



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, June 7, 2021  
7:00 PM

Regular

Council Chamber  
Columbia City Hall  
701 E. Broadway

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#### I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at approximately 7:00 p.m. on Monday, June 7, 2021, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Member MATT PITZER, Council Member BETSY PETERS, Mayor BRIAN TREECE, Council Member PAT FOWLER, Council Member ANDREA WANER, Council Member KARL SKALA, and Council Member IAN THOMAS were present. City Manager John Glascock, City Counselor Nancy Thompson, City Clerk Sheela Amin, and various Department Heads and Staff Members were also present.

The minutes of the special meeting of April 19, 2021 were approved unanimously by voice vote on a motion by Treece and a second by Skala.

The minutes of the regular meeting of April 19, 2021 were approved unanimously by voice vote on a motion by Treece and a second by Skala.

Treece explained the minutes were not yet complete for the May 3 and May 17 regular meetings.

Pitzer asked that B170-21 be moved from the consent agenda to old business.

The agenda, including the consent agenda with B170-21 being moved to old business, was approved unanimously by voice vote on a motion by Treece and a second by Skala.

#### II. SPECIAL ITEMS

None.

#### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

#### IV. SCHEDULED PUBLIC COMMENT

SPC27-21 Charles "Chuk" Wilson - PHHS, potbelly pigs within city limits.

Chuk Wilson asked the Council to consider allowing families to keep pets that not everyone saw as normal, but were a part of the family regardless. For the Wilson family, it was a potbelly pig named Chocolate Thunder Wilson. Wilson explained that he had received a list of requirements via email from the Public Health and Human Services Department, and he read those requirements. Wilson stated he felt the weight limit restriction needed to be discussed further. According to Veterinary Care Centers of America and the professionals at the University of Missouri large animal clinic, the average size of a Vietnamese potbelly pig was 70-150 pounds. Wilson believed the other items on the list would ensure the allowance of potbelly pigs within the city limits along with continual care for the animals and continual support by the community.

Treece asked Wilson for the ward in which he resided. Wilson replied he resided in the

Second Ward.

SPC28-21 Lillian Davis - Traffic at Ash and Stadium.

Lillian Davis commented that she had come close to being run over two times within seconds at the Ash Street and Stadium Boulevard intersection as most people did not recognize a person in a wheelchair trying to cross 5-6 lanes. Davis noted people tended to run stop signs and did not care if someone was walking, running, or in a wheelchair. At the bank at the Ash Street and Stadium Boulevard intersection, there was a big traffic control box and a hill in the curve around to the right as one was going across Stadium Boulevard on the north side. Davis stated the south side was okay as people tended to slow down for people and recognized people with disabilities. Davis wondered what could be done to assist as it was very dangerous.

Treece stated he was sorry Davis had experienced that. Treece explained Stadium Boulevard was a state highway, and thought they could convey these concerns to MoDOT.

Davis noted there were only so many seconds to cross the road. Davis commented that 16 seconds were available to cross four lanes on Business Loop 70 in the Parkade area, and that timing was appropriate. The timing at Ash Street and Stadium Boulevard was not appropriate as it took more than 10 seconds to cross. In addition, many people did not bother to stop or look for pedestrian traffic.

Davis commented that speed bumps were needed on Sanford Avenue because people liked to drive like local race car driver Carl Edwards on that street.

Thomas understood the time allowed for the pedestrian crossing was too short. Davis stated that was part of it. Thomas understood there were also cars going across the crossing while pedestrians had the right-of-way, and asked if those were vehicles turning right on red. Davis replied yes, and explained that when the light turned from red to green, drivers did not care about those in the roadway. Thomas asked if there were vehicles turning left as well from the west side on Ash Street north on Stadium Boulevard. Davis replies yes. Davis explained there was a little bit of a break in between, but there was not a break getting to it on the north side of Ash Street. People did not care if that light was green or red when turning right. Thomas commented that there were some straightforward changes that could be made if the people making those decisions were willing to do so for safety.

SPC29-21 Sutu Forte - Deforestation - deadly consequences.

Sutu Forte commented that the Council was educating her on government with regard to how the City of Columbia worked, and she hoped she was educating the Council on the environment and the plight of private property owners. Forte explained that coming to Columbia almost 27 years ago had saved her life. Columbia had healed her and she adored Columbia. When she had come down from the tree, she knew she had to speak. Forte noted she had contacted an associate who had taken a year to compile 75 reports linking COVID-19 to deforestation, and provided it as a handout to the Council. Forte commented that she was very proud of it and hoped the Council benefited from perusing it. The science was there, and they had done this because emotion, intuition, and passion were weak evidence. When the ordinance was passed on February 2, 2018, it had stressed it was necessary for the welfare and improvement of the City and the public interest. Forte felt the irony was that in an effort to make people stronger and healthier, people were becoming weaker and more ill physically and mentally, and referred to global warming. Living in harmony with nature was wise. Conquering, destroying, extracting, and contorting over the last four hundred years in America was backfiring. They had destroyed the balance, harmony, and health, and they were paying for it with human suffering and super-diseases, such as COVID-19 and Lyme disease. Forte believed they had been lucky to have found a temporary solution via the vaccines, but noted viruses wanted to survive and they would return with a vengeance. Forte understood wild animal diseases were amped up because humans had stressed their

host survival, and the viruses were deadlier and more aggressive than ever. Forte stated nature had been their big protection, and eliminating and disturbing wild areas weakened their protections. Forte commented that by poisoning the Earth, they were killing her and themselves. Forte felt they had accepted this as the new normal, and pointed out that warmer temperatures meant hotter tempers. Forte noted that diseases grew bigger and faster in heat and explained they needed places to cool down, rest, and breathe. They needed places that were purified by trees, prairie grasses, and moss to restore their spirits, calm their inflamed emotions, and listen to the nature's musicians. Forte stated the wild was meant to nurture and heal them, and they were meant to guard, cherish, and strengthen it. Forte commented that Rachel Carson had forecasted their physical demise in 1962 in *Silent Spring*. Forte believed everyone needed to re-wild vigorously, and not damage any more stream banks, forests, or riparian corridors. Forte explained the "get'er done" philosophy was destroying them. Forte stated she and her group wanted a meeting with the Council so they could listen to each other. Forte believed they all had new information of the importance on how they moved forward with putting in trails, especially with regard to Alignment 3. Forte felt they needed to respect the science and rethink their priorities. Forte also believed they needed to redefine progress, health, and welfare of the community. Forte asked the Council to take It's Our Wild Nature seriously by not pushing them away or punishing them. Forte begged the Council to rethink Alignment 3 and to schedule a meeting with them, and she noted they would not go away.

SPC30-21 Lawrence R. ("LR") Hults - The next alignment of the Shepard - Rollins Trail.

LR Hults explained he spoke on April 5, 2021 in defense of the riparian corridor, creek, and forest that the proposed Alignment 3 would replace. Hults commented that per the Climate Action and Adaptation Plan (CAAP), they would be four degrees hotter in 30 years, and wondered if four degrees was what they should plan for and if it would stop there. Hults stated he understood it would not stop there. The acknowledged four degree increase was a scientific prediction, but they had failed to consider a couple of things. First, it was a prediction of what would happen if they did nothing but business as usual, and those same scientists believed the outcome could still be changed. Those four degrees of warming took them up to the brink of runaway warming which was when it would become too late to do anything about it. While it was good to acknowledge that the prediction was four degrees in 30 years, Hults felt it should be portrayed as the nightmare scenario they wanted to avoid. Hults understood the City had made a settlement offer to It's Our Wild Nature, which had been a surprise as it seemed as though they had heard what he had asked for in his prior remarks, which was to let the citizens of the community that were excited about saving this forest take care of it. Hults stated that placing a conservation easement on the land and making it financially possible for them to be clear and free owners would be a generous and wise move since they would take care of it for City, but to do so after the forest was gutted was a contradiction of the stated intention. Hults believed the offer was oxymoronic. The stated objective was to impose a conservation easement, and according to the national conservation database, a conservation easement was a voluntary legal agreement that permanently limited uses of the land in order to protect its conservation values. The actions the City planned to take prior to the conservation easement were the opposite of this stated intention. Clearing another five acres for Alignment 3 with a bridge to the top of the bluff was destructive as it would separate the forest from its heart, i.e., the creek, rendering any kind of meaningful conservation doomed. Hults understood the City needed a trail and they all needed to save the forest, and pointed out local citizens were already organized. They all knew this town had many forests with trails through them that had not been built with the interstate highway trail theory and had not been destructive to the forest, and that it was possible to build a trail without mowing down the forest. Hults suggested the City delay Alignment 3 and give It's Our Wild Nature a year to restore the forest and plan the trail. It's Our Wild Nature could plan a route, bridge,

and surface that was consistent with the highest standards of conservation. Hults recommended placing the budget for Alignment 3 in a trust for the trail, and noted he believed a green trail could be built for the same budget if not less. The only added cost would be the time it took to conserve the forest. Hults believed Columbia could be in the forefront of the movement to slow down climate change by not doing business as usual, and it would allow everyone to win. Hults asked the Council to stop the planned construction of Alignment 3 and to work with the citizens to build a trail in that location that was responsible, ecologically sound, and preserved the forest and the good will of the community.

Treece explained the Council could not discuss issues that were a part of pending litigation. Treece also reminded the scheduled public commenters that there could not be more than two speakers on the same issue, and that Maura Roodhouse should refrain from talking about Alignment 3 since it had already been mentioned twice. Hults stated he did not believe that information was on the sign-up sheet.

SPC31-21

Maura Roodhouse - Alignment 3 - more vital information.

Maura Roodhouse commented that over the last few weeks, she had delved into research regarding the complexity of streams and had seen how essential they had been to communities and native inhabitants of close proximity. As Roodhouse had read about these various functions and processes affiliated with streams, she had been particularly fascinated by riparian corridors. Riparian corridors provided an essential and important transition between upland areas and aquatic areas. Roodhouse explained they started the natural filtration process of streams. Riparian corridors functioned as an essential filtration system that converted various nutrients, sediments, and pollutants into clean, habitable water that could be utilized by plants, wildlife, and people alike. Roodhouse stated streams were incredible systems that essentially functioned as massive natural filtration systems when all of their vital processes were left undisturbed. Roodhouse pointed out that streams often attracted the attention of people with their beauty and many uses so it only made sense that they would want to install homes, bridges, or concrete bike trails to enhance the experience. Roodhouse explained the harm those installations caused were irreversible and that they damaged the most fertile layer of the Earth, i.e., topsoil. The installations caused surface runoff which led to soil erosion, water pollution, and flooding. In addition, these artificial foundations strained supplies for drinking and irrigation. As of 2021, concrete already outweighed the combined carbon mass of every bush and shrub on the planet, and its production was the sixth leading contributor to carbon emissions. The manufacturing of cement produced about 14.5 ounces or 0.9 pounds of carbon dioxide for every pound of cement, which was almost pound for pound in terms of carbon emissions and cement. Roodhouse quoted *The Guardian*, "concrete entombs vast tracts of fertile soil; it constipates rivers, chokes habitats, and acts as a hard second skin that desensitizes us from what is happening outside of the urban forest."

Roodhouse commented that she would refrain from showing a video about Alignment 3. Treece thanked Roodhouse, and noted she could provide the video to the City Clerk, who would share it with the Council.

Roodhouse explained streams provided clean drinking water that could be used by humans as well as the native non-human population. Streams also contributed to the irrigation system used in local agriculture. The waterways washed away waste and worked as a natural filtration system, essentially cleaning the water pollutants within the town. Most people loved clean, natural water for recreational purposes, such as swimming, boating, fishing, etc. Roodhouse stated tributaries provided an essential home for important plants and wildlife.

SPC32-21 Jeff Stack - Meeting urgent human needs (especially providing housing for unhoused people) by wisely and compassionately utilizing federal funds.

Jeff Stack stated he was a coordinator of the Mid-Missouri Fellowship of Reconciliation, a social justice group whose local chapter had been founded 60 years ago in 1961. Stack explained he had the opportunity to review the presentation of Treece and the follow up discussion at the May 26 budget work session with regard to proposals on how the City would spend \$25.2 million of federal funding from the American Rescue Act. Stack stated he was thankful for the work of the technical staff to get this information out to the public and to the Council for the work they did for all Columbians. Stack hoped a more inclusive deliberate process with the various stakeholders for some of these different issues would be pursued as had been proposed by Fowler. Stack noted Treece had portrayed his proposal as making catalytic investments to transform Columbia's economy in an effort "to make us even stronger in the future." Stack wondered who was meant by "us" because in his way of thinking, he felt the proposal had been geared toward the interests of major businesses and well-to-do people. Stack believed it seemed to devote too little resources to assist people that were the most negatively impacted by the pandemic, particularly those that were unhoused and impoverished. It seemed contrary to the spirit of the law in that aspect. The presentation had included about \$2 million more for streets and sidewalks, \$2.5 million for stormwater for the Business Loop and beautification in the northern part of the City, \$10 million for community broadband, which was a great concept as Stack wanted everyone to have access to the internet, but it was a large portion of the money, and \$5 million for other different projects, to include possibly funding the Philips indoor enclosed athletic arena, which he did not feel would assist the impoverished in the community much. Stack commented that he heartedly applauded the proposal for the 24-hour rapid access treatment center as it was a wonderful idea. Stack stated he would appreciate it if they followed up on the suggestion of Thomas with regard to having the center be the centerpiece of a wraparound center. It could be a place with an emergency shelter, an overnight shelter, and other services for their unhoused human kin. Stack recalled a proposal of about \$1 million for the shelter, and suggested several million more dollars be made available as it was one of the most pressing issues of their time, especially with COVID, as it showed how desperate people were and the difficulties they faced. The old Ellis Fischel Hospital was a place that could work for providing many of those kinds of services. Stack noted he was reminded constantly when volunteering at the Loaves and Fishes soup kitchen of the human needs that were readily apparent before them. A few dozen unsheltered people typically left the church after the meal was over and had nowhere to go. Stack stated he worried about the vulnerability of so many of them, and believed they, as a community, could and needed to do more. Stack thought they could do better, and felt this funding provided an opportunity. Stack hoped they would invest several million dollars more to help meet the needs of the most vulnerable people among them, and noted he did not feel they needed to help support the well-to-do with this particular funding.

