to allow people to get to and from the Market. Mr. Griggs replied he thought a bus stop was on the other side of Worley Street, and was walkable.

B319-17 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

PH39-17 Voluntary annexation of property located on the west side of Old Plank Road and north of Glasgow Drive (1001 W. Old Plank Road) (Case No. 17-212).

PH39-17 was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Thomas asked if the subject property was within the urban service area. Mr. Teddy replied yes.

Mayor Treece asked if the subject property was contiguous to the existing city limits.

Mr. Teddy replied yes, and explained it would square off the city boundary.
Mayor Treece opened the public hearing
There being no comment, Mayor Treece closed the public hearing.

VI. OLD BUSINESS

B245-17

Granting a waiver and a design modification relating to the construction of a sidewalk along a portion of the north side of Primrose Drive, approximately 500 feet east of Gardner Drive (2301 Primrose Drive); setting forth a condition for payment in lieu of sidewalk construction (Case No. 17-157).

The bill was given third reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor Treece asked if staff had come up with the same numbers as the payment in lieu. Mr. Nichols replied they had reviewed it as a standalone city project so the figures they used were the contracted project amounts. Mayor Treece understood it included what it would cost the City for construction. Mr. Nichols stated that was correct, and noted it meant prevailing wage, full design, etc. Mayor Treece asked if the estimate developed by staff had been more than \$10,000. Mr. Nichols replied it was higher, and pointed out the estimate was for the entire distance.

Mayor Treece asked if a yes vote by two-thirds of the Council would grant the waiver, which meant the sidewalk would not be built, or if the sidewalk would be built with the bump out. Mr. Teddy replied if the Council approved the ordinance, it would allow for the waiver and a payment in lieu of \$10,890 as that was what had been offered by the applicant. He commented that he thought the question with a payment in lieu was what was fair and proportionate for a basic sidewalk, and not necessarily the actual cost.

Mr. Pitzer understood the design showed a wider than five foot sidewalk, and asked for clarification. Mr. Teddy replied six feet was the standard when at the back of curb.

Mr. Pitzer asked how much of the street would be taken out with the bump out option. He wondered if what was left would be a safe width. Mr. Nichols replied it would be still be safe.

Mr. Thomas asked Mr. Nichols to describe the difference between the two options presented. Mr. Nichols replied the standard option would have a greater impact on the tree. Mr. Thomas understood it would require the tree to be removed. Mr. Nichols stated yes, and explained the existing drainage structure would be extended to provide a base for the sidewalk. By moving in, they would not have as much of a structural expense, but the curb and gutter would have to be built, so it was a tradeoff. Mr. Thomas asked for the downside to not rebuilding the curb and gutter 6-7 feet further in, and for simply creating a safety barrier for pedestrians and designating sidewalk space in that 6-7 feet in the north side. Mr. Nichols replied if it involved delineators, a concern would be trash, mud, silt, etc. in the pathway. He noted they had not gotten into the engineering details, but thought a ramp would be needed to the curb while holding a two percent cross-slope. Mr. Thomas thought the cross-slope would already be there. Mr. Nichols stated it was generally not there after years of overlay work. Mr. Thomas noted he would not be supportive of delineators as he believed there were more attractive options, and thought this would be an opportunity for an adopt-a-spot program. He commented that his suggestion of using 6-7 feet on the 31-foot wide road involved utilizing the existing pavement surface. He was not suggesting they move the curb and gutter. Mr. Nichols pointed out they had to build to the ADA standard if they constructed the sidewalk in terms of the ramp into the street, the ramp out of the street, and the walking surface. Mr. Thomas understood if they wanted to do what he had suggested, they would have to create a new standard.

Mr. Skala understood there had been changes to the process by which Council voted on design standards and asked for clarification. Ms. Thompson replied if a design adjustment was requested and it did not receive a recommendation for approval from the Planning and Zoning Commission, it would require a two-thirds affirmative vote of the Council to pass. This item had not received an affirmative recommendation from the Planning and Zoning Commission, which was the reason it required five affirmative votes of the Council.

Mr. Trapp commented that trees were known to affect traffic speeds and could be used as traffic calming.

Ms. Peters asked if the neighbors had weighed in on this as she wondered if they wanted a sidewalk. Mr. Teddy replied he was not aware of any public comment on this project, and pointed out they had not canvassed the neighborhood for any opinion on it. He explained it was a building permit condition, and the Council could grant a waiver by considering the need for the sidewalk versus the burden to the owner. He commented that he thought they would all agree a sidewalk was needed and that it would be nice to preserve the tree. It was a matter of when the sidewalk construction would occur. He noted Primrose Drive was a developed street so it would be done in a piecemeal fashion if they relied solely on development.

Jay Gebhardt explained he was an engineer with A Civil Group and was available to answer questions. He stated they had put together the estimate in good faith, and it had been reviewed and approved by City staff. He commented that he was more in favor of saving the tree than his client, and it would be 60 feet of sidewalk that would not go further west. He hoped the waiver and payment in lieu would allow the City to come up with an alternative design that would preserve the tree in the future.

Mr. Pitzer asked Mr. Gebhardt how much it would cost for the developer to construct the bump out alternative proposed. Mr. Gebhardt replied he did not know. He explained they were required to build a five foot sidewalk, and understood City staff had not put together an estimate that would provide an apples to apples comparison to his estimate. He noted it would cost the City more.

Mr. Ruffin understood the tree would be removed if the developer was required to build the sidewalk. Mr. Gebhardt stated the trunk of the tree was in the way of the physical location of the sidewalk, and it was lower than the curb of the street. In order to build the sidewalk, they would have to remove the tree, fill in the area, and build the sidewalk within the right-of-way of Primrose Drive. Even if they were to swing the sidewalk in against the curb, people would not be able walk on the sidewalk as there was a very low hanging branch.

Mr. Thomas understood the estimate provided by Mr. Gebhardt had been a little over \$10,000 and City staff had agreed to it with a small adjustment. Mr. Gebhardt stated the original estimate had been less, but they had settled on \$10,890.

Mr. Trapp commented that he believed the tree was worth saving and that it was intrinsically worth more than the additional 60 feet of sidewalk in this instance. He stated this had been the first street he had walked when he had become a new political candidate about six years ago, and noted it had informed his views on why people were not more friendly and did not have as many neighborhood connections. He believed something needed to be done on Primrose Drive and had asked for a sidewalk project to be added to the CIP plan. He pointed out this had been done when he was more naïve as he would have promoted traffic calming if he had known then what he knew now. He explained the cost estimate of the sidewalk on the CIP plan had been estimated at \$600,000, and believed it would face some opposition by those that lived there because their yards were not designed for it. He understood this street was now in the process of being evaluated for future traffic calming. It was also in the CIP plan if they were ever able to fund all of their capital improvement projects. It was a worthy project that would connect the whole Valleyview neighborhood, and with a connection across Stadium Boulevard, it could connect to Cosmo Park and the entire trail system, which would bring

some fairly isolated neighbors into the whole city ecological system. He noted he saw that happening as part of his vision of Columbia at some point in the future. He commented that there was a lot of erosion in the stormwater facility opposite of the tree, and thought they would likely have to get into the roadbed in the future. He explained he would have spoken out for this even without the payment in lieu because the tree was a generational legacy to the neighborhood and they would only receive 60 feet of additional sidewalk if it was removed. He reiterated the tree also provided for traffic calming.

Ms. Thompson pointed out a yes vote would grant a waiver for the sidewalk to not be constructed and allow for the acceptance of the fee in lieu, which would save the sycamore tree.

Mr. Thomas stated he agreed with the comments of Mr. Trapp. It did not make sense to destroy a tree for a sidewalk that would not connect to anything now. He believed a sidewalk could be built there at a cost of less than \$75,000 with some more creative approaches.

Mr. Thomas asked where this traffic calming project was on the list. Mr. Nichols replied it was still being evaluated. He noted there were a lot of features that would likely make it a higher priority.

Mr. Thomas stated he supported accepting the funds that had been offered and granting the waiver.

Mr. Skala asked if the arborist had evaluated this. Mr. Teddy replied the City's arborist had looked at it, but had not completed a detailed study since the applicant had indicated the desire to save the tree. He thought the arborist had indicated there might be the possibility of making room for a sidewalk along with improving the viability of the tree by removing the large low-hanging limb, but it would be very costly and difficult. He pointed out the applicant would be building some sidewalk. The waiver was only for a portion of the sidewalk.

Mayor Treece asked if the waiver would allow a partial sidewalk to move forward. Mr. Teddy replied they would build about half of the sidewalk where the terrain was more forgiving.

Mayor Treece asked Mr. Thomas if he would rather see no sidewalk than some sidewalk. Mr. Thomas replied he wanted to see the partial sidewalk. Mayor Treece understood a yes vote would allow for some sidewalk. Mr. Thomas stated that was correct.

