



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, October 5, 2020
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, October 5, 2020, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, and TRAPP were present. The City Manager, City Counselor, Deputy City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of September 8, 2020 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mayor Treece.

Mayor Treece explained the minutes of the regular meeting of September 21, 2020 were not yet complete.

Mr. Thomas asked that R125-20 be moved from the consent agenda to new business, and that B268-20, B269-20, B270-20, B271-20, and B272-20 be moved from the consent agenda to old business.

The agenda, including the consent agenda with B268-20, B269-20, B270-20, B271-20, and B272-20 being moved to old business and R125-20 being moved to new business, was approved without objection.

II. SPECIAL ITEMS

SI14-20

COVID-19 Update.

Discussion shown with R126-20.

R126-20

Ratifying Order 2020-11 and Order 2020-12 issued by the Health Director and authorizing the Health Director to extend the effective date of Order 2020-11 for a period of time greater than twenty-one (21) days.

The special item and resolution were read by the Clerk.

Ms. Browning provided a staff report.

Mr. Thomas commented that the number of hospitalizations appeared to be increasing rapidly and that a lot of those people were from outside of Boone County. They were only being hospitalized within Boone County. Ms. Browning stated that was correct. She stated she thought 68 people were hospitalized and only 13 of those were from Boone County. Mr. Thomas understood 55 were from the surrounding counties. Ms. Browning stated that was correct. Mr. Thomas asked for the capacity. Ms. Browning replied she understood COVID patients were grouped together within the ICU to preserve personal protective equipment (PPE) and staffing, which meant some might not need to be in an ICU bed under other circumstances. She explained the hospitals had room to expand and each had expansion plans if necessary. She understood they were concerned about the increasing numbers along with the lack of staff as all of the hospitals were experiencing staffing shortages. Mr. Thomas noted the number of ICU cases were not

rising too sharply, and had appeared to be level over the last few days. Ms. Browning agreed.

Mr. Pitzer understood 13 Boone County residents were hospitalized. Ms. Browning stated that was correct as of today. Mr. Pitzer asked if that was the high or if it had been higher previously. Ms. Browning replied it had been fairly steady. It tended to fluctuate between 13, 15, 12, etc. She commented that when someone was discharged, someone else might be added, and pointed out 99 was the total to date.

Mr. Pitzer understood several trends were favorable, but this one trend was not favorable primarily due to people from outside of Boone County, and asked Ms. Browning how she reconciled that tension in terms of what she was thinking about going forward. Ms. Browning replied the one thing they had said from the start was that they would need to keep an eye on hospital capacity. Columbia was a hospital community in terms of a major employer and economic driver, and they would need to take that into consideration even though they were not all Boone County hospitalizations. She explained they would have to maintain that hospital capacity. She pointed out they also ran the risk of people outside of Boone County coming here to work, shop, etc. Mr. Pitzer asked Ms. Browning if she needed to see improvement from surrounding counties. Ms. Browning replied no. She stated she wanted to see at least one more incubation period whereby the numbers continued to decrease. She noted she also wanted to keep the numbers down so kids could go back to school. Mr. Pitzer understood they were currently below the threshold to allow that to happen. Ms. Browning stated that was correct.

Mr. Pitzer understood Ms. Browning had worked with youth sporting leagues, the school system, etc. with regard to rules for attendance and outdoor sporting events in the fall. They were now moving toward the indoor sporting event season, and asked if work was being done for it. Ms. Browning replied they had a sports guidance team that was doing the research now to learn the best practices for indoor sporting events. She noted the risk would go up when they brought people inside due to ventilation, etc. She stated they would be putting out new guidance, and pointed out the leagues and schools could also submit plans for their review.

Mr. Pitzer commented that there would be an 8:00 p.m. football game this weekend, and the weekend after was the Homecoming game, which meant there would likely be more people than usual out doing things relatively late in the evening. He asked Ms. Browning what she expected to happen. Ms. Browning replied things would be closing down at 10:30 p.m. if that order was still in place and there would be enforcement measures as needed. She stated some had asked to be able to stay open until the end of the game, but she felt that was risky. She noted it was safer to watch the game at home. Mr. Pitzer understood the uncomfortableness of making health orders based on sporting events, but the reality was that people would be out and would be unhappy if they were suddenly told to go home.

Ms. Peters thought people needed to know that they should probably start heading home at halftime for the 8:00 p.m. game, and did not feel the orders should be changed for a sporting event. She understood it was frustrating for everyone, and commended the City/County Health Department for trying to keep the rates under control while also allowing most businesses to remain open. She knew the bars and restaurants were not happy because they were not open as late as they would prefer, but pointed out the idea was to not have a lot of people congregating too close together and spreading the virus because they did not want to have to shut down or be more restrictive. She thanked Ms. Browning for helping to keep the rates where they were via the mask and other requirements and for trying to accommodate everyone while looking at the scientific evidence. She reiterated she thought the City/County Health Department was doing a good job in difficult times.

Mayor Treece understood the University had indicated they wanted fewer variables and two weeks after the Alabama game to determine if what they had done a week ago had resulted in any spike in cases. He noted the Columbia Public Schools had been below

their threshold for moving to a hybrid system since September 21, and understood they would hold a special meeting tomorrow and have their regular meeting next week. He felt extending this order for another two weeks provided them with the predictability they needed.

Jerry Fast explained he was unofficially speaking on behalf of small businesses within the community, specifically the thousands of residents employed in the restaurant and bar industry who worked hard and recirculated millions of dollars into the local economy annually. He stated they had been struck very hard by the COVID crisis and were being held to strict regulations by the Health Department with the support of the City Council. It was making their chances of success slimmer and slimmer. The City often bragged about its activities and nightlife along with the vibrancy of the downtown, which was now teetering on implosion. He felt they were choosing who was allowed to be successful and had turned their back on the locally owned and operated businesses as the major corporations were the ones that were having a record breaking year. While the wages paid to those employees stayed within the local economy, their profits did not. The restaurants and bars, particularly those in the downtown area, were being hit especially hard by the regulations imposed by the Health Department. The profits earned by these restaurants in the spring and fall seasons helped to ensure their viability through the winter and summer seasons, and that had been taken away from them. In the spring, they had been dealing with a lot of unknowns, but now that they knew more, they were still being strapped with what he felt were unneeded restrictions. If bars were such a problem, he believed the infection rate would be at zero, and the surrounding counties would have extremely high numbers, but they did not. Many bars had closed, and many others were evaluating whether they would as well. He commented that to make matters even more complicated, the regulations were constantly changing and the enforcement agents did not fully understand them. He noted the virus would remain in the community forever, and a vaccine would be about as effective as it was for the flu. He did not feel they could continue to shut down businesses because of an individual becoming sick. He stated the hard working employees of bars and restaurants were suffering because of local government. Many had lost more than half of their anticipated income over the year, and were struggling to pay rent, utility, and food bills and were suffering from anxiety and depression. He felt it was time for the City to stop turning their back on them.

Mayor Treece asked Mr. Fast why he thought locally owned bars were hurting more than chain owned bars as they were all subject to the same restrictions. Mr. Fast replied because they relied more on business during dinner times. The downtown restaurants and bars relied on the late night crowd to make money and stay profitable. Mayor Treece understood it was more of a geography issue versus an issue of locally owned versus chain owned. Mr. Fast stated that was correct. It was a coincidence since there were not many chains in the downtown area. They were on the outskirts and did not rely upon their bar or nightlife as much.

Mayor Treece stated this was not where they wanted to be either and noted it had been tough for all small businesses, especially the bar, restaurant, and music industries. Mr. Fast commented that most of them had lost more than half of their income for the year, and not being allowed to operate at capacity of survivability during football season would make the winter even tougher. He believed people understood the consequences and risks and were willing to accept them.

Karen Goetz stated she was an owner of a small bar and restaurant within Columbia and felt there had been somewhat of an assault on the hospitality industry. In March, she understood the goal had been to slow the curve so they did not overburden the health system. She noted there were nurses in the health system in her family who had indicated they had accomplished those goals. She commented that they then had multiple phases that had been planned for reopening, which had been working. She noted they had followed the guidelines, which were burdensome, because they wanted to be open. She pointed out her concern surrounded the fact the previous restrictions, prior

to the recent change, to the industry had been immediate and without warning and had been based on percentages they had later learned were false. She understood the desire to act out of safety, but when it had been determined there were errors, the Health Department had decided not to go back to the phase they had been in and had instead created an arbitrary time to close and new rules, which was causing them to hire additional staff affecting their ability to make a profit. She commented that she did not understand how their industry was being restricted solely because they sold alcoholic beverages when people could purchase alcohol at other businesses within the community. She stated this encouraged people to go to house parties, other counties, etc. that did not have the level of standards. She questioned the reasoning for the restrictions. She asked if they had noticed through contact tracing that the cases were linked to bars and restaurants as she questioned the need to restrict that industry if it was not truly linked to them. She explained she shopped at big box stores, and they were not restricted in terms of time, etc. like her industry.

Mayor Treece asked Ms. Goetz how her business operations would change if the health order did not exist. Ms. Goetz replied they already had to follow the sanitization guidelines. A change they had made was to have sanitizer available to everyone when they walked through the door and throughout the business. Mayor Treece asked Ms. Goetz if she would seat every table if she could. Ms. Goetz replied they tended to guide people to seats and had done so since the first health order had been issued. She explained they did not want to be on the radar as not following the rules, and felt most small business owners agreed. They wanted to be given the guidelines and be allowed to follow them. She agreed they would have issues with some establishments who would not follow the rules, but believed most of them would do what they could to stay open.

Mr. Skala asked Ms. Goetz if she noticed people imbibing alcohol being less inhibited as the evening progressed causing them to not follow the rules. Ms. Goetz replied she had more of an adulting establishment as they had an older clientele. Every once in a while people wanted to stand and talk, but when they were gently reminded to sit by staff, they complied. People really tended to follow the rules. She understood there might be issues with certain age groups, but her crowd tended not to get to the point whereby she was concerned about sending someone home. She felt that was the case with most restaurants and bars.

Mr. Trapp asked Ms. Browning for a response with regard to transmission in bars and restaurants. Ms. Browning replied they tracked workplaces when conducting case investigations and had seen an increase in the number of cases involving employees or patrons of a number of establishments during their periods of infectiousness. In a true community outbreak or pandemic, it was hard to pinpoint the exact moment someone was infected, but they knew gatherings could result in superspreading events, especially as the night went on when alcohol was often involved since people tended to lose some inhibitions. This had been seen as they had been out in the field.

Mayor Treece understood the health order included the requirement for the community to wear masks. He asked when the ordinance passed by the Council expired. Ms. Browning replied she thought it was October 6. Ms. Thompson stated the ordinance would expire, but the mask order replaced it. As a result, there was still a mask mandate within the City. She pointed out there was more flexibility with the order format as Ms. Browning could lift the requirement if there was evidence indicating that should be done. Mayor Treece understood if the health order was not ratified tonight, the mask order would also expire. He also understood that of the 77 people hospitalized, only 13 were from Boone County, which he inferred to mean counties without mask mandates were experiencing more hospitalizations even though they were in Columbia hospitals. He believed they were benefiting from that mandate, and would want to ratify the health order so they could extend it.

Mr. Skala understood the order with the mask mandate only applied to Columbia and did not extend to the County. They had never had that protection in the County and would

not have it now. Ms. Browning stated that was correct. She commented that they were seeing an increase in the number of cases when looking at rural parts of Boone County.

Mr. Skala stated his preference was to defer to the medical experts as he believed that was the proper way to proceed.

Mayor Treece asked Council what it thought was the best process to extend the mask mandate. They could continue it via the health order or they could have staff bring back an ordinance.