## V. PUBLIC HEARINGS

PH20-21 Proposed replacement and installation of electrical transmission structures along both sides of Route WW, west of El Chaparral Avenue.

PH20-21 was read by the City Clerk.

Utilities Director Dave Sorrell provided a staff report.

Treece opened the public hearing.

There being no comment, Treece closed the public hearing.

Peters stated she believed this was a good project and was happy staff had thought about placing it far enough away to not have a problem with the roadway

**Treece made a motion directing staff to proceed with the final design for the**

**replacement of transmission structures on Route WW. The motion was seconded by Skala and approved unanimously by voice vote.**

PH21-21

Proposed removal of a refuse container and relocation of the refuse compactor at the Wabash Bus Station property located on Orr Street.

PH-21 was read by the City Clerk.

Sorrell provided a staff report.

Treece asked for clarification of the situation based on the diagram depicted. Sorrell replied the current compactor was the red square on the left along Tenth Street, and the current 8-yard refuse container was in front of Orr Street Studios, directly in front of a business. They would consolidate those two locations into a single compactor location at the northeast corner of the Wabash site along Orr Street.

Peters asked for the reason for the changes. Sorrell replied it would consolidate the services. It would be moved to a more central location between the two locations, and all of the users could utilize it without anyone having to go the full distance. Sorrell noted its relocation had also been requested by some of the property owners in the area. In addition, it helped the Transit Division if they moved it to that corner of the lot.

Pitzer asked how it helped the Transit Division. Sorrell replied he was not sure of the specifics, but they had indicated it was more favorable for them. Sorrell explained they had coordinated with the Transit Division with regard to multiple locations, and that was the one that was favored.

Pitzer understood it was being moved a block or half of a block to the north. Sorrell stated that was correct. Pitzer asked if there were users to the north of the site that used the facilities. Sorrell replied he thought so, and explained the compactor plan had shown one on this site, but it had not specified a specific location on the site.

Pitzer understood they would be taking out a couple of parking spaces if they moved it, and asked if they would be adding some back to the old site if it was moved. Sorrell replied he did not believe the plan was to add any at the old site, but would have to check. Sorrell pointed out they would have to pay for the parking spaces that were removed.

Pitzer understood that if it was moved, they would do the brick wall and the landscaping. Sorrell stated that was correct, and explained the landscaping would be proposed along Orr Street. Pitzer understood that if they left it at Tenth Street, they would just do the brick enclosure and no landscaping. Sorrell stated that was correct, and explained it was completely surrounded by concrete now. Pitzer understood it had electric. Sorrell stated it had electric service now. Pitzer asked for the cost of just building the enclosure. Sorrell replied it would be relatively close to the same amount. The electric service would be the biggest difference in the cost. The magnitude would be equivalent.

Skala understood the intention was to build some enclosures whether in the current location or if they were moved, but moving it would be contingent upon another public hearing at which time public input would be taken. Sorrell explained he had anticipated tonight's public hearing would provide the public input on the proposed relocation. Sorrell asked that a motion be made to allow the enclosure to be built around the existing location if the relocation was determined not to be beneficial in an effort to approve the appearance as it was very unattractive.

Fowler recalled a dance school being located on Tenth Street, which had a lot of small children entering and exiting it. Peters understood it was Dance Arts. Fowler assumed they were still in business, and noted she had driven through that area during child release times and it was incredibly stressful as a car driver because there were children in all directions. Fowler felt they would be impacting visibility and adding to the stress in that area by installing a solid concrete wall there. Sorrell stated they had received several comments regarding the visibility reduction along Tenth Street that would be eliminated with relocation.

Peters asked what the North Village Arts people thought. Peters explained she had

received emails from the Orr Street people who were not happy with the idea of moving the compactor. Solid Waste Manager Steve Hunt replied they had received several comments and some were in favor of it while others were not. Hunt believed a salon in the North Village Arts was not in favor of the relocation along with the gentleman that owned the building, but those that had the container in the alley were in favor of the relocation. Each individual business in the building appeared to have its own thoughts.

Treece opened the public hearing.

Barbara Jefferson, 305 N. Fifth Street, asked for the reason for moving it and wondered if it had to do with the potential of children being hurt. Jefferson asked if there was record of any children being hurt. Jefferson commented that homeless people tended to hang out in that area. Jefferson stated she did not understand the true benefit of moving it, especially when they would be spending more money to do so.

Melodi Beach explained she owned Beach Salon in the Balsamo Warehouse, and had been there since 2008 so they had seen a lot of growth in the North Village Arts District. The Balsamo Warehouse housed eight businesses to include a dance studio and school of ballet, which also involved children running around. Beach noted she was the caretaker of the adopt-a-spot, and her first concern when this had first been discussed in 2018 was that they would rip the adopt-a-spot out and place a recycling bin there, but they had made changes to that for which she was thankful. The compactor would be relocated to a spot right outside of their building, and parking in the area was already very limited. Beach stated they were sometimes open until 8-10 p.m. so it was really dark there in the wintertime. Beach explained she had taken over the adopt-a-spot there so there was the ability to see past everything. Beach pointed out they often walked clients out and safety was a big issue. Beach questioned the ability of buses getting in and out with the proposed change because they utilized Orr Street. Beach did not feel it would be beneficial for this to be there as it would be more crowded. Beach commented that all of the businesses in the Balsamo Warehouse were strongly opposed to this relocation, and noted they were all members of the North Village Arts District as well. Beach understood it was a situation of no one wanting it in their space, and did not feel it made sense to spend the money to move it. Beach suggested a wall be constructed at the existing compactor site instead.

Treece noted the Council had received her email, and asked Beach how long she had been at that location. Beach replied 13 years.

Dee Dokken, 804 Again Street, commented that she had just noticed that adopt-a-spot on Friday night and wanted to tell Beach how gorgeous it was.

Kenny Greene explained he was with the Downtown Community Improvement District (CID) and the North Village Arts District and noted they wanted the best possible solution for all involved. Greene pointed out they appreciated the adopt-a-spot Beach maintained as it had really helped the area in terms of aesthetics. Greene explained they did not want to lose any more parking there either, and felt that if the compactor could be moved a bit to the west, it was possible to keep at least 1-2 parking spots without interrupting the egress and ingress of the buses while also allowing people to see and improving the aesthetics at the alleyway on Tenth Street. Greene commented that they also wanted to be able to support more recycling, the breaking down of boxes, and compacting more trash. Greene stated they felt the enclosure should be lit, visible, and not have a gate problem. The gate problem on the Tenth Street side was a real problem as it was not useful and those that were unable to move it back where it belonged oftentimes had to go out into the street. It was an obstacle in a lot of ways and did not serve the area as effectively as he thought it could. Greene commented that they wanted the aesthetics and safety addressed with the relocation. Greene reiterated the adopt-a-spot and parking were very important to them as well. Greene stated they were looking forward to better recycling and the use of the trash compactor.

Peters asked about the problems on Tenth Street. Peters wondered if it was just the gate. Greene replied it was a wooden gate with two metal poles that were supposed to

go into the concrete, but oftentimes, the gate was over the sidewalk and was almost out into the street when people were utilizing the compactor.

Peters understood Greene would be in favor of moving it, but perhaps closer to where the recycling used to be, which was not along the adopt-a-spot, but just west of that. Greene stated that was correct, and noted both the adopt-a-spot and recycling had been there at the same time.

Treece understood Greene had a shop there in the alley. Greene stated his shop was in the alley at Tenth Street. Treece asked if it was where the compactor was now. Greene replied yes. Greene explained it would be better for ingress and egress for it to be toward the bike path and the fire station. Greene thought it would also help the sightline because the wall against the fire station would be an impediment. Greene reiterated it should be lit. Treece asked Greene how long he had been there. Greene replied since 1979. Treece asked if the compactor had been there when Greene had moved there. Greene replied he thought it had been placed there after they had redone the bus station.

Nickie Davis noted she was with the Downtown CID and they were supportive of the relocation. It was something they had been working on for 3-5 years. There had been multiple walk-throughs to determine the best locations for these types of facilities. Davis stated they felt this was the best location for everyone in the area. Davis commented that they had never intended for the adopt-a-spot to go away, and hoped to see that continue to be there as it helped with the beautification of the area. Davis noted they had hoped the compactor could be moved a little west of the blue square so they were able to save a couple of those parking spaces. They had also hoped it would only impact two parking spaces instead of three. Davis stated she had been under the impression that parking spaces would be added where the current compactor was located when it was moved as there was ample space. Davis commented that the current location on Tenth Street was a sight hazard for vehicles exiting the Wabash Station along with those utilizing the North Village/Wabash alley, and pointed out the alley was heavily used by pedestrians now. Davis understood this was a 600 foot difference and hoped it would be more accessible to existing businesses along with new businesses on the other side of the Wabash alley.

Fowler understood that while the City fronted the cost of this, it was paid back, and asked if that was correct. Davis replied yes. Fowler asked for clarification regarding how that worked. Davis replied she understood the Downtown CID paid a percentage along with the individual businesses, and depending on the type of business, a different percentage was paid. Fowler asked if the businesses paid that to the Downtown CID with the Downtown CID remitting to the City or if they remitted directly to the City. Davis replied they remitted directly to the City. Fowler understood it was a collective obligation of the businesses within the Downtown CID. Davis stated that was correct and explained restaurants paid a different amount than retail businesses.

Fowler asked how long it would take for the cost of this change to be recouped. Sorrell replied it was not tracked in that manner. Sorrell explained they were currently doing a cost of service study, and all of the charges would be evaluated to ensure the appropriate rates were being charged.

John Ott, 212 Bingham Road, stated he was a member of the North Village Arts District Board and had been involved in this area for some time. Ott explained Lorah Steiner, the former Director of the Convention and Visitors Bureau, had gotten him interested in the downtown when she had been looking for ways to attract people to town to things other than sports and to celebrate all of the artists for the work they did in the community. Over time, they had made investments in the area to create space for the artists and the businesses that supported the Arts District. They had done murals, adopt-a-spots, and signage that branded the area, and were proud of what had been happening in the area. Ott commented that even Arts Districts produced solid waste and they had to find a place for it. The current location at Tenth Street was a problem. There was the Wabash Station, which had been redeveloped and was beautiful, and the compactor blocked the



view of the Wabash Station depending on the direction of travel. It also blocked the view of the businesses that were directly to the south. The site that had been selected by the Downtown CID or the Solid Waste Division was a more neutral site. Ott understood Beach had mentioned it would be closer to her than it had been in the past, but it was certainly out of the way. Ott stated he loved the adopt-a-spot Beach maintained as well, and it would thankfully remain after more thought had been put into the situation. Ott commented that he supported the project as it had been presented by staff. Ott understood Marie Robertson from Dance Arts was in the support of this along with those at MK Lush, the hair salon in the building to the south. Ott noted many of the stakeholders would love to see this happen, and he thought it would be attractive and a safer solution. Currently, the truck had to back up over the sidewalk. In addition, the doors were left open much of the time. Ott asked the Council for their support for this project.

Treece explained written comments had been received and distributed to the Council. Sandy McCann asked the Council to not waste \$87,000 to relocate the Wabash compactor as it was working where it was and was not an eyesore, and believed the City had bigger problems that needed to be addressed, such as hiring police, fire, and trash personnel. Rachel Penn stated she objected to the proposed relocation of the refuse compactor at the Wabash Station as moving the compactor would take out several needed parking spots while also creating an obstacle to the North Village Artisan Market. Moving the compactor could drive away business from the Balsamo Warehouse due to loss of parking spots and the potential loss of the adopt-a-spot. Treece noted they had received written comment from Melodi Beach, who spoke tonight, as well.

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

Peters thought moving the compactor would place it on top of the adopt-a-spot on the street, but now understood it would not be on the street. Peters asked if it was in the northeast corner of the Wabash Station where there used to be recycling. Sorrell replied it would be in the northeast corner next to the adopt-a-spot in the parking lot of the Wabash Station property. It was not proposed to be on the adopt-a-spot or in the street. Peters asked if they used to have recycling there. Sorrell replied the recycling used to be there or further to the west.