Mr. Skala asked if other alternatives had been considered, such as taking the sidewalk to the inside. Mr. Teddy replied the drainage way was an obstacle with that option.

Mayor Treece made a motion to amend B245-17 per the amendment sheet. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

The vote on B245-17, as amended, was recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B304-17 Authorizing a collective bargaining agreement with Columbia Police Lieutenants' Association.

Ms. Buckler and Ms. Thompson provided a staff report.

Mayor Treece asked if the lieutenants were still considered at-will in this agreement. Ms. Buckler replied no, and explained these were the classified lieutenants.

Mr. Skala understood there was not anything significant or notable compared to the other agreements. Mr. Buckler stated no, and explained they had tried to ensure the policies and procedures were defined in the same ways. Ms. Thompson noted retirement had been one of the issues, and it had been addressed in this agreement, which would not expire until October 31, 2020. It had a slightly different expiration date, but was in conformance.

B304-17 was given third reading with the vote recorded as follows: VOTING YES:

TRAPP, SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B305-17 Voluntary annexation of property located on the north side of Gillespie Bridge Road and approximately 1,500 feet west of Louisville Drive; establishing permanent R-1 and A zoning (Case No. 17-172).

B305-17 had been tabled to the December 4, 2017 Council Meeting during the approval and adjustment of the agenda section of the meeting.

B306-17 Approving the Final Minor Plat of Arrowhead Lake Estates Plat 3, a Replat of Part of Lot 35a Arrowhead Lake Estates Plat No. 2, located on the east side of Lake Arrowhead Drive and approximately 1,200 feet north of Sinclair Road; granting a design adjustment to allow a tree preservation area and steep slope area to be incorporated into a residential lot; requiring dedication of a tree preservation easement (Case No. 17-167).

Mr. Teddy provided a staff report.

Mayor Treece asked why this was an old business item when the Planning and Zoning Commission had unanimously approved it. Mr. Teddy replied it was because there was an amendment sheet.

Mr. Pitzer made a motion to amend B306-17 per the amendment sheet. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

B306-17, as amended, was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B307-17 Approving the Final Plat of Athens Subdivision Plat 1, a Replat of all of Lot 281 and Lot 282 of the Original Town; granting a design adjustment relating to street intersections (Case No. 17-216).

Mr. Teddy provided a staff report.

Mayor Treece asked for the status of the radius corner. Mr. Teddy replied it was not shown currently as the Planning and Zoning Commission had made a conditional recommendation, which meant they were in favor of the plat if the radius corner was put in place. Mayor Treece understood it was not a part of this now. Mr. Teddy stated that was correct. Mayor Treece understood they would have a non-conforming use if it was a part of it. Mr. Teddy explained there was not another way around it as they could not cede the right-of-way to them now.

Mayor Treece understood this was the old Athens Hotel and the applicant wanted to carve out the separate building in the back, which was the original city hall and jail, in order to rehabilitate it, but the rehabilitation could not be done now because it was all part of the same plat. He asked if it was a separate building and detached from the Athens Hotel. Mr. Teddy replied yes. He explained he thought the desire was to have a separately identified lot for the purposes of a tax credit project.

Mr. Thomas asked for the urban design purpose for the 30-foot radius curve on the corner in the M-DT district. Mr. Teddy replied the right-of-way line contained the public sidewalk as well as the street, so it could be a streetscape or corner entries to buildings. He noted it allowed more room for walking and mobility as handicap accessible curb ramps sometimes required a lot of space. It would likely be beneficial with brand new development so he would not advocate for doing away with the standard. In this particular case, he would not recommend creating an encroachment in right-of-way. Mr. Thomas asked if this had been inserted by Clarion, the Unified Development Code (UDC)

consultants. Mr. Teddy replied he could not recall the exact origins. He thought they were likely told it was a desire as it was a universal standard. Mr. Thomas stated he could see the benefit of having more sidewalk space and for the construction of an ADA ramp, but did not want to support a larger radius for the curb itself because it would encourage more speeding around corners and create a longer distance for pedestrians to cross. Mr. Teddy thought it might be worth revisiting as a general issue. He pointed out they might want a broader turning radius to accommodate buses and delivery vehicles on certain routes, but agreed they wanted the walking distance, corner to corner, to be short in the downtown.

Ms. Peters asked, if this was approved, if the shorter radius would follow the property if they chose to tear down the building. Mr. Teddy replied the requirement would be imposed if it was a new development. Ms. Peters asked how it would be handled if they provided the design adjustment. Mr. Teddy replied the adjustment would follow the land.

Mr. Pitzer asked how much of an encroachment there would be with this 30 foot radius. Mr. Teddy replied he did not have a measurement, but understood it would be noticeable. Mr. Pitzer explained he was trying to understand the practical effect of not granting the variance. It would be non-conforming until it was redeveloped. Mr. Teddy commented that a building owner likely would not want any part of the building to be outside of the property line if possible. Mr. Pitzer asked if there were other cases of this. Mr. Teddy replied buildings were generally built within lot lines in the Old Town, but they had found instances where buildings had come a few inches across. Mr. Pitzer asked how those were remedied. Mr. Teddy replied he thought there had been a right-of-use agreement. Mayor Treece noted they had waived a truncation on city-owned property not too long ago in relation to a parking garage. Mr. Teddy stated that was correct. He thought there had been another example, but it might have been before the new code had been adopted.

Mr. Pitzer asked if the applicant would be able to replat to be back in compliance if the waiver was denied and the code was amended a year from now to remove this requirement. Mr. Teddy replied he thought so as one could make adjustments to the lot.

Mayor Treece explained his goal was to encourage historic preservation, and he felt that was better achieved by not requiring the rounded corner because it would not place the building out of conformance. He stated he took the word of the applicant in that they were trying to complete a small achievable project that required replatting to move forward. In addition, if the building was not hurting anything, he was not sure they should impose this requirement arbitrarily.

Ms. Peters understood the only reason they needed to replat was for the tax benefits to rehabilitate the building. Mayor Treece stated that was correct.

Mr. Skala commented that he thought it was reasonable to allow the waiver in order to restore some history and because it had existed for a long time.

John Rogers, 813 E. Walnut Street, explained he was the attorney for the applicant, Wabash Arms of Columbia, LLC, and noted they were trying to create two lots, one for each of the historic buildings. He pointed out the existing plat had been filed in 1825, and Henry Tandy, a local businessman, had decided to build the Athens Hotel 70-75 years later. Since the UDC did not exist then, he was able to build across lot lines. The structures were on Lots 281 and 282 in the Old Town of Columbia, and the Athens Hotels had been built to fill up the front half of both of those lots. He noted that could not be done now. He stated the Athens Hotel had been expanded in 1920 and was renamed as the Columbia Hotel. Twenty years later, it was sold again and renamed as the Ben Bolt Hotel. In the 1960s, it was sold again and the upper floors were converted to apartments. The current owners had purchased the property in the 1980s, and since then, it had commercial on the ground level and apartments on upper floors. In 2004, it was declared a Notable Historic Property by the Historic Preservation Commission. He noted the current owners had no intention of demolishing it. The portion that was the old Boone Tavern/Bleu Restaurant was currently being repaired, and the space would be divided. He explained that at the same time the Athens Hotel was built in the 1900, another small

building had been built to the north of it on the northeast portion of the lot. It was the original jail and city hall, and had been used in that manner until 1910. Since then it had been commercial with residential on the upper floors. He pointed out the building was in significant disrepair, and in order to complete a rehabilitation project, the building had to be placed on its own legal lot. It could not be an appendage to the Athens Hotel. Although there were two separate buildings, it was currently considered one tax parcel and one building. Since they would not be eligible for federal and state tax credit programs if the building was an appendage to the Athens Hotel, they wanted to create legal lots for both buildings. Once the UDC was passed, the corner radius was required. He stated most of the discussion at the Planning and Zoning Commission was whether this requirement should even exist, and believed the Commission had thought they were giving the applicant what it wanted by approving a plat that was not before them, but that was not the case. It was not viable from an ownership perspective to give right-of-way through a 120 year old historic hotel, and noted he was not sure how the bank or the leaseholder would react. He believed the design modification procedure existed to accommodate buildings that currently existed. He commented that he would not be there if they wanted to demolish the buildings and build a large building on the lot because they would not have to ask for a design modification or file a new plat. The only reason he was before the Council was because they wanted to make legal lots for the two buildings located on them. He pointed out the City did not want the right-of-way as it was not in their long or short term plans. He felt denial would be arbitrary and unnecessary, and would go against preserving historic buildings and the character of the downtown.

Mayor Treece understood lenders typically did not like nonconforming uses. Mr. Rogers agreed, and pointed out this was not just an inch or two as a street would go through the salon.