Mr. Trapp commented that he agreed with Mr. Skala in that these decisions were best made by the public health professionals. He pointed out he was a substance abuse counselor and a homeless advocate so he did not have the background to make these decisions. He did not review all of the reports, meet with all of the stakeholders, or monitor the data. This was done by the Health Department. He explained he did his due diligence, and understood studies had shown that half of the positive cases had visited a restaurant or bar within a week of testing positive so there was some correlation. He commented that he had a small business that had suffered in the COVID economy as well. His income was down, and he was also stressed and anxious. He explained he was not doing a lot of marketing because his work involved groups and he did not feel comfortable being in buildings and around groups of people. He commented that if they did not have these restrictions, they would have other complications of limitations on the economy because of a more rampant disease and people being self-selecting when they did not feel it was safe. He believed they had struck an appropriate balance with their professionals and did not feel they needed to address the mask mandate via an ordinance. He explained that had been the most political thing they had done, which he felt had been necessary at the time, but since it was now incorporated into the health order, he preferred it remain there.

The vote on R126-20 was recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, TRAPP. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

SI15-20

Finance and Utilities Performance Audit.

Mr. Lue provided a brief staff report, and introduced Rick Feldt, a partner with RubinBrown, who continued providing the report.

Mayor Treece understood Mr. Feldt had indicated they had validated the response of management with testing, and asked how the testing had occurred. Mr. Feldt replied staff from RubinBrown had obtained source documents. He explained they had looked at three construction projects from end to end to ensure they understood the project accounting and how it worked. In this era of the virus, all of their work had been done remotely via Zoom, which was what they did with all of their clients. Mayor Treece asked if the three constructions projects had been randomly selected. Mr. Feldt replied yes. He stated they had not used a computer generated number to randomly select it, but had haphazardly selected the three construction projects. Mayor Treece understood City staff had pulled the related documents and had provided it to them. Mr. Feldt stated that was correct. Mayor Treece asked what would be typical in a non-COVID environment. Mr. Feldt replied it would be the same except that they would be sitting in a City office. He explained they would still ask management to pull all of the documentation for them. They would not go into the files pulling the documentation for themselves. If they had a feeling they were not receiving the documentation or that something above board was not happening, they would recognize it via body language or actions.

Mayor Treece understood the water and electric funds existed in the same account, as was required by ordinance, even though they were two separate funds and divisions, and asked Mr. Feldt if he had observed the payment of electric expenses with water funds or water expenses with electric funds. Mr. Feldt replied they had not noticed that was happening. Since it had been a Council request to review, they had inquired of each of the appropriate staff people. They had specific examples and had gone over those

examples. He commented that the period they had tested was from January of 2019 through June of 2020, and they had not noted any electric transaction being posted into a water account. He stated they repeatedly revisited the topic to ensure it was not happening since certain members of the Council had concerns.

Mayor Treece understood one of the observations of the audit was that the City's Code of Ordinances was overly detailed and asked why they had drawn that conclusion. Mr. Feldt replied it was based upon the experience of the manager of this audit, Kara Hershberger, in terms of local government. He commented that in most cases the rules were within the procedures versus the Code itself. He noted it was not that it was wrong to be in the Code of Ordinances because they were at the same spot in the end, but it made it more difficult for management to operate.

Mayor Treece asked if a City policy or City ordinance was more likely to be followed. Mr. Feldt replied he could not answer that question as it was based on individual circumstances. He explained it did not matter for the purposes of this report as to whether it was a City policy or ordinance since both had to be followed. It was noted it did not matter whether it was an ordinance or policy if it was not followed. He commented that the amount of rules and policies in the ordinances versus not in the ordinances was unusual. He reiterated they got to the same place in the end.

Mayor Treece asked Mr. Feldt if he would say this was a fairly typical look and feel of a performance audit by RubinBrown. Mr. Feldt replied yes. Mayor Treece asked Mr. Feldt if he had read a performance audit by the State Auditor's Office. Mr. Feldt replied yes, and stated it was much more detailed. Mayor Treece asked Mr. Feldt what he would attribute that to. Mr. Feldt replied the State Auditor's Office was much more bound by a prescribed set of procedures as to what they would do. He explained RubinBrown tried to ensure whatever department they were reviewing was following the established policies and procedures and had the right internal controls in place so they could determine how to improve or move the City forward. City operations could not be improved at breakneck speed. It had to be done at a gradual pace. He felt that was the difference between a non-governmental CPA firm and the State Auditor's Office in this type of audit.

Mayor Treece commented that this report was not what he had expected. It felt more like a process audit and a diagram of how cash flowed. He noted his only predisposition was from reading performance audits of cities by the State Auditor's Office. Mr. Feldt understood, and explained that was not what they had proposed to do or would do. They were trying to determine how to help the City of Columbia do better on a consistent basis over time.

Mr. Skala understood this was a draft report and that RubinBrown would interact with management for answers, and asked Mr. Feldt when he anticipated receiving the responses and for the final report to be completed. Mr. Feldt replied he thought they would receive the management response by next Friday.

Mr. Skala asked Mr. Feldt if there were any issues whereby there was disagreement or if he believed City staff would be forthcoming in dealing with these individual items. Mr. Feldt replied he thought they would be forthcoming in their responses. If City staff tried to be vague or dodge the issue, they would work with them until they were able to pin it down. He commented that this was another difference between them and the State Auditor's Office. He thought the State Auditor's Office just provided the report while they were trying to get management to move. Mr. Skala stated he liked this structure and the idea of process/procedure, observation and risk, recommendation, and management response with a time table as it made a lot of sense to him. He explained one of the reasons he had been reluctant to engage the State Auditor's Office in this process was to take the politics out of it. He appreciated this approach and was looking forward to seeing the responses.

Mr. Pitzer understood the audit report had noted the Finance Department had recently begun presenting summary financial information on a quarterly basis with a recommendation that it be monthly, and asked Mr. Feldt if they had looked at the content

of that information and had any observations or recommendations in that regard. Mr. Feldt replied they had looked at the content and had not had any observations. He believed management and the City Council needed to come to an agreement as to what they wanted to see. He stated management needed to take under advisement what they felt the Council wanted to see and the Council needed to voice its opinion. He understood not everyone was a financial expert, but there needed to be a working relationship that continued to develop over time.

Mr. Pitzer understood another observation was that the Finance Department did not have adequate internal controls to evaluate the contractor in charge of administering the voucher program for refuse and recycling bags, and that the contractor did not appear to be following its own process related to payments and reporting resulting in a risk of the misappropriation of cash. He asked what those internal controls should look like. Mr. Feldt replied he thought the City needed to monitor it on a monthly basis. In the same way RubinBrown was auditing the City, the City needed to ask WasteZero to provide them the required information and independently ensure it was reasonable. They needed to evaluate on a monthly basis whether the activity was accurate. He understood that had fallen through the cracks. Mr. Pitzer asked if the contract in place required WasteZero to report that information. Mr. Feldt replied he thought it did, but noted he was not 100 percent certain.

Mayor Treece asked if there was a reason they had selected WasteZero. Mr. Feldt replied it had come up as a point of concern during the interviews and they had investigated it further. Since it had not passed the smell test, it had made its way into the report. Mayor Treece asked Mr. Feldt if staff had asked them to look at that specific company. Mr. Feldt replied he had not been involved in the conversation whereby it had originated. Mayor Treece understood it was not random. Mr. Feldt agreed it had not been random. Someone had raised a concern about it. Mayor Treece asked if it was because WasteZero had come to a council meeting and had expressed an opinion about City policy. Mr. Feldt replied he did not know. Mayor Treece asked if it had happened before or after that meeting. Mr. Feldt replied he was not sure. Mayor Treece asked Mr. Feldt if he had a date. Mr. Feldt replied he thought it had been early to mid-September. Mayor Treece asked if the last date to put an item on the November ballot had been in August. Mr. Skala replied he thought it had been in August. Mr. Feldt explained it did not seem to be a political to him. Mayor Treece stated it sounded like retaliation to him. Mr. Feldt noted he could find out more facts. Mayor Treece asked Mr. Feldt to follow up with him.

Mayor Treece asked Maria Oropallo, the Chair of the Finance Advisory and Audit Committee (FAAC), for her takeaways from this process. Ms. Oropallo replied that along with being the Chair of FAAC, she had also been one of the leaders of the citizens petition to create a performance audit. They had needed 5,000 signatures in order to trigger an audit via the State Auditor's Office, and they had obtained a little over 3,000 signatures. It had obviously not been enough, and Mr. Glascocock had then offered for a private firm to be hired. She stated the members of FAAC had expected to be called by the auditor, but none of them had been contacted. She commented that there was a process to be appointed to a board or commission by the Council as certain skillsets and experiences were needed to be appointed. She stated they expected to be called and no one had been called so they had not been a part of the process. She noted they had been told at their September 24 FAAC meeting that a draft had been submitted and that staff was reviewing it. She commented that Matthew Lue, the Finance Director, and Jim McDonald, the Assistance Finance Director, had been very open about the things they had seen and wanted to discuss it further with them. She explained that over the weekend she had contacted Jay Hasheider, the Chair of the Water and Light Advisory Board (WLAB), and no one from their Board had been contacted even though they met four hours a month. She stated her objection was that the people the Council had appointed as their specialists had not been a part of the process. She suggested the

Council postpone accepting the recommendation and refer it back to the WLAB and the FACC. She was not at liberty to speak on what the citizens' petition group wanted to do, but many had felt the audit report had not gone far enough.

Mayor Treece commented that he thought the process would have been enhanced and the contracted auditor likely would have benefited from interviewing Ms. Oropallo like they had the Council. He was not sure why that had not happened and wished he would have specifically suggested it. He stated he was sorry it had not happened. Ms. Oropallo commented that her notes indicated Mayor Treece had been very specific for the citizens group, the FAAC, and the WLAB to be a part of the process in December when it was decided to go in this direction. As a result, they had been operating with the idea they would be contacted at some point. Mayor Treece stated that was then a flaw in the pre-operation of this audit.

Mayor Treece asked Ms. Oropallo if she felt this was a performance audit and what she had expected. Ms. Oropallo replied no. She stated it was a nice cursory look that felt very one dimensional. It seemed as though the auditors had glossed over things and she wondered if the reason was so they could get their foot in the door. She noted she wanted to provide staff the time and energy to get it right, but this report had not identified the problems.

Mayor Treece commented that while the auditor pursued the management response that they refer this to the WLAB and the FAAC to provide feedback so they could decide what they wanted in terms of an audit in the future.

Mr. Skala stated he thought this was an opportune time to ask the boards and commissions that answered to them to do just that. The fact they had not been included had either been a misunderstanding or something else. He reiterated he believed the product in front of them satisfied the requirement of a performance audit based on what he perceived a performance audit to be, but agreed the boards and commissions should be involved to the extent they could so they were able to provide input to the City Council in terms of their take as he felt it was important to obtain the view of professional citizens. The Council could then reconcile that with the product from City staff to determine how to proceed.

Ms. Peters commented that she felt this was a performance audit and was a good first step. She understood they were trying to do this within a three-year rotation. The comment indicating they would have this up and going in three years had caught her attention as she felt it could be done faster. She reiterated she believed this was a good first step in determining how they could do better in communicating with citizens and staff and vice versa. She agreed it was not in-depth, but noted it was a start. She stated she also liked the fact there were specific issues and recommendations associated with them. In addition, she was glad that staff would get back to the auditors within a certain time frame, i.e. within the next two weeks. She noted she agreed the issue should be referred to the FAAC and the WLAB. She was sorry they had been overlooked previously, but was certain they would not be overlooked again.

Ms. Fowler stated that up until she had made the decision to run for the Ward 1 City Council seat, she had been a member of the performance audit group and had spoken to Council on October 21 of last year outlining their recommendations with regard to what a performance audit might include. As a result, she wanted to echo the comments of Ms. Oropallo. She commented that in her conversations with RubinBrown, she had asked whether the audit would consider certain things and had been told it would not. She had left the conversation confused as to what would happen. In a follow up conversation with Mr. Lue, she had been told what she had expected was not what would happen. She stated she wanted input from the WLAB and the FAAC to help get them back on track.

