



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, October 1, 2018
7:00 PM

Regular

Council Chamber
Columbia City Hall
701 E. Broadway

I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, October 1, 2018, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN, and TRAPP were present. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of September 4, 2018 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Ruffin.

Mr. Trapp asked that the September 17, 2018 minutes be corrected to replace zeroscaping with xeriscaping.

The minutes of the regular meeting of September 17, 2018 with the change requested by Mr. Trapp were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Ruffin.

Mr. Thomas asked that B229-18, B230-18, B231-18, and B233-18 be moved from the consent agenda to old business.

Upon his request, Mayor Treece made a motion to allow Mr. Trapp to abstain from voting on B236-18. Mr. Trapp noted on the Disclosure of Interest form that he had a romantic relationship with one of the affected property owners. The motion was seconded by Mr. Thomas and approved unanimously by voice vote.

Ms. Peters asked that B236-18 be moved from the consent agenda to old business.

Mr. Skala thanked Mr. Thomas for addressing a couple of the bills he had intended to remove from the consent agenda.

Mr. Pitzer asked that B240-18 and B241-18 be removed from tonight's agenda and be placed under introduction and first reading on the October 15, 2018 agenda. He explained he would be absent from the next meeting so he wanted them to be considered at the November 5, 2018 Council Meeting instead. Mayor Treece stated he assumed that would be okay with the applicant. Mr. Pitzer noted he was not aware of any timing issues.

The agenda, including the consent agenda with B229-18, B230-18, B231-18, B233-18, and B236-18 being moved to old business and B240-18 and B241-18 being removed from the agenda, was approved unanimously by voice vote on a motion by Mr. Thomas and a second by Mr. Pitzer.

II. SPECIAL ITEMS

SI10-18

2018 Missouri Municipal League Innovation Award Presentation -
Community Scholars Program.

Ms. Rhodes explained the City of Columbia had recently received the Innovation Award and Member's Choice Award from the Missouri Municipal League (MML) for the

Community Scholars Program. The MML Innovation Award showcased projects that demonstrated new approaches for solving municipal challenges. The City had partnered with Hickman High School and the Columbia Public Schools in the summer of 2017 to implement the Community Scholars Program and the program had continued in 2018. The innovative program utilized community partnerships to more effectively target existing resources to empower students to achieve success in high school and in life. At-risk ninth grade students had participated in a summer school class which had included job shadowing opportunities with City staff in order to jump start the State of Missouri's A+ program. The City's C.A.R.E. program had also assisted Hickman teachers by providing jobs readiness skills training and the opportunity to apply for a C.A.R.E. summer job following the summer program. She recognized Tony Gragnani, the Principal of Hickman High School, and Rose Wibbenmeyer, Assistant City Counselor for Columbia, as this program would not have been possible without their support. She shared a video highlighting some of the students from this year's program.

SI11-18

Missouri Governor's Conference on Tourism Hospitality Award Presentation - Columbia Tourism Ambassador Program.

Mayor Treece commented that last week the Missouri Governor's Conference on Tourism awarded the Columbia Convention and Visitors Bureau the Annual Hospitality Award for the Columbia Tourism Ambassador Program. The award was presented to individuals, businesses, or organizations that had demonstrated remarkable customer service. He stated he was proud of the Convention and Visitors Bureau as they had held over 58 training sessions and had trained over 720 Columbia Tourism Ambassadors. He noted they could be seen in the community as tourism professionals, volunteers, business owners, students, retirees, realtors, and employees that worked in the community and attended community events. He pointed out they had seen a demonstrated improvement in the overall satisfaction of people's tourism experience. He stated he was proud of the community as everyone worked together to put their best foot forward to welcome everyone to Columbia. By implementing and continuously improving the Columbia Tourism Ambassador program, they were enhancing the visitor experience. He recognized Amy Schneider, Megan McConachie, Julie Ausmus, and Beth Mead of the Convention and Visitors Bureau, and presented them with the award.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

IV. SCHEDULED PUBLIC COMMENT

SPC54-18 Lillian Davis - Bird scooters, sidewalk repair and street issues.

Ms. Davis explained she had been in an incident with a Bird scooter yesterday while protecting her dog from getting hit by the scooter. She noted she had also been cussed at, which had not been very nice. She commented that sidewalks were for people walking, those in wheelchairs, and those on three-wheeled controlled scooters. The Bird scooters were not very controlled. She stated a young man had almost wrecked yesterday close to Stephens Lake Park. She felt Bird scooters were dangerous and noted riders tended to run into people. She believed the only use for Bird scooters was for police officers on foot patrol in the downtown. She reiterated she had a sore arm from protecting her dog from a Bird scooter.

Mayor Treece stated he was sorry Ms. Davis had experienced that, and pointed out he had inquired as to an agreement with Bird today. He understood they were close to reaching an agreement, and noted he expected additional conversation about that subject.

Ms. Davis explained hitting anything tended to mess up the controls on wheelchairs. She commented that she had recently had hers fixed, but would need to get them fixed

again since the Bird scooters were in the way. She noted she was not happy about that. She understood the City was doing something about Mikel Street, and hoped it was not just patchwork. She hoped the whole street would be repaved and speed bumps would be installed due to the speeders. She reiterated the Bird scooters needed to be kept off of the sidewalks and should only be located in the streets as they tended to travel fast. She understood people thought they only traveled at 15 mph, but noted she believed it was really 20-25 mph.