Mr. Skala suggested the receive clarification on the vote. Ms. Thompson stated a yes vote would approve the design modification and the plat. If the Council was not in favor of the design modification, but was in favor of the plat, she noted she would be happy to help split the vote and assist with amendments.

Ms. Peters understood a yes vote would not take a portion of the building. Ms. Thompson stated that was correct. Ms. Peters also understood it would allow for the replat. Ms. Thompson stated that was correct, and noted it would maintain the status quo as it was today.

B307-17 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B320-17 Amending Chapter 6 of the City Code to streamline trade licensing requirements.

Mr. Teddy provided a staff report.

Ms. Peters understood this would allow for consistent renewal fees, and asked if they were not consistent now and how it would be addressed. Mr. Teddy explained this involved the plumbing, mechanical, and electrical trades. Ms. Peters understood they had different fees now, and those fees would be standardized. Mr. Teddy stated that was correct. Ms. Peters asked if staff had heard from any of the people in these trades. Mr. Teddy replied no comments had been reported to him.

B320-17 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN. VOTING NO: NO ONE. ABSENT: TRAPP (Mr. Trapp stepped out during the vote on this bill). Bill declared enacted, reading as follows:

B321-17 Amending Chapter 12 of the City Code relating to employment discrimination.

Ms. Thompson provided a staff report.

Mayor Treece understood this would be consistent with federal law. Ms. Thompson stated this was consistent with the Pregnancy Discrimination Act.

Mr. Thomas commented that he did not feel the ordinance lined up completely with the letter from the Commission on Human Rights from October of last year, but understood staff had vetted this particular bill with the Commission, and they were in support. Ms. Thompson stated that was her understanding.

Zach Rubin explained he was the Chair-Elect of the Commission on Human Rights and noted the Commission supported this proposed ordinance. He commented that as Chair-Elect, he had received many media requests and a recurring theme was whether this had come forward due to someone in particular that had suffered from pregnancy discrimination. Although they all had personal antidotes of knowing someone that suspected discrimination due to being pregnant, this had come forward at the request of members of the public. He stated his final interview had been done in a public place and someone nearby had indicated his wife had been fired last month, which they felt was due to her being pregnant. He reiterated the Commission stood behind the language in front of the Council and noted it strongly mirrored the Pregnancy Discrimination Act. They felt adding a local avenue to address discrimination would help in allowing people to tell their stories and provide another avenue for restitution.

Alison Dreith stated she was the Executive Director of NARAL Pro-Choice Missouri, which had more than 2,600 members in Columbia, and noted she had personal antidotes as well. She explained her husband was a union representative for the Teachers Union and frequently had to defend pregnant union members from pregnancy discrimination in terms of ways they could be accommodated in the workplace throughout their pregnancies. She commented that about 75 percent of the 68 million women working in United States would become pregnant at some point in their lives, and historically, pregnant women and women with pregnancy related medical conditions faced significant discrimination. Although the Pregnancy Discrimination Act had been in effect for more than 30 years, pregnant women continued to face negative stereotypes and unfair treatment. She stated the *USA Today* had recently indicated 76 percent of employers surveyed would not hire a woman if they thought she was going to get pregnant in the first six months of employment, and researchers at George Mason University found that women who appeared pregnant while applying for a job faced the risk of patronization or hostility. She asked the Council to vote favorably on this bill.

Bonnie Lee, 4610 Mexico Gravel Road, noted she was a Columbia and Third Ward resident, and explained that seeing Ms. Dreith here today validated her concerns regarding this bill. She asked that it not be passed. She commented that NARAL was the largest abortion promotion group in the United States and Ms. Dreith's presence solidified her concern that this bill was more about abortion than pregnancy. In reviewing the report from the Commission on Human Rights in 2016, she had questioned why this was being approached. They had heard a few antidotes and statements that it existed, but had not presented documented files indicating this was necessary. The State of Missouri statutes under Chapter 213 protected women that were pregnant in the workforce. She understood a similar bill had been an issue in St. Louis. She also pointed out "reproductive choices" was in the first paragraph of the report to Council in October, and felt everyone knew that included abortion. She read from the NARAL website, which indicated the St. Louis Board of Alderman had passed an ordinance to protect city residents from discrimination based on their planning and reproductive decisions, including abortion, and that cities like Columbia and Kansas City were following St. Louis' lead. She was concerned this would impact the protection of those in the position of hiring people, especially those of religious faith. She stated she was on

the Board of Directors for the Pregnancy Help Center, which hired people to help women through their pregnancies, and felt she might not be able to ask interviewees if they would refer someone to an abortion even though the organization was against abortions. She understood this bill would allow her to be charged with discrimination. She did not feel faith-based entities should have to hire people who promoted abortions. She reiterated this bill was about abortion and did not feel it was needed without evidence of this type of discrimination. In addition, she believed there were already strong laws in Missouri indicating one could not be fired for being pregnant. She stated she was very much against this bill and asked the Council to vote no.

Evonnia Woods, 1806 N. Creasy Springs Road, explained she was in support of this ordinance and believed this was an issue for women. She commented that she and her colleagues and friends had discussed when to get pregnant in their careers, how that might look, and what retaliation they might face. She noted she had a couple of friends that had experienced discrimination by not being about to push forward with their research and being questioned on their ability to fulfill work requirements. She reiterated her support for this bill.

Mayor Treece asked Ms. Woods if she felt this bill would assure and encourage pregnancy more than it would be to encourage abortion. Ms. Woods replied she did. She explained she was 34 and did not have children because she did not feel she could have children and a flourishing career.

Mayor Treece asked Ms. Woods if any type of employment discrimination was acceptable. Ms. Woods replied no.

John Clark, 403 N. Ninth Street, commented that Columbia was a local charter home rule city, which meant they could do a lot somewhat differently than the State of Missouri. It also allowed Columbia to be involved in receiving complaints about discrimination. He saw this as an exercise of reinforcing their belief in these laws since it was consistent with federal and state law, and suggested it be adopted.

Chimene Schwach, 1410 Overhill Road, explained she was a Catholic woman, who was active in her parish and had children that attended a Catholic school, and stated she was not offended by the language in this bill. She did not feel this bill would promote any particular kind of reproductive choice. She felt women suffered sexual discrimination at all levels, and this language, which included reproductive choices, would assist women that were pregnant and trying to forge careers. She believed this also covered single women with children as dispersions were often cast upon single parents. While she was a married woman, people had assumed she was a single, uneducated black woman since they had not met her husband. She pointed out this had been said to her and it had created a dynamic in the workplace. She noted she was married and had a master's degree, but did not feel she should have to explain that. She also believed it should not matter if she was a single, black woman with children as it should not impact how she was seen in the workplace. She stated the bill and this language extended to those circumstances. She commented that there was no place in any employment situation for discrimination. They were trying to forge a path of social justice, and create a community that was equal and welcoming to all sorts of people. By creating language like this, they were saying everyone was welcome. She also pointed out that this language was not the same language that was in the St. Louis bill, and did not feel the two could be compared. This bill reinforced the federal Pregnancy Discrimination Act. She felt approving the bill would tell people that Columbia was an inclusive community and did not discriminate on any basis.

Rachel Brekhus, 703 Hilltop Drive, commented that she would hope the bill would pass even if it had language specifically referring to abortion. In reference to a prior speaker, she believed asking if a person would refer someone for an abortion was very different than asking a person if they had had an abortion as that question should be illegal.

Mr. Skala stated he believed it was important to reinforce some of the values of Columbia, and noted he would support this bill.

B321-17 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B322-17 Amending Chapter 13 of the City Code relating to alarm systems.

B322-17 had been withdrawn from the agenda during the approval and adjustment of the agenda section of the meeting.

B317-17 Authorizing a software license agreement with Telvent USA, LLC relating to an electric and water outage management system.

Mr. Johnsen provided a staff report.

Mayor Treece asked Mr. Johnsen if he had reviewed the council memo and contract and if both were accurate, and if the contract was the one that would be executed if approved by Council. Mr. Johnsen replied yes.

Mayor Treece understood the total cost for the first year would be \$248,500. Mr. Johnsen stated that was correct. Mayor Treece understood there would be an annual cost of about \$15,000-\$16,000 afterwards. Mr. Johnsen stated that was correct.

Mayor Treece asked what this did that the current outage management system did not do. Mr. Johnsen replied it would transition the utility to a GIS system. Staff currently had to maintain two models. Mayor Treece asked what this would do for the customer. Mr. Johnsen replied it would drive the new outage management system, which was tied to the outage map. It would allow them to respond to outages in the field and direct line crews when customers contacted the utility regarding outages. Mayor Treece stated he could go to the website now and a map would show him the quadrant of the community along with the number of customers that were affected by an outage. It also showed the number of calls and the estimated time until the issue would be resolved. He asked what this would do that the current system did not do. Mr. Williams explained the current outage map placed a polygon on the map. It provided a good general area of outages, but did not provide specifics in terms of the streets and houses impacted by the outage. Since this product would be based on an ESRI platform, it would be much better at targeting the areas actually affected. Instead of seeing a polygon, one would be able to drill down into almost a house by house look of the outages.