Thomas asked why the recycling had been moved from that location. Sorrell replied he thought it had all been centralized to the Armory. Hunt explained the recycling roll off that had been at this site had been moved to the Armory parking lot. There was an existing container there that had been used heavily, and the one at the Wabash Station had not been used as much. As a result, they had been consolidated to lessen the mess they had at the Armory location. Thomas understood it was less an issue of this being a bad location. It was primarily because they wanted to consolidate at the Armory. Hunt stated that was correct. Hunt commented that he was not sure why this was not used as heavily, but the one at the Armory had been used a lot. They had put them together to maximize the Armory site better.

Thomas understood this project would also move another facility from the alley further to the east of Orr Street. Sorrell stated that was correct. Sorrell explained that was an 8-yard container and sat directly in front of a business. It was used by people further to the east and south. Sorrell noted it was very unattractive and they had received numerous complaints about it. This would consolidate the existing compactor location and that container location to one single location. Thomas understood the new location would not be right in the front yard of any business. Sorrell stated that was correct.

Fowler asked Sorrell if they had considered placing the compactor at the end of that row, i.e., to the west of the proposed the location. Fowler thought that would allow the sightlines that were a concern of Beach to be maintained. Thomas understood Fowler was asking about moving it to the left of the proposed location. Hunt replied they had evaluated moving it to several spots within the parking lot. Moving the compactor to the west end meant they would not be able to access it if there was a bus anywhere near

there. Hunt stated they would not be able to get their truck backed up to the compactor. Peters referred to the facility depicted by the red triangle, and asked if that was just a dumpster. Sorrell replied it was an 8-cubic yard frontload container. Peters asked for clarification. Sorrell replied it was one of the biggest frontload container sizes they provided. Peters understood it was strictly a dumpster. Sorrell stated that was correct. Peters understood people in that apartment building would now have to take their trash across the street to the compactor. Sorrell stated that was correct. Peters noted Sorrell was an optimist. Sorrell commented that he tried to be an optimist.

Peters made a motion directing staff to proceed as proposed by moving the trash compactor from the southwest corner of the Wabash Station to the northeast corner of the Wabash Station, and eliminating the container identified by the red triangle in the diagram. The motion was seconded by Fowler.

Treece asked if there had been a final decision on the adopt-a-spot and wondered if it could stay. Sorrell replied yes.

Treece explained his concern was that one group of business owners, who felt this was an eyesore, wanted to move it in front of another group of business owners. Peters understood, but felt if it was behind the adopt-a-spot, and reasonably screened. Peters also saw that it was a problem at the other corner. Skala understood there would be improvements to the shielding of the proposed compactor in terms of the wall. Waner noted there would be improvements either way. Skala agreed that was true. Peters commented that they would still have problems with emptying it and with sightlines. Peters also felt the Downtown CID was doing a pretty good job of looking at it.

**The motion made by Peters and seconded by Fowler directing staff to proceed as proposed by moving the trash compactor from the southwest corner of the Wabash Station to the northeast corner of the Wabash Station, and eliminating the container identified by the red triangle in the diagram, was approved by voice vote with only Pitzer, Treece, and Waner voting no.**

PH22-21

Voluntary annexation of property located on the west side of Scott Boulevard and west of Copperstone Creek Drive (Case No. 163-2021).

PH22-21 was read by the City Clerk.

Community Development Director Tim Teddy provided a staff report.

Treece opened the public hearing.

Dee Dokken, 804 Again Street, commented that she was philosophically opposed to this annexation because she believed they needed to stop annexing R-1 zoned property into the City solely because there was other R-1 zoned property there. They needed more compact development and density. Dokken felt mixed density was needed. Dokken did not believe it should all be R-1 whereby R-1 begot R-1 and R-2 begot R-2 where it was kept separate with one type being on the north side of town while the other was on the south side of town. Mixed density referred to residential development that contained a mix of housing types, such as single-dwellings and multi-units in a variety of development forms, such as size and height. Dokken stated mixed density was encouraged for new residential development as it provided housing choice, which promoted a more diverse community, catered for various stages of life, maximized infrastructure and land, and supported the provision of public transport. Dokken commented that a range of different housing types made it possible for senior citizens to stay in neighborhoods as they aged, for young people to afford their first homes, and for families at all stages in between to find a safe and attractive home they could afford. Dokken explained this was the opposite problem of what was happening by Gans Creek where they needed a zoning that was less than R-1 as she felt they needed a zoning that was a little more than R-1 here. Dokken suggested something like R-1 on the periphery with more density on the inside. Unfortunately, these were the rules now, and Dokken felt the rules needed to change with the next comprehensive plan or with changes to the Unified Development Code (UDC). Dokken noted the soils in the floodplain had likely developed over

thousands of years, and were like sponges. They were different kinds of soils with different kinds of plants that soaked up water. When just putting in fill two feet above the floodplain in order to build a house, which was the plan, they lost the utility of the floodplain and it was just pushed downstream to land that was likely not the same. Dokken pointed out flooding was becoming more frequent and heavier with climate change, and Federal Emergency Management Agency (FEMA) maps could not keep up. Dokken reiterated that she wished the preliminary platting process could change in the UDC or with the next comprehensive planning process. There being no further comment, Treece closed the public hearing.

## VI. OLD BUSINESS

B161-21

Approving the Final Plat of “La Grange Place Plat 5” located on the southeast corner of the Rollins Street and Richmond Avenue intersection (Case No. 108-2021).

The bill was given third reading by the City Clerk.  
Teddy provided a staff report.

Treece asked if, when the Board of Adjustment (BOA) had considered the request for variances, it had been for the proposed plat the Council was considering tonight. Teddy replied yes, it was in reference to this plat. Treece understood that was the case even though this Council had not approved that plat. Teddy stated that was correct. Teddy explained they had viewed it as concurrent requests, and there had not been clear guidance in the UDC indicating they had to do one before the other. As a result, they had viewed it as a pending plat. Teddy noted the BOA had made an order based on the dimensions seen in this plat.

Treece explained he had been the one that had pulled this off of the consent agenda at the previous meeting because it felt as though a shortcut was being taken. The Planning and Zoning Commission (PZC) had been asked to approve a final plat, and concurrently, the BOA had received the request for variances that had not yet been approved. The plat that had not been approved had been introduced and first read before the BOA had met on May 11. Treece understood the BOA then approved the variances for a plat that had not yet been approved, and felt the plat being placed on the consent agenda compounded the issue because it made it look like a fait accompli instead of a legitimate public hearing. Treece believed it portended a sense of momentum that undermined public confidence in the process. Nowhere was the public allowed to participate in the process. Teddy pointed out the BOA process was a public hearing process. Treece noted that was for the variances. Teddy agreed. Teddy explained the PZC meetings were public meetings and public comment was allowed on plats even though it was not noticed in the same way as a zoning item.

Treece commented that the question before the Council tonight was whether it was appropriate to combine these lots and replat them, and they had a little more elucidation with respect to the variances that had been granted.

Fowler explained she had listened to the BOA hearing on this item and had visited the site. Fowler referred to a diagram and noted the roofline of the existing structure was over the lot line. Teddy stated the red frame did not cover the actual ground because it had been a two-dimensional graphic superimposed on a three-dimensional view. It did not actually cross the lot line. Fowler understood the existing building was within the existing lot. Teddy stated that was correct. The existing building was within the narrower part of the proposed lot.

Fowler understood the applicant had come to the City for a building permit and had gone through a concept review to get it, and the City had denied it, so they had then gone to the BOA, and that without a properly platted parcel, they could not have built that anyway. Fowler understood the staff had made a comment indicating there were not existing procedural standards within the UDC that specified the order of regulatory

approvals for redevelopment, and thus they had proceeded to review and process both requests according to their individual schedules. Fowler felt that went to the point of Treece in terms of whether the public had a way to intervene in any capacity that was meaningful. Fowler understood staff had also indicated that there was a difference between variances that affected the zoning and variances that affected the platting, and that this could go forward as it had since the variances only affected the zoning. Fowler commented that she was struggling with the idea that the variances did not affect the platting, which was what had to come to the Council.

Teddy commented that what he had heard both Treece and Fowler saying was that staff had not allowed for the possibility of the rejection of a single site being created out of what was basically two sites right now, i.e., the consolidation was too much and how they would proceed now that there were variances for a building that straddled the two lots.

Fowler felt there had been pressure on the BOA members to vote in favor of the variances because of the posture of how far it had come. Teddy commented that he felt denial at the BOA level was also a possibility. It was a large building, and any time there was a large building, there was the possibility someone would say it was perhaps too large. It was what the BOA was examining in essence, but they were looking at a lot of different details created by the way the UDC interacted with the oddly shaped new site.

Fowler expressed concern for the way Teddy had been granted discretion to make the determination about where the front door was located. They had taken a building that fronted Rollins Street, which was a prominent street, and had moved it to Richmond Avenue.

Fowler understood the hardship standards were within the purview of the BOA versus the Council in this circumstance. In addition, there was a condition. In order to approve this, the applicant had entered into discussions with third parties with regard to providing the remaining parking because the larger building would reduce the size of their parking area, but due to the nature of those relationships, that had not been secured. A BOA member had then asked if they could make that a condition of the occupancy permit and staff had said it was not a good idea to attach conditions to a variance. Fowler wondered where members of the public could have predictability with regard to these processes.

Teddy understood the term of building permit rejection had been used, and noted he had not rejected a building permit. They had rejected a plan that was representative of their design. It was a preliminary building plan and preliminary site plan. Staff wrote a letter of denial basically saying they would deny them a building permit for all of the reasons, which included parking. With regard to establishing whether or not they had secured an agreement, it was something they would look at in the building plan review and site plan review process. Final drawings would still need to be reviewed, and it was considered commercial construction so it would receive a full plan review by City staff for technical compliance with the International Building Code, and as part of that review, they would ask again whether they had an adequate parking supply and could refer to the variance in which they testified they would have an off-site source. Teddy noted they would want see documentation in that regard. Fowler understood with all things being equal that would happen, but it had not been made a condition, and when a member of the BOA had tried to make it a condition, they had been told it was never a good idea to attach conditions to a variance. Fowler thought there was a lot of trust going on there, but felt it was not something the public could count on.

Fowler appreciated the additional time to review this issue as she had learned a lot listening to the BOA meeting. At the time it had been presented to them initially, they had not had any of that information.

Treece asked if the BOA could still have considered the proposed variances had they received the request after the Council had rejected the replat. Teddy replied he did not think they would have brought it forward. Treece asked how they could bring forward the same request for a plat that had not been approved. Teddy replied it was a plat that

complied. Treece noted they would not be able to build across building lines. Teddy agreed it required approval to execute the design.

Skala commented that he was concerned about the process as well, and felt their hands were tied to some degree because of the binding nature of decisions made by the BOA. Their hands were also tied because it was uncommon to see a final plat refused since it was largely a ministerial act. Skala asked Teddy if he had any suggestions for solutions beyond trying to sort this out via ordinance, which really did not apply. Skala explained he wanted to ensure this did not happen again. Teddy replied he did not have a suggestion. The alternative was for staff to bring the Council the plat first, and the Council might inquire as to more detail with regard to the project. Skala asked if staff needed to have something written for that to occur. Teddy replied that if the Council indicated to staff they felt all platting actions should take place before anything concerning variances for a building, it would be another amendment or a procedural change they would likely want to make so it was clear to everyone.

Caleb Colbert, an attorney with offices at 827 E. Broadway, explained he was representing the Missouri Farmhouse Association to ask for the approval of the final plat. The Missouri Farmhouse Association was the alumni chapter for the local Farmhouse fraternity. Colbert stated the proposed plat dedicated all of the required right-of-way, i.e., the truncated corner, the additional right-of-way along Rollins Street, and all utility easements. In their view, the proposed final plat met all of the UDC resubdivision requirements. They had the support of staff, unanimous support at the PZC, and the support of all of their neighbors, which was a critical component. Colbert understood one of the concerns expressed was the size and scale if they were to combine the lots. If Council approved this plat tonight, their lot would still be smaller than that of the adjacent neighbors. The proposed plat involved 0.44 acres. The neighbor to the north had 0.8 acres, the neighbor to the south had 0.87 acres, the neighbor to the east had 0.69 acres, and the neighbor to the west had almost a full acre. Colbert also understood there had been concerns regarding the process. They had participated in a concept review whereby they had presented the structure they wanted to build, and had been told they would need variances for the structure, which would need to be approved by the BOA, and that they would have to combine the lots since the proposed structure was over the lot line, which would have to be approved by the Council. It had been indicated to them that they could pursue both requests concurrently. Colbert commented that in his experience, it was not an unusual request. In fact, the item they had discussed prior to this one involved an annexation, and the annexation had accompanied a request for a preliminary plat and permanent zoning. Colbert pointed out the annexation was contingent upon zoning. As a result, from his practitioner perspective, they did this all of the time in terms of concurrent applications that were contingent upon the outcome of other cases. Colbert commented that coming out of the concept review had triggered a public notification process. On March 1, they had filed the application for the final plat that was being discussed tonight, and it had triggered the first notice requirement. The City had mailed a notice to the adjacent neighbors and neighborhood associations. All of those folks were aware that this project was coming forward. On March 15, they had filed the application for the variances, which had triggered another public notice requirement. The City had to publish an advertisement in the newspaper, which had been done on March 28. By April 8, three notices had been provided to the public. There had been the first PZC hearing on the plat itself, and there had not been any public testimony in opposition to that plat even though the neighbors had been aware it was happening. On April 13, a BOA hearing had been scheduled, but it had been tabled because a neighbor had requested some design changes, which they had wanted to accommodate. This had triggered a fourth notice to the neighbors and adjacent neighborhood associations. On May 3, they had the first reading of the plat by the Council. On May 11, they had the final hearing with the BOA on the variances, and there had not been any public opposition to the variance requests. In addition, they had the support of the neighbors. On May 17,

they had a fourth hearing, which had been intended to be the final hearing on the approval of the plat. Colbert pointed out the applicant did not have any say as to whether their item appeared on the consent agenda, but it was practice that if the PZC gave unanimous approval and there was no indication it would be a contested hearing, staff would place it on the consent agenda. Colbert commented that he did not feel there was anything nefarious or any intent to avoid a public hearing as they had already had three public hearings by that point and no one had showed up to testify in opposition of the project. Colbert stated nothing about the application process had struck him as unusual, but he understood the concerns. When they looked at the application requirement for a variance, there was nothing in there that said that it could not be contingent upon plat approval. Colbert understood that was something that could be added so they knew the rules going forward. Any applicant just wanted to know the rules they needed to follow. They had been told they could submit both applications to run concurrently, and that had been done in the interest of trying to make an efficient use of their time. Colbert reiterated that there had not been any intent to evade public comment or public feedback. Colbert explained they had tried to account for the platting action by placing all of the variances on the plat. Colbert commented that in their view, both actions were contingent upon the outcome of the other, and everyone's interest had been protected in that scenario. Colbert displayed diagrams of the proposed building.