Mr. Trapp commented that he saw clear process improvements they should address, and his feedback to the auditors had been for this to be in alignment with the Missouri Quality Awards (MQA) process, which was their own self-analysis and process improvement project. He noted he had seen that alignment. He stated he had not mentioned

WasteZero, but had specifically mentioned contracting as an area of interest due to the MQA process feedback form. He commented that he appreciated that detailed information and would await the staff response. He thought it was fine to obtain input from the WLAB and the FAAC, but pointed out this was a manageable amount of information. He liked that the audit firm was looking at how the City could improve its processes instead of just creating a laundry list of items. It was a major accounting firm that found areas for improvement, but had also validated that they were doing a pretty good job. He stated he could see the difficulty of really detailed ordinances as it was hard to adjust to changing conditions or exigent circumstances. He commented that he looked forward to improving and staying on the path to excellence. He noted the City already had an audit process, which he understood could be a stressful time in terms of scrambling to find documents and ensuring things were in order, and this was an additional process that placed pressures on staff when they might not have all of their positions filled. He appreciated the cooperation of staff to assure the public they were doing a good job. He looked forward to seeing the management responses.

Mr. Pitzer stated he felt this was a good start and better than where they had been several months ago. He pointed out it had been fairly limited by the scope, timing, and dollars spent, and in the absence of having their own internal audit function, which they had not been able to fill, it was a valuable look at a lot of their processes. He noted there was also a way to interact with management and follow up and improve on items. If they wanted to ask for a different or broader scope, that was what they should do, but he felt this was responsive to what they had asked for. It was a good start at showing them what a regular and consistent look at all of their internal functions might involve and it provided ways by which they could improve. He stated they could refine it or do something different going forward, but reiterated it was what they had asked for. He noted it had raised a number of good issues and items that needed follow up. He was not sure how the WasteZero issue had been chosen, but in light of bag discussion at the last meeting, it needed to be addressed as soon as possible. He commented that it would have been good to know about that at the prior meeting because it was urgent based on what they had discussed over the last several meetings.

Mayor Treece stated he did not disagree with Mr. Pitzer in terms of WasteZero. His only concern was with how that had been identified versus the millions of other contracts that had a greater financial impact as a percentage.

Mr. Skala commented that he was reminded of countless projects whereby work had been turned over to contractors without a lot of oversight by the City to the dismay of many. He thought they could drill into those items through this mechanism.

Mayor Treece asked Mr. Pitzer how he felt this process worked in terms of the mechanics of the RFP, the firm selected, its interface with staff, and the report to Council. He wondered if Mr. Pitzer saw any areas for improvement or improved independence. Mr. Pitzer replied he felt it was a good start. He suggested that if they did something similar going forward, it should involve an initial meeting with the Council as a group versus individually as they would then get what Council wanted versus seven different opinions about what they wanted. He thought there might need to be an additional step in terms of them understanding the process of gathering information. He knew the independence was there, but wanted to be assured they were getting a true picture of the specific issues versus being provided certain types of information.

Mayor Treece noted written comments had been received on this item.

Bill Weitkemper understood the audit had indicated it was intended solely for the information and use of management and the City Council and should not be used by anyone other than the specified parties and noted he did not believe the general public would use it to feel the City was making efficient use of the public's money or was following the ordinances as they pertained to collecting utility payments. He also understood the audit report indicated the overly detailed ordinances did not easily allow management the flexibility necessary to adapt to changing environments and pointed out

he did not feel comfortable with allowing management flexibility with his money. He asked for a real audit of every department starting with the Utilities Department by the State Auditor's Office.

Julie Ryan with the COMO Safe Water Coalition indicated they had spent the last four years discovering layers of mismanagement, poor decision-making, and ineffective problem-solving, and their expectation of a performance audit would include an explanation of circumstances such as why the water treatment plant been allowed to have such a high percentage of its assets fall beyond their years of useful life, why consultant reports were contracted and then not acted upon or contradicted in terms of the decisions made by staff, and why there was still not a transparency dashboard to show voters progress of projects funded with the 2018 water bond or the status of the water treatment plant. She stated they were still seeing decisions and problem-solving that relied on rate increases and service interruptions instead of innovation and the assurance that the best practices had been examined.

Traci Wilson-Kleekamp with Race Matters, Friends, commented that she was concerned about the issues reported in the draft performance audit and that the policy committee members had not received the document in advance of it being put on the agenda nor had they had the opportunity to meet with the consultants to discuss their concerns and suggestions. She understood one item had indicated the City might need to replace aging infrastructure over the next 5-15 years, and noted she found it concerning that the Council might not fully understand the need for multiple capital projects. The written communication also included ten observations from the audit they wanted to highlight and the fact a policy and procedure manual that had recently been updated was difficult to navigate due to its length and the lack of a table of contents or index.

These written comments were filed with items associated with this meeting.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Treece commented that there were not any published board or commission appointments, but he wanted to address the Integrated Electric Resource and Master Plan Task Force. He understood Rachel Hassani, the Chair of the Task Force, had moved to St. Louis and had resigned her position. He had met with Jay Hasheider, a member of that Task Force, who had indicated their work had stagnated. They had first paused due to COVID-19, had not had a quorum the last couple of times they had tried to meet, and had now lost their Chair. He noted the City was spending a million dollars on the Integrated Resource Plan and Master Plan contract and the deliverables were due in either December or January. Instead of going through the process of appointing a replacement, he suggested they appoint Tom O'Connor to the Task Force to fill the vacancy. He noted Mr. O'Connor had served on the WLAB for a number of years and had participated on an Integrated Resource Planning group in the past. If they waited to advertise the vacancy, an appointment would not be made until November, which meant there would only be one meeting prior to receipt of the contract deliverable, and asked for Council feedback.

Mr. Skala stated he felt Tom O'Connor would be an excellent choice. He understood the Task Force would resolve the issue of who would Chair the group. Mayor Treece stated that was correct as they had a Vice Chair, or they could hold an election.

Ms. Peters asked if this could be done or if they needed to officially advertise it. Mayor Treece replied there was a policy that they advertise positions for boards and commissions. This was a Task Force created by the adoption of a resolution. The members were appointed by the Council and the resolution did not indicate the need to advertise. Ms. Peters understood this was a short-lived group since it was a task force. Mayor Treece agreed and noted the group would be done at the end of their charge.

Mr. Thomas asked Mayor Treece if he had spoken with Mr. O'Connor to determine if he was interested. Mayor Treece replied he had not, but understood Mr. Hasheider had and that Mr. O'Connor had indicated to Mr. Hasheider that he would be willing to serve.

Mr. Trapp commented that if they were having quorum issues, they did not want to leave them short a member. In addition, they wanted to bring the process to fruition.

Ms. Fowler stated she supported the appointment of Mr. O'Connor if he was willing to serve. She also wanted to discuss the autonomy of their boards, commissions, and task forces. Knowing they would lose their Chair, she understood they wanted to move forward to appoint a new Chair, but had been prohibited from doing so by staff. She wanted that to be part of a broader conversation regarding boards and commissions. Mayor Treece stated he agreed as the boards and commissions served at the pleasure of Council while the staff liaison did not. He encouraged Ms. Fowler to share instances of staff erecting barriers to their citizen led groups with the City Manager.

Mayor Treece made a motion to appoint Tom O'Conner to the Integrated Electric Resource and Master Plan Task Force. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

IV. SCHEDULED PUBLIC COMMENT

SPC54-20 Sterling Brown - People's Defense positions on various topics.

Sterling Brown commented that he was with the People's Defense and noted perception versus reality was a common concept they grappled with on a daily basis in all aspects of life. He stated there were a number of significant issues that were encompassing not only the country but also Columbia. He noted the People's Defense along with a number of community activist organizations had been pushing for a community-based policing model, i.e., a model that more incorporated the utilization of other entities and professions that took specific knowledge and understanding of many situations many in the community felt the police had not been well-equipped and properly trained to address. He commended the City for its mental health initiative as it was a significant first step when discussing perception versus reality. He noted there was also a series of grants in partnership with MoDOT, and one involved the creation of a DWI enforcement unit. As they juxtaposed traffic stops and the disparity in treatment during stops for people of color, the grant raised the question of perception versus reality. He wondered if they were looking at the opportunity to increase those stops. Approximately 5-6 weeks ago, there had been an incident that had been propagated widely online showing a police officer saying "get out, or I will pull you out" to a young person of color, and they had yet to hear anything from the City with regard to it. He understood a meeting with the family members had not materialized either. He was also aware of a situation whereby some college students had gotten into a fight in the middle of a street, and while officers had detained them, they were running down the street in handcuffs while being cheered by people in the balconies above. They had not heard anything with regard to that incident either, and there had seemed to have been a concerted effort to remove the video from its online sources so people could not view. He stated the perception versus reality was that a black man running from the police in handcuffs would be shot. They also did not know if the young man who was being cheered had been arrested. He noted the lack of transparency fed into this disconnect of perception versus reality. He commented that the People's Defense had been pushing for a chokehold policy with a consequence step written into it. The President of the People's Defense, Roy Lovelady, had presented the issue to the Citizens Police Review Board (CPRB) who had taken up the argument to push it forward. He had anticipated an ordinance regarding the issue to be in front of the Council tonight for first reading. He did not feel people should be enabled by policy to take a person's life with their bare hands as a part of their job. He thought it would be a win/win for a policy to be established that would not allow a person to choke someone to death while being given the protection of immunity. He understood the City, on behalf of the citizens, negotiated with the Columbia Police Officers Association (CPOA), which was headed up by someone that had been given every opportunity to express disdain for people of color and felt those negotiations needed more input from people in the

community. A lengthier conversation than just the stakeholder meetings was needed. He commended the City for continuing the stakeholder process as they had seen very many instances in various communities of proactivity that was later stalled. He stated this was also a perception versus reality issue when people who expected to be involved were later not involved. He noted they wanted a task force or commission to be established that could work with the CPRB, but was more directly driven in terms of addressing systemic issues so people of color might want to work in the Police Department. He understood some within the Police Department felt the problem was that the community did not have a positive outlook or perception of the police, and scoffed at that comment as it inferred the perception of the community was the problem.

Mr. Thomas stated the issue of the chokehold policy had been discussed at some length and would be on the agenda at the October 19, 2020 Council Meeting. Mr. Brown commented that he appreciated knowing that, and asked if it would be up for first reading. Mr. Thomas replied it would be in the form of a report.

SPC55-20

Kate Kelley - Defunding white supremacy in Columbia.

Kate Kelley commented that there were so many crises in the United States and world at the moment. One crisis she had dedicated her academic career and a lot of her personal life to was the urgent need for racial equity and its corollary of defunding white supremacy. She stated it was simply not enough to say or agree that black lives mattered. She felt they needed to demonstrate that black lives mattered by building an anti-racist society, and did not see any reason why that could not be done in Columbia. When she said they needed to defund white supremacy, it did not mean white people would get pay cuts. It meant they needed to make resources available for black and brown people to enjoy the same privileges she enjoyed as a white person. She noted the Council had an enormous amount of power and urged them to understand racial inequity was a crisis and emergency. It had been maintained through the logic of white supremacy for 400 years, but that did not mean it was not an emergency. She stated the structures of racism that were so much a part of the lived experience of every person in the United States were, for black and brown people, an everyday a deeply hideous phenomenon, and for white people, a deeply marvelous unearned phenomenon. She commented that she wanted to live in a City that recognized this reality and actively worked to manifest anti-racism in all of their everyday lives. If they saw the worth and humanity in black and brown people, they would use their power to change the ways they did things in Columbia on a fundamental level. In a capitalistic economy, this meant they needed money on the table to institutionalize black and brown empowerment. She stated they were fortunate in this crisis of racial inequity that they had the power to make change. Subsidizing people's lives with just enough to survive was not good enough. The Council had the power and responsibility to create an economic and cultural framework in support of black and brown people. They needed to provide the same opportunities that white people had been given to build generational wealth, break cycles of poverty, and provide young people with the tools and educations to create sustained change. She noted she wanted to live in a City where parents did not have to talk to their children about how not to get killed when they left the house, people did not have to worry despite good credit scores that they might be denied a bank loan, people did not have to worry that a doctor might underdiagnose or outright dismiss an illness, and black and brown people could express legitimate amounts of emotion in public while not worrying about the police being called on them. She wanted fundamental change carefully built that granted black and brown people the resources that had so long been available to white people. She commented that it was a wonderfully amazing prospect that they could begin this work in Columbia, and there was not any good reason to not do it. She asked the Council to create a task force for racial equity and to grant it the money for making change. She noted she did not want it to be a white-run task force as she believed it should be run by those it directly affected. She asked the Council to make a commitment to her black and brown neighbors that their lives did in fact matter.