SPC55-18 **Al Lackey and Rick Shanker - Use of public property for art.**

Mr. Shanker, 1829 Cliff Drive, and Mr. Lackey, 608 Old Highway 63 South, introduced themselves, and Mr. Lackey then expressed concerns for a mural that would be placed on City property. He understood it would include a statement by Marshall McLuhan, which said "There are no passengers on spaceship earth. We are all crew." He commented that it also contained eleven different statements that would be written on bubbles inside the mural. If the Council approved the mural, he felt the City would essentially be endorsing all of those messages, making it the City's statement for the world to know. If approved, it would be without a public hearing and with very little public input. He noted the City would also be responsible for maintenance after the first five years for wear and tear and possible vandalism in the future. He commented that if the project was approved, it would also open the door for other groups or individuals, whether religious, political, etc., to have their slogans or beliefs written on City property. He suggested the City approve projects like this according to policy guidelines. He understood the City did not have a policy on the adornment of City property, and recommended that the approval of this mural be put on hold to allow for the adoption of a policy on the adornment of City property. If such a policy was written, he suggested it include words indicating it was illegal for anyone to put any kind of written statement on City property. He thought such a policy would receive public approval. He also suggested the proposed mural be placed on private property in Columbia or in a neighboring community.

SPC56-18 **Nina Hampton - The City budget and equity.**

Ms. Hampton, 202 Bay Pointe Lane, provided a handout and explained she was a member of Race Matters, Friends. She read a document written by Carol Brown of Race Matters, Friends, which indicated they had been pleased the City budget had been amended with an eye toward equity within the community. In April of 2018, the City had passed a resolution affirming and adopting the Principles of Community for the City of Columbia. It was an aspirational statement and a pledge that reflected the ideals they sought, and embodied the City's commitment to creating a community that was inclusive of all citizens with different perspectives, identities, and lived experiences. They felt the Principles of Community reflected the City's vision that Columbia was the best place for everyone to live, work, learn, and play. They understood the Council had agreed to a modest increase for City employees. There had also been an increase of the minimum wage for City employees to \$15 per hour, which had countered a proposal by the City Manager's Office and made Columbia a better place for everyone to live, work, and play. They felt the entire community would be better if everyone made a living wage, and those that earned enough for rent and food would rely less on social services or work fewer hours allowing them more time with family. The \$15 minimum per hour was good for the community. It had been a political decision with an eye on social equity and fiscal responsibility. They believed the entire State would benefit from the passage of Proposition B to raise the State minimum wage to \$15 per hour, and was pleased to see the City of Columbia leading the way. They understood the City Manager's Office had proposed raising paratransit fees from \$2 to \$3 per ride, which was a 50 percent increase and would affect those that relied on paratransit significantly. Many in the community would have had to limit their community involvement with such an increase. The letter indicated they had been pleased the Council maintained the \$2 per ride fee as having an

affordable and vigorous paratransit system was an equity decision. Expanding instead of minimizing the hours paratransit operated would also increase equity in the community, and access to reliable transit would increase inclusiveness and accessibility for everyone. Stopping services in the afternoon would mean an inability to participate in council meetings and other activities and limited hours translated to limited community engagement. She commented that they also wanted to commend the Council with regard to the Henderson Branch sewer extension as the addresses it would have served had never paid property taxes to the City of Columbia since they were outside of the current city limits. They felt there were many others that had paid taxes for years and years that were still suffering from raw sewage in their basements after heavy rains. They understood the City was working through a list of projects to replace failing sewers, which was expensive. They believed rejecting the choice to spend \$4 million on an extension when current City residents were suffering was a step in the right direction, and that it had been a decision made with an eye on equity in the community. The letter indicated Race Matters, Friends would confront the community's history of racial inequities by collaborating with trusted partners to build transformative policies that dismantled disparities in all local institutions and organizations. Their vision was one of a courageous community that was inclusive, collaborative, and engaged in social equity, and they valued equity, learning, teaching, pedagogy, action, collaboration, and accessibility. She explained they wanted to acknowledge Council when it worked toward greater inclusiveness and equity, and to object when they saw decisions that did not consider their mission and values.

SPC57-18 Jack Donelon - Future of Grace Lane.

Mr. Donelon canceled his request to speak after the agenda had been published.

V. PUBLIC HEARINGS

PH37-18 Consider the draft community oriented policing report.

PH37-18 was read by Mayor Treece.

Mr. Matthes and Sergeant Fox provided a staff report.

Mayor Treece commented that he wanted to acknowledge this was still a draft report, and that this was a public hearing on that report. He understood people might have philosophical differences or comments they would like to make with regard to its tone, and encouraged everyone provide page numbers or line items if they had suggested changes or comments critical of the report. He thought that would help them in creating a better report and recommendations for next steps moving forward. He noted he did not anticipate formal action on this report tonight.

Mayor Treece asked if they were taking online comments on this report. Mr. Matthes replied they were accepting comments via e-mail, but they could create a form if desired by Council.