Treece noted that most of the people that had submitted letters of support had also received similar variances, which he felt went toward his point about an arms race in Greektown as everyone was building bigger and better. It forced them to do the same, but it did not mean it was desirable. In addition, the lot size comparisons were not the same as scale and density. Many of the lots that were larger than this proposed lot had much more greenspace. Treece felt it begot the need for an overlay to provide some of the consistency they wanted in Greektown. Colbert thought the Greek houses would love to have an overlay because it would address a lot of the issues and challenges they encountered. In terms of the greenspace, they were required to preserve 15 percent and were actually preserving 25 percent. They were able to go above and beyond, partly due to some of the parking variances, which allowed them to have more greenspace.

Treece understood they would have 61 beds and nine on-site parking spots, and no other written commitment for additional parking spots. Treece asked how they would guarantee there would be adequate parking. Colbert replied that in order to receive a certificate of occupancy, they had to produce a written contract for those 18 parking spaces. Colbert believed they would be able to secure those spots at the Newman Center.

Jeff Hilbrenner, 1109 Merrill Court, explained he had come to Columbia and joined the Farmhouse fraternity as an undergraduate about 25 years ago. Hilbrenner noted he had been from a rural community, and most of their members had grown up in small rural communities. Hilbrenner stated Farmhouse had a strong history of rural and agricultural members. Like many of the other members, when he had come to Columbia, he had learned to love it and had decided to stay. Hilbrenner explained he was an attorney and planned to be here for the rest of his life. Hilbrenner commented that he and a lot of the alumni board members were present asking them to support their request, and asked those in support to raise their hand. Approximately seven people raised their hands. Hilbrenner noted a lot of other alumni lived in town as well, and gave an example of a volunteer event he had participated in that had involved at least two other alumni families. Hilbrenner pointed out this was a project that had been planned for a long time. They had hired a local architecture firm to guide and lead them through the process, and had hired a local building contractor as well. They were proud to have hired local folks to help them through the process. Prior to even hiring these people, they had reached out to their neighbors indicating their plans. They had communicated the design plans and had answered every question. In addition, they had worked with their next door neighbors to make some changes to the design so they could be good neighbors. Hilbrenner asked

the Council to approve their request tonight.

Skala commented that this was a predicament in terms of the process, and he did not intend to lay that process issue on anyone else or change the rules midstream. Skala believed they needed to address the issue of concurrent processes. They would have to solve this problem by taking a vote now, and they did not have a lot of latitude in terms of rejecting a plat other than public safety or police powers of some sort. Skala stated he was concerned with the incremental gigantism to which Treece had alluded. Skala commented that he would like to see the idea of an overlay as it would allow some predictability. Skala suggested they move ahead by voting on this plat.

Peters stated she felt they had followed the guidance given. Peters understood the concern of Treece and hoped they would not have this situation in the future. Peters believed the steps needed to be taken in proper order.

Treece wondered how many of them would have thought twice about the replat in East Campus if they had gone through all of the trouble of getting it approved by the BOA. Treece did not feel they could allow this Council to be influenced by that. Peters did not think this fraternity's size was any different than others in the area, but agreed it needed to be done in the proper order.

Pitzer commented that they had the authority and power to remedy the process and incrementalism if that was a problem. They could not change the rules in the middle of the process, but once they were done with this one, they could say that was it until they had a solution

**B161-21 was given fourth reading by the City Clerk with the vote recorded as follows: VOTING YES: PITZER, PETERS, TREECE, FOWLER, WANER, SKALA, THOMAS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

B170-21

Authorizing Amendment No. 2 to the agreement for professional services with Siemens Industry, Inc. for the development of an Integrated Resource Plan and Master Plan.

The bill was given second reading by the City Clerk.

Sorrell provided a staff report.

Pitzer commented that he had sent staff a long list of questions and that the response had been sent to the Council so everyone was on the same page coming into the meeting. Pitzer explained his confusion had come from the fact an RFP had been issued, there had been a response from Siemens that had included a scope of work, and there had been a contract that had been approved by the Council, and all three had been different. Sorrell stated that was correct. Pitzer noted that had created some procedural conflicts, and then there had been two specific issues that had led to this request for additional funding.

Pitzer understood there was an issue of load transfer data that had been incorrect or incomplete and a request for additional work on transmission capacity or line design. With regard to the load factor data, Siemens had received the wrong data and had started analyzing it. Pitzer explained the City should have either given them the correct the data or Siemens should have recognized they had the wrong data, and he was not sure of the situation. After Siemens had done the work, they had realized it was wrong. The City had then provided them additional data and Siemens had done extra work with the right data to provide the information requested. Afterward, Siemens had indicated they had done all of this extra work and was owed \$26,000. Sorrell stated that was correct. Sorrell explained they should have approached staff before they did the work if additional compensation was going to be requested. Pitzer understood the contract, which was the governing document, had indicated Siemens should not do anything additional without written direction from the City. It had also indicated that if they anticipated going over the amount, they needed to make that request to the City. Sorrell stated that was standard for all of their services contracts. Any time there was a change in the scope or something that would require additional payment, they needed to ask before the work

was done, and that had not happened. Sorrell explained that Siemens had acted as though it was not a big deal when it had happened and they had received the corrected data, but after they finished the work, they had sent a letter saying it was a big deal, and that although they had worked a certain number of hours, they would only request reimbursement on some of those hours. Pitzer asked if anyone had given them an indication that it was okay to go ahead with the extra work and they would be compensated for it. Sorrell replied they had acted like they could get it done and it would not be an issue. They had never been provided written permission by the City to perform the work.

Pitzer noted the other issue was with regard to additional work on the transmission line design, and understood that work had not yet been done. The Integrated Electric Resource and Master Plan Task Force (IERMPTF) had asked for a study of additional options. Pitzer asked if Siemens had fulfilled what they had said they would do in terms of studying the transmission line for the \$37,893. Sorrell replied he believed Siemens had fulfilled the scope that had been there with the studies they had done. The studies they had done with the distribution system had said there was not a new substation needed, and that everything could be served with the expansion of existing substations. Thus, no transmission lines were needed. The remaining analysis that had been done was with regard to regulatory requirements, i.e., the N minus 1 and N minus 2 conditions. Siemens had found the City could meet regulations in the forecasted time frame if they were to shed load, which was an acceptable means of meeting the regulations. Therefore, no transmission line work had been required. Sorrell noted Jay Hasheider, the Chair of the IERMPTF, could speak on the extra work that was being requested and why. Sorrell explained they had identified some other alternatives. Sorrell stated the system had some weaknesses, but there were other things pending. Sorrell noted the University of Missouri had 40 megawatt capacity now, but it could be shut off in a minute, and pointed out they were looking at the potential for firm capacity in the future. Pitzer commented that the scope of work had included studying the impact of the University of Missouri requesting additional power, but it had not been in the contract, and asked if that was then a requirement to fulfill the task. Sorrell explained Siemens had reviewed the impact to the system, and they could do 40 megawatts, but they could not do it if it was a firm 40 megawatts. Sorrell stated that had not been requested to date, and the work the IERMPTF had requested had not been completed. Sorrell commented that he thought it would make for a final better product by the IERMPTF to have that information. Pitzer understood that if they chose not to move ahead with it, the work simply would not happen. Sorrell stated that was correct, and explained the IERMPTF would be finished a little sooner as well.

Pitzer commented that included in the scope of work to which Siemens had responded had been itemized amounts for different tasks, and the contract had been for a lump sum amount, and asked if that was correct. Sorrell replied the original contract had included tasks, and each task had involved a fixed dollar amount. Pitzer understood the contract had not spelled out travel expenses. Sorrell stated that travel expenses had been mentioned in the contract, but they had actually been included in the fixed dollar amount for each task. Pitzer noted the scope had a line item for \$27,300 or so for travel, meals, and lodging, and had indicated Siemens would bill the City separately for those expenses. Sorrell commented that further in there, it had indicated that was included in the fixed cost for pricing. Pitzer understood that meant they did not know the level of expenses occurred for travel. Sorrell stated that was correct. Pitzer asked how many times they had been to Columbia. Sorrell replied he did not know, and pointed out they had not been to Columbia physically since he had been in this position, i.e. the Director of Utilities, which was the day COVID had come into their lives. Sorrell noted they had attended all of the meetings virtually.

Peters asked for timing if they approved this extension of the contract. Sorrell replied he thought there was a firm completion date of August 31.



Treece commented that he had the same process concerns Pitzer had done a great job of researching and articulating. As they had heard at the work session, this process had been exhaustive and needed to be wrapped up. Treece stated he was torn between not rewarding bad behavior with wanting to have a good product after the \$857,000 that had been invested.

Pitzer commented that he was not inclined to reward Siemens for the extra work they had done without anyone's consent or approval. The amount they were trying to bill the City for was not even the actual expense. Treece agreed it was not reflective of the hours they had spent. Pitzer understood they had indicated they would cut the City a deal, and had provided a random amount. Pitzer reiterated he was not supportive of that, and asked if it was possible to amend the ordinance to remove that part while leaving the question on the table as to whether they went forward with the transmission component. Sorrell replied it could be done, but he was not sure of the proper way of doing so. Thompson suggested tabling it so they could have Siemens redraft the scope of services. Thompson explained the scope of services included both pieces, and it was attached. Thompson thought it would be better to get a new scope of services that only addressed the one item.

Peters asked if it would be better to have a separate contract versus continuing to add amendments to this contract. Thompson replied yes.

Pitzer stated the question before them was approving this amendment to the contract, and the amendment was increasing the total project budget by the two amounts identified in paragraph 3. Thompson agreed, but pointed out it also changed the scope of services which was attached.

Treece asked if the consultant was already working on the additional work. Sorrell replied staff had told them that they were not allowed to begin the additional work until it was approved by the Council. Treece understood that would create a repeat of the problem associated with the first concern.

Thompson explained they would need a revised attachment to the contract associated with the \$26,250. It needed to be deleted from the scope of work and the contract.

Pitzer made a motion to table B170-21 to the June 21, 2021 Council Meeting. The motion was seconded by Treece.

Treece asked if everyone was comfortable deleting the first part of the contract amendment for work they had already performed without direction and taking up the other issue at the next council meeting. Skala stated he planned to defer to Pitzer as he had researched the issue, and noted he believed it was good advice from the City Counselor with regard to the scope of work.

Treece asked if there had been any discussion at the IERMPTF to bring this back as two separate items so the Council could have voted on them separately. Sorrell replied he did not recall. Hasheider stated he could not say with any certainty as their focus had been the transmission study. Hasheider thought they had joined the two when voting on an endorsement package for a total of about \$53,000. Hasheider commented that he was a bit concerned about the potential delay for the overall process with the tabling action since it would require two meetings. Treece noted they could do it in one meeting in two weeks. Pitzer agreed.

Pitzer asked Hasheider if he felt the IERMPTF had received \$37,893 worth of the transmission task that had been in the original agreement. Hasheider replied their scope was to aid and help the staff administer this contract, and as a group, they were not contract attorneys. Hasheider commented that there had been a couple of votes on this, and there had been disagreement about whether they should be doing this due to that being in the original scope of services. Hasheider thought they had advocated for the extra expenditure because there were some new elements to the transmission design, to include incorporating solar and battery storage, which had come up after Siemens had done their work. In the interest of getting the most comprehensive and best study possible, the IERMPTF felt it was worth paying the extra money to get the work done.

The motion made by Pitzer and seconded by Treece to table B170-21 to the June 21, 2021 Council Meeting was approved unanimously by voice vote.

Treece noted John Conway had submitted written comment on Sunday, which the Council had received.