Mayor Treece asked if this would be paid with capital improvement funds. Mr. Johnsen replied no, and explained this would be funded by enterprise revenue funds.

Mayor Treece asked for an update on the monthly financial reports. Mr. Johnsen replied they had everything through August and only needed the September information, so they were a month behind. Mayor Treece asked how August 2017 compared to August 2016. He wondered if they were over or under. Mr. Johnsen replied he could not provide exact numbers, but did not believe they were too far off where they thought they would be at the end of this fiscal year. He stated he would have to review the information again to be sure. Mayor Treece understood staff had thought they would have a gap of \$1.2 million. Mr. Johnsen pointed out that was the projection for 2018.

Mayor Treece noted staff had offered a list of \$1.2 million of potential cuts that the Council had rejected, and understood this had not been included. Mr. Johnsen stated that was correct. Mayor Treece asked Mr. Johnsen if he thought they might have to dip into the list of potential cuts the staff had offered to Council. Mr. Johnsen replied he did not have any FY18 data at this time. They were just finishing up with FY17 numbers. He explained the intent was to come back to Council to demonstrate where they were at some point in the beginning of the year to determine if rate increases or budgets cuts were necessary. Mayor Treece recalled several hundred thousand dollars had been proposed for cuts, and believed this project was a bit of a luxury as the current product already worked well for the customer in terms of identifying power outages. He wondered if they wanted to hold back on approval of this as it could be a potential cut depending on

where they were financially. Mr. Johnsen stated he did not believe it would be a problem to delay this project. Currently, staff time was used to update two models, and this was the next step in the transition process.

Mr. Pitzer asked if staff time would be freed up by going to this new system. Mr. Johnsen replied he expected it would as two models would no longer need to be updated. He pointed out there would be hurdles in getting a new model up and running, which was one of the reasons they had hired the consultant. He noted it was also better and more accurate to not have to maintain two models. Mr. Pitzer asked Mr. Johnsen if he had a sense of how much that would be in terms of a staff person's time. Mr. Johnsen replied he did not have that information.

Mr. Pitzer asked if staff had communicated with other cities that had transitioned to this new system and were customers of this software vendor. Mr. Williams replied the ArcFM platform, which helped facilitate the ESRI database, was the model selected for the electric modeling system. The responder program was the Telvent or ArcFM solution for implementing an outage management system. City staff had reviewed the responder product and liked the features that were available. He thought they had checked with several other users of the responder program and found it would do what the City did currently while providing enhanced features. Mr. Pitzer stated he was interested in knowing if any entities had issues when transitioning to this system since this was a public facing application and due to the difficulties they had with the last software transition. He had hoped staff had talked to someone that had been through the transition and had positive experiences. He understood the City would pay for the 24/7 technical support and was glad to hear that.

Mr. Skala commented that he was glad to hear this would be funded with revenue funds instead of another source, and appreciated the goal of keeping up to date with GIS, but also thought it was important to determine where they were financially before funding this in case they had to make cuts.

Mr. Trapp stated the Utilities Department, like all other city departments, had been operating with less staff per 1,000 people, and had been able to do this by investing in technology. He thought this would free up staff time and noted he had not heard any compelling arguments to oppose this. He noted the Council had not approved the rate increase and the City was now only a month behind with regard to the financial reports. He commented that he also felt it was a stretch to link the financial reports to the budget request. He thought they should allow staff to proceed in the absence of a compelling reason to continue to maintain parallel systems. He believed the polygon was helpful, but felt those without power would prefer street level information as it was a distressing situation. He stated they had a well-run and efficient utility because of these types of investments, and thought they should continue to trust their experts. He appreciated their work and the fact they had chosen careers in Columbia. He noted he had been in a position where he had answered to a citizen board of directors and it could be frustrating for non-topic experts to get into the weeds and direct the work of professionals. He commented that it was a semi-regular occurrence for the Utilities Department staff to receive awards for their excellence. He agreed they had difficulty with the utility billing process and software transfer, but felt they should look at it in the overall context of the excellence of the electric and water utility, and thought they should support this and the staff.

Mayor Treece stated he appreciated that, but noted he was looking at what had been recommended for budget reductions if the rate increase was not approved. He pointed out the rate increase was not approved, and explained he would prefer to prioritize street light replacements, solar rebates, and some of the other suggested cuts over a \$250,000 application. He thought they should have that financial discussion now instead of after the money was spent, and felt a cut elsewhere could have a dramatic impact in preventing the very outages which customers would be alerted to with this software.

B317-17 was given third reading with the vote recorded as follows: VOTING YES:

TRAPP, THOMAS, PITZER, PETERS, RUFFIN. VOTING NO: SKALA, TREECE. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

- B308-17 Approving the Final Plat of Willow Falls, Plat No. 2 located on the south side of Sunnyridge Lane and east of Creasy Springs Road; authorizing a performance contract; authorizing a developer agreement; accepting conveyances for road access and temporary construction purposes (Case No. 17-82).
- B309-17 Approving the Final Plat of Kitty Hawk Manor, Plat No. 7, a Major Replat of a Part of Lot 66 & Lots 67-68 of Kitty Hawk Manor Plat No. 2 & Stinson Avenue, Vacated by Ordinance No. 13357, and a Tract Located in the North Half of Section 6, Township 48 North, Range 12 West, located at the terminus of Gypsy Moth Drive and approximately 1,400 feet west of Parker Street; authorizing a performance contract (Case No. 17-210).
- B310-17 Approving the PD Plan for Schilb Antiquarian located on the west side of Providence Road (Case No. 17-211).
- B311-17 Authorizing a cooperative agreement with the Missouri Department of Conservation for a Tree Resource Improvement and Maintenance (TRIM) grant to update and expand the current Urban Tree Canopy Analysis and development of a web-based Story Map to provide educational outreach; appropriating funds.
- B312-17 Authorizing a non-federal reimbursable agreement with the Federal Aviation Administration for a commissioned flight inspection of the Precision Approach Path Indicators (PAPI), Runway End Identifier Lights System (REILS) and Medium Intensity Runway Lights (MIRLS) on Runways 13 and 31 at the Columbia Regional Airport.
- B313-17 Authorizing a program services contract with the Missouri Department of Health and Senior Services for the Healthy Families Missouri Home Visiting program.
- B314-17 Authorizing a grant agreement with the State of Missouri - Missouri State Council on the Arts for the Parks and Recreation Department Annual Heritage Festival and Crafts Show.

- B315-17 Authorizing a business associate agreement with Application Software, Inc., d/b/a ASI and ASIFlex, for administration of the City's Health Flexible Spending Arrangement (Health FSA) and Dependent Care Assistance Program (DCAP).
- B316-17 Authorizing construction of the El Chaparral riparian restoration project on a City-owned tract located along the south fork of the Grindstone Creek; authorizing the Purchasing Division to call for bids or contract for a portion of the work.
- B318-17 Appropriating funds received from the University of Missouri for Flat Branch Watershed Relief Sewer Projects 1 and 2.
- B323-17 Amending Chapters 1, 14, 15 and 16 of the City Code to update penalty provisions to be in compliance with statutory changes enacted by the Missouri legislature.
- B324-17 Amending Chapter 16 of the City Code as it relates to harassment and peace disturbance.
- R147-17 Setting a public hearing: proposed installation of a fire suppression system in the office and storeroom areas at the Municipal Power Plant.
- R148-17 Setting a public hearing: proposed construction of a storm water management basin project for the area bounded by Garth Avenue, Sexton Road, Oak Street and Lynn Street.
- R149-17 Authorizing an agreement for professional architectural services with Klingner & Associates, P.C. for programming and master planning services relating to the renovation of the Grissum Building facility located at 1313 Lakeview Avenue.
- R150-17 Authorizing an agreement for professional engineering services with Structural Engineering Associates, Inc. for a structural assessment of the Eighth Street and Cherry Street municipal parking structure.
- R151-17 Transferring funds for the Enhance Your Attic weatherization program.

- R152-17 Adopting revisions to the drug and alcohol policies and procedures as part of the administrative rule for City employees.
- R153-17 Authorizing grant agreements for FY 2017 Community Development Block Grant (CDBG) funding with Independent Living Center of Mid-Missouri, Inc., d/b/a Services for Independent Living, and Job Point.
- R154-17 Authorizing the installation of street lights on West Broadway, Burnam Road, Bold Venture Drive, and at the intersections of Brown Station Road and Flatwater Drive and Brown Station Road and Waco Road, and authorizing the upgrade of street lights at the intersection of Cass Drive and Mohawk Avenue, Highlands Parkway and in the central city area.
- The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:**

VIII. NEW BUSINESS

None.

