



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, August 9, 2021  
7:00 PM

Special

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 special meeting at approximately 7:00 p.m. on Monday, August 9, 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 KARL SKALA, Council Member MATT PITZER, Council Member BETSY PETERS, Mayor BRIAN TREECE, Council Member PAT FOWLER, and Council Member ANDREA WANER were present. Council Member IAN THOMAS was absent. City Manager John Glascock, City Counselor Nancy Thompson, City Clerk Sheela Amin, and various Department Heads and Staff Members were also present.

Treece explained there was a mask policy for all City buildings, and asked those that were not wearing a mask to step outside. Treece also asked those with signs to lower them so they did not impact others from observing the meeting. In addition, Treece asked everyone to refrain from any public demonstrations of support or opposition because he wanted everyone that came to the podium to feel comfortable expressing their opinion.

Treece commented that per Section 15 of the City Charter, he would suspend the opportunity for all persons to be heard prior to the final vote on B260-21 as public comment was not required on emergency ordinances.

The agenda was approved unanimously by voice vote on a motion by Treece and a second by Skala.

#### II. NEW BUSINESS

B260-21

Establishing the requirement to wear a face mask in certain locations in order to prevent or limit the spread of the COVID-19 disease; authorizing the adoption of further orders for the implementation of the ordinance; declaring an emergency for enactment.

The bill was given first reading by the City Clerk.

Public Health and Human Services Director Stephanie Browning provided a staff report.

Fowler asked about the Delta variant and how it varied from the earlier variants in terms of transmissibility and breakthrough infections. Browning replied the breakthrough infections were less than one percent in Boone County, which she believed equated to about 503 out of 86,000. Fowler asked about the 86,000. Browning replied 86,000 people had been vaccinated in Boone County with both shots. Fowler asked about the other variants and why the Delta variant was of particular concern. Browning replied the Alpha variant had originated from the United Kingdom. It had been in their sewershed testing earlier this year. It had never proved to really show an increase in the number of cases, and they did not really know why. Boone County had stayed mostly Alpha variant into early June. They then started to see a little bit of the Delta variant in the sewershed

results, i.e., about ten percent. The following week, it had been 100 percent Delta. Browning noted other variants of concern were being monitored, and those included Gamma and Lambda. Browning pointed out they expected mutations and different variants over time. Fowler understood the Centers for Disease Control (CDC) had not commented on Lambda yet, and asked if they had commented on Gamma. Browning replied she thought it was one of concern, but would need to check. Browning explained it was one they had only seen once in the sewershed here. Fowler asked if there was any guidance as to whether that was more transmissible than Delta. Browning replied there was not anything in that regard to her knowledge at this time.

Fowler understood the City had about 1,500 employees, and asked who would pay for testing if any employee was exposed and wanted to be tested. Browning replied there was not a cost to the employee for testing. Fowler understood a City employee could be tested at no cost to them. Browning stated that was correct. Fowler asked how treatment, whether a hospitalization or care received at home, would be addressed. Browning replied it would be paid through their insurance if they were insured, and the costs were dependent on the plan chosen. Fowler understood there might be funding available for hospitalization due to COVID, and wondered when those costs were moved to an individual's health insurance plan or categorized as unsponsored care whereby there was not any way to pay for it absent the system absorbing it. Fowler asked if the City's insurance plan would pay for the costs associated with an employee that was hospitalized with COVID. Browning replied she assumed so, but would have to defer to the Human Resources Director.

Fowler commented that she would appreciate some clarification because she understood the City was self-insured. Treece stated he felt this was a bit off-topic in relation to the bill they were considering tonight, which was for a citywide mask mandate. Treece pointed out there was already a mask mandate for all City employees in City buildings. Fowler commented that she felt the costs of dealing with the Delta variant should be a consideration as to whether or not they should have an indoor mask mandate at this time. Fowler noted they all assumed the costs would be covered, but she wanted to ensure she knew how those costs were being handled when the Delta variant was contracted. Glascock replied insurance would cover it unless another entity, such as the federal government, covered it instead. Fowler asked Glascock if he expected the costs of carrying insurance for employees to rise as a result of incurring costs pertaining to the Delta variant. Glascock replied staff did not project the costs to rise next year.

Fowler asked if Human Resources Director Rick Enyard had information he could share with regard to the benefit plans and the Delta variant. Enyard replied the plan would cover hospitalizations. Employees would still have to meet the deductibles and copays that came with the benefit package they had chosen. Fowler asked if the City was using an outside insurance agency that provided all of the indemnity benefit. Enyard replied the City had a third-party provider in United Healthcare that provided the claim costs and history. In terms of whether they were seeing an increase in costs, Enyard pointed out the healthcare premiums for next year were not increasing. Enyard explained any future increase would be dependent on their claims history as they moved forward. Fowler asked Enyard if he had seen an uptick in the claims history as a result of COVID as far as the employees and their families were concerned. Enyard replied not at this point. Fowler asked if that was from the very beginning, i.e., 17 months ago to today. Enyard replied he did not have that information with him, but the fact the premiums had not increased indicated the claims had not been that significant. Enyard thought there had been a few outliers, but for the most part, things had been within the normal range.