## VII. CONSENT AGENDA

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

- B165-21 Voluntary annexation of City-owned property located on the east side of Oakland Gravel Road, generally northeast of the Brown School Road and Highway 63 interchange (5212 N. Oakland Gravel Road) (northeast regional park property); establishing permanent District O (Open Space) zoning (Case No. 114-2021).
- B166-21 Authorizing an intergovernmental cooperation agreement with The Curators of the University of Missouri for integrated shuttle bus service on campus.
- B167-21 Authorizing a tourism development sponsorship agreement with The Curators of the University of Missouri for the 2021 Missouri State Senior Games and Show-Me STATE GAMES.
- B168-21 Authorizing an agreement with Columbia School District No. 93 for the Hickman High School swimming pool heater replacement project; amending the FY 2021 Annual Budget by appropriating funds.
- B169-21 Authorizing a second amendment to the PCS tower agreement with SBA 2012 TC ASSETS, LLC relating to the lease of City-owned property located at 1808 Parkside Drive.
- B171-21 Amending the FY 2021 Annual Budget by appropriating funds related to a CARES Act airport grant from the U.S. Department of Transportation - Federal Aviation Administration for construction of a new terminal building at the Columbia Regional Airport.
- R83-21 Setting a public hearing: proposed installation of traffic calming devices on Maplewood Drive between West Broadway and Stanford Drive.
- R84-21 Appointing an at-large member to the Columbia Parks and Recreation Fund Advisory Committee.
- R85-21 Authorizing the temporary closure of vehicular lanes, parking lanes and sidewalks on Hitt Street, between University Avenue and Rollins Street, to facilitate the replacement of steam, condensate, chilled water and domestic water utilities on the University of Missouri campus.
- R86-21 Authorizing an agreement with Americans for the Arts for the Office of Cultural Affairs' participation in an arts and economic prosperity study.
- R87-21 Authorizing an agreement for special services with Create & Learn Inc. for online technology training programs for children in grades K-12.
- R88-21 Authorizing a fireworks display agreement with J & M Displays, Inc. for the 2021 Fourth of July Celebration Event.

R89-21 Providing for administrative authority to adopt and execute any banking authorization forms required by any banking institution to verify the authorized signatories on accounts held by the City at such institution.

R90-21 Authorizing a services agreement with Rectrac, LLC, d/b/a Vermont Systems, for business operations management software for Parks and Recreation Department programs.

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

## VIII. NEW BUSINESS

R91-21 Establishing a ward reapportionment committee.

The resolution was read by the City Clerk.

Treece explained the Charter allowed the City to rebalance wards based on census data, and there had been a couple of discussions about this. Treece pointed out they might not receive last year's census data until September 30 due to the pandemic, and noted there were a couple of different paths they could take. This one would be to appoint a ward reapportionment committee consistent with the way previous councils had done it the last three times. Treece stated his thought would be to have this committee do its work during the summer, similar to how the Missouri House was doing its work. This meant they would gather public input and establish a values statement as to how they wanted the wards to look in terms of common interests along with being compact and contiguous. They could determine if there were attributes other than the equal distribution of population. Treece thought there might be ways to determine the areas of the City that had been growing even prior to receiving the census data. Beyond that, when they received the census data at the end of September, the committee could then craft the maps that reflected the values adopted. The challenge was with regard to any wrinkle in that data because filing opened the last Tuesday of October and closed the second Tuesday of January. As a result, they might have candidates gathering signatures and filing under the old lines, which could change. Treece commented that there were cons associated with not redistricting now. Treece understood the Boone County Clerk liked the precincts to be wholly contained within a ward. If the wards changed later, the Boone County Clerk might have precincts in more than one ward, which was problematic in establishing polling locations, interpreting results, having multiple ballots with the same precinct. Treece believed there was a sense of urgency to primarily get the process started so they were ready when the census data arrived, and he did not believe it was too early to begin the process.

Peters asked if they needed to make a decision before establishing this group. If they would not receive the census data until the end of September, she did not believe they would be able to realign the wards until after the April election in April 2022. Peters thought the County Clerk could use the same precincts she had been using until then.

Treece stated he was not sure of the deadline for the County Clerk to draw those precinct maps. Treece thought it might be possible to draw the maps, but did not feel they had to hold the April 2022 election based on those maps. Treece commented that they might adopt the maps in December or January knowing that filing was going to close and they would hold people harmless if they wanted to delay the redistricting of the Third and Fourth Wards until after the April 2022 election. Peters understood that would keep the precincts the same. Treece pointed out that they might be presupposing problems that did not exist. Treece explained he wanted to anticipate some of the challenges the group would have, and noted they did not have to solve those challenges tonight as he was not sure that was their job. Treece felt they could just not wait until they received the census

data.

Peters commented that she thought the wards looked fairly contiguous at this time and did not see many issues, except that they might need to move a few lines. Treece stated Columbia was a very unique and diverse city with lots of different eclectic communities and neighborhoods, and how they grouped them so that they were adequately represented was one of the most important things the group would do. It would guide the decisions over the next ten years.

Thomas stated he believed it would be very problematic for the new boundaries to go into effect between October and April for the reasons previously mentioned, i.e., who signed the petition and who ran. Thomas suggested they make a commitment to not make the boundaries go into effect until April 2022 regardless of the timeline and process for the committee. Thomas understood it was not completely free of problems since it could move an elected member out of their district, but thought they could also make the provision that the person elected as of April would continue to serve that ward for the rest of the term even if they found themselves living outside of the ward. Thomas felt that was less problematic than it happening in the middle of the election cycle.

Peters asked if that could be done. Thompson replied no. Thompson explained they could not allow someone not living in a ward to represent that ward. Peters understood they would then have to have a special election. Thompson pointed out they could not really disenfranchise a sitting council member either. Thompson stated they would have some restrictions in that they could not remove a sitting council member. Thomas understood the reapportionment would not be allowed to move a sitting council member.

Skala commented that he tended to concur with Treece in that there was some sense of urgency in terms of establishing a committee. The committee would likely work on organizational issues during the first month and hold a couple of other meetings before the census data would be received, if it was received by September 30. They would then have until October 26 to deal with it. Skala reiterated he thought there was a bit of a sense of urgency to get the committee going because there was a lot to review. Skala pointed out there had been quite a fight with regard to gerrymandering due to redistricting ten years ago. There had been an attempt to combine Benton Stephens and East Campus with the center of the City, i.e., Ward 1. Skala believed there were issues beyond the census data, such as the heterogeneity or homogeneity and the balance of equity within the wards, and reiterated that was why he thought it was worth putting the committee together. Skala commented that even with the sense of urgency to get the group going, there should not be a sense of urgency to redistrict if they did not receive the data in time. Skala understood they might have to delay a vote or implementation. Skala felt they were anticipating problems that might or might not happen. Skala reiterated he thought it was worth the group being established so they were up to speed for the eventuality of making a decision.

Fowler stated she had been surprised when receiving the agenda on Thursday that this was on for a vote. Fowler understood they would bring a resolution forward for further discussion, but not a vote. Fowler noted she remained opposed to starting this process prior to receiving the census data. Fowler explained they reapportioned or aligned ward lines based upon population, and that data came from the census. It was a process that all government entities would undergo when they received the census data. Given the other planning processes that would happen this summer capturing the attention of their citizens, and the fact that this was based on the data of where the population shifted, Fowler saw no urgency in starting now. Fowler instead saw an opportunity for confusion by the public and concerns as to whether they were further marginalizing communities that did not have representation on this Council. Fowler hoped they postponed this until the data was available. Fowler pointed out she was agreeable to spending time to educate the public with regard to the reason for reapportioning. Fowler noted she had not had the opportunity to speak to the Boone County Clerk personally, but someone that had contacted her had indicated she had not expressed a sense of urgency in that they

needed to get underway as much as the need to move forward when they received the data. Fowler understood the Charter did not require this and that the staff memo almost suggested a legal impossibility if they wanted a decision made before the opening of the filing period because the ordinance would have to be on for first reading on October 4 and it would take more than four days for staff to prepare an ordinance, etc. Fowler reiterated she was opposed to moving forward at this time, and was concerned about not realizing this would be up for a vote tonight.

Thomas stated he was opposed to a process that envisioned receiving the data on September 30 and putting an ordinance for the new boundaries on the agenda four days later. Treece noted he would prefer to leave that up to the committee. Skala understood that issue was not before them. They were only discussing the organization of the committee.

Thomas stated he wanted a protection so the ordinance for the new boundaries would not go forward until after this election cycle, which was from October to April. Skala understood they had that protection because they would be the ones that would decide whether the boundaries would change. The committee would provide recommendations only, as they did not have a board or committee that made final decisions on these types of issues.

Treece wondered why they would want to wait until September 30 to get started if this was a six month long process. Thomas stated he was willing to support starting the committee process, but thought they should also discuss when the boundaries would go into effect and the consequences of that. Thomas asked Thompson what would happen if the reapportionment committee had come up with a set of boundaries that moved a sitting council member out of the ward that member represented. Thompson replied she had not researched all of the probabilities and possibilities. Once the process was underway, they would dedicate staff time toward it. Thomas understood that had not happened in the past. Thompson stated she understood the ward boundaries had been shifted to ensure a sitting council member was not redistricted out of the ward.

Fowler understood the prior committee had made the decision to create lines that would not push someone out of their ward, and they had been given six months to work with the data. It had not been six months to make a decision. Fowler explained the concern she had was with making decisions without the data, and then receiving the data that did not bear out the decisions that had already been made. Since there was no urgency, Fowler felt they should wait until the data arrived to start the process.

Treece thought it would be better to have an independent lens and adopt the values that reflected the community versus backing into the data given to them. Fowler stated she thought Treece had described the process he was trying to pass tonight, i.e., backing into the data. Treece stated that was not correct, and explained he wanted to adopt the characteristics of the wards. Treece questioned waiting until September 30 if it would take six months. Fowler asked what was wrong with taking six months for something that affected ten years of life within the City, and assured people, they had a process that had integrity because they waited for the data.

Skala stated he rejected the idea that the only task the committee had was to go over the numbers when they were available. It was a primary duty, but one of the reasons it had taken the prior committee six months was due to there being a discussion as to whether they needed to increase the number of wards, whether the configuration of the wards should change, i.e., a pie shape, etc. in addition to reviewing the population data. Skala understood it could take six months regardless of those issues, and if it did, they needed to be deliberate in deciding what they did when they reached the point of receiving the numbers. Skala reiterated he believed it was important to get started.

Peggy Placier, 209 S. Greenwood Avenue, believed the wisest thing, if a committee was appointed, would be for the committee to develop a plan for a process that avoided all implication of gerrymandering versus a plan for reapportionment. Placier understood Treece had mentioned the committee establishing the values and stated she did not

believe the committee would establish the values of the entire community. Placier felt the community would tell the committee what their values were, the kinds of wards in which they wanted to reside, and how they might want to be represented as voters. Placier commented that it was important to her to not aggregate the impacts for the voters, neighborhoods, candidates, or council members along with the inclusion of other data that might characterize any resulting wards. Placier felt the process needed to be transparent, participative, and decentralized, and suggested they not create a czar-like committee that would decide all of these things for the rest of them. Placier asked that the time be taken to involve them all.

Treece asked Placier if she would rather the Council create the wards or a ward reapportionment committee make recommendations. Placier replied she wanted them to take the time necessary for the process. Placier also suggested balance and more than one plan as an option.

Susan Maze stated she lived in the First Ward and was concerned they would start the process without the data. Maze had reviewed what had happened in 2011, and a lot had been happening then. One of the things Maze had noticed was the number of ways the First Ward had been handled. It was divided up and moved around. The First Ward had been referred to as apathetic, poor, and brown. As a member of the First Ward, Maze understood they all had preconceived notions of each ward, and noted that starting with data helped to minimize their preconceived notions. The estimate was that 4,000-7,000 people lived downtown now, and it had been in the hundreds during the last census. This meant the First Ward would change significantly, and someone would likely get some of those people. Maze commented that she was tired of hearing about how the First Ward did not vote as it was the student precincts that did not vote. Maze reiterated she thought they should start with the data so their preconceived notions did not determine their narratives.

Traci Wilson-Kleekamp, 2905 Greenbriar Drive, listed the key equity considerations that were in the CAAP and stated she believed those should be the core values of every process they had. It was not appropriate to say how they wanted to spend the American Rescue funds without first coming to the people and asking what was needed. Wilson-Kleekamp understood the 2011 reapportionment committee had been encouraged to consider voter turnout, poverty levels, housing conditions, the ratio of owner-occupied homes and rentals, and diversity as factors in the reapportionment process, but in most instances the factors were undefined or not quantifiable in any dataset available for objective consideration within the process for reapportionment. Wilson-Kleekamp felt the City had to have a meaningful framework for beginning the process. Wilson-Kleekamp wondered why there had not been a link in the document to the archive and the 2011 report as she believed the City had the responsibility to educate the community about the process. Wilson-Kleekamp did not feel it was okay to vote on it tonight when there had essentially only been two days of notice, not counting the weekend, and they had not spent any time developing a process. Wilson-Kleekamp stated she believed the lynchpin was the 2020 census data, and felt transparency and process was needed as well. Wilson-Kleekamp felt the process should keep people informed as to what was happening, involve outreach, and involve the gathering of public input. Wilson-Kleekamp hoped that whoever was appointed had an equity mindset and noted the people that had been appointed to the committee in 2011 had not had that mindset, which was why they had not voted for it. Wilson-Kleekamp reiterated the census data was the lynchpin for what was being discussed with reapportionment, and the equity considerations should be the lynchpin for everything discussed to include reapportionment. Wilson-Kleekamp did not feel they should do the process first and try to then mesh the data with the process. Wilson-Kleekamp thought it seemed as though something sneaky was happening with them being in such a rush and only providing the public a couple of days of notice. Wilson-Kleekamp felt the Council could do better.