SPC56-20 Maria Oropallo - Delay of Council creating policy on CPTED.

Maria Oropallo, 208 E. Briarwood Lane, indicated she was with Shaunda Hamilton and noted they had been pleased the Council had passed a resolution associated with Crime Prevention through Environmental Design (CPTED), but did not feel it was enough. They asked for a policy to be developed as had been done in many other cities where specific items were discussed that could be given to developers of various sizes so the CPTED principles were incorporated into any new or upgraded development. She understood the resolution referred to cost-saving measures, and noted CPTED measures were likely going to be expensive in some instances. She provided orienting a building toward the street and designing lighting, landscaping, and buildings that promoted natural observation as examples. In 2013, the comprehensive plan had been passed by the City, and it had included a notation that CPTED would be recognized. Seven years later, they had asked for more, which had resulted in a resolution. She asked the Council to take it further by making it a policy. She stated she had been extremely pleased to see a recent report from the Police Chief that referenced CPTED as part of their work in community policing. She pointed out that while it was there, it also needed to be included in buildings, inspections, parks, etc., and noted they would be glad to work with staff in establishing a good, solid policy with recommendations and actions that could be performed by anyone building within the City of Columbia.

Ms. Hamilton noted a task force had been discussed prior to COVID, but understood that had not moved forward.

V. PUBLIC HEARINGS**PH34-20 Consider options to provide enhanced fall protection and related self-harm deterrent measures for the Fifth Street and Walnut Street municipal parking structure.**

PH34-20 was read by the Clerk.

Mr. Nichols provided a staff report.

Ms. Peters asked about the height of the top wall. Mr. Nichols replied he guessed it was about 6-8 feet. He stated that would be a detail they would bring forward in the plans and specifications.

Mayor Treece opened the public hearing.

Mayor Treece noted several written comments had been received. They all seemed to be in favor of this project and had all been provided to the Council. They would also be incorporated into the records by being filed with items associated with this meeting. He noted they were from Kristin Hawley, Kevin Gamble, Beth Anderson, Merrilee Barta, Christina Carl, Debora Bell, Susan Schneider, Michelle Niles, Peter Tonellato, Brett Rodhouse, Keith Herman, and Wendy Reinke.

Molly Carter and Kelly Carter Hein, 400 Harold Court, spoke in favor this project. Ms. Carter asked the Council to do something about the parking garage located at Fifth Street and Walnut Street as their brother, James, had taken his own life at that garage on August 28, 2019. She commented that since the day of his death, today was the first time she had gone to the top of that garage. The railings on the garage at some points were not even a foot tall, and the lack of taller barriers made it too easy for someone only considering taking their own life to do so. In addition to taller barriers, she suggested a phone be placed at the top of the garage. She noted James had been notorious for breaking and losing his phone, and had been without his phone during the days leading up to his death. She wondered if her brother would still be here if there had been a phone he could have picked up or if there would have been a much taller barrier for him to overcome. She commented that there was nothing they could do for James, but if they could save one life or one family from this pain by making these changes, they felt it would be worth it.

Ms. Hain stated she believed part of the problem was access to the garage. She understood her brother's death had been the seventh suicide from that garage. She commented that she had been amazed with how easily it was to step over when she had gone to the top of the garage. She thought when people were in crisis or traumatized, they were not thinking clearly. She stated they did not want to die, but they also did not want to feel the way they were feeling any more, and access was everything. The access to that garage was so easy. It allowed for any impulse. She pointed out James had plans for the next day, and it was a shock to all of them. It hurt her heart to know that nothing had been done to prevent it when there had been so many other deaths before his. She reiterated she believed access made it an easy thing to do. It had been a hotspot for suicides and the garage was known as the suicide garage. She stated if it was up to her the garage would be torn down because she could not look at, and felt the top level should be closed and include higher fencing at a minimum. She also suggested security guards, a phone, and the suicide hotline number. If there was anything they could do to prevent this from happening again, she felt it needed to be done. She begged the Council to do something.

Mayor Treece stated he was sorry for their loss, and thanked them for sharing their story. He hoped this would give them the comfort of positive change.

Eugene Elkin, 3406 Range Line Street, commented that he believed the curvature model with it curving inward was the better choice. He stated he did not know anything about the upper level, and suggested the fencing be placed closest to the inside edge. He commented that he thought they might have lost some homeless people in the beginning.

Carisa Kessler stated she was the Director of Crisis Services for Burrell Behavioral Health, a local community mental health center that was a mission-driven non-profit established in 1977. She noted they had been a part of the Mid-Missouri community for over 14 years. She explained, as part of her role, she was focused on the health and safety of community members, and led the efforts of Burrell Behavioral Health in collaboration with law enforcement, the courts, and emergency departments in Columbia and Boone County with a focus on crisis intervention. She was present today to share the strong support of Burrell Behavioral Health for community mental health and suicide prevention efforts along with any measure the Council felt it should take related to fall prevention and self-harm deterrents at the Fifth Street and Walnut Street municipal parking structure. They felt signage in the elevators and stairwells offering the 24/7 crisis line at Burrell Behavioral Health as a deterrent and resource for those considering self-harm would be an important component of a more comprehensive solution to reducing self-harm. She believed this should be in addition to the suggested barriers that would physically save lives. They felt all suicides should be treated as preventable and strongly supported honest conversations along with community investment for initiatives to save lives. She stated this belief drove their commitment to bringing behavioral health services to clients wherever they were, i.e., their clinic or another structure in the community. She commented that in the coming months, they would announce a communitywide suicide prevention effort, which would be known as the One Initiative and would help businesses and citizens understand that it only took one person to save a life and that it was the job of everyone to be there for others. They applauded the City for its leadership in this space and for taking the tangible steps to show suicide prevention was a community effort.

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

Ms. Peters stated she was supportive of this and felt it appeared to be an excellent plan to try to decrease any self-harm issues.

Mr. Trapp commented that he appreciated the work of Burrell Behavioral Health, and noted that letting people know about resources that could help was a good part of a comprehensive plan. He credited Mayor Treece for bringing their attention to this issue and looking for ways to address it.

Mayor Treece made a motion directing staff to move forward with construction

plans and specifications for fall protection and self-harm measures for the Fifth Street and Walnut Street municipal parking structure. The motion was seconded by Ms. Fowler and approved unanimously by voice vote.

PH35-20 Proposed construction of improvements at the Again Street Park to include replacement of the existing playground structure and swings, installation of an asphalt overlay and restriping of the basketball court, installation of an ADA compliant walkway from the basketball court to Pershing Avenue, installation of park benches and a disc golf basket, replacement of a drinking fountain, and drainage and fencing improvements to the baseball field.

Discussion shown with B261-20.

B261-20 Authorizing construction of improvements at the Again Street Park to include replacement of the existing playground structure and swings, installation of an asphalt overlay and restriping of the basketball court, installation of an ADA compliant walkway from the basketball court to Pershing Avenue, installation of park benches and a disc golf basket, replacement of a drinking fountain, and drainage and fencing improvements to the baseball field; calling for bids through the Purchasing Division for a portion of the project.

PH35-20 was read by the Clerk, and B261-20 was given second reading by the Clerk.

Mr. Griggs provided a staff report.

Ms. Fowler asked if CPTED principles could be incorporated into the elements they would improve, upgrade, or replace. Mr. Griggs replied they did that with all of their park designs. In the 1980s, they would design parks as an escape and provided Village Square Park as an example. It had berms whereby the street was not visible for those in the park. They had since reversed course as they wanted people to be able to see into the park. They wanted visibility in the design. He noted they were looking at forestry in terms of raising canopies so there were fewer blind spots. He reiterated they had been practicing the policies of environmental design for some time.

Ms. Peters understood there had been problems with stormwater and flooding basements on Again Street and sewage overflow into Again Street Park in the past, and asked if any of those issues had been resolved. Mr. Glascock replied the City had purchased two additional houses, one on Worley Street and the other on Again Street, and thought most of it had been cleared up. He noted he could not say it never happened, but understood it happened less frequently. Ms. Peters asked if the sewage overflow issue had been resolved. Mr. Glascock replied nothing had been reported to him, but that did not mean it had not happened. Ms. Peters asked Ms. Fowler if she was aware of any issue. Ms. Fowler replied the neighbors that were most concerned about it had moved. She stated she had a continuing interest in the water that flowed off of the Health Department property and moved downward, and did not believe there had been any resolution to that issue.

Mr. Griggs pointed to the detention basin at the park, and noted it would fill up and slowly spill out over time. He thought that had been working well.

Mayor Treece opened the public hearing.

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

Mr. Skala commented that he had been involved in the development of the outdoor lighting ordinance and they had considered parks. He noted the CPTED proposal had been around for a long time, and explained a problem with respect to lighting was the ability to see in and see out. He stated some of the very bright outdoor lighting within some of gas station canopies prevented the ability of police to be able to see in and the

employees to see out, which hindered witness identification in situations where things went awry. He pointed out it was a tricky situation in that there needed to be adequate lighting, but not too much lighting whereby it obscured some of the issues they were trying to resolve. He appreciated the notion of applying CPTED to lots of the projects they had, and reiterated lighting happened to create a tricky situation.

B261-20 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, TRAPP. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

PH36-20 Proposed construction of improvements at the Lake of the Woods Golf Course to include construction of a replacement golf cart barn, cart washing station and a secured storage area for a fuel tank and dumpster, and installation of perimeter fencing.

Discussion shown with B262-20.

B262-20 Authorizing construction of improvements at the Lake of the Woods Golf Course to include construction of a replacement golf cart barn, cart washing station and a secured storage area for a fuel tank and dumpster, and installation of perimeter fencing; calling for bids through the Purchasing Division for a portion of the project.

PH36-20 was read by the Clerk, and B262-20 was given second reading by the Clerk.

Mr. Griggs provided a staff report.

Mayor Treece opened the public hearing.

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

B262-20 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: FOWLER (Ms. Fowler stepped out during the vote on this item). Bill declared enacted, reading as follows:

VI. OLD BUSINESS

B268-20 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant for a DWI traffic enforcement unit.

Discussion shown with B272-20.

B269-20 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant for DWI enforcement relating to sobriety checkpoints and saturation patrols.

Discussion shown with B272-20.

B270-20 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant for dedicated enforcement of hazardous moving violations.

Discussion shown with B272-20.

B271-20 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant to conduct special traffic enforcement of hazardous moving violations.

Discussion shown with B272-20.

B272-20 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a youth alcohol enforcement grant to conduct compliance checks.

The bills were given second reading by the Clerk.

Mr. Thomas explained Lynn Maloney had asked him to pull these items from the consent agenda and he had assumed she would speak on them, but it appeared as though she had left. He suggested a staff report be provided.

Chief Jones noted Ms. Maloney had spoken with him about these items prior to leaving and provided a staff report.

Mr. Trapp understood they had not always expended their grant dollars on youth alcohol enforcement checks in the past, and asked if those checks were being done and if the funds were being utilized. Chief Jones replied they would try to pay the overtime associated with it if the money was there. He noted it would be secondary to some of the other violence issues they dealt with in terms of staffing and overtime. He stated he could not promise they would spend it, but explained he wanted the money to be there so they had the opportunity if they had the resources to do that type of enforcement. He thought it was needed, but was not sure it was their primary concern.