Waner understood Browning had mentioned staffing being an issue at the hospitals and asked if she had any idea of the reason for those issues. Browning replied there were staffing issues everywhere. Browning noted that when she had spoken to the hospitals last week, they had indicated they had been dealing with their own workers being out with COVID, whether it was COVID acquired out in the community or within the workplace,

and it was why they had gone to requiring masks and mandatory vaccinations.

**Treece made a motion to waive the rule requiring consideration of this ordinance at two separate meetings and to place B260-21 on its second reading. The motion was seconded by Skala and approved unanimously by voice vote.**

The bill was given second reading by the City Clerk.

Treece commented that the Council had received 743 emails in favor of or in opposition to B260-21, and noted several people had expressed a concern to him that they did not feel comfortable being in the room given the number of people that were unwilling to follow the mask policy of the City of Columbia within its buildings. Treece explained that because he was not sure additional public comment would yield any new information along with the inability of the audience to follow the rules of decorum that he was required to follow and the concern of the Public Health and Human Services Director with regard to the length of exposure with regard to those that were unmasked and whose vaccination statuses were unknown, he planned to proceed with Council discussion consistent with Section 15 of the City Charter as it indicated public comment on emergency ordinances was not required.

Skala noted Treece had his support with regard to moving directly to Council discussion because they could not continue with public input without decorum. Even though there had been ample discussion via email, Skala stated he would have been supportive of allowing public comment tonight if the rules of decorum could be followed. Since that clearly was not the case, Skala explained he supported Treece in his decision.

Fowler commented that she was not in favor of suspending public comment given the number of people that had to rearrange their schedules to be present tonight. If City staff could not remove people from the room who could not be quiet, which she had seen happen at other council meetings, she would wait to continue speaking when those in the audience were quiet. Fowler stated she did not feel it was appropriate to suspend public comment on something that was this important to the families of small children, senior citizens, and the small business community. Fowler feared that without an indoor mask ordinance, they would be putting their small business community in jeopardy and reiterated she was not in favor of suspending public comment.

Treece stated he would proceed with Council discussion.

Skala noted he had responded to likely more than 200 emails, and in those responses he had indicated he would make a motion to table this issue to the October 4 meeting, which would be after the budget discussion. Skala stated he preferred to deal with this sooner, but felt if they tabled it to a meeting in September, they would end up tabling it again to a later date, simply because they would not have time to deal with it. Skala felt the tabling would afford them a couple of advantages, one of which was having data with regard to K-12 school children and college students with regard to the Delta variant.

Skala asked Thompson if tabling was appropriate or whether or not the bill should be voted up or down and brought back in a new form. Thompson replied, by definition, an emergency ordinance required the immediate preservation of the public health, safety, and welfare. This particular ordinance was drafted based upon the current conditions so tabling it to October would not be appropriate because it was an emergency ordinance. In October, if the Council wanted to bring back an ordinance, staff could redraft an ordinance based upon the conditions then as that would form the basis for the emergency ordinance. Thompson pointed out the enactment of an emergency ordinance would take the affirmative vote of six members of the City Council. It was a vote of six-sevenths so six out of seven. Since Thomas was not present this evening, it would take a unanimous vote of those present in order for the emergency ordinance to pass tonight.

Skala asked when the Council could bring this back for reconsideration if they voted tonight and it was voted down. Thompson replied a new ordinance could be brought back on the same subject matter with leave of a majority of Council at any particular point in

time. Without the consent or leave of Council, which was four affirmative votes, it would be 90 days. If they had an emergency, leave of Council could be granted within that 90-day period.

Skala stated he still wished to make a motion to table B260-21 to see if there was a second. If the motion failed, Skala noted he was willing to vote the bill up or down. Skala commented that he would likely seek a new ordinance based on any new data they received involving K-12 and college students and the Delta variant if there was a vote on the bill and the bill was defeated.

Skala made a motion to table B260-21 to the October 4, 2021 Council Meeting. The motion died for the lack of a second.

Fowler asked if they would vote on the decision made to not allow public comment. Treece replied no, and explained he had made that decision. Treece noted she could appeal his ruling. Fowler stated she would like to appeal his ruling. Treece asked those in favor of suspending public comment pursuant to Section 15 of the legislative proceedings of the Columbia City Charter to say "yea" and those opposed to say "nay." Everyone said "yea" except for Fowler and Waner who said "nay." Thus, the ruling of Treece was upheld.

Treece stated he supported the wearing of masks.

**B260-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: SKALA, FOWLER, WANER. VOTING NO: PITZER, PETERS, TREECE. ABSENT: THOMAS. Bill declared defeated.**

### III. GENERAL COMMENTS BY COUNCIL AND STAFF

None.

### IV. ADJOURNMENT

Treece adjourned the meeting without objection at 7:34 p.m.