Jay Hasheider, 1812 Cliff Drive, explained he had been involved in the reapportionment

debate that had occurred ten years ago. It was a very sensitive subject any time they discussed the right of someone to vote, and the ward was the right to vote for a particular council member. Hasheider understood the predicament of the Council with not having the census data available to do the normal process. Hasheider believed the Council wanted to be as fair as possible, which he appreciated, and felt the fairest thing was to do nothing. Hasheider understood it was not something that was required to be done, and given the set of circumstances, that was the best option. Hasheider felt that even if they had a committee ready to go on September 30, the idea something would happen before the April election would likely influence the decision of people as to whether to run as it would send restrictive messages to people. Hasheider reiterated they did not have to do anything, and pointed out the pandemic and political actions had created a census that had been delayed. They did not know if they would get the data by September 30 for sure or if there would be criticism with regard to the validity of the data given all of the factors that had gone into the census. There was a lot uncertainty and trying to predict it was something that would make things difficult for the Council. Hasheider suggested they leave it as it was until there was some certainty. Hasheider understood the resolution indicated the committee would not provide a report until the census data was available, and if they moved forward with the committee, he thought that should change as it was somewhat restrictive. Hasheider felt the committee should have an option as they might say it was better to do nothing.

Roy Lovelady, 3600 Woodside Drive, commented that he had attended many council meetings this past year, and everything they did was based upon data. This process would begin without the data with a decision after the data was received. Lovelady felt this would not send a good message to someone that might be running for the first time. Lovelady understood the Third Ward had grown a lot, and wondered if they would move some Third Ward residents to the Second Ward, which could move someone planning to run out of the race. It was a discouragement even before the person decided to make it official. Lovelady stated moving forward with committee felt similar to how they had been describing the process involving the fraternity, i.e. backwards. As a person that was new to this experience, it was sending him the wrong message when he was trying to become active in government.

Barbara Jefferson, 305 N. Fifth Street, stated she had been attending or listening to council meetings for the past five years, and had constantly heard the Council discuss the need for data in decision-making. Jefferson wondered why there was a rush and why they could not wait for the data. Jefferson did not feel the committee should be established at this point since there was not a rush.

Treece asked when the Council wanted to establish a ward reapportionment committee if they did not receive the data until September 30. Treece wondered if they needed to wait until October.

Pitzer suggested April as there was no rush, deadline, or time constraint. Pitzer agreed it was not ideal as they would have eleven years under the last reapportionment and only nine years under the next one, but that last year was not ideal.

Skala stated he had heard things tonight that were simply not correct. This committee, assuming it was established, would need time to become educated along with the public with regard to the process. In addition, it would not have any authority to make decisions and would only have the authority to learn what was happening in the redistricting process, and it would have to wait until some of the necessary additional data was available to make a recommendation to the Council. Skala pointed out the Council could decide there was not enough information or it was not reliable enough, and the committee would then presumably continue. Skala explained it might not happen until after the next election. Skala reiterated there was a lot to learn in the redistricting process, and it was only three months prior to knowing whether there would be additional information. Skala did not see any harm in proceeding, and felt there was a lot to gain with the committee starting its work.

Peters wondered how long it would take to get a committee together and noted she thought it would likely be a month as they would need to find someone within their ward that had the knowledge needed and was willing to participate. Peters asked if everyone knew who they would likely appoint. If they waited to establish a committee in October or April, it would likely take a month longer before everyone was appointed.

Thomas stated he would vote against this resolution. Thomas felt there was enough distrust of government in this country, and the testimony heard tonight showed people were suspicious as to this. Thomas noted he had received a lot of emails and had participated in many conversations about this over the last week or so, and did not see the rush for this. Thomas commented that he likely did not want to delay until April to appoint the committee. Thomas noted his preference was to ring-fence the period from October to April so the next election was guaranteed to utilize the same rules as they currently had. Thomas thought it was a much better time to change the boundaries shortly after a set of elections and as long as possible before the next set of elections. Thomas reiterated he believed people were suspicious at this time, and did not feel it would do them any good to rush ahead. Thomas suggested they take the time to think about when they wanted the boundaries to take effect as he felt that was important.

Treece asked if the Council should make that decision or if they should allow this committee to do that work. Thomas replied he did not have any objection to a committee, but did not want to do anything tonight.

Waner commented that she was of two minds. The first being to get a head start to ensure they were picking the right people to serve on the committee as they wanted people that were equity-minded. Getting a head start would allow them to catch up to speed and learn what had happened the last time since that had been a hot topic and had frustrated people. Waner thought they needed to understand why there were frustrations previously. Waner noted it would allow them to treat this as a long engagement process and have the ability to devise the framework and goals by which it would operate and make decisions in an effort to rebuild public trust. The committee could look at what public comment and public engagement might look like since that had not worked previously. Waner believed all of those things could be accomplished by establishing a committee. Waner commented that she was also of the mind that everything they did was rooted in data. It was what they had said throughout COVID, i.e., they were making decisions rooted in data. Waner wondered why this would be any different. Waner stated she was not yet ready to make a decision.

Treece noted the public needed to have confidence in this process, and explained he was not inclined to move forward with this by a vote of 4-3. Treece suggested they table this. Treece pointed out this was the third meeting at which it had been discussed.

Fowler stated she planned to object to the tabling motion and would make a motion to deny the establishment of the committee.

Treece made a motion to table R91-21 to the July 19, 2021 Council Meeting. The motion was seconded by Skala.

Treece explained this would give them six weeks to regroup, listen to the community, think about how they might want this to look, and learn more from the Boone County Clerk. Treece stated this was not a desire to rush. It was a desire to get started.

The motion made by Treece and seconded by Skala to table R91-21 to the July 19, 2021 Council Meeting was defeated by vote voice with only Peters, Treece, and Skala voting yes.

Thomas commented that he would like to go back to the idea of when the ward boundaries should take effect. Pitzer stated he thought it was entirely within the purview of Council to decide when the new boundaries took effect. Thomas agreed.

Thomas suggested they determine when they want the boundaries to take effect and design a process by which they had as little role in as they chose but had a timeline.

Pitzer suggested April of 2023. Thomas asked Pitzer if he meant April of 2022. Pitzer replied the next election was in 2022. Thomas thought they should do it after that



election. Pitzer clarified it should be the first local election with the new wards. Thomas stated he assumed the wards would take effect on a particular date, and it was best if that did not happen in the middle of an election cycle. Pitzer asked for clarification from Thompson. Thompson replied the filing opened the last Tuesday in October. If they were interested in the April 2023 election, the work would need to be completed prior to October. Amin commented that enough time for an ordinance to pass should be incorporated as well. Thompson stated she would recommend mid-August at the latest to try to get the work completed in order for it to go into effect for the April 2023 election cycle.

Thomas understood May or June would be fine as well. Thompson stated they could get it done earlier than mid-August. They would not want to get it done much later. Thomas commented that they would run into this same situation where there was distrust in the process the later they left it. Pitzer agreed.

Thomas believed it would be perfect if it was as early as possible before filing opened without being before the previous election, which was about April or May.

Peters suggested they bring this back in September or October of 2021 to get a committee formed to look at the data. Thomas understood that would provide 7-8 months and noted he would be agreeable to that.

Fowler stated she appreciated the thoughtful conversation, but believed they needed to wait until the data was received as there was a possibility the data would be available later than September 30. Fowler explained she wanted to deny this resolution and revisit the issue after the data was received.

Pitzer thought it might be beneficial to have as little of the discussion about ward boundaries occurring during an election cycle. Thomas did not believe it should be an issue if it did not take effect until after the election. Pitzer agreed it should not, but felt separating the processes would be more transparent. Thomas understood that would mean it would have to be done between April and October. Pitzer stated that was correct. Pitzer explained he did not want to have another heated meeting like this two weeks before an election. Thomas noted they had uncertainty even if they changed the ward boundaries outside of the election cycle as to what impact it might have on a sitting council member, but was in agreement with the suggestion of Pitzer.

Waner asked if it would be possible to invite the Boone County Clerk to speak at a meeting to discuss her priorities and how they could best work with her in this process.

**R91-21 was read by the City Clerk, and the vote was recorded as follows: VOTING YES: TREECE, SKALA. VOTING NO: PITZER, PETERS, FOWLER, WANER, THOMAS. Resolution declared defeated.**

## IX. INTRODUCTION AND FIRST READING

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

- B172-21 Voluntary annexation of property located on the west side of Scott Boulevard and west of Copperstone Creek Drive; establishing permanent District R-1 (One-family Dwelling) zoning (Case No. 132-2021).
- B173-21 Granting the issuance of a conditional use permit to AMERCO Real Estate Company (d/b/a U-Haul) to allow for the construction of a self-service storage facility exceeding fourteen (14) feet in height on property located at 900 I-70 Drive Southwest (Case No. 127-2021).
- B174-21 Rezoning property located on the south side of Bull Run Drive and east of Port Way (5710 Bull Run Drive) from District M-C (Mixed Use - Corridor) and District PD (Planned Development) to District M-BP (Business/Industrial Park) (Case No. 123-2021).

- B175-21 Vacating a portion of the Burnside Drive street right-of-way and associated utility easements within Eastport Centre Plat 2-A; accepting a conveyance for utility purposes located adjacent to Bull Run Drive (Case No. 133-2021).
- B176-21 Approving the Final Plat of "Discovery Park Subdivision Plat 6" located southwest of the Nocona Parkway and Endeavor Avenue intersection; authorizing a performance contract (Case No. 66-2021).
- B177-21 Approving the Final Plat of "Discovery Park Subdivision Plat 7" located at the terminus of Endeavor Avenue and west of Nocona Parkway; authorizing a performance contract (Case No. 83-2021).
- B178-21 Approving the Final Plat of "Cambridge Place Plat 4" located at the southeast terminus of Scarborough Drive; authorizing a performance contract (Case No. 124-2021).
- B179-21 Approving the Final Plat of "Eastland Hills Plat XIII" located on the southeast corner of the I-70 Drive Southeast and Upland Creek Road intersection; authorizing a performance contract (Case No 134-21).
- B180-21 Authorizing a second amendment to the redevelopment agreement with Broadway Lodging Two, LLC and Columbia TIF Corporation Two in connection with the Broadway Hotel Phase Two TIF Redevelopment Plan and Project on property located at 1104 E. Walnut Street.
- B181-21 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 certain City rights-of-way located generally at or near Old 63 Hwy and near the intersection of Walnut and Garth Streets.
- B182-21 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 Smith Drive and Dayspring Drive rights-of-way.
- B183-21 Authorizing an agreement for professional engineering services with Allstate Consultants, LLC to provide earthwork, concrete testing and reinforcing inspection services during construction of the Discovery Parkway extension project.
- B184-21 Accepting conveyances for sidewalk and street purposes.
- B185-21 Authorizing replacement of the water distribution infrastructure along Ridgemont Road and Highridge Circle; calling for bids through the Purchasing Division.
- B186-21 Authorizing replacement of water distribution infrastructure along Old Highway 63, Gordon Street and Charles Street; calling for bids through the Purchasing Division.
- B187-21 Authorizing replacement of water distribution infrastructure near the intersection of Brown Station Road and Peabody Road; calling for bids through the Purchasing Division.

**X. REPORTS**

REP40-21 Commission on Human Rights: Follow up on recommendations related to utility disconnections and assistance programs.

Treece suggested this be forwarded to the Water and Light Advisory Board (WLAB) for discussion.

REP41-21 Commission on Human Rights: Joint discussion with City Council and Citizens Police Review Board.

Fowler understood a group of citizens was putting together a request of the City to come together to discuss issues around policing and racism along with the topic of the George Floyd Justice in Policing Act, which was the subject of the letter from the Commission on Human Rights (HRC). Fowler thought they wanted a little more time to work with their stakeholders before coming to them. Fowler noted there were a couple of things coalescing about approaching the Council, City Manager, and Police Chief that had been reported in the paper and were heading their way in the near future.

REP42-21 Sanitary sewer service report associated with the Blume Annexation Agreement at 7750 E. Richland Road and the Grindstone Creek Watershed Cooperative Agreement.

Peters explained she had asked for this because she had not understood why they had pulled this item involving an annexation agreement of off the consent agenda and had then defeated it when it was based on an operating agreement with the Boone County Regional Sewer District (BCRSD) that had been in effect for fifteen years. Peters pointed out she had voted to allow the Blume property to tie into the City's sewer system. Since this was a contentious issue, she wanted to discuss the operating agreement and how they might want to change it. Peters felt Blume had been placed in the middle, and if they wanted changes, she believed the contract should change.

Thomas commented that he agreed with Peters. Thomas noted he had voted to deny the proposal to tie into the sewer system, but felt it made the best sense to allow the home to tie into the sewer that was located on their property. Thomas explained his concern had been whether the process adequately recovered costs fairly from the right people.