IX. INTRODUCTION AND FIRST READING

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

- B325-17 Voluntary annexation of property located on the west side of Old Plank Road and north of Glasgow Drive (1001 W. Old Plank Road); establishing permanent R-1 zoning (Case No. 17-212).
- B326-17 Approving the Preliminary Plat of Perche Ridge located on the north side of Gillespie Bridge Road and approximately 3,500 feet west of Louisville Drive; granting a design adjustment relating to loop street length (Case No. 17-171).
- B327-17 Approving the Gadbois Professional Offices PD Plan located on the northwest corner of the Nifong Boulevard and Santiago Drive intersection (Case No. 17-228).
- B328-17 Approving the Major Plat of Stoney Creek Plat No. 2, a Replat of Lot 2A Stoney Creek Subdivision, located on the west side of Providence Road (Case No. 17-159).
- B329-17 Approving the Final Plat of Somerset Village Plat 5 located at the western terminus of Armstrong Road and northwest of the intersection of Battle

- Avenue and St. Charles Road; authorizing a performance contract (Case No. 17-189).
- B330-17 Approving the Final Plat of The Park at Somerset Village Plat 2 located on the west side of Lawton Drive and northwest of the intersection of Battle Avenue and St. Charles Road; authorizing a performance contract (Case No. 17-191).
- B331-17 Changing the name of "Hackerry Boulevard" to "Hackberry Boulevard" (Case No. 17-246).
- B332-17 Vacating a right of access easement located on the northwest corner of the Smith Drive and Louisville Drive intersection, approximately 3,000 feet west of Scott Boulevard (Case No. 17-241).
- B333-17 Authorizing a program services contract with the Missouri Department of Health and Senior Services for maternal child health services.
- B334-17 Authorizing a program services contract with the Missouri Department of Health and Senior Services for child care health consultation services.
- B335-17 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for HIV Prevention services.
- B336-17 Authorizing a memorandum of understanding with the Cape Girardeau County Public Health Center Rural Health Clinic and the Missouri Department of Health and Senior Services relating to deputizing and oversight of local public health agencies to provide vaccines for underinsured children.
- B337-17 Accepting conveyances for sewer and temporary construction purposes.
- B338-17 Accepting a limited partnership general warranty deed from Partnership for Kelly Farms of Columbia, L.P.
- B339-17 Authorizing the installation of a fire suppression system in the office and storeroom areas at the Municipal Power Plant; calling for bids through the Purchasing Division.

- B340-17 Authorizing the City Manager to execute a temporary construction easement for highway purposes to the Missouri Highways and Transportation Commission for property located on the east and west sides of Route 763 and adjacent to Columbia Terminal Railroad (COLT) right-of-way.
- B341-17 Authorizing a master end user license agreement with Schneider Electric, Inc. for software for supervisory control and data acquisition (SCADA) at the Water Treatment Plant.
- B342-17 Amending Chapter 19 of the City Code as it relates to unclassified service.
- B343-17 Amending Chapter 19 of the City Code as it relates to unclassified service; amending the FY 2018 Annual Budget by adding and deleting positions in the Municipal Court; amending the FY 2018 Classification and Pay Plan by adding and closing classifications; appropriating funds.
- B344-17 Amending the FY 2018 Annual Budget by adding and deleting positions in the Human Resources Department; amending the FY 2018 Classification and Pay Plan by adding a classification and a union affiliation designation to a classification.
- B345-17 Amending the FY 2018 Annual Budget by adding and deleting positions in the Community Development Department - Planning & Development - CDBG/HOME Division.
- B346-17 Authorizing an agreement for professional services with Cascadia Consulting Group, Inc. for the development of a climate action and adaptation plan; appropriating funds.
- B347-17 Approving the Final Minor Plat of McGary Subdivision Plat 2 located on the northwest corner of the St. Charles Road and Tower Drive intersection; granting a waiver and design adjustment relating to sidewalk construction along St. Charles Road (Case No. 17-190).

X. REPORTS

- REP86-17 Proposed resolution expressing support for medical marijuana.
Mr. Trapp explained this had come up when they were discussing the prescription drug

monitoring program as he had been informed that another effective measure to combat opioid overdoses was a statewide medical marijuana law. The evidence was clear in states that had a statewide medical marijuana law that opioid overdoses were significantly lower. He believed in the context of the opioid epidemic, it was incumbent on them as policymakers to look at what they could do in the public policy arena that would save the lives of constituents. He felt people were dying on a weekly basis from opioid overdoses in Columbia, and understood many people found relief through medical cannabis as an analgesic and pain treatment. It also did not have the same issues in terms of tolerance as was found with opioids in that it took more and more of the same drug to have an effect. He noted it had some utility as a harm reduction substitute for people that were using more dangerous drugs and alcohol. He explained he was asking that this issue be added to the lobbying agenda and hoped a resolution could be brought forward through the normal process, preferably at the second council meeting in December to have maximum impact with the State Legislature as they would in session soon afterward. He stated this would also encourage a citizen initiative petition in case a bill was not passed through the Legislature to bring about a state medical marijuana paradigm. This would not address taxes, regulation, or personal use, and would not endorse the use of marijuana. It only recognized there were legitimate medical purposes.

Mayor Treece stated he did not want to debate the merits of the resolution and suggested they only debate the process by which this was brought forward.

Mr. Skala commented that he was in support of allowing the City to lobby for medical marijuana at the State level.

Mayor Treece stated he had an issue with endorsing legislation that had not been filed or read yet. He commented that he would be more comfortable with a more cautious approach, and suggested they read the bill prior to asking a lobbyist to work on an issue or endorse legislation. The draft resolution appeared to address support for legislation and an initiative petition sponsored by a campaign committee which did not have signatures yet. He noted he also wanted the input of the medical community since they were discussing medical marijuana.

Mr. Thomas asked how the City normally interacted with its lobbyist. Mr. Matthes replied they discussed legislative priorities around this time, and noted he anticipated bringing forward an item for Council consideration in December to establish those priorities. He pointed out they tried developing them in partnership with local partners as it was more powerful to go to the State as a unified region. He explained they informed the lobbyist of the list, and the lobbyist then helped develop strategies to achieve the outcomes. Mr. Thomas understood it would not involve specific bills. Mr. Matthes stated it was not always specific bills. It was sometimes concepts in which they then tried to work on specific bills. He pointed out most of the work involved playing defense due to the number of bills proposed each session.

Mr. Pitzer understood pre-filed bills would be available December 1, and asked if they would know what those were by the second meeting in December when this might be discussed.

Mr. Trapp was agreeable to bringing it forward the second meeting in December as they could then determine if there was legislation. He explained he understood lobbyists followed legislation and took into account the will of the Council as bills tended to evolve and could go from something the City supported to something they no longer supported. If staff needed clarity, there were mechanisms to check with Council. Bringing it forward the second meeting in December allowed the medical community and others to testify. In addition, if the majority of Council was not comfortable, it could be tabled to a future date when there was filed legislation. He explained he was only concerned about the condensed schedule and the need to move quickly because bills that passed tended to move to committee quickly. He believed it would either move quickly or not pass so he wanted to ensure they were impactful. It would also allow other communities to become involved for their constituents that were losing their lives to the opioid epidemic. He

asked staff to include a whereas statement in the resolution specifically on the opioid epidemic as it was the reason he felt this was a salient time to bring this forward for discussion.

Ms. Peters asked Mr. Trapp if the City's public health staff had weighed in or had an opinion. Mr. Trapp replied he could not speak for them. Ms. Browning commented that they had not studied this for quite some time, and noted she would want to do research before responding. Ms. Peters asked Ms. Browning if she could do that by December. Ms. Browning replied yes.

Mr. Thomas stated he supported the proposal to bring a resolution forward in December.

Mayor Treece asked if that was the general consensus of Council and whether there was any objection. Ms. Peters commented that she did not have an objection, but noted she wanted more information.

REP87-17 Correspondence regarding the alcohol policy from the Substance Abuse Advisory Commission.

Ms. Browning and Mr. Hollis provided a staff report.

Mr. Pitzer asked for the type of feedback received from restaurant and bar owners. Mr. Hollis replied he understood the Missouri Restaurant Association (MRA) had sent a letter to Council this afternoon. Mr. Pitzer wondered if anything had come up during the discussions of the Substance Abuse Advisory Commission (SAAC). Mr. Hollis stated the MRA representative was one of the few people that had made a public comment at one of the Commission meetings, and a concern was the perception that it only applied to the downtown. The Chair of the SAAC had made it clear it would apply citywide. They were not targeting the downtown. He pointed out the MRA representative had outlined quite a few concerns in a letter, and the Commission had discussed some of the items raised in the letter, but had decided to take the approach of presenting this conceptually as the number of exceptions could be extensive.