Mr. Thomas understood one of the grants funded an officer to identify and ticket hazardous moving violations, and asked if it was for one year or multiple years. Chief Jones replied he believed it was for one year. Mr. Thomas understood a new policy had been implemented with regard to moving violations, and asked for clarification on that policy and why appointing a full-time officer to do what was within this grant was not in conflict with the goals of that policy. Chief Jones replied it was a special order and not yet a policy. It had originally been a special order to only stop hazardous moving violations instead of equipment violation, registration violations, etc. He noted he still received complaints about those activities, but due to COVID, he wanted to reduce face-to-face contacts between officers and the public as much as possible. In the background they had been speaking with the University and the University had agreed to do a study on the variables officers either consciously or subconsciously considered while making traffic stops. He felt this was a good place to pause and allow the Vehicle Stops Committee and that research committee to catch up. He explained they would be introduced to each other at the next meeting. He noted it was two-fold, i.e., COVID and allowing the research committee with the Vehicle Stops Committee to determine the best course of action for the data needed to make decisions on policy and training. Mr. Thomas understood the special order prohibited stops, except hazardous moving violations, and this funding was to identify and prosecute hazardous moving violations. Chief Jones stated that was correct.

B268-20, B269-20, B270-20, B271-20, and B272-20 were given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, TRAPP. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

- B253-20** Repealing Section 4 of Ordinance No. 024210 to lift the temporary waiver relating to the completion of employee performance evaluations.
- B254-20** Voluntary annexation of property located on the south side of Bradbury Drive and east of Kipling Way (4000 Bradbury Drive); establishing permanent District R-1 (One-family Dwelling) zoning (Case No. 143-2020).
- B255-20** Changing the uses allowed within the "Schapira Clinic" O-P Development

- Plan located southwest of the intersection of College Avenue and Rogers Street (411 N. College Avenue); approving a revised statement of intent (Case No. 149-2020).
- B256-20 Granting a design adjustment relating to the proposed Final Plat of Nowell's Addition, Plat No. 2 located on the northeast corner of Wilkes Boulevard and Sixth Street (600 and 602 Wilkes Boulevard) to allow a reduced utility dedication (Case No. 74-2020).
- B257-20 Approving the Final Plat of "Nowell's Addition, Plat No. 2" located on the northeast corner of Wilkes Boulevard and Sixth Street (600 and 602 Wilkes Boulevard) (Case No. 74-2020).
- B258-20 Accepting conveyances for utility purposes relating to the proposed Final Plat of Moon Valley Subdivision Plat 1 located southeast of the terminus of Moon Valley Road (Case No. 08-2020).
- B259-20 Authorizing Amendment No. 1 to the power purchase agreements with Crystal Lake Wind III, LLC for the purchase of wind energy.
- B260-20 Accepting conveyances for temporary construction and drainage purposes.
- B263-20 Authorizing renewal of an intergovernmental user agreement with St. Louis County, Missouri relating to the prescription drug monitoring program.
- B264-20 Authorizing a Memorandum of Understanding with the Missouri Department of Health and Senior Services for STD testing and treatment services.
- B265-20 Authorizing a program services contract with the Missouri Department of Health and Human Services for Epidemiology and Laboratory Capacity (ELC) CARES funding for case investigation, contact tracing, coordination and reporting activities associated with COVID-19 testing.
- B266-20 Authorizing a program services contract with the Missouri Department of Health and Senior Services for the Increasing Adult Influenza Vaccination Rates Project.
- B267-20 Authorizing an intergovernmental agreement with the County of Boone, Missouri relating to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2020 Local Solicitation.
- B273-20 Authorizing acceptance of an Assistance to Firefighters grant from the U.S. Department of Homeland Security for the purchase of fitness equipment and training sessions for the Fire Department.
- B274-20 Repealing Ordinance No. 024240 which amended the FY 2020 Annual Budget by appropriating designated loan funds for Phase I construction of the terminal building project at the Columbia Regional Airport and enacting new provisions related thereto.
- B275-20 Amending Chapter 19 of the City Code to establish poll worker leave for City employees.
- R116-20 Authorizing various Adopt a Spot agreements.
- R117-20 Authorizing a first amendment to the property management agreement with the Boone County Historical Society relating to the Maplewood Home.

- R118-20 Authorizing a first amendment to the property management agreement with the John William Boone Heritage Foundation relating to the John William "Blind" Boone home.
- R119-20 Accepting a donation from United HealthCare for wellness promotion and programs for City employees.
- R120-20 Authorizing Aviation Project Consultant Supplemental Agreement No. 1 with Burns & McDonnell Engineering Company, Inc. for construction services relating to the extension of Runway 2-20 at the Columbia Regional Airport.
- R121-20 Authorizing Aviation Project Consultant Supplemental Agreement No. 2 with Burns & McDonnell Engineering Company, Inc. for additional design services relating to the extension of Runway 2-20 at the Columbia Regional Airport.
- R122-20 Authorizing an amendment to the social services provider agreement with Columbia Interfaith Resource Center for emergency shelter services.
- R123-20 Authorizing a HOME agreement with The Housing Authority of the City of Columbia for tenant-based rental assistance.
- R124-20 Authorizing a CDBG-CV grant agreement with the Voluntary Action Center for rent and mortgage assistance.

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

VIII. NEW BUSINESS

- R125-20 Amending Resolution No. 49-19 which established the Broadband Business Planning Task Force to add attendance requirements.

The resolution was read by the Clerk.

Mr. Sorrell provided a staff report.

Bruce Alspaugh, 2815 Skyview Road, explained he was the Chair of the Broadband Business Planning Task Force and appreciated the quick action of the Council to address their quorum issues. He asked that an amendment be made to preserve the ability of the Task Force to conduct a closed meeting to protect public health and safety. He commented that for much of the day of October 28, 2019, a fiber had been cut in Kansas City, which had caused the 911 services in Columbia to be knocked out. This service interruption had impacted 69,894 customers from reaching 911 emergency services per a press release from Boone County Joint Communications. During that outage, citizens were being advised to contact their local fire department station, police station, or hospital directly in the event they could not get through to 911. He pointed out others impacted were the University of Missouri, Columbia College, Boone Electric, and Columbia Public Schools. The outage had even extended to Jefferson City to the Governor's Office, the Attorney General's Office, and the State Capitol Police according to the Columbia Missourian archives. He explained that if the Task Force wanted to have a substantive discussion as to why their broadband networks were so vulnerable to fiber cuts in very precise and specific locations that could cause such major disruptions to emergency services, details would come out that could be used to cause another widespread communications outage. He noted the Missouri Sunshine Law had a provision that could be cited for these types of discussion, i.e., Section 610.021(21) of

the Revised Statutes of Missouri, and felt that Boone County Joint Communications could be such a public body as was mentioned in that section. He commented that last year he had participated in a one-on-one meeting with a network services team at the Boone County Information Technology Department to discuss the disruption to determine if anything could be done to prevent future outages, but had been unable to have a Task Force discussion on broadband network vulnerabilities since they had failed quorum. He pointed out that none of the broadband providers that were voting members of the Task Force had showed up last time. He noted the Law Department had been good in sending a staff member that understood the details of the Missouri Sunshine Law and could provide them with the proper legal guidance on notice requirements, etc. He urged the Council to pass this resolution with an amendment to allow closed meetings under the very narrow circumstance of protecting the public health and safety of citizens. He understood a Task Force could hold a closed meeting unless prohibited by its enabling legislation. He suggested the last sentence of Section 5(a) read "All meetings shall comply with the requirements of the Missouri Sunshine Law and the Code of Ordinances of the City of Columbia."

Ms. Fowler commented that Mr. Glascock had provided her with the excused absence policy for other boards and commissions. She stated there was no guidance as to what constituted excused. She explained there had been high rates of non-attendance on the commission she had been involved with leaving them with a rather cumbersome level of being able to ask that person to step aside since they were too busy to attend the meetings regularly. She wondered who determined if the absence was excused or not. She asked that this issue be taken up as they discussed other issues involving boards and commissions. She stated she had been talking to another chair of a commission who had indicated they all had emergencies, which she agreed with, but that was just one out of multiple absences. She noted 25 percent was three absences in a year, which she felt was a high number of meetings to miss for those that had monthly meetings.

Mr. Skala stated he was the Co-Chair of the Broadband Business Planning Task Force and had been pleasantly surprised by how quickly this had come forward as they had just tacitly agreed to it at the prior meeting. With regard to the comments of Ms. Fowler, he understood the issue of absences had generally been left to the boards and commissions with the chair having some discretion as to what to excuse and what not to excuse in terms of absences. He noted there had been an exception to that as the Council had decided to reduce the terms of the Planning and Zoning Commission (PZC) from five years to four years because they were having difficulty meeting quorum requirements. Generally speaking, the boards and commissions had self-determined the three absences in a year as reasonable, and the discretion of excused absences had been left to the board and commission. With respect to this particular issue, he thought both he and Mr. Alspaugh agreed with the policy regarding absences. He pointed out some of this had been a function of COVID and felt some of these issues would resolve themselves since they were resuming those meetings.

Mayor Treece asked Mr. Skala for his comments on the suggested amendment. Mr. Skala replied he did not think it was necessary as he felt it was fairly clear as to what they could do in terms of private and closed meetings. He reiterated he did not believe it was necessary.

Mr. Thomas stated he thought the monitoring of absences and the ejection from the Task Force for a certain number of unexcused absences was important. He agreed with Ms. Fowler that absences were the problem, and that they likely needed to have a larger discussion at another time with regard to all of the boards and commissions. He commented that the one thing about an excused absence was that at least the person called the Chair indicating they could not attend, which suggested more of a commitment. He stated he had a concern regarding this Task Force since some of the members that represented industry organizations in providing broadband had a vested

interest in the Task Force not making any progress. He thought they might intentionally be blocking progress. He thought refiguring the Task Force was a larger conversation if they wanted to move in that direction. In terms of the wording regarding the Sunshine Law, he noted it seemed as if there might be some value in allowing some closed meetings by this Task Force. He asked Ms. Thompson if she agreed and if she would be okay with removing the wording that indicated every meeting had to be open to the public. Ms. Thompson replied the amendment would be necessary to allow the Task Force to hold a closed session. Mr. Thomas asked Ms. Thompson if she had any concerns about removing that from the wording. Ms. Thompson replied the City of Columbia took compliance with the Sunshine Law very strongly, and as a public governmental body, it was sometimes difficult for citizens that were not as involved as the Council to understand those limitations so it could put the City in a position of legal liability. To the extent it was narrowly construed and judiciously utilized, it did not cause her a lot of heartburn. It was fairly easy for a group to veer off topic once they went into closed session so they would have to make sure it was closely monitored when it was a volunteer group going into closed session. It needed to be for a very good and specific reason.

Mr. Thomas made a motion to amend R125-20 to delete "shall be open to the public and" in the Section 5(a). The motion was seconded by Mr. Trapp.

Mr. Skala commented that he would likely oppose the amendment for the reasons Ms. Thompson had suggested. He stated there was a reason to the narrowness of closed meetings, and pointed out they usually had legal representation in attendance. He believed the issues involved with this Task Force were sufficient to deal with in open session, and if necessary, the advice they had forthcoming to give to the Council could suggest to the Council that they meet in closed meeting to discuss the issues. He noted it was a complicated issue due to the membership of the group. He stated he was sensitive to the comments of Mr. Thomas in that some members might be impeding the work, and believed the perception of trust within the group was critical. He felt having closed meetings could be problematic and not necessary.

Mr. Trapp noted Mr. Alspaugh had brought forward one good example of where it might be necessary, and felt it would be appropriate to rely on the Sunshine Law and the Code of Ordinances with Mr. Skala and Mr. Alspaugh as Co-Chairs. He believed the vast majority and, perhaps, all of them would be open, but there might be a call for important discussions that might require that sensitive information to be protected for the health and safety of the community.