Thomas asked if a connection fee was paid to either the BCRSD or the City by a customer that had to sign an annexation agreement with the City to connect to a sewer involving the BCRSD. Sorrell replied the agreements with the BCSRSD were different. Even in the agreement involved here, some of the subdivisions that were connected to the sewer had paid a connection fee to the City. Thomas understood that had been in the past. Sorrell explained it was only some of them that had been included in the agreement, and provided Lake of the Woods as an example as lots that had paid a connection fee. Thomas understood this agreement involved the Grindstone watershed. Sorrell stated that was correct. The lots on Richland Road in the area of this subject property had not been charged a connection fee by the City. Thomas asked what had determined who would pay the connection fee and who would not. Sorrell replied he had not been involved with the drafting of the agreement, but thought it might have been because the BCRSD had built Phases 3 and 4 of the sewer at their expense. The City had then allocated a piece of the territory to them, and connections fees had not been charged. Sorrell noted connection fees had been charged for the remainder of the property that was within the City's territory. Sorrell reiterated some of the subdivisions within this agreement had paid connection fees while some did not, and those that did not were likely those in the BCRSD territory. Thomas understood the connection fee had been paid in those situations even though they had not been in the City at the time. Sorrell stated that was correct. Thomas asked about the ones like this property that would eventually become a City customer. Sorrell replied there was a provision in the

agreement with regard to the exchange of customers. Thomas asked if they would become a City customer when the City boundary reached them. Sorrell replied the provision in the existing agreement regarding the transfer of customers that would later be within the city limits was based upon the BCRSD having a three-percent annual customer growth, which was not very likely, and the City would have to pay the customer's percentage of all of the bonded indebtedness of the BCRSD.

Thomas thought they should find a way to charge every new customer that was putting sewage into the City's treatment plant down at McBaine the same connection fee.

Sorrell explained that when this agreement had been done, most of the capital expenditures were sewer extensions, and in some instances, such as this, the BCRSD had participated in the cost. Sorrell thought the connection fee waiver was based on that. Since that time, the City had put \$75-\$85 million worth of improvements into the wastewater treatment plant that they needed to recover from every customer regardless of whether they were a BCRSD or City customer.

Thomas noted it was the plant that cost them so much money, and not necessarily the pipes.

Fowler understood the City had an agreement where the BCRSD paid a fee to them to manage their waste at the wastewater treatment plant. Sorrell stated the BCRSD was a City customer. Fowler understood they were a ratepayer to the City. Sorrell replied they paid 20 percent of what the ratepayer would pay if they were a City customer within the city limits. Fowler understood those were independent agreements that they had made with the City with regard to how much the City would charge to process their sewage that was coming through their system. Sorrell stated that was correct. Fowler commented that this was a relationship between the BCRSD and the City of Columbia, but along with that there was an annexation agreement, which then tied the hands of future city councils as to whether they would annex the land when it became contiguous. Fowler indicated her issue was the annexation agreement that was an added layer to the agreement between the City and BCRSD, and the property owner being in the middle due to the extra requirement. The property owner wanted to connect to a sewer and had a contractual arrangement with the BCRSD, but the City had an extra layer that gave them pause. Fowler stated she did not know what the posture was to address it tonight, except that she had voted no for those reasons.

Treece commented that a property owner outside of the city limits did not have an absolute right under this watershed agreement to connect to the City's sewer as it was still subject to Council approval. Fowler stated they had made a contract with the BCRSD. Fowler explained she used to be a BCRSD customer and thought she had paid a premium to have the City process her sewage. Treece noted his point was that there was not absolute right. Someone could not just call the BCRSD and say they wanted to connect to the sewer. Fowler thought it was the decision of the BCRSD as to with whom they would do business. Treece stated that was not the case because it was still subject to the approval of the Council. Fowler explained that was the part that troubled her. The BCRSD was an independent regional government entity that was trying to satisfy their customers, but there was a prerequisite. Fowler thought they might agree to tie the hands of future councils as to the growth of the City. It seemed as though that was a separate business arrangement they should be able to make with their chosen customer since they were paying the City to process that sewage.

Treece explained that what bothered him about the discussion at the prior meeting was that he thought they should address the City ratepayers that had been paying higher rates for years while waiting for promised sewer improvements before spending another minute thinking about how to connect people in the County to the City's sewer. Treece stated he would much rather prioritize them. Treece wondered why people that did not live in the City did not pay a connection fee and received a 20 percent discount. Treece agreed the agreement needed to be renegotiated or that the rate needed to be adjusted to 120 percent of the City's rate instead of 80 percent of the City's rate to better reflect the

investment they had made in that plant over the last 15 years.

Skala thought they should renegotiate or establish a new policy so it addressed the equity question between those that had been waiting in the City and those that were eligible outside of the City. Skala noted he had spoken to Blume, and had told him he hated to see someone being held hostage due to a policy they really needed to correct. Skala stated he was not sure there was currently an operating sewage system, and a comment had been made with regarding to discharging some of the sewer into the stream, which had troubled him. Skala felt they really needed to look into the issues. Skala explained he hated to hold someone hostage, but he was not very tolerant of the illegality of discharging into the streams. Skala reiterated they needed to deal with the policy and straighten out some of the agreements so there was some equity.

Treece understood the City had to provide the BCRSD 180 days notice and 180 days prior to the next fiscal year was June 30. Treece asked Glascock what kind of direction he needed from the Council to notify the BCRSD of the intent to renegotiate or change the fee. Glascock replied he needed a majority of the Council to say they needed to renegotiate the contracts. Treece stated he wanted that done. Skala agreed.

Thomas stated he wanted staff to look at the one-time cost of capacity and the ongoing costs of service and maintenance, and asked that fees be negotiated that accounted for both fairly.

Fowler stated she wanted to renegotiate the contract, and also consider lifting the requirement that they have to be annexed into the City when contiguous as that was tying the hands of future councils in terms of the direction they wanted the City to grow. Glascock commented that by doing away with that requirement, the Council lost control of development around the City because people would then develop in the County while hooking onto the City sewer and taking up all of their sewer capacity at the plant. Treece noted they would also build under County building codes, and per the annexation agreement, they had to build under the City's codes. Thompson pointed out the annexation agreement was not mandatory on the part of future councils. It was still a discretionary act as to whether or not the annexation occurred at the point in time someone became contiguous. Fowler understood it was not a ministerial act due to a prior agreement, and the Council actually had the ability to say no to an annexation in the future. Thompson stated that was correct. Fowler commented that as long as that was true, she thought they should renegotiate the contracts with the BCRSD.

Thomas thought there had been guidance in the memo as to how to reconsider the request of Blume, as he now wanted to grant the request to tie to the City's sewer because he believed it was the sensible thing to do. Treece stated that sounded like a motion to reconsider that would not be in order at this meeting since it had not occurred at the same meeting the vote had been taken.

Treece understood the dilemma of Blume had been resolved, and that he could be considered for a permit to rebuild his septic system. Treece asked for an update on that. Public Health and Human Services Director Stephanie Browning explained one of their main interests in this was because the Environment Health Division issued the permits for on-site sewer facilities for Boone County. In this case, it was a property that had granted an easement for a trunk line to run across the property. Due to the denial of the annexation agreement at the prior meeting, they would be able to issue an on-site system permit. It was not ideal as on-site systems often failed in the future and required maintenance. Connecting to the public sewer allowed for a good environmental health aspect. Browning reiterated they could grant an on-site permit, and their intent had been to wait until they knew what would happen tonight prior to talking to Blume tomorrow. Browning stated Blume had a failed system, which needed to be rectified.

Peters understood she could not make a motion because she had voted in favor of the sewer connection. Treece commented that the motion to reconsider by someone that voted on the prevailing side had to be made during the meeting, but there was no such prohibition against a council member bringing back a request for the same bill under the

same subject matter after 90 days, and asked if that was correct. Thompson explained any council member could bring it back after 90 days. In addition, a council member could request leave of the remainder of the council members to bring back a new bill on the same subject matter. The council member did not have to be on the prevailing side to bring the item back at a subsequent meeting under Section 2-88 of the Columbia Code of Ordinances. Thompson noted there were two different types of reconsideration. One type was under Section 2-87, and it would occur during the same meeting by someone on the prevailing side. Under Section 2-88, it was reconsideration of the subject matter at a subsequent meeting where leave of the Council was requested. Treece understood it would then be subject to introduction and first reading, and third read at a separate meeting. Thompson stated that was correct.

Skala asked what requesting the leave of Council meant. Thompson replied it meant to request permission from the fellow council members to place a bill back on a future agenda. Skala understood there had to be a vote to allow that to happen. Thompson stated that was correct. It would be a motion and a vote with the consent of the remainder of the Council to bring it back within the 90-day period. Pitzer thought they had done this with regard to another sewer issue about 1-2 years ago.

Peters made a motion to request the leave of Council to reconsider the annexation agreement for 7750 E. Richland Road and to introduce a new bill on the same matter subject to Section 2-88 of the Columbia Code of Ordinances. The motion was seconded by Waner, and approved by roll call vote with Pitzer, Peters, Fowler, Waner, Skala, and Thomas voting yes, and only Treece voting no.

Treece understood a bill that was substantially the same would be introduced and first read at some point in the future. Peters asked that it be done at the next meeting. Thompson replied they could have it ready for the next meeting.

Treece asked for a staff report with City residents by address that had been paying higher rates and were awaiting sewer improvement projects to be approved.

REP43-21 Renaming Columbia Regional Airport.

Treece understood they could accept the report, do nothing, take it under advisement, etc.

Skala understood a group had gotten together to make some proposals, some of which would likely not be accepted. When Skala had reviewed the names, the only one he felt that was possibly worthy had Columbia in the name and might include Mid-Missouri. Skala noted National seemed reasonable as the airport in Springfield had National in its name. Skala understood it was Springfield Branson National Airport even though Branson had its own airport. Skala stated he was fond of the idea of the serendipitous nature and the simplicity Columbia National Airport, but was not prepared to put it to a vote. Skala noted that at this point in time, he would rather do nothing.

Peters asked staff if they had anything they wanted to add. Glascock replied no.

REP44-21 Adjustment of Parks and Recreation Department aquatic facilities due to lack of applicants for lifeguards.

Parks and Recreation Director Mike Griggs provided a staff report.

Peters asked how they chose which facilities they would open. Griggs replied it had been based on the number of guards that it would take to manage them. Griggs also noted the Albert-Oakland pool was their biggest pool and most heavily used in terms of numbers. They could manage the Douglass pool with a fewer number of lifeguards. The Lake of the Woods pool had very few attendees. If they had to close one due to the lack of lifeguards, they would rather close the Lake of the Woods pool instead of Douglass pool.

Pitzer understood the ARC pool had been prioritized. Griggs stated that was correct. Pitzer asked why they would not move those lifeguards during the outdoor season to take advantage of being able to open the outdoor pools for a couple of months. Griggs replied

the ARC was a part of the membership program and the members would be upset if they did not have that indoor pool. Griggs pointed out they had some regular lane swimmers, swim lessons, and the water aerobics program. Pitzer understood they had made commitments there already. Griggs stated that was correct, and noted it would be a revenue stream interruption for them to not have some of those programs.

REP45-21 Notice of assignment of lease by International Business Machines Corporation (IBM) to an affiliate for city owned property at 2810 LeMone Industrial Boulevard.

Treece understood this was a lease for the IBM building to an IBM subsidiary, which was allowed in the lease agreement. Treece assumed they had to approve it or consent to it, and asked if there was any objection.

Thomas asked how much IBM paid in this lease. Glascock replied he did not think that changed. It was only a change to the named assignee. Economic Development Director Stacey Button stated she had not come prepared with that information. Thomas explained he was interested since it had been associated with Project Tiger, and wondered if it was a nominal fee or a market rate rent. Button understood it was based on job creation, and noted she could provide that information. Thomas asked for that to be sent to him. Button replied she would be happy to provide it.

REP46-21 Amendment to the FY 2021 Annual Budget - Intra-Departmental Transfer of Funds.

Treece understood this report had been provided for informational purposes.

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

Eric Blume, 7750 E. Richland Road, expressed his frustration with the City's decision to not comply with existing agreements and processes. Blume explained they had followed the procedure that had been established and had been relayed to him by City staff, and had ended up as the sacrificial lamb in the attempt to renegotiate with the BCRSD. Blume stated his septic system had failed in February, and at the direction of both the City and the BCRSD, he had been told he did not have a choice and needed to purchase a submersible pump and pump it out, which meant it went into the creek. They were now in June, and that whole time, he had not had a choice to do anything else. When Blume had been denied by the City, he had been told by the BCRSD that there was nothing they could do. Tonight, Blume had heard they might have the ability to get a permit for an on-site system at the cost of roughly \$20,000. Blume pointed out connecting to the sewer via the annexation agreement would cost him about \$2,000 more than he had already paid. Blume noted he had paid a connection fee to the BCRSD of \$1,700. Blume did not feel he should have to pay \$20,000 when the sewer line was located in his front yard. Blume understood the City wanted to renegotiate with the BCRSD, but wondered what that had to do with him. Blume reiterated he had done exactly what he had been told he needed to do, and stated he had no recourse or any other place to turn. Blume commented that this was government at its worst as he was being held hostage because the City wanted something else from the BCRSD. Blume pointed out it smelled in his backyard, and wondered what it would be like in July and August when they were still playing this game. Blume asked the Council to allow him to connect, and to have whatever battle with the BCRSD outside of his involvement.