Mr. Pitzer understood there was reference to waiting for response from the Law Department with regard to penalties for violations of liquor license standards and asked for clarification. Ms. Thompson replied she had not been aware that this had specifically been assigned to the Law Department. In looking at the meeting minutes, she believed there was likely shared responsibility between the Law Department, Police Department, and Public Health and Human Services Department. She noted it had fallen through the cracks. Ms. Browning added that it had not been entered into any project tracker so it was something they needed to now address. Ms. Thompson explained, at the time, there was some concern as to whether the particular recommendation would have any significant impact based upon the number of violations or historic violations that had been reported, and it would not have had any impact. One of the challenges was to determine how they could ensure the ordinance itself would have meaningful impact and not just be an exercise in futility.

Mr. Trapp stated he recalled the discussions and thought a shared approach made sense. He believed that was a higher priority than drink specials because it was earlier in the process. He suggested they adjust the amounts of the fines to make it a meaningful experience, and enforce what they currently had on the books was more palatable and made more sense. He noted he had vetted the SAAC report with a group of college students and they did not feel it was a great idea. He commented that he personally believed overdrinking was a problem, and thought there was some evidence basis. All of the recommendations had come from laws from other college towns where it was successful. None of it was that innovative or experimental. He stated his thought was that this was something they wanted to do, but it would be better to move forward on the compliance checks, and noted he would be supportive of taking a closer look at this and for staff to bring something forward to Council.

Mr. Pitzer commented that he would be supportive of taking a closer look at the compliance front before dealing with the other recommendations. He noted he had vetted

this with a couple of restaurant owners and operators, and they were fully supportive of enforcing the existing rules and not encouraging underage drinking. He understood they would be willing to cooperate with enforcement so some strides could be made there first.

Mayor Treece stated he believed the ordinance needed more work, and agreed with Mr. Pitzer that they start on the enforcement side. He felt the liability issue was more of a concern to that private sector than price-fixing or banning drink specials.

Lieutenant Shouse-Jones commented that fine amounts had not been included in the matrix, and the number of violations would be required. She pointed out that from the perspective of the Columbia Police Department (CPD), the constraint was resources. The number of violations that would be required before any action would be taken against a business license was so high that they would not see much in terms of a meaningful impact. She explained officers, when reporting on a call, would always indicate whether alcohol had played a factor, and if the answer was yes, they could then indicate whether it involved a bar or not. She stated they had seen a huge difference in the year to date reports that had been taken thus far. The citywide answer of "yes" to the question regarding whether alcohol played a factor was just over seven percent. In the 70D beat, which was the downtown beat, the number was 23.61 percent. Where there was a high concentration of bars was where they were seeing more police reports related to alcohol. She understood the SAAC was willing revisit some issues, but believed a studied approach that had some impact was needed. She pointed out compliance checks were resource reliant, and without the resources, they would not gain compliance. She noted the SAAC and the CPD would be open to any suggestions.

Mr. Skala stated he believed the key was to put this in the meaningful context of something that would accomplish the goal. There was no sense passing something that looked good and had a political advantage, but did not accomplish anything. He commented that he appreciated the comments of Lieutenant Shouse-Jones in terms of the limited resources, and thought a continued dialogue was needed in that effort to try to make progress in terms of enforcement.

Mr. Pitzer asked if compliance had to be a CPD function. Lieutenant Shouse-Jones replied it was at this time. CPD was the enforcement arm of almost all of the City ordinances, which was a challenge, as some of the items were more administrative. The City did not have an administrative compliance enforcement body beyond some specialized areas in the Community Development Department and the Public Health and Human Services Department. Mr. Hollis pointed out they had looked at a model in Kansas City, which had a separate administrative unit, not within the police department, that actively enforced the alcohol license. Ms. Thompson stated that was correct. Kansas City had an alcohol enforcement division. In Columbia, they only had one business license administrator who handled all business, tobacco, alcohol, taxi, and other licenses. Mr. Pitzer wondered if this was something that could be looked into as increased compliance checks would lead to enforcement, fines, etc. Mr. Skala stated that was an interesting possibility. Lieutenant Shouse-Jones commented that she thought the Kansas City model included compliance beyond alcohol. They also handled cabs, tow trucks, and other regulated businesses. She noted they received some assistance from the police department, but that division handled the administrative enforcement.

Ms. Thompson pointed out the State of Missouri stopped its enforcement functions about five years ago. Mr. Hollis commented that this had been the impetus for the push by the SAAC for enforcement at an administrative level. Compliance checks were nonexistence from the State. Lieutenant Shouse-Jones thought the State funding had been cut in 2012 or 2013 for enforcement at the State level. It then fell to the local jurisdictions.

Lieutenant Shouse-Jones explained the CPD had noticed a correlation between drinks specials involving high volumes at a set price and problems at those bars with those types of specials. She thought those were the ones with which the CPD was primarily concerned.

Mr. Trapp stated he would still like to see an accelerated enforcement schedule versus the fine amounts to determine if they could strengthen the alcohol license. They might also then want to target some specials, such as bottomless cup specials. He did not believe they wanted to impact happy hours and certain traditions people held dear, but they wanted to protect public safety. He commented that he would support identifying revenue sources to assist with the under-resourced CPD so they could have a traffic unit and conduct alcohol compliance checks. Absent that, he thought they should look at public policy changes to make it easier for the CPD and its officers. He reiterated he would support addressing specials, like the bottomless cup specials, as it seemed straightforward, especially if there was local data to support it.

REP88-17 Vehicle Stops and Listening Tour Summary.

Mr. Matthes provided a staff report.

Mayor Treece asked where they wanted to go with this. He commented that he saw this more as the end of the beginning than the beginning of the end of the dialogue. He did not want to jump right to a work session as he wanted to ensure they allowed the community engagement process to play out. He noted this was a voluminous report and thought they should ensure they allowed time to obtain feedback from various community members and stakeholders.

Mr. Skala commented that Race, Equity and Leadership (REAL), which was a National League of Cities (NLC) group, was a wonderful resource to review attempts others had made in addressing issues, such as profiling. He invited Race Matters, Friends, the NAACP, and others to e-mail him with any questions as he could then attempt to bring back resources from NLC Conference next week.

Mr. Trapp stated he thought the report was a good start as it addressed the many different aspects of how they were trying to tackle this problem in terms of the Police Department. He noted he thought the City's emphasis on social equity and living wage jobs would be a factor as well. He commented that they needed to look at the racial disparity index data. He thought they should lay out the legitimate factors that might explain the discrepancy, and in the gap, where there might not be legitimate factors, he felt they needed to take a hard look at what they were doing and consider policy and practice changes. He suggested they measure and assess the situation, make changes, and determine if those changes worked. He commented that the implementation of consent searches would not change the traffic stop data since the traffic stop occurred first, but there was likely improvement in the search data if reviewed by quarters. He believed that model should be utilized for all disparity data until the disparities were eliminated, and felt that was the journey and process they should all commit themselves to as the leadership of the City. They then also needed to hold staff accountable and provide the necessary resources.

Mr. Pitzer commented that he felt they needed to determine how they would use and obtain feedback on the information received as the process was not clear to him. This was a tremendous amount of information, which had only been provided Thursday evening, and members of the community would not have had any reason to search for it since they were likely not aware it was coming forward. He thought they needed to do a better job of bringing this report to more members of the community and providing them time to react and respond. He stated he was struck by the comments of Mr. Matthes indicating some changes had been made, which they felt were good, as he was uncertain as to how they would know since progress would not be seen at this time. He wondered how they knew these were the right and effective changes. He understood a suggestion was to create an annual in-house report, and felt this was serving that function, so he wondered what else would be provided in an annual report. He asked for more information on the education requirement as he did not understand how lowering the education requirement would potentially help address the racial disparity issues.

Police Chief Burton explained a major concern of the community was that the Police Department did not reflect the demographics of Columbia. He understood the public felt it

could have some effect if minority groups were more readily represented in the rank and file of the CPD. As a result, they discussed ways to obtain more interest from minority applicants. He commented that college was not for everyone, and a significant group of young people were choosing not to go to college. He noted many police departments throughout the country did not require college, and they wanted to create an opportunity for someone that might have made that choice. He stated there might be a police officer that was a member of a minority group that wanted to come to Columbia, but could not due to the education requirement. A change would provide that option, and allow the CPD to consider those candidates. He explained it did not mean they had to hire them if they did not meet the other qualifications required. They only wanted to provide those without an education the opportunity to apply.