The motion made by Mr. Thomas and seconded by Mr. Trapp to amend R125-20 to delete "shall be open to the public and" in the Section 5(a) was approved by voice vote with only Mr. Skala and Ms. Peters voting no.

The vote on R125-20, as amended, was recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, TRAPP. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

IX. INTRODUCTION AND FIRST READING

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

- B276-20 Rezoning property located on the west side of Scott Boulevard and north of Route K from District PD (Planned Development) to District R-1 (Single-family Dwelling) (Case No. 164-2020).
- B277-20 Approving the Final Plat of "Moon Valley Subdivision - Block III" located at the terminus of Moon Valley Road (Case No. 08-2020).
- B278-20 Authorizing a right of use permit with Missouri Network Alliance, LLC, d/b/a

- Bluebird Network, for the installation and maintenance of fiber optic cable within portions of the Seventh Street, Cherry Street and Eighth Street rights-of-way.
- B279-20 Authorizing a right of use permit with Missouri Network Alliance, LLC, d/b/a Bluebird Network, for installation and maintenance of fiber optic cable within portions of certain City rights-of-way.
- B280-20 Authorizing the acquisition of easements for the replacement of a sanitary sewer under Providence Road, south of Nifong Boulevard.
- B281-20 Authorizing Amendment No. 1 to the agreement for professional services with Siemens Industry, Inc. for the development of an Integrated Resource Plan and Master Plan.
- B282-20 Authorizing Amendment No. 2 to the agreement for professional engineering services with Weaver Consultants Group, LLC for the Columbia Sanitary Landfill Horizontal Expansion Permitting Project - Phase II.
- B283-20 Accepting conveyances for utility purposes.
- B284-20 Accepting a conveyance for drainage purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B285-20 Authorizing a community assistance program agreement with the Missouri Department of Conservation for management of the fish population and enforcement of Department of Conservation rules and regulations relating to fishing at selected lakes in the City of Columbia's park system.
- B286-20 Authorizing construction of the FY 2019 sanitary sewer main and manhole rehabilitation project; calling for bids through the Purchasing Division.
- B287-20 Authorizing an annexation agreement with Valerie Stevens for property located on the northeast corner of the intersection of Highway HH and Deer Valley Lane (Case No. 170-2020).

X. REPORTS

- REP55-20 North 763 Community Improvement District - Board of Directors Membership.
- Mayor Treece thought this involved the appointment by the Mayor with the advice and consent of the Council, and asked if they wanted to address it now or put it under boards and commissions at the next meeting. Mr. Skala noted he was agreeable to addressing it at the next meeting. Mayor Treece stated they would address it at the next meeting.
- REP56-20 Community Development Block Grant CARES Act (CDBG-CV) Round 3 funding update.
- Mr. Cole provided a staff report.
- Ms. Peters asked if the rent and mortgage assistance had gone to those that had been in arrears or if it was an attempt to keep them in their homes for the next six months. She also wondered how that was different from the tenant-based rental assistance. Mr. Cole replied the \$270,000 in rent and mortgage assistance they were providing through the Voluntary Action Center (VAC) involved CDBG funding through the CARES Act and would go toward emergencies and arrearages as it was for a shorter time frame. They would want to use it to help keep people from losing their housing. It could also be used to help

people that had lost housing. The tenant-based rental assistance was funded through HOME funds and was a longer term funding source for rent assistance. They wanted to shoot for a year, but could go up to two years. The tenant-based rental assistance went through the Columbia Housing Authority (CHA) because it modeled the Section 8 program. The CDBG funds went through VAC since it mirrored some of the services they provided.

Ms. Peters asked Mr. Cole if he would be able to track how successful those that received the funding were in staying in their homes. Mr. Cole replied it could sometimes be hard to keep track of people, but lot of times, agencies such as VAC, Job Point, or CHA, kept in contact with a good number of their participants. He stated he could work with those agencies to determine if they could track long term success. He noted they could certainly obtain the data on who they served with those funds, but it was sometimes difficult to track people later since they could leave town, etc.

Ms. Peters stated she wondered the same for the small businesses they had helped in terms of whether this was a stop gap and the organization was out of business a couple of months later. She wanted to know how they were doing. Mr. Cole explained they had a fairly good mechanism in place for that since it involved a forgivable loan. This meant they had to check back with them over the course of the first year. As a result, they would be able to determine if they were able to survive over that first year. He noted they had already started contacting businesses that had received funds in April, and they would do the same for those that received funds during the next round about six to nine months later.

REP57-20

Virtual meetings.

Ms. Thompson provided a staff report.

Ms. Fowler commented that she had asked for this report. She explained she was not contemplating all virtual meetings, but was contemplating hybrid meetings to meet the needs of the members of boards, commissions, and task forces given the constraints and caution they were exercising during COVID. She noted several instances had come to her attention of members quarantining or measuring the amount of exposure they were subjecting themselves to due to pre-existing conditions and fragile health concerns, which resulted in their ability to be fully participating members of boards and commissions. She reiterated she wanted the ability for a hybrid model and had not contemplated fully virtual meetings. She thought some board and commission members might have an opinion on whether or not they would support this, and noted she had heard from many members that would support a hybrid meeting format. She commented that she had brought up more than once how they enabled robust public comment and capture the work of the dedicated board and commission volunteers, particularly during COVID due to the dynamics involve. She stated she wanted them to move forward with a hybrid system and would also like them to invite comment from board and commission members. She noted boards and commissions were the eyes and ears of the Council, and this issue was the purview of Council. As a result, she wanted to see them embrace the challenges they had as a community by helping the boards and commissions move forward in continuing their work.

Ms. Peters commented that as one of the people that had participated in council meetings via Zoom, it had not been as engaging as being in the Council Chamber. She noted she did not realize they had 50 boards, commissions, and task forces, and wondered if they needed to review the boards and commissions they had in terms of which ones were needed. She wondered how many were able to meet or needed to meet in terms of having a task that needed to continue to be done as she did not want to waste the time of their citizen volunteers. She pointed out there were many commissions for which she never saw a report so she was not sure what they were able to do or if they were still needed. She noted the Mayor's Council on Physical Fitness and Health had started years and years ago, and wondered if that was still relevant now. She thought they should consider taking a look at their commissions to determine which ones they

needed to keep, and revisit their duties.

Ms. Fowler stated she wanted a public hearing whereby they invited and asked board and commission members for their experiences, frustrations, and ideas for moving forward.

Mr. Skala commented that the Council periodically reviewed boards and commissions with regard to their tasks, and believed the last time that had been done was when Mr. Thornhill had been the Second Ward Council Member. He stated they had requested feedback from boards and commissions and had really not dissolved any because people were unwilling to give up any influence they had. He noted they had been successful more recently in combining some boards and commissions, and pointed out the Climate and Environment Commission had been a combination of the Environment and Energy Commission and the Mayor's Task Force on Climate Action and Adaptation Planning. He believed that had been a useful approach and felt they could review some of the missions and obtain feedback from the boards and commissions in an effort to try to pare the number down as much as possible. He commented that not only were the boards and commissions the citizen eyes and ears, but it also provided for a participatory exercise in governance. He stated he thought it would be nice for all boards and commissions to have a requirement to present some sort of report rather than discussing some issues seriously and coming as individuals to influence the Council. In terms of this particular issue, Mr. Skala stated he would sympathetic to some sort of hybrid approach. There were unique problems associated with those that had quasi-judicial roles. Others, however, might have a hybrid approach whereby some members could participate virtually in a limited fashion. He commented that there needed to be a balance in terms of what they offered boards and commissions and the amount of staff time and associated expenses. He believed an approach that achieved that balance while providing the boards and commissions some independence and latitude due to an emergency like COVID was reasonable.

Mayor Treece stated he struggled with this in terms of what was good public policy that allowed for enhancing community participation in a community with very robust citizen engagement while still complying with the Sunshine Law. He commented that it was not as simple as turning on C-SPAN and watching the Historic Preservation Commission (HPC) meeting. The public would have to be able to access a true virtual meeting, there would need to be a login procedure, all of the members would need to see each other, etc. It needed to be a two-way situation. He explained he attended a lot of public hearings and as much as he would like to testify at the Senate Judiciary Committee meeting, he could not do that. He could not log on, sign up, and provide a 3-minute testimony. He commented that they could not have 50 virtual meetings every month that had true bilateral citizen engagement. He wondered if they would then limit it to the ten or so really important quasi-judicial legislative bodies. If they did that, they would need to discuss the others if the policy was to enhance access. If they limited it, he wondered if they would be discriminating based on the content of their hearings. A PZC hearing might be just as important to one person as a HPC hearing might be to someone else. He was not sure of the answer, and felt it was a slippery slope as he did not want this body to evolve into an online meeting. It did not work effectively and was not fair to the public or those involved. He stated he struggled with what the best public policy might be with regard to this.

Mr. Skala understood Ms. Thompson had suggested it was more difficult for the ten or so that had the quasi-judicial responsibilities due to the necessity of people testifying and the need for real interaction. He thought those were off of the table in terms of this consideration. He explained the reason he had made the suggestion of some sort of hybrid approach was so they did not overwhelm staff with the responsibilities for the remainder of the boards and commissions to go completely virtual. He commented that even when the some on the Council had participated virtually, it had been a very empty feeling to not be able to watch expressions and read the body language of those in the room. He stated it was not a very satisfying way to conduct a meeting and noted he had

been grateful to get back to the regular meeting format. In this circumstance, he thought they might want to make some accommodation.

Ms. Fowler reiterated her request had not been for all virtual meetings. It was for a hybrid approach during COVID to address the very real concerns of members of the boards and commissions being shut out of the discussion or being able to vote due to quarantining, taking care of a sick child, etc. She understood the concerns, and suggested they hear from the board and commission members so they knew what they thought might work well for their board or commission.

Mayor Treece asked why that excused absence was any different from any other excuse absence for the purposes of establishing a quorum. Ms. Fowler asked for clarification. Mayor Treece understood the example of Ms. Fowler was that a minority of the members could be quarantining. Ms. Fowler stated she had not referred to only a minority. She was concerned about the ability of any member to participate. She understood the preference of the Law Department was for a quorum to be present in the room, and noted she was not sure she would agree. She stated she was trying to not cut off the contribution of members that were their eyes and ears because of circumstances of adhering appropriately to COVID. She understood the council meetings had not been satisfactory, but from the point of view of a citizen, it had been far better that the Council had been meeting than not meeting during those early weeks of the COVID crisis. She felt it had been far more important that they were meeting and being heard.

Mayor Treece commented that given the advice of the Attorney General for meeting during an emergency, the topics the Council had been discussing were relevant to the reasons they had to meet virtually, as it involved the emergency order, the powers of the City Manager, and public health orders. He noted the items on the agenda for the Mayor's Task Force on Bicentennial Celebration Planning did not really meet that heft of content if the majority of their members could not meet due to COVID, and maybe a group of that nature just should not meet that month.

Ms. Fowler stated her concern was that they did not have a defined end date for this so it was not easy to say they could postpone the work of a certain board or commission until a date certain because they could still be in this same situation in a year. She noted she did not have any way of predicting when this would end, but knew they had dedicated community members and would hate for them to be continually or sporadically sidelined because they were doing the appropriate and right thing.

Mr. Pitzer commented that he was okay with the option of some participating virtually as long as there was an in-person quorum. It alleviated the concern of Mayor Treece about not having a quorum to be able to meet. It was also something that could be handled without overloading staff. He pointed out he thought it should be temporary and not a permanent state of being. In the interest of expediency, he appreciated Ms. Fowler bringing this up and noted they probably should have had this conversation months ago. He thought it was good they were doing it now, and suggested they not overengineer the process if a majority of Council was in agreement.

Mr. Trapp stated he was supportive of that more limited approach, i.e., for a physical quorum to be present, if they had the capability to do it in terms of staffing.