Kate Graham explained she had provided some misinformation the last time she had spoken to the Council by saying the City was not currently under a state of emergency, which had not been true at that time.

Graham commented that she had reviewed the slides from the budget work session, and understood they did not want to govern through antidotal studies, but wanted the Council to take a hard look at Burrell with regard to the services they provided. Graham

suggested they speak to people who had experiences with them as she felt they had been medically neglectful with her child and with others. Graham recommended putting out an RFP in case any other providers wanted to take on what had been suggested. Graham noted Burrell was good on paper, but the things they did were things that were on the surface. Nothing ever really was done. Graham understood that might be the only choice they had, and was only suggesting they consider other choices.

Traci Wilson-Kleekamp stated she wanted to speak on the concept of process in terms of reapportionment. Wilson-Kleekamp explained she was a stickler for process because she thought it built trust and bridges while educating people on how the process worked. Wilson-Kleekamp commented that she had not seen reapportionment on the public agenda for discussion. Wilson-Kleekamp recalled listening to a discussion at the end of the May 17, 2021 Council Meeting. Wilson-Kleekamp stated she thought conversations of that nature needed to be public on the public agenda for a public conversation so people knew it would happen. Wilson-Kleekamp noted there had also not been a staff report on the reapportionment, which she felt was unfortunate, and believed they should be conscientious, particularly on complex issues, in directing people to where they could obtain more information.

Wilson-Kleekamp mentioned the budget recommendations of Treece, and liked that Fowler had met with her community to obtain input with regard to the things that were important to them because it was about equity. Wilson-Kleekamp read a document she would email relating to the missing ingredient in COVID oversight equity. Wilson-Kleekamp explained the response to COVID-19 did not only involve record level spending and borrowing, as it might have already constituted a wealth reallocation of historic proportions. The implications for equity, future growth, and climate were tremendous, and the health and economic crisis, along with the response of government in some cases, had not only been felt acutely in particular businesses and industries, but they had also disproportionately hurt black and brown minority owned businesses and the communities they served. Wilson-Kleekamp noted transparency and oversight were essential to ensuring a fair recovery that met the needs of those struggling the most, and explained she wanted to see Columbia put the needs of people struggling the most at the center of the conversation in the beginning versus the end. This meant they needed to develop a practice and process that went to the people first so they did not make decisions for them. Wilson-Kleekamp stated she thought Graham's comments regarding Burrell were important as she had heard similar things. Wilson-Kleekamp felt the money they received from the American Rescue Act should be focused on doing something with regard to structural inequalities. The Mayor's Task Force on Community Violence had two things Wilson-Kleekamp believed were important. One was to make an investment in community violence and the other was for fair social services funding along with a more robust spending in the Public Health and Human Services Department. This business of community violence was really important, and they still did not have a strategy for it. Wilson-Kleekamp understood there were a lot of good resources that would show them how they could do better, to include public employment and community childcare. If they were going to do something about structural inequality, Wilson-Kleekamp felt a conversation with the people was needed. Wilson-Kleekamp stated she appreciated the suggestions of Treece, but believed inclusion was letting the people that had the least power to be at the table first.

Eugene Elkin, 3406 Range Line Street, commented that he thought it was a disgrace that the door was making noises and interrupting the meeting, and asked that the door be fixed. Elkin also suggested proper signage showing people how to get to the restroom.

Elkin noted he had spoken with a City employee who had indicated she was thankful he got up to speak to the City, and stated he was thankful that someone was actually listening.



Elkin explained a lady who lived on Forest Avenue was experiencing speeders that ran the two-way stop sign Mondays through Fridays between 2:30 p.m. and 7:00 p.m. Elkin understood she wanted bumps there. Elkin noted he was not asking for that, but wondered what could be done as the lady had an autistic child.

Elkin understood vouchers were coming soon for the black bags, which were low in quality. Elkin had his hand go through one bag and another had ripped open after he had tied it closed. They were not getting the quality they had once received.

Elkin understood Jeff Stack had mentioned \$1 million for the homeless and was glad to hear the effort had started, and hoped there would be more millions earmarked for the homeless because volunteers were waiting to help them.

Roy Lovelady, 3600 Woodside Drive, agreed with Wilson-Kleekamp with regard to the need to address violence. Lovelady understood it was Gun Violence Awareness Month, and there had already been about five shootings when they were only in the seventh day of June. Lovelady asked what the City planned to do to address the issue. People were not fighting with their fists. They were immediately utilizing guns. Lovelady wondered what plan they had that would stop gun violence, and thought it was something they really needed to address. Lovelady suggested an investment of funds so that kids had something to do instead of shutting down, the creation of hubs to provide an opportunity for people to see something different, and getting the police that worked certain beats to communicate with the people on those beats. Lovelady stated he had lots of different ideas, but felt it took a village and those in government to listen to him and employ change. Lovelady asked the Council to do something. Lovelady explained he was in a community where his black and brown people were dying at an alarming rate due to gun violence. It was time for change, and the Council had the power to implement change. Lovelady asked the Council to do something and to do something different.

Barbara Jefferson, 305 N. Fifth Street, commented that she had attended a Housing and Community Development Commission meeting, and a City employee had indicated they did not have data with regard to how well a non-profit organization did its business, and thus they needed to work with United Way or a similar organization because the City did not want that impacting its business. Jefferson wondered how they would attain equal opportunity when they were not allowed to do the work to collect the data and paperwork.

Waner explained she wanted to discuss how they would spend the American Rescue Plan money. Waner noted a lot of people had been excited about the First Ward meeting Fowler had held. After the presentation of Treece at the budget work session, Waner stated she had met with Boone County Clerk Brianna Lennon and Mary Stegmaier from the Truman School of Public Affairs to discuss how they could do a better job of listening to the public and with regard to public engagement. Waner did not believe they could rely on their typical public engagement process for a once in a lifetime funding opportunity. Something they had talked about was imploring students in the Masters of Public Affairs in Government Program to pursue some sort of capstone with the City in terms of a social media content analysis. Waner noted many people would get online and profess the things they wished the City would do, but they could not or did not attend meetings to provide that input. Waner thought they should listen to those making comments on Facebook, Twitter, etc. as well. Waner stated the mechanisms they had in place utilized to traditionally seek public comment were not yielding the results they believed they should. Waner commented that she had spoken with the City Manager to see what the potential was for something, and now was the time to hold those discussions since school started in August and they would soon decide on their capstone projects. Waner stated she would be excited for the City to be considered in that process.

Waner noted Chuk Wilson had been the first scheduled public comment speaker earlier

tonight and was a Second Ward resident. Waner understood the Public Health and Human Services Department had provided criteria by which they would feel a little more comfortable with regard to potbelly pigs as pets. Given the input of Wilson as to the weights involved, Waner wondered if it was possible for the Board of Health to review the issue. Waner would then want to consider adopting the language changes as an ordinance.

Treece asked if the prohibition was in the ordinance. Waner replied the current ordinance defined hogs as livestock, and thus a potbelly pig was not allowed. The Public Health and Human Services Department had put together an 8-9 point system by which they would feel comfortable allowing potbelly pigs as pets, and Wilson was fine with all of them with the exception of the weight requirement. As a result, Waner wanted input from the Board of Health. Treece stated he thought that was a good plan.

Waner made a motion to forward the issue with regard to potbelly pigs to the Board of Health specific to the weight requirements. The motion was seconded by Skala.

Treece stated he appreciated the approach of Waner to come to the Council to ask for something to be referred to a board or commission instead of going directly to the board or commission as it involved all of them in the discussion early on.

The motion made by Waner and seconded by Skala to forward the issue with regard to potbelly pigs to the Board of Health specific to the weight requirements was approved as there was not any objection to moving forward.

Thomas commented that he agreed with previous comments with regard to the American Rescue Plan funds in that they needed a much more robust public engagement process than had been discussed thus far. Thomas understood they were having a work session in two weeks, and would mainly address the technical questions as to the types of projects eligible. Thomas suggested they accept public input during that session if there was time. Either way, Thomas believed they needed to schedule more sessions. Thomas stated he did not really use social media, but understood it was a somewhat data-driven way to analyze what people cared about. Thomas noted he wanted to hold a constituent event similar to what Fowler had held as it had been very well done. Thomas pointed out the previous City Manager had coordinated a series of community events with one in each ward. The City had put some resources into it by reserving spaces for it, marketing it, etc., and it had been coordinated with the council member in terms of the date and time. There had also been a predetermined agenda that was focused on the City's priorities. Thomas stated he would love for that to be done again, and for it to be held for the American Rescue Plan funds over the course of the summer. If that was not possible or the will of the Council, Thomas noted he would hold his own event.

Treece commented that he had been under the impression from discussion at the budget work session that they had agreed to start at 6:00 p.m. to take public comment regarding the American Rescue Plan needs. Somehow that had been conflated with a work session. Treece thought they would all benefit from the interpretation of staff as to what was allowed and what was not allowed, and to then listen to the public. They could then digest what they had heard as a Council. Thomas thought they would need more public input as the one session on June 21 would not be enough. Treece pointed out that if they did it as an appropriation bill, they would still have the normal public hearings associated with it. Thomas stated he thought they needed the public input before the bill was written.

Skala commented that one of the reasonably successful methods they had with obtaining public input had to do with community policing. They had focused on four underserved areas. Dinners had been sponsored and people could discuss the needs in those underserved areas. Typically what had come out of all of those productive discussions were the emergence of new leadership and three safety related requests, i.e., streetlights, sidewalks, and public facilities for something for kids to do. This had been abandoned because they wanted to expand the community policing idea throughout the

City. Skala thought they had made a mistake in giving the impression to some in these areas that they were abandoned. Skala felt that had been a successful approach, and thought it could be useful in the future in a topical way and could include the American Rescue Plan as well.

Thomas stated he agreed and loved the idea of serving dinner at the meeting. Thomas suggested they also consider offering childcare. Skala recalled that being provided as well. Thomas felt they could make it a really intentional, welcoming, and inclusive opportunity for people to come. Thomas believed they needed some structure as to how people provided input without presenting a pre-decided plan. Thomas suggested they pick this back up in a couple of weeks as it sounded as though there was some interest by the Council for the City to coordinate something over the course of July and August to gather community input on how to spend these funds.

Glascok asked the Council to remember that they were also trying to put together a budget during that time frame so they were fairly stretched. Glascok stated he could not guarantee anything but would consider it. Thomas commented that they might not have to provide a lot of staffing, but they would have to coordinate the scheduling, etc.

Thomas asked if it was a MoDOT issue if they wanted to change the timing of the lights at the Ash Street and Stadium Boulevard intersection. Glascok replied he had already sent an email to MoDOT asking them to get in touch with Lilian Davis, who had spoken earlier, to better understand the problem. Thomas asked if MoDOT would follow back up with Glascok afterward as to what they would do. Glascok replied yes. Thomas thought there were some very simple things they could do to make crossing the street a much safer experience. Thomas understood it might slow down vehicles at peak time, but felt safety was more important.

Fowler stated she was concerned about gun violence in the community. Fowler asked if they would have the 6:00 to 7:00 p.m. hour the next time for public comment. Glascok asked if the work session would be from 5:00 to 6:00 p.m. Fowler explained Treece had suggested an hour, and noted she had thought that hour was going to be this week. Glascok replied it had been until he understood they wanted a summary on how the money could be spent, and they were trying to put that together. Glascok stated he was under the impression they would have public comment after the staff presentation. Glascok noted the BCRSD issue had been scheduled for next time, but it would be removed.

Fowler understood several community stakeholders were discussing and meeting about gun violence, and she wanted to invite them to let her know how she could be helpful in bringing that forward. Fowler stated she was happy to help them make slides or with anything else that they wanted to bring forward in that first opportunity for public comment. Fowler noted she looked forward to speaking further with them about it.

Fowler pointed out there were other pressing needs, and encouraged the stakeholders to reach out to them.

Fowler liked the idea proposed by Thomas and explained she was happy to help in any way she could in organizing those types of meeting. Fowler understood the City had a lot on its plate, but noted the community also had a lot on its plate.

Treece asked what their pleasure was with regard to the American Rescue Plan. Treece wondered if they wanted to start at 5:00 p.m. They could allow about 30 minutes for staff, have an hour for public comment, and have time remaining for Council discussion. Everyone was in agreement.

Waner encouraged City staff to talk to the Public Health and Human Service Department with regard to the community sessions as they had done a very good job at meeting people where they were and obtaining input from people that needed it the most when

they had gone through the Community Health Assessment process. They had also fed them and had provided childcare. Waner agreed it was a staffing burden to do it and to do it well, but the results were worth it.

Thomas endorsed the comment of Traci Wilson-Kleekamp in that the focus of the American Rescue Plan funds should be to reduce structural inequality. There had been structural inequality before the pandemic, and the pandemic had clearly made worse the harming of people that were already disadvantaged. Thomas felt that should be the unifying theme with regard to how they spent those funds.

## **XII. ADJOURNMENT**

Treece adjourned the meeting without objection at 11:12 p.m.