Mayor Treece thought staff could try to incorporate the comments into a final report along with recommendations on how to move forward.

Mr. Skala commented that he saw this public hearing as information gathering and an input session for the community. He also noted he was scheduled for a call with Leon Andrews, the Director of the Racial Equity and Leadership (REAL) Council with the National League of Cities, this Thursday whereby he would make an initial effort to describe the City's Strategic Plan and where they were in their efforts. He did not feel they were starting from zero. He explained he would then turn it over to the City Manager and the various departments involved in the process. He pointed out \$50,000 had been set aside as a placeholder as part of the budget to pursue tactical help from the REAL Council, and assumed they would be able to incorporate some of that into this to make it a better document. Mr. Matthes stated that was correct.

Ms. Peters thanked the City Manager for the report, especially with regard to the specifics of community policing, and asked if they had been able to come up with one or

two sentences that typified community policing or incorporated what the citizens of Columbia wanted for community policing based on the input received. Sergeant Fox replied the theme he had seen consistently in his meetings and discussions was that when people understood the situation in terms of the population and call volume, they then also understood the reason the City was struggling to deliver community policing. He believed the digression was in terms of its delivery and how it would be funded. He noted people had different opinions in that regard. He reiterated it had been a surprising agreement on the situation as people began to realize they had an unusually high call volume for this population. He commented that the community outreach unit had indicated the process took time as they spent a lot of time walking the areas and having conversations with people in an effort to build relationships.

Ms. Peters asked Sergeant Fox if he was comfortable with the Department of Justice's definition of community policing or if he felt that needed to be tweaked. She understood the City did not have money for it and there was a big push in this report with regard to the need for money, but she also felt they needed to know the type of community policing that was wanted. Sergeant Fox replied in looking around the country, there were different variations of the same thing. Departments were looking for any and every opportunity for officers to interact with people in a non-enforcement situation, whether officers played basketball with kids in the street, provided an opportunity for people to have coffee with them, participated in community events, etc. The more interaction officers had with the community in non-stressful situations, the better it was when there was a stressful situation as those relationships had already been developed and people were familiar with talking with officers. He pointed out that was the benefit, and they would gain the most in the neighborhoods that had historically been the least trustful of police.

Mr. Matthes commented that the Department of Justice definition, which was a bit bureaucratic and cold, was also accurate in that it was about systematic uses of partnerships in terms of problem solving, and thought the description from Police Chief Scott Thompson of Camden County, New Jersey was better as he had indicated community policing started on the street corner with respectful interaction between an officer and local residents via a discussion that need not be related to a criminal matter, and that it was important for all interactions to not be based on emergency calls on crime investigations. He felt both of those descriptions had been included in an effort to try to get at the process and the work of partnerships.

Mayor Treece opened the public hearing.

Carol Brown, 903 S. Greenwood Avenue, stated she was with Race Matters, Friends, and commented that she felt the community policing report was soliciting a ballot initiative for more officers and more money. She understood Mr. Thomas' resolution had clearly asked for a project plan, and this was not a project plan. It was an ask for a lot more money for officers to continue to be trained by the toxic Police Department that made it unsafe for them and unsafe for the community. She pointed out the resolution had asked for a timeline, project plan, budget, and evaluation mechanism, and while there were report headings for each of these topics, the content had not included a project plan of these elements and the proposed timeline only involved a list of steps for a ballot initiative followed by a five-year plan for increased staffing levels. It did not include any milestone, details, or metrics for instituting community oriented policing. The Mayor's Task Force on Community Violence was not acknowledged, and none of the recommendations approved by the Council in 2014 had even been suggested in the report. She commented that it did not cost anything to change the philosophy of a department, and that was what Race Matters, Friends, had requested. They wanted a community oriented policing philosophy from the Police Department as it would make the community more equitable and everyone safer. She believed it would also improve the environment for the men and women that worked so hard for the Columbia Police Department.

Wilma Blair explained she was with Restoration of Life Ministries and stated she agreed with the comment made earlier with regard to respect. She believed people needed to

respect themselves and also needed to communicate with others with respect and dignity regardless of what a person did or said. Everyone deserved to be treated with respect. She commented that she was concerned with the way officers spoke to people in her neighborhood, and felt the way officers tended to treat black people was not fair. Many officers talked down to black people, and some talked to dogs with more respect than they spoke to them. She noted officers tended to talk the same way to poor white people. Many officers did not show respect and dignity, but expected it return. She felt if someone had been out of trouble for six or ten years, it did not matter to some officers, and they treated the person as if he or she was still in the wrong. She stated this was unfair. She pointed out it was already bad enough for some in the neighborhood whereby they were unable to find a job and were already stressed, and they needed to be heard as well. She commented that there had recently been a shooting on her street, and she had been at the store at the time. She had told the police the person involved was not there when she arrived back home, but the way she had been treated was not right. She would have allowed them to search the home if they had asked and if they would have allowed her to get her grandkids out of the house. Instead they had stood across from house for over two hours in the hot sun staring at her. They had even gone around the back of the house. She stated they would not speak to her or let her daughter leave to get something for the kids to eat. They let everyone else go up and down the street though. She did not feel that was fair. She commented that she paid taxes and fought for police officers on a regular basis. She told her children and others in the neighborhood to turn their music down, to not speed down the street, etc. to help officers with their job, but was still treated as a nobody when she had not done anything. She understood community policing should involve a mutual respect, and wondered why she should be expected to help the police when they chose to treat her like she was ignorant due to the color of her skin or the area in which she lived. She stated those in her neighborhood did not want to talk to the police anymore because the police had hurt them. In order to gain back their trust, the police needed to treat them with respect. She commented that she appreciated the police feeding them through barbecues, etc., but pointed out that did not correct what had already been done. She suggested they all work together in an effort to get back to a trusting level. She noted her son had been robbed and beaten with a gun in her yard and he had provided the police with information on those that had been involved, but nothing had been done since her son had been in trouble before. She did not feel that was fair.