Mr. Thomas commented that he agreed with those comments as well, but did not understand why it was more of a workload to manage an all virtual meeting versus a hybrid. Ms. Thompson replied an all virtual meeting would require citizen engagement to be available virtually as well. They would have to publish how the public could access the meeting and participate. Mr. Thomas understood the hybrid approach would not allow for virtual engagement by the public. If the public wanted to engage, they would have to attend the physical location of the meeting. Ms. Thompson stated that was correct. She explained that once they published the location to a meeting, it triggered the need for an additional staff member to be a meeting host, mute and unmute people, etc. There would be a need for more monitoring for protection purposes. Mr. Thomas stated that made sense, and noted he supported the proposal of Ms. Fowler.

Ms. Peters understood anyone that wanted to participate in the meeting other than those that were actually on the board or commission would have to come in person. They could not participate virtually. Ms. Thompson stated that was correct. Ms. Peters understood they had no idea of knowing how many people attended the meetings other than the board and commission members. Ms. Thompson pointed out they had been encouraging people to submit written public comment if they were unable to attend. There were multiple ways for citizens to provide feedback or comments to board and commission members outside of attending a meeting in person. Ms. Peters asked who citizens would submit comments to for the boards and commissions. Ms. Thompson replied the staff liaison or the chair.

Mr. Skala commented that historically there had not been a lot of citizen participation at the board and commission level, but a lot of it was controversy driven.

Ms. Peters stated she would be willing to proceed with this approach with the caveat that they evaluate it in 4-6 months to determine how it was working. Ms. Fowler thought that was a good idea.

Ms. Fowler asked if a policy for this to be done would be brought forward. Ms. Thompson replied an ordinance was not needed to make this happen. It was something that could be implemented by the staff liaisons, particularly if it was the in-person quorum approach, which was what she was hearing a majority of them saying. She stated they would communicate with the staff liaisons and move forward with allowing less than a quorum to participate virtually. She pointed out they might have some issues with those boards and commissions with the elevated due process standards, and would work through those individually.

Ms. Peters asked if they could be provided an update in March, which would be about six months.

Mayor Treece asked if this would be allowed for all boards and commissions or only when all members could not be there. He wondered if a member would need to ask for it and if it would then be set up in that manner for anyone. Ms. Thompson reiterated a quorum would need to be present in person. As a result, the boards and commissions would need to police themselves in some respect to determine which members could participate virtually and which ones would be present in the meeting. Mayor Treece understood if they were all present, there would not be a need to have an online meeting. Ms. Thompson stated that was correct. She pointed out it was not really an online meeting. All they were doing at this point was to allow some members to attend virtually. It was not an online meeting. As long as they had a quorum present in the meeting room, the meeting was being held at a fixed location, and the Sunshine Law contemplated that some members could participate by electronic means. If they had more than a quorum attend by electronic means, they would then actually be having a virtual meeting. She reiterated as long as they had a quorum present in the meeting room, it was an in-person meeting.

Ms. Fowler asked if the members participating by Zoom would be able to vote on motions if there was a quorum present in the meeting room and the members participating by Zoom could be seen. Ms. Thompson replied yes. She pointed out those boards and commissions that had special duties would require more consideration.

Mr. Glascock understood Ms. Peters wanted a report back from all of the boards and commissions, and asked how she saw that process moving forward. Ms. Peters replied she did not want a report from all of them. She only wanted to know if they had any problems from the boards and commissions and if it was working from City staff. Mr. Glascock asked if the first meeting in March was okay for a report back. Ms. Peters replied yes. Ms. Thompson understood Ms. Peters wanted a utilization report. Ms. Peters stated that was correct. She wanted to know if this was needed based on the number of people that could or could not attend. She thought it would be helpful to know if the boards and commissions thought it was working well and whether they had utilized that process. She noted she did not need a check list response for all boards and commissions. She only wondered if it was working or a disaster.

REP58-20 Growth Impact Study steering committee.

Mr. Thomas stated he liked the idea of having a citizens committee working with the consultants on this process. He thought the members should be appointed by the Council. He was not sure if they should advertise or if each council member should nominate a person to be on it.

Mayor Treece thought it could be similar to the resolution creating the Broadband Business Planning Task Force. He noted he would want to refrain from having specific slots that needed to be filled. He suggested more broad areas of expertise, such as land use, development, real estate, utilities, etc. Mr. Thomas stated representation of different stakeholder groups was important. Mayor Treece commented that he thought they had excelled with the Mayor's Task Force on Climate Action and Adaptation Planning since they had intersectionality associated with it. Mr. Thomas agreed the Mayor's Task Force on Climate Action and Adaptation Planning had been really successful, and asked what the process had been in the appointment of those members. Mayor Treece replied they had a free-for-all in terms of nominees, which had then been summarized in a spreadsheet indicating expertise matter. He thought they wanted people with an open mind along with expertise.

Mr. Skala commented that they had utilized matrices for appointments in the past as well. He noted growth, as a category, often generated a good deal of interest so they might want to assess who might be willing to serve and then make a determination as to how to distribute the potential applicants in some of these areas for the best interest of the advisory group.

Mayor Treece suggested they start with a number. He thought it should be small enough that they could manage the scope, but large enough that they could achieve a quorum. Mr. Skala suggested a number that was less than double-digits. Mayor Treece felt it should be more than three and less than eleven.

Mr. Pitzer asked where it had been contemplated that there would be a committee. Mr. Teddy replied it had been in the RFP, and the proposals they had seen had acknowledged the consultant would work with a steering committee or working group. Mr. Pitzer asked if the idea of even having a committee had come from the Council or City staff. Mr. Teddy replied the RFP staff had shared with the Council in March had included it. He stated he believed it was a good idea to have a committee and understood most consultants liked to work with a relatively small group to use as a sounding board and for the review of their work in terms of deliverables during every step of the process. Mr. Pitzer noted they had just been discussing the number of committees they had. Mr. Teddy pointed out this would be temporary, i.e., less than a year. Mr. Pitzer pointed out they tended to all start out as a temporary group.

Mr. Pitzer stated he did not have any good ideas on how to set it up, but predicted it would likely lead to a divisive fight with regard to stacking the deck one way or another. Mr. Thomas noted that had not happened with Mayor's Task Force on Climate Action and Adaptation Planning, and asked Mr. Pitzer if he thought that would happen in this instance due to the subject matter. Mr. Pitzer replied he thought there had been a lot of rowing in the same direction on that Task Force. Mr. Thomas understood, but wondered what they would do if people were rowing in different directions. He felt they needed to talk about it and figure it out.

Mr. Trapp stated he liked the idea of each of them appointing a member. It would provide for seven and ensure different people's positions on growth were represented. Otherwise, with four votes, they would be subject to the possible tyranny of the majority in that all perspectives were not represented.

Mr. Skala commented that a potential solution was the matrix approach once they had an idea of who was interested.

Mayor Treece stated that short of redistricting, he was not sure the Council had ever appointed members to a board, commission, or task force in the manner suggested by Mr. Trapp. He noted he was not opposed to it as he felt it would be an interesting

reflection.

Ms. Fowler commented that she was troubled by the idea of each of them appointing someone with the goal being balance because she would not know if she was bringing forward a candidate that would add to the balance without knowing who the others would appoint. She pointed out this topic would involve a lot of difficult conversations and preferred that they strive for a balance of perspectives.

Mayor Treece asked Ms. Fowler how many members she believed should be on this committee. Ms. Fowler replied an odd number so they could move forward with decision-making. She noted they had several boards and commissions that operated with seven people and managed to have a quorum most of the time.

Mr. Thomas stated he preferred a larger group. He understood the Mayor's Task Force on Climate Action and Adaptation Planning had been larger than seven. He did not see a problem with a larger group as he did not believe it took any more work in terms of administering a larger group.

Mr. Skala commented that he tended to see a problem with larger groups. He noted the PZC was a nine-member group.

Mayor Treece pointed out they wanted this group to guide the work of a consultant. Mr. Thomas agreed they were not making policy.

Mr. Skala understood Mr. Teddy had suggested that consultants liked relatively smaller groups. Mr. Teddy explained it allowed for the members to speak and offer their input.

Mayor Treece stated he would be agreeable to seven or nine. Mr. Trapp recommended seven. Mr. Skala agreed with seven. Mr. Thomas stated he would prefer nine.

Mr. Thomas understood they would invite open applications and that they could reach out to individuals that they wanted to apply. They could then discuss who would be appointed.

Mayor Treece understood they would need a resolution creating it if it was a task force.

Ms. Peters understood it was a steering committee for a certain amount of time to work with the consultant. Mayor Treece asked if that existed in any other department in any other form temporarily. Ms. Thompson replied no. She pointed out it was still a public governmental body under the Sunshine Law regardless of what it was called.

Mr. Skala noted there had been a model previously in terms of water quality. Mayor Treece understood it had been referred to as a working group. Mr. Thomas understood that group had worked with a consultant. Mr. Skala stated that was correct. Mr. Thomas suggested they look at a model where they had a citizen committee overseeing the work of a consultant. Ms. Peters asked if they would be overseeing it. Mr. Skala replied they would be the sounding board for the consultant before it got to the Council.

Mr. Pitzer asked if there was still something the Council had to approve with regard to the contract proposal. Mr. Teddy replied they had not selected a consultant yet, but had a short list. Mr. Pitzer asked if that would come to the Council for approval and whether that should be done before appointing this committee. Mayor Treece replied no. Ms. Peters thought that could be done at the same time. Mr. Teddy stated he thought they wanted to be ready. Mr. Pitzer felt it might be helpful to know what was in the contract. Mr. Teddy understood Mr. Pitzer was referring to the scope of work. Mr. Thomas pointed out the consultant would soon be selected. Ms. Peters was agreeable to moving forward with the steering committee of seven. Mr. Thomas stated he preferred nine, but thought he was in the minority.

Mayor Treece asked for a resolution to be brought forward to create a growth impact study working group with seven members with a background in public finance, infrastructure, planning, design and construction, demographics, social equity, and real estate. Ms. Peters asked how many areas had been listed. Mr. Trapp replied those were not specific categories. Mayor Treece agreed those were general categories. Mr. Trapp stated he thought they had learned not to do that.

REP59-20 Greenhouse gas emissions inventory and correspondence from the Climate & Environment Commission.

Ms. Buffaloe and Carolyn Amparan, the Chair of the Climate and Environment Commission (CEC), provided a report to Council.

Mayor Treece stated he knew the City Manager had been sincere a year ago when he told the Council and the CEC that the Climate Action and Adaptation Plan would guide the Strategic Plan, and then COVID had happened. He commented that he thought the community's response to COVID-19 was a metaphor for what it could be for all of the other challenges they faced in terms of everyone taking small steps to mitigate exposure whether it be the coronavirus or climate change. He noted he and the City Manager had discussed Ms. Amparan's letter, and they understood they had to address that challenge with the same intensity and focus to get the results they wanted. He stated the CEC had done great work in laying out the priorities and the tangible steps they could make with each one, and the presence of Ms. Amparan tonight helped to keep that on the front burner for them to remember that they needed to address it with that same singular focus and intensity. Ms. Amparan added urgency. Mayor Treece agreed.

Mr. Thomas commented that when the pandemic had first hit, there had been a lot of news coverage of the fact that carbon emissions were going down because people were driving less and offices were unoccupied so heating and cooling was happening only in the homes versus in the businesses. He asked how much of that eight percent drop was relative to the last six months. Ms. Amparan replied she believed this report was only through 2019 so it did not include any of that. Mr. Thomas stated that was somewhat encouraging.

Mr. Thomas asked the CEC to pay a lot of attention to the long range transportation plan for this area as he felt it was like an oil tanker that was steaming ahead in the same direction it had since the 1960s, which would take a huge amount of effort and energy to turn even slightly. He noted they had approved another massive highway project that was continuing to drive up carbon emissions into the future only a few weeks ago. He explained the City Manager had persuaded the CATSO Coordinating Committee to create a major amendment to the most recent version of the long range plan. He was not sure the scope had been well defined yet, and hoped the CEC could be involved in that process to ensure the major amendment addressed the content of the plan in terms of what was being planned and budgeted for over the next 30-35 years along with the process of the plan as goals and objectives were not tied to actions in any way at all. He stated there were some good goals around reducing emissions and vehicle miles traveled by capita, but there was not any connection to what was actually in the plan.