Mr. Pitzer cautioned Chief Burton in linking increased number of minority applicants to lower education requirements. Chief Burton explained the change would only provide people an opportunity. He noted the African-American community had a higher percentage of people at the poverty level, and this lowered their ability to get into college as they did not have the resources, family support, etc. This would allow someone to apply to be a police officer without the expense of college. An added advantage was that the City had an educational incentive program, which might allow someone to obtain a degree once they were hired.

Mr. Matthes commented that poverty was a common theme they saw throughout a lot of the data, lived experiences, and stories heard during the listening tour. It affected the ability to obtain an education, pay for a license plate, fix broken equipment, etc. As a result, they found the reason someone was pulled over to be tied to a lack of income in many instances. In reviewing the items that created disparities, two-thirds were driven by poverty. Through the Strategic Plan, they had reviewed poverty, and 29 percent of African-American families in Columbia met the federal definition of poverty while only seven percent of white families met that same definition so poverty disproportionately affected the black community. A part of the solution included the Strategic Plan efforts for living wage jobs.

Mr. Thomas stated he believed they first needed to understand why the data was the way it was, i.e., why they had four times the disparity rate for African-Americans versus whites. This required drilling into the on-the-ground practices of officers, the difference between investigative stops and a stop due to an incident on the road, training, policies, etc. He did not believe any of them understood the details at the level needed, and suggested the staff help the Council in understanding the operations that had led to the numbers they had. He thought this might uncover some legitimate reasons for disparities, and some that were not, and were a result of unconscious or explicit bias, which would provide a place to focus. He commented that Don Love articulated this idea the best in his opinion, and stated he wanted to take Mr. Love's process further to hone in on the problems. He explained he supported the idea of bringing a traffic unit back, but did not believe they wanted to have an operational strategy of conducting traffic stops all over town so the numbers looked better as it would continue to hide an existing problem. He thought they needed to understand the numbers.

Chief Burton offered a ride-a-long with a police officer as the Council would then be able to see the reasons for investigative stops and moving violation stops. He pointed out that most of the time the officer could not see the race of the driver before the vehicle was stopped. Mr. Thomas understood, but thought there were other factors, such as where the driver was within the City, whether the officer was responding to a call of a location, and the training provided for discretionary decisions made by the officer. He agreed ride-a-longs were an excellent way for the community to understand the job of a police officer and noted his appreciation for making those available.

Mr. Matthes commented that they had tried to anticipate every comment, had listened to every comment, and had tried to respond to those they could. As they had time to digest the information and suggested actions of staff, he noted he would appreciate feedback.

He stated staff viewed this as an open conversation moving forward.

Mayor Treece stated he liked Mr. Pitzer's idea of providing some time, 30-60 days, for feedback from the public on this report and allowing the community engagement process to continue. He understood recommendations would be provided from that process as well. He noted he was not sure how to assimilate that in a time frame that met the expectation for urgency while not appearing to do nothing.

Mr. Thomas suggested publishing this report in a more accessible place on the website and issuing a press release asking people for comments. He also suggested an online response system to collect community feedback over a 30-60 day period. If this was done, he asked for a table of contents for the entire report so they could see the type of information that was in it.

Mr. Pitzer recommended going back to some of the groups the City had interacted with previously for their thoughts on generating feedback. Mr. Matthes stated they would send the report to those groups asking for feedback. He noted they could also do what Mr. Thomas had asked for on the website.

Ms. Peters asked if there would be another community engagement meeting. Mr. Ruffin replied it was scheduled for November 28.

REP89-17 Downtown Community Improvement District - End of Fiscal Year Report.

Mayor Treece understood this had been provided for informational purposes.

REP90-17 Disposal of coal combustion residuals at the Columbia Landfill.

Mr. Johnsen provided a staff report.

Mayor Treece asked how many dump truck loads were involved with the 4,900 yards in the two week trial. Mr. Johnsen replied it was about 12 cubic yards per truck. Mayor Treece asked if they were in-house trucks or if they were contracted. Mr. Johnsen replied he was not sure, but thought they were contracted because that was typically how they operated. Mayor Treece understood it was likely 408 dump truck loads. Mr. Johnsen stated that sounded right. The project as a whole would involve about 7,500-8,000 truckloads.

Mr. Pitzer asked for clarification regarding the Kansas proposal. Mr. Johnsen replied it was a reclamation project, which he thought had involved a mine, and they wanted to get it back to a usable state. He noted coal ash was used for structural fills, and understood building sites and road beds had been made from coal ash in the past because it tended to compact well and not settle.

Mr. Pitzer understood the deadline was 2020. Mr. Johnsen stated it was April, 2020. Mr. Pitzer asked if they would work slowly from now until then. Mr. Johnsen replied yes. He explained they were trying to offset costs by utilizing existing crews and equipment for the earthwork.

REP91-17 Intra-Departmental Transfer of Funds Request.

Mayor Treece understood this report had been provided for informational purposes.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Rachel Taylor, 119 Clinton Drive, thanked the Council for acknowledging the vehicle stop and listening tour information was way too much to look at over one business day, and for recommending 30-60 days for the public to digest the information. She asked for a website and feedback response form as those could be easily created. She also suggested paper copies be available for citizens that did not have access to the internet, and that those paper copies be available in public places that were easily accessible to people most influenced.

Ms. Taylor pointed out poverty was not equal to racism. They had a racism problem, and it was not due to people being poor. Saying there was a need to lower the educational requirements to attract minority candidates suggested minority candidates were

uneducated, saying minorities did not have enough money to gain education presumed minority candidates did not prioritize education, and saying people of color were pulled over disproportionately because they were poor indicated people of color did not maintain their cars or pay their licensing fees on time, and that was racism. She reiterated poverty was not equal to racism. Data definitions were not the problem, and the reason Race Matters, Friends continued to talk about the data was because it indicated structural racism. It was not because they loved data. They wanted the City to be safe for all of its citizens and for justice outcomes to be equitable for all citizens. She asked the City to continue to work with the partners they had already engaged. She commented that she had read the 640 page appendix and had seen minutes in there from the past that she had never seen previously. She did not feel this was transparency and suggested this be improved. She explained she trained high level executives and if anyone had sent her 640 pages of information with one business day to digest it, she would think they were trying to get her to ignore it on purpose.

John Clark, 403 N. Ninth Street, commented that if they wanted to get serious about vehicle stops, officers needed to be told they could no longer do consent searches and could only conduct probable cause searches. He recommended this be done for six months to see the results. He did not believe a consent card would affect this in any manner.

Mr. Clark stated he believed the Water and Light Department had kept Council from seeing a model based upon a system equity connection fee along with the developer paying for the internal capital infrastructure for electricity. He thought the line extension policy was an improvement over the tens of millions of dollars the ratepayers had been paying for internal electric capital infrastructure for the last 20 years. He commented that he had asked Mr. Beauchamp, the consultant, who would be inappropriately affected, and he had indicated a system equity connection fee would inappropriately affect development and the end users of the development. He noted this was exactly the aim of the Comprehensive Plan. He recommended the Council direct staff to obtain a system equity connection fee analysis along with a set of proposals with the pros and the cons from the same firm. He did not feel the Council should follow the recommendation of Mr. Matthes to proceed with the line extension fee. He reiterated his suggestion of the firm doing the other analysis so they then had adequate information to make a decision. The City would otherwise still subsidize development and the end users.

Martha Brownlee, 701 S. Greenwood Avenue, echoed the sentiments of Ms. Taylor for suggesting the 30-60 day extension as it was necessary to process the vehicle stops and listening tour report. She commented that much of the summary was trying to explain away the disparities. She stated she worked with veterans of color who had put their lives at risk for the country and had heard them discuss their experiences with traffic stops and about the conversations they had to have with their sons. She noted her colleagues of color, who were highly trained professionals, had also experienced these issues. She stated she was deeply affected by people's stories, and a lot of it was due to structural racism, which was invisible to most of them since it did not affect them. She was offended by the idea of fixing the data by stopping more white people coming home from work as it did not reflect the lived experience of every person of color she knew.

Nina Hampton echoed the comments of Ms. Brownlee and Ms. Taylor, and suggested reading the book entitled *Pulled Over: How Police Stops Define Race and Citizenship*. She explained she had been struck by what people went through during an investigative stop as it was horrible. She did not believe it should be done. She suggested only safety stops. She also questioned poverty as the reason as there were also white people that were poor.

Eric Scott, 121 Redwood Road, commented that saying lower educational requirements would make it easier to recruit officers of color was not necessarily true as there were many white people without a college education that would be available to apply to work at the CPD. He did not feel that was a targeted strategy that would increase the minority representation in the police force. If the goal was to have a police department that better reflected the demographics of the community, he thought it needed to be done with intention versus hoping it would be a tagalong effect. It had to be a stated goal with an intended process within the recruitment process. In terms of reconstituting the traffic unit, he did not feel increasing the number of traffic stops would change the underlying disparities, and those traffic stops that were currently happening would continue to occur. The underlying conditions would not change.