Lynn Maloney commented that every person of color she knew in this town had a similar story to the stories Ms. Blair had described with regard to interaction with police officers. She stated this was shocking to her because she, as a white person, and her white friends had not had those experiences with officers from the Columbia Police Department. Years ago, she and others had asked their friends if they could tell their stories anonymously at council meetings, but they were hesitant and would not agree because they feared identification and reprisal. She pointed out people would not report on being racially profiled on the website either for that exact reason. Too many people felt it was not safe to share their experiences. She commented that the fact this report excluded the Mayor's Task Force on Community Violence recommendations on community policing and any conversation about racial profiling and the vehicle stops report data was absolutely insulting.

Rebecca Shaw, 2615 Vail Drive, noted she had spoken with Sergeant Fox early on in this process, and what she had heard from the beginning was that they did not have the resources as officers were currently jumping from call to call to call. She stated she had attended several of the NAACP meetings and the town halls with regard to this report, and had participated in back and forth e-mail conversations. She commented that she was extremely disappointed in the lack of voices from the community in the report. She understood all of the notes from the meetings had been copied, but in looking at the definition of community oriented policing, she did not see any of the recommendations

from the public within the report. She explained her table conversation had centered on the police working with social workers and reaching out hospital workers and others. There had been so many great ideas within that brain storming session, and none of that had been included. The report only included a copied definition from the Department of Justice and a quote. She stated she had expected more. She commented that when Sergeant Fox had been asked repeatedly for his definition of community oriented policing, he had indicated it was the community's definition that mattered, and she did not see that definition in the report. She asked for a deeper delve and look at the notes from those meetings, and noted they did not even have a count of the suggestions that had been made. She reiterated her request for it to be looked into further.

Steve Calloway, 3900 Sherman Court, stated he appreciated the comments of those that had spoken previously as each person had touched on some aspect of what he had planned to say. He explained he had served on the Mayor's Task Force on Community Violence a few years ago. When that group had talked about capacity and statistics with regard to the Police Department, such as the number of calls, they had not been on the same page in terms of the need for more police officers due to the issue of trust. While everyone agreed they wanted the police to respond when called, people of color did it cautiously and with an expectation that they would be treated fairly and with dignity, while acknowledging that did not always happen. He commented that there was a concern that the police would be doing the same thing they had been doing, even with more police, unless the philosophy of the Department changed from the top down. If part of that was bias, unfair treatment, and disparity, they did not want more of it. He explained they had wondered how the minds of those within the Police Department would change to do something different from the top down when the Columbia Police Officers Association seemed to oppose things to move the Department toward community policing. He commented that he also wondered how things would look if Columbia actually had community policing in place so they were proactive instead of reactive. He noted he had not seen any data suggesting how that would look in the reporting and recommendation for more police officers. He pointed out he was not suggesting there was not need more police officers or that he knew the number of police officers that might be needed to implement this, but he did not feel a fair evaluation had been done to determine what it might look like if community policing was implemented in a way that respected all citizens in the community and whereby it was the job of all officers instead of just a small group.

Karen Sicheneder, 1817 Timber Creek Drive, commented that there had been language in the report that was very anti-media and indicated the media and those on social media were the enemy because they were anti-police. She thought it was important to correct that idea because the media was simply showing another side to the story. It was showing the voices of the public as another side. If those in charge of this viewed the other voices as the enemy and wrong, it was a problem. She stated they were not anti-police. They only wanted to see that same level of service she could expect when she called the police extended toward communities that were not as affluent as community. She thought it was important for the person in charge of this to not be so anti-community and to ensure they were viewing people as someone they were there to serve instead of as the enemy.

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

Mr. Matthes explained the recommendations had been listed twice in the report, and pointed to pages 40 and 41 as there was reference to the Mayor's Task Force on Community Violence when discussing the philosophy and the first recommendation. He commented that every recommendation was tied to another item, whether supporting material, the public engagement process, or previous work. He reiterated it was tied to it, but had not been included in the executive summary, which was an improvement that could be made to the document. He thought they could list those references in both places.