Ms. Buffaloe commented that they had been in contact with the CATSO Coordinating Committee and staff. She understood there would be a request for appointment of a CEC member along with a Sustainability staff person. Ms. Amparan pointed out the CEC had actually already named their member and were only waiting on the CATSO Coordinating Committee.

Jay Hasheider asked the Council to accept and approve this report as it represented a great effort on the part of the CEC and staff, but noted he had suggestions of items to ask for in terms of future reports. In terms of the reporting format, it utilized metric tons of carbon dioxide. He stated he had not seen a metric ton of carbon dioxide, but had seen electricity, gasoline, and natural gas, and encouraged the Council request the report include those units in the reporting so people could understand it. He commented that he also wanted to know how much carbon dioxide was emitted per megawatt hour from the Utilities Department, Boone Electric, and the University of Missouri so they knew how much was being produced. He stated he had been disappointed in not seeing anything related to municipal services. When the Council had passed the resolution in 2018, they had encouraged the community and the municipality to meet the goals. He urged the Council to ask for that in the future. He understood it had been mentioned that weather

had an impact and felt it would be helpful for a breakdown of the parameters used so it could also be used as an educational tool. He suggested they expand on public education in the future as much as anything else.

Mr. Skala commented that some of these common language solutions would go a long way in terms of communication with the public, and thought they needed to get as real as possible so people had a better feel. Ms. Peters stated she agreed it would be helpful if it could be individualized, but noted she did not have any specific suggestions. Mr. Skala thought they should suggest making this as accessible to the public as possible since they would really be the ones that would drive the process.

REP60-20 Correspondence from the Downtown Columbia Leadership Council regarding downtown curbside parking spot fees.

Ms. Fowler commented that she had mentioned this letter at the prior meeting when they were discussing the curbside pickup parking spots. She understood they were not charging the Downtown Community Improvement District for those meter hoods, and asked if that was correct. Mr. Glascock replied that was correct. Ms. Fowler stated she appreciated the City's assistance for the downtown businesses.

REP61-20 Winter weather response for 2020/2021 winter season.

Mr. Nichols provided a staff report.

Mr. Skala understood the routes were identical to last year. Mr. Nichols stated that correct.

REP62-20 Amendment to the FY 2020 Annual Budget - Intra-Departmental Transfer of Funds.

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

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Dani Perez explained she had attended the last few meetings, and one topic she did not hear enough of was the topic of rent. She commented that systematic racism was in every aspect of their lives, to include rent. In Columbia, there were many businesses owned by black, brown, women, LGBTQ, and other groups that were considered to be oppressed. They had overcome many obstacles to get their businesses to where they were now, and were still putting up a good fight today. She understood they applying for loans, following the health orders, establishing kick-starters, etc., but this only went so far. Many business owners were discussing downsizing, moving to other places, or closing doors for good. This year was not a year for profits. It was a year for survival. While she had heard that the CARES Act would help, she wondered what the next step might be. She understood they were hoping, wishing, and praying that they did not have another shutdown, but winter was coming and they were in the shadows of flu season. As a result, it was a possibility regardless of how much they wanted it to not be a possibility. She wondered if they had a long term plan, and if they did not, she suggested one be developed. She commented that she was a waitress and bartender, and while she sided with science and was in favor of the regulations, she was empathetic with those that wanted the regulations lifted. She noted it was actually not the regulations they were attacking. It was what they felt was abandonment in that the City had created these restrictions and had then left them to fend for themselves. Many were behind on rent or on leave for good, and it felt very lonely or desperate. She stated she was not asking the Council to waive a magic wand to make this all go away, but felt they should talk about the issues of rent, people's livelihoods, etc. more often because many of them did not feel seen or heard, especially those within the black and brown communities who were impacted the most by the pandemic physically and financially. She noted 2020 was a dead year for the economy, and they did not know what 2021 would bring, and reiterated they need to know what the City would or could do.

Mayor Treece stated written comment had been received by Joyce Schulte, 5410 Kelsey Drive, relating to young kids, traffic, and police response. He explained he would pass the issue on to the City Manager to provide to the Police Chief to address. He noted the comment would be filed with other items associated with this meeting.

Mr. Thomas asked if he understood the City had stopped applying late fees and other financial penalties to utility customers when they had temporarily stopped disconnects. Mr. Glascock replied yes, and noted he thought that had been done in April. Mr. Thomas stated he had a constituent sending him photographs of bills suggesting a \$30 late fee had been applied to customers that had fallen behind during the period of March to now. Mr. Glascock asked to be provided the bill so staff could look into the situation.

Ms. Peters asked for clarification regarding the utility disconnects in terms of why the City was starting to implement disconnects now. She wanted to know how far behind they had been, how many people had set up payment options, how the City went about disconnecting services, etc. She wondered if they really wanted to start disconnects in the middle of the pandemic while realizing those that could pay their bills needed to pay their bills since the City needed to pay staff and its bills. Mr. Sorrell replied the delinquency rate had increased since March to a rate they saw in the winter when they did not do disconnects due to temperatures. As a result, staff had made the decision to look into doing disconnects in October, and they had sent notices to those customers that were delinquent indicating that on or after October 1, they might disconnect for nonpayment. He pointed out that at that time, they had about 7,800 delinquent accounts that totaled about \$4.2 million. As a result of the notification that disconnects might occur, many started to take care of their bills. Since September 21, when they were at 7,800 delinquent accounts for a total of \$4.2 million, the numbers had decreased to 5,196 for a total of \$1.6 million. He commented that because one was delinquent did not mean it would result in a disconnection. It took about a month of being delinquent before they would disconnect due to the process of sending notices. He stated the pending disconnect number went from 5,800 on September 28 to 2,538 this afternoon. The money associated with that was \$1.4 million total, which included both commercial and residential accounts. He explained that when they had stopped charging late fees and penalties, a certain property management group with 700 accounts had chosen not to pay their bill. This company had come in on September 30 to pay the total bill, which he thought had been about \$1.8 million. Mr. Glascock understood they had paid \$1.8 million by accident, and the bill had been \$1.2 million. Mr. Sorrell noted they had a lot of people that had come in to outright pay their bills and others that had made arrangements for payment. He commented that they had not started disconnecting services, and they were about at their limit in terms of foot traffic in the building. He stated 250 customers had been in the lobby today not counting drive-through customers. If they were getting that many customers addressing their bills or making payment arrangements, he thought they could continue to hold off on disconnects while monitoring the situation at this time. He understood a meeting would be held with Central Missouri Community Action (CMCA) later this week as they were supposedly receiving \$500,000 in COVID funding to help people that needed assistance with their utility bills. They would monitor how that would impact them and evaluate the situation again before moving forward with disconnects.

Mr. Glascock pointed out the City owned the utility so they borrowed money to work on the infrastructure, and those bonds needed to be paid back. They could not default on the bonds as that would create bigger problems. He noted they had to keep their debt coverage up and do everything they said they would do. He commented that they could forgo some of it, but they could not forgo all of it.

Mr. Skala stated he could appreciate the responsibilities they had. He understood there was a great deal of angst amongst some of the underserved, particularly those with

legitimate COVID issues. He asked how the City worked with its customers. He wondered if it involved a down payment and then payment arrangements. Mr. Sorrell replied they worked with everyone that requested a payment arrangement. He understood they asked for a good faith payment of 25 percent. If they were unable, they had allowed it to be a lower amount. Depending on the dollar amount of the delinquent account, they would spread out payment over multiple months.

Mr. Skala commented that it appeared as many issues had been resolved by the large players with multiple accounts. Mr. Sorrell stated that had been one example he wanted to point out.

Mr. Skala understood City staff would work with other organizations in trying to resolve some of these issues. He stated that was correct and noted they would meet with CMCA this week to determine how they might connect people that needed assistance to CMCA if they received the CARES Act funding.

Ms. Peters understood the City had a program whereby people could donate money to help with utilities, and asked if it still existed. Mr. Sorrell replied there were two programs for utility assistance that were administered by the Public Health and Human Services Department. Ms. Peters understood people could donate with their utility bill. Mr. Sorrell stated people could pay extra on their utility bill if they wanted to contribute.

Ms. Fowler asked if the City had a policy that incorporated the practice of asking for a good faith 25 percent payment. Mr. Sorrell replied they had a written procedure. Ms. Fowler asked if the City had a procedure by which the Cash and Help program money was distributed to cover bills and how that was done. Mr. Sorrell replied he was certain there was a process and procedure to that and reiterated it was administered through the Public Health and Human Services Department. The Utilities Department was not involved at all. Mr. Trapp understood a lottery system was utilized because demand was so high.

Ms. Fowler asked for report regarding sources of assistance, such as CMCA and the Cash and Help program, and in terms of the CARES Act funding through Boone County, as she understood the City had asked for forgiveness on some of those payments. She also asked that they be updated regularly on the numbers of delinquent accounts.

Mayor Treece stated he would like to give the City Manager the authority under the emergency declaration to disconnect utilities to anyone for noncompliance with the public health order. Right now, the City could pull someone's business license, but they could continue to operate. They could not continue to operate if they did not have water or electricity. He understood the City of Independence had given its City Manager that authority and felt it had been an effective deterrent. He asked if there was any objection to bring forward a similar ordinance.

Mr. Skala asked if any single business had been so noncompliant that this would be necessary. Mayor Treece replied yes.

Mr. Pitzer understood the City Manager had that authority now under the emergency declaration without the direction of Council. Mayor Treece replied he had that authority for 21 days before an ordinance would need to come before the Council.

Mayor Treece asked Mr. Glascock for his thoughts. Mr. Glascock replied he would not do that without the authority of Council.

Mr. Trapp wondered if that was necessary, but noted any of them could ask for an ordinance to be brought forward. They could then discuss it and vote it up or down after comments of staff and the public. Mayor Treece agreed, but noted if there was not any interest by other members of the Council or if it would not be used, he was not sure an ordinance should be brought forward.

Mr. Skala thought it might be useful if there was really someone that was that intransigent in terms of violating the rules.

Mr. Pitzer asked if there were other mechanisms to gain compliance. He thought they were operating illegally if they did not have a license. Mayor Treece agreed. Mr. Pitzer

suggested they send the Police Department there to lock the doors. Mayor Treece wondered if that was the best way to proceed. Mr. Pitzer questioned if the best option was to disconnect utilities. Mayor Treece noted it was hard to open without water and electric.

Ms. Thompson pointed out the City had the ability to seek an injunction from the court in an emergency to shut down a business. She stated the Health Department had been utilizing the health permit with regard to some egregious situations so there had been some other actions taken. She explained it depended upon the route the Council ultimately wanted to take for compliance purposes.

Mayor Treece stated it could be discussed later. Ms. Peters agreed and noted she did not feel it was enough of an emergency in this situation. She pointed out they also had other options.

Ms. Fowler commented that at the last meeting she had asked the City Manager to look into business interruption support for businesses, and she had received a call back from John Baker with the Community Foundation who had explained to her the constraints of doing something for private businesses. She understood it did not mean they could not encourage private entities to gather and distribute funds, but it was hard for the City, absent federal government intervention, to distribute funds to private businesses. She also understood Economic Injury Disaster Loans were available, but they were non-forgivable loans of up to \$5,000. For those interested, she found the Small Business Administration (SBA) staff in St. Louis to be responsive and helpful. She noted she appreciated the comments of Ms. Perez in terms of bringing the issue to their attention.

Ms. Fowler understood they would be voting at the next meeting on another agreement with a fiber optic company that had a poor record of responsiveness to the existing City regulations in notifying members of the public. She wondered if they could have a discussion at that same meeting so they could make the requirements of a contractor and subcontractor known publically and so property owners knew what they could do when their cable service was cut or their gas line was struck.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 11:24 p.m.