DJ Lynch, Leeway Drive, stated the thing that irritated him the most as a driver was that people did not watch what they were doing. He noted that drunk college kids had thrown beer bottles at him and his car since he had been transferred downtown as a delivery driver. He commented that he had been pulled over by a University of Missouri officer because he did not have his headlights on, and he did not blame that officer for pulling him over. He explained he traveled Paris Road and would sometimes speed to get home, but he had not been pulled over, which he thought should change. He agreed he needed to slow down, but felt officers needed to be concerned with traffic violations. He commented that he was agreeable to not requiring college to be an officer as he would have loved to have been an officer and could not afford college. He noted racism was a problem, and poverty was worldwide. He explained he had done a Google search recently, and Columbia was one of the most dangerous cities. He stated he did not feel safe and planned to move his family as a result. He noted there was a lot of crime on his street, and his landlord was kicking him out due to following the instructions of the CPD.

Eugene Elkin, 3406 Range Line Street, suggested learning the difference between structural and systemic racism.

Mr. Elkin stated he had received an erroneous bill recently, and recommended they consider the amount of work necessary to correct situations where new technology did not operate properly as there was a cost to it.

Mr. Elkin explained he was opposed to medical marijuana. He stated he had been in two major car wrecks and had other injuries in the past, and did not believe in anything illegal nor did he always take the pills prescribed by doctors. He also suggested they limit the use of medical marijuana to one's home as he did not believe it should be done in public or around another individual.

Mr. Elkin asked if there would be an arrest if a person chose not to sign the consent to search form. Mr. Matthes replied no. Mr. Elkin suggested better communication so this was understood.

Laura Wacker, 1617 Paris Road, stated she found the results in the vehicle stops and listening tour report troubling. She was concerned by the thought the traffic unit needed to be reestablished in order to make the numbers go up for white people so the data would appear to be better. She noted she found that offensive. She appreciated the fact Chief Burton, Mayor Treece, and Mr. Matthes had all attended the community engagement meetings and the discourse that was happening. She believed they should focus on the things that could be done together rather than trying to mask the numbers. She reiterated she found that comment to be offensive.

Mr. Ruffin commented that in 2015, after the Charleston shooting at Emanuel AME Church, his church had been proactive in reaching out to the CPD for training in terms of how to prepare for active shooters. He believed the training had been very beneficial to his church. He noted there had been another church shooting in Texas recently and was

concerned churches did not know how to protect themselves. He asked the CPD to reach out to the area churches to notify them of this training so they might know what was possible. He pointed out they could not prevent all tragedies, but the strategies they had recommended had been very effective. He explained they had encountered some suspicious visitors and the congregation had been able to manage those situations fairly well.

Mr. Ruffin stated the comment made in reference to lowering education requirements was a matter of semantics. It would be open to anyone even after adjusting the education requirements. It was not a race issue and was not targeted at race. In addition, saying one would expand the profile of what determined a qualified applicant for the police force or workforce to create a more diverse pool was less racist. They did not even have to mention the education requirements were being lowered because they were really broadening the profile of what was acceptable for a potential applicant.

Mr. Ruffin asked for an update on what they were doing to educate the public on the ban the box ordinance as he had asked for something to be done months ago.

B326-17

Approving the Preliminary Plat of Perche Ridge located on the north side of Gillespie Bridge Road and approximately 3,500 feet west of Louisville Drive; granting a design adjustment relating to loop street length (Case No. 17-171).

Mr. Thomas made a motion to table B326-17 to the December 4, 2017 Council Meeting. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Mr. Thomas commented that there was an election tomorrow whereby the City of Columbia and Boone County were asking voters to approve a use tax. It would capture the same amount paid as sales tax in brick and mortar stores for online sales for purchases from companies that had a connection with the State of Missouri already, which included Amazon since they had created a connection. The State would collect two percent for Columbia and the one and three-quarters percent for Boone County, and remit it back to the City and County, if those use taxes were passed by the voters. He believed this was a loophole in the current taxation system as those taxes were not collected. He also thought it undermined the brick and mortar stores, which were typically locally owned. It also undermined the local economy. He encouraged the public to vote in favor the use tax.

Mr. Thomas stated Brian Coley had come to the Council a meeting or two ago to discuss the impact of a street closure for utility work on Sixth Street on his business, and noted he really felt this had been an issue of communication. He understood the normal procedure was to inform all impacted businesses of street closures, but when he had followed up later, he had been told it was only when the project involved the cutting off of a utility. He suggested the City make it a procedure to communicate with business owners in advance of any street closure.

Mr. Glascock explained the City current provided notification on every project. He pointed out there were different methods of notification, such as door hangers and personal contact. He noted he had discussed this with the Public Works Director, and it was done with every street project and on other projects.

Mr. Thomas understood Mr. Glascock had not been sure of that when they last spoke. Mr. Glascock explained he had not been, but had since checked, and understood they notified those impacted.

Mr. Thomas understood this was a situation whereby notification to Brian Coley had just not occurred. Mr. Glascock stated that was correct.

Mr. Thomas commented that Bob Grove had died suddenly and unexpectedly last Tuesday. He stated he had always appreciated the development projects Mr. Grove and his firm had done in Columbia. He thought Mr. Grove had been a local developer in every sense of the word and had completed projects that were consistent with the neighborhood and philosophy of the community. He was sad he had passed away.

Mr. Matthes explained he had received an e-mail from Gilmore & Bell regarding a tax bill that had been introduced in the U.S. House of Representatives and read the e-mail, which indicated it would drastically curtail tax-exempt financing used by states and cities and eliminate all tax-exempt financing for charitable organizations, i.e., 501(c)(3) organizations. It would also severely restrict the ability to refinance outstanding tax-exempt debt. He noted 501(c)(3) organizations included schools, hospitals, colleges, retirement communities, etc. He pointed out this would cost them millions as it would essentially tax all of their infrastructure projects. It was a surprise and the opposite of what they had been told by the municipal finance committees and the Congressional leadership. He asked the Council for its support in opposing that part of the bill, and if there was a consensus, he would reach out to their delegation to let them know this would be tremendously harmful to the City of Columbia.

Mayor Treece asked Mr. Matthes to share the e-mail to allow everyone a chance to review it.

Mr. Thomas asked for clarification regarding Gilmore & Bell. Mr. Matthes replied it was a law firm that did a lot of tax work. Ms. Thompson stated they were the City's bond counsel.

Mr. Trapp commented that he wanted to follow up to the work session with regard to moving forward with the line extension policy as there appeared to be consensus.

Mr. Skala understood the street light would be upgraded at the intersection of Mohawk Avenue and Cass Drive, and asked staff to evaluate whether it might be beneficial to have another street light on the connector in the middle of the Indian Hills and Meadowlands subdivisions.

Mr. Skala reiterated he would be attending the NLC Conference next week, and indicated he would be happy to speak with representatives of other communities if people had questions they wanted addressed in relation to issues involved with the vehicle stops and listening tour summary report. It would provide an opportunity to obtain information on successes and failures in other communities.

Mr. Skala encouraged everyone to vote tomorrow, and noted there had been some confusion with regard to Amazon and asked for clarification. Mr. Matthes replied it boiled down to nexus and the definition of nexus.

Mr. Skala understood voting in the affirmative would help to level the playing field. Mr. Matthes explained the mechanism was complex. Mr. Thomas stated the fact Amazon was paying the state tax created a nexus. Mr. Skala commented that he was not sure that applied to the local tax. Mr. Thomas felt a nexus was a nexus.

Ms. Thompson explained Mr. Thomas was correct. Nexus was about what was a sufficient enough contact with the State of Missouri in order for the Department of Revenue to have jurisdiction to enforce payment of the use tax. If there was not a sufficient nexus by which there could an enforcement mechanism, the business would not pay the use tax. The consumer would pay it on any purchases in excess of \$2,000 whereby the use tax was not paid by the company. She noted it fell on the consumer.

Mr. Skala asked if that included the two percent Municipal portion and the one and three-quarters percent County portion. Ms. Thompson replied yes, if the ballot issue

passed tomorrow. She explained it was currently an obligation of the consumer to pay the 4.225 state tax for anything in excess of \$2,000 if it had not been paid by the company. Nexus created the jurisdiction to enforce the collection mechanism.

Mr. Thomas commented that there was a nexus with Amazon so if the ballot issues passed tomorrow, the use tax would be paid by Amazon to the City and the County. Ms. Thompson stated that was correct for Amazon products. She pointed out Amazon acted as a conduit for other companies, which might or might not have a nexus.

Mr. Skala reiterated he believed it was an advantage to level the playing field for those situated in Columbia and those that purchased their products locally.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 11:42 p.m.