Mr. Trapp commented that he was largely in agreement with the recommendations Sergeant Fox had made, and understood it had been a very difficult job. He explained he had been a co-chair of the Mayor's Task Force on Community Violence, and there had been a lot of criticism in that type of spotlight during the process, but the result had been a very strong document. He pointed out they were still within that process, and he hoped Sergeant Fox was listening to the feedback received for consideration to the extent he could honor the science of policing as he understood it and in terms of the practical limitations of what could be done to inform it. He thought the missing pieces centered on rebuilding trust, specifically with the African-American community. He understood it was difficult to talk about race, but believed that was a missing piece. He felt they should look at steps the City and Police Department could take to build that sense of trust as it was intrinsic for relationship policing and third-party policing. He thought Sergeant Fox likely felt that had been captured in the philosophy piece, which led with Recommendation 1 and was appropriate, and asked if they could get more explicit to address that theme. He commented that the body of the report had some statements that people had interpreted as an "us" versus "them" mentality, which ran counter to the intent. He noted he had provided some remarks and had suggested they identify citations and support. He understood there had been a study indicating the more media people consumed the more likely they were to have negative opinions about the police, and suggested they cite why they were saying things and stick to the facts and specific behaviors versus using labels that could open them up for an argument so as to not take away from the overall positive recommendations. He had not heard much feedback indicating the recommendations were inappropriate or wrong. As the public expected the police to address things beyond just crime, such as social work, he wondered if there was some specific expertise that might be needed to be able to solve and address those issues to free up policing for other police power work. He understood that could be hard because it was not policing. It was social work. He agreed those were separate things, but wondered whether a social worker in the Police Department might be appropriate if they were running into social work emergencies. He hoped his thoughts were specific enough to help with the new draft of the report. He commended Sergeant Fox for agreeing to take this on as there had been some pointed criticism. He reiterated he thought they needed to address the concerns as they would all need to come together as one community as it was dangerous for everyone to have two separate communities. He stated they all needed to take steps to make that happen.

Mr. Thomas agreed it had been a challenging task as it had involved some significantly different cultures. He believed this process had moved them forward, but noted he had been disappointed in some aspects of the report. The resolution that had called for this report had started by saying "whereas community oriented policing was an approach to public safety that started with shared values among police professionals and members of the community." He commented that he had not seen any proposal for how to develop those shared values between the community and police professionals in the plan or report. He explained the message he had received from the report was that they were moving quickly to a ballot question and more funding and that nothing could happen prior to that, and noted he had hoped to see some low cost preparatory steps. He stated he agreed that under the current workload the Police Department was seriously understaffed and that it was a nightmarish job going from one crisis to another without any time to understand the context of everything. While it would be a necessary step, he had hoped they would start with the conversations, the visioning, and the relationship building so they had the support for it. He had not seen any easy first steps that could be taken in the report. He noted those steps could still be taken, but they had not been included in the report. He commented that he had sensed an "us" versus "them" mentality in the report, which he understood existed as serious violations had occurred to people of color and there were bruised feelings on the discussion of those issues on the side of police officers, but believed they needed to get over and past those things for community

policing. He had hoped not to see that type of defensiveness, and had instead hoped for a more forward look and positive embrace of what clearly the majority of the community wanted. He did not feel the report had included much with regard to the community outreach unit, which was a gold standard pilot program that he thought had been working well. He had expected to see lots of data, antidotes, and lessons learned from the couple of years of community policing in a few small neighborhoods. He commented that there had also not been any mention of disparities in vehicle stops. He felt he had a better understanding after the recent work session and that it was related to where police officers were spending their time, pretext stops, investigative stops, etc. He thought they should look further into this to determine whether the practices causing the disparities were beneficial or not to public safety so they could make changes if necessary. He stated he would not support placing a property tax increase on the ballot in April and would probably not support it in August either as he felt it was too soon. He believed they had moved forward, and agreed with Mr. Trapp in that the actual goals were good, such as developing a community oriented policing philosophy, researching other agencies, utilizing school resource officers to build trust and relationships between teenagers and officers, having long term beats, and funding for additional officers and increased pay. He appreciated the fact they had included the Lincoln Police Department's strategic plan as an appendix, and noted it had included a process of putting together four committees with police officers at multiple levels with community residents and leaders of organizations with an interest in the issue for six or nine months to develop priority issues to be addressed, and for those priority issues to feed into the overarching process in developing the plan. He thought they would be on the right track if Columbia could develop a document like that. He felt the Columbia Police Department's strategic plan was far too brief to be able to be turned into an implementation plan. He believed the next step should involve designing a process with professional, outside facilitation to bring together those that were really engaged in the issue, which included police officers at all levels, in order to develop priorities as that would then influence training, policies, and operations. They could then discuss the budget, which could require going to the voters to fund.

Mr. Pitzer thanked Mr. Thomas for his leadership on this issue, and agreed they had moved forward. He also thanked Sergeant Fox for stepping up by taking this on as it had involved quite a bit of work. He thought page 40, which concluded with the first recommendation, really distilled for him what they were discussing. He noted it indicated that in order for this to work there had to be a total immersion of all ranks. It could not be compartmentalized because it would not change the whole department's culture and would be doomed for failure due to internal divisiveness and the lack of a career for the officers moving forward. That same section also referenced some divisiveness that had been created within the Department from the community outreach unit as those officers felt their successes had not been recognized and other officers alluded to frustration from handling additional calls. He pointed out the first recommendation indicated it required every rank, from chief to officer, to be on board with the philosophy and that the transition would not happen overnight as it would take 3-5 years. He commented that this was a Department with a significant amount of turnover in recent years for many different reasons, such as retirement and low wages, and that had created a lot of challenges along with opportunities as they had younger officers that were still learning the community. If they were able to implement this philosophy, they would have a legion of people who would hopefully be here a number of years and could spread the word, but it could not happen without the philosophy being bought into by every rank, from the chief to the officers. He stated he felt the challenge in moving from that recommendation to any implementation was being assured that the buy-in and commitment was there, and would remain there for the 3-5 years it would take to transition into it. He commented that he was not convinced in reading this report that the commitment was there. He asked if there was any way to flush that out or if specific actions or requirements were

needed to ensure that buy-in would occur and remain in place through any sort of difficult transition period because without it, whatever they did was doomed to fail.

Mr. Skala explained he saw his role tonight as listening to the public and obtaining input. He believed the report, which had been out for a while, was a foundation document that was still incomplete. He commented that the testimony with regard to respect had stood out to him, and noted he felt respect was essential regardless of the size of the department and any minority status. He stated they had to consider workload as a barrier to the philosophy change as he believed it would ultimately take more officers to relieve the workload problem for this to be successful, and reiterated the need for respect across the board, i.e., across the entire Police Department and within the entire community, so they were in a collaborative mode instead of an antagonistic one. He explained he had been trying to bring in national resources as a function of the REAL Council. The \$50,000 they had set aside in the budget was to look at every ordinance through a racial equity lens as they did not have the capacity to do this now within the City Manager's Office. He stated the REAL Council had tremendous resources even in terms of community philosophy to add to this foundation document. He commented that he was looking forward to their contribution and in bringing that kind of information to the public.

Mr. Ruffin thanked Sergeant Fox for taking on this difficult task. He understood there had been many voices throughout this process and that it was difficult to respond to everyone. He thought this report was a critical step as they moved toward a community vision for community policing. He commented that early in the process he had asked Sergeant Fox how the history of Columbia, particularly of its racial history, along with the layout and demographics of the City would impact their vision of what community policing should be in Columbia. He felt there, but ultimately needed to be a statement created that was unique and specific to Columbia. He did not believe they could shy away from acknowledging there had been disparities based on race and economics. It needed to at least be acknowledged in the document. He had also heard from the comments that although Sergeant Fox had taken the task of creating the report seriously, there were those that wanted it to include a vision and statement that the City was committed to pursuing that vision. He stated they needed more than a report. A visioning document of where they wanted to go was needed. He believed that would ensure they were seriously listening to the community. He commented that, as a community, they casted visions and asked for respect, engagement, etc., but without a clear understanding of strategically how to get those things, he thought they needed to acknowledge they were all in agreement to the vision. They could then hopefully and collectively with the expertise of Sergeant Fox develop the steps toward the fulfillment of that vision.

Mayor Treece stated he thought the draft report would benefit from some type of overarching philosophy or value statement that reflected the comments of Mr. Ruffin and the perspective of the community and different stakeholder groups that had participated in this conversation. Every employee of the Police Department should then be able to not only recite it but also live it. He thought the report was missing that at this time. He noted there was a reference on page 63 to the media, which he thought was inappropriate and had no place in a government report. He did not feel the J-school was teaching young journalists how to be anti-police and did not see media bias in the facts they were covering. In today's national climate, he believed it was unacceptable for that to be in the report. He pointed out there was also a tonal problem in the last sentence on page 67 that adopted an attitude that taxpayers received what they paid for and should not expect any new innovation. Before discussing how to increase resources, he felt they needed to discuss how they could adopt some easy next steps as had been mentioned by Mr. Thomas. He wondered about some tactics that could help execute the overarching philosophy, and once that was done, he thought taxpayers would respond enthusiastically.

Mayor Treece asked about the next steps and for a time frame for when a final report that

encompassed the comments received would be brought back to Council. He asked if 60 days was sufficient. Mr. Matthes replied that would be good. He stated they would do their best to respond to everything said and any other input received. The report was on the website, and they would add a form to it in an effort to obtain more input from the public. Mayor Treece asked if 60 days was acceptable to the rest of Council. Mr. Thomas stated it was odd to him to be editing the report as they did not exactly agree on how it should be changed. If changes were made, he would suggest a track changes version so they could see the changes that had been made instead of receiving an entire report to read again, much of which would be the same. Mr. Skala agreed it would be useful to be able to track the changes.

VI. OLD BUSINESS

B234-18

Authorizing an annexation agreement with JQB Construction, Inc. for property located on the east side of Highway 163 and south of the proposed Old Plank Road/Gans Road extension (Case No. 18-62).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor Treece asked if these 45 homes would be customers of the City or the Boone County Regional Sewer District (BCRSD) with regard to sewer. Mr. Teddy replied BCRSD. Mayor Treece asked if there would be a connection fee. Mr. Teddy replied yes, and explained it was addressed in the connection agreement, which was the next item. Mayor Treece asked if that would be upon annexation or upon connecting. Mr. Teddy replied it would be paid per the agreement. Mr. Johnsen stated connection fees would be paid as the properties annexed or prior to annexation. He thought it was \$3,600 prior to annexation and \$2,400 after annexation. The City would also receive 100 percent of the base charge and an 80 percent wholesale fee, which the BCRSD would pay for their customers.

Mayor Treece asked when the last time the agreement with the BCRSD had been reviewed. Mr. Matthes replied there had been many amendments to the agreement, but he was not sure when the last one had been made. Mayor Treece noted one of the recommendations of the Mayor's Task Force on Infrastructure had been to review the 20-year sewer agreement between the City and BCRSD to determine if the discounts offered to them based on the City sewer rate and their customers was still justified. He also thought they should take a look at Columbia's growth patterns in light of all of the discussions lately with regard to annexations and annexation agreements. Mr. Johnsen stated he knew the amendments sometimes had differing details, and thought much of it was governed by the policy resolution that required annexation or an annexation agreement to be in place prior to sewer service being provided.

Mr. Skala understood the majority of this property was within the urban service area. Mr. Teddy stated that was correct.

Mr. Pitzer commented that there was an item later on the agenda involving annexation agreements, but in that situation, they would be customers of the City, and asked why there was a difference. He wondered how it was determined who would be a customer of the BCRSD versus the City when connecting to City sewer. Mr. Johnsen replied he thought the difference was that a connection agreement would be involved with this annexation agreement. The sewer line was already in place and everything was developed. They only wanted to annex and connect to an existing sewer line. This included the development of a collection system. Mr. Pitzer stated he did not believe that was too dissimilar to the other situation.

Tim Crockett, 1000 W. Nifong Boulevard, explained he was the engineer for the project, which had been going on for well over twelve months, and a large portion of that time had involved the negotiations between the City and the BCRSD on the agreement associated with the next item on the agenda. It was not a stock agreement. He noted Quinn

Bellmer with JQB Construction was the applicant and developer of the proposed property, which involved about 164 acres of County zoned A-2 property. The proposal was for 45 single-family lots that were about 2.5 acres in size. The preliminary plat had been approved by the County, and they were only asking the City to approve the annexation agreement. The BCRSD was also asking for a connection agreement. He commented that the annexation agreement included some provisions to include the fact they would develop to full County standards with regards to streets. He pointed out the street standards in the County were virtually the same as those of the City in that they met or exceeded the City in all aspects. He noted they would also develop to the County's stormwater regulations, and the best way he could describe the difference between the City and the County stormwater regulations was to compare them to a Mac and a PC. He explained they both served the same purpose, but were not compatible with one another. At the end of the day, they were treating and detaining the water the same, so the end result would be the same as if the property was being developed in the City. He stated they would develop in accordance with the County land disturbance policies, which were the same as the City's policies, but would develop in accordance with the City's tree preservation regulations since the County did not have regulations in that regard, and that was stipulated in the annexation agreement. He noted they would also develop in accordance with the City's adopted fire code. There was a little difference between the two with the City's being a bit more stringent so they would develop per the City's code. He pointed out water would be provided by Consolidated Water District No. 1, Boone Electric Cooperative would provide electric, the roads would be serviced by Boone County, police services would be provided by the Boone County Sheriff's Department, fire services would be handled by the Boone County Fire Protection District, and solid waste would be addressed by a private hauler. The City had a four million gallon per day pump station located on the parent parcel and that along with a gravity sewer served the entire area. The pump station currently ran at about 17 percent capacity so there was adequate capacity to serve this development in this location. He explained a connection agreement with the BCRSD was needed, and the reason these would not be City customers was because the development was in the County and because it would involve a septic tank effluent pump (STEP) system. Typically, the City did not agree to those types of developments as they would rather have a gravity feed. He pointed out a typical subdivision within the City would have eight-inch gravity sewers with manholes that fed to the pump station. In this situation, given the topography and the nature and location of the development, they would construct small diameter pressure sewer systems to serve the entire development, and the BCRSD was more suited to serve that type of development. If the City were to take it on, the City would maintain the force mains, but not the individual pumps at each house. The BCRSD, however, would maintain the pump all of the way to the City pump station. He stated the City would receive 100 percent of the sewer connection fees, which would be paid at the time of the building permit in the County. In addition, it would be 150 percent of the standard connection fee so instead of paying \$2,400, they would pay \$3,600 per connection fee for a total of \$162,000. The City would also obtain 100 percent of the monthly base charge and 80 percent of the monthly volume charge. He pointed out the City would not be obligated to spend any money on this project, and would recover some of the costs already spent to build the sewer in the area. In addition, the City would not be obligated to annex the property if it became contiguous should the Council decide in the future it was not something they wanted to do. He commented that the approval of this request avoided having 45 individual sewer systems within Clear Creek or a BCRSD treatment facility that would discharge into Clear Creek.

Ms. Peters asked for clarification on the type of sewer system planned for this development. Mr. Crockett replied it was a septic tank effluent pump (STEP) system. In a normal situation involving a 75-80 by 120 foot lot, the effluent would leave the house via gravity to the lateral and the City main through town to the treatment plant. In this case,

they would construct a small diameter pressure sewer next to the road in order to avoid building gravity sewers through the rocky and sensitive terrain. As a result, the effluent would leave the house and go through a septic tank whereby the solids would be removed and then pumped by a small pump into a small diameter pressure system, which would then discharge into the City's sewer line adjacent to the City's pump station. He noted this was fairly common in rural type developments.

Ms. Peters asked if the owners were responsible for the individual pumps. Mr. Crockett replied he understood that if the City took on a development such as this, the City would be responsible for the pumps. The BCRSD would maintain the pumps in this situation. Ms. Peters asked if the property owner would pay the BCRSD to replace the pump. Mr. Crockett replied no, and explained it was a part of their monthly fee.

Ms. Peters understood this was near Rock Bridge State Park, which had been a problem for other developments. Mr. Crockett stated this was a 2.5 acre minimum development so the intensiveness of development was much less than a standard residential subdivision. The project had gone through the County, and the Department of Natural Resources was aware of it and had not provided them any indication of problems or concerns. A land disturbance permit had been issued for the development as well.

Mr. Thomas understood this agreement was required in order to connect to the City's sewer system, and asked if that was why they were coming to them. Mr. Crockett replied they were before the Council because the City had a sewer pump station on their property, i.e., the parent parcel, and it made sense for the sewage to go to that City pump station as it had been built to collect effluent in that area. Mr. Thomas asked who was requiring the annexation agreement. Mr. Crockett replied the City was in order to connect to the City sewer.

Mr. Thomas understood the property owner did not want to annex into the City. Mr. Crockett stated he was impartial on annexation. The annexation agreement indicated they would not oppose annexation once they were contiguous if the City wanted to annex the property. He pointed out if the property had already been contiguous, they would have annexed. Mr. Thomas understood the plans would allow the development to proceed without annexation. Mr. Crockett stated that was correct, and noted the agreement also indicated any development within the County had to be at the level of quality of the City in case the City ever wanted to annex the property. That provided assurances the streets, sewers, etc. were built appropriately.

Mr. Thomas asked if the \$3,600 connection fee would all come to the City's sewer utility. Mr. Johnsen replied yes. Mr. Thomas thought some aspects of the 150 percent rule were split between the BCRSD and the City. Mr. Crockett stated that was not situation here as 100 percent of the connection fee would come to the City. In addition, 100 percent of the base charge would come to the City and 80 percent of the volume charge would be provided to the City. Mr. Johnsen explained the City charged 80 percent of the City rate and the BCRSD charged its regular rate and returned 80 percent of the City's regular rate. They did not charge the City rate and provide the City 80 percent. They charged the BCRSD rate and the City received 80 percent of the City rate. Mayor Treece noted they received a 20 percent discount. Mr. Crockett understood that 20 percent equated to about \$2.50 per month per house. Mr. Johnsen replied that sounded as if it was close, but he was not sure of the exact number.

Mr. Thomas understood the connection fee was elevated by 50 percent and all of it came to the City. Mr. Crockett stated that was correct.

Mr. Trapp commented that he was not a fan of large lot development. In many ways, it was a more wasteful and land consuming way to house people, but it was also very appropriate in karst topography. He thought this was a question of whether or not they wanted this development to tie into the City's sewer. The development could have been done solely in the County as a County development, but it would have had 45 individual septic tanks and the effluent would leak into the environment. This was the reason they had adopted a regional sewer approach in the 1970s. He felt it was important to protect

the watershed and the State Park as it was an important resource that had at least four endangered species in the general vicinity. He felt it was important for the general protection of the environment to approve this annexation agreement to facilitate the connection to the sewer.

Mr. Thomas explained he had two big concerns about the way development typically happened in Columbia. The first was that as they added properties to the public infrastructure systems, they did not recover more than a small proportion of the cost of expanding those public infrastructure systems to accommodate the capacity involved with those additional customers. It was something they would start working on now since they had a commitment of some funds to do an impact study. He hoped they could start addressing that situation by charging adequate impact fees so the City was not financially damaged by the process of growth. He noted his other concern involved sprawl and the extension of long service lines, whether sewers, roads, water lines, etc. as it created a lot of inefficiencies. He understood this particular project did not annex the property. It only involved an annexation agreement, which was required per City policy. He pointed out he wanted to have a work session on the policy to require annexation in order to connect to the regional sewer plant to determine if it was really still necessary or appropriate. He understood they were not really committing themselves to providing services to 45 additional lots in this situation so he planned to support the request.

Mr. Skala stated he was mindful of the karst topography involved with this development. He commented that when it came to annexations, he intended to be careful in this resource-scarce budget environment in terms of paying for some of the extended infrastructure necessary to support additional growth. In this case, the sewer lines were already there, and they would receive some of the costs back. He noted he was also concerned about sprawl, but pointed out that although one smart growth principle was antagonistic to sprawl, others supported a sense of place and a sense of choice. In this particular situation, given the mitigation to larger lots due to the karst topography and the fact all the infrastructure was already in place, he was inclined to support it.

Mayor Treece suggested the Scrivener's error of Grans be corrected to Gans in the final ordinance and asked if there was any objection. No one objected.

B234-18 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B235-18 Authorizing a connection agreement with Boone County Regional Sewer District for sewer connection of the proposed Clear Creek Subdivision located on Highway 163 to the City's wastewater collection and treatment system.

The bill was given second reading by the Clerk.

Mayor Treece noted this was a companion bill to the bill they had just discussed.

B235-18 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B229-18 Voluntary annexation of property located on the north side of Mexico Gravel Road and east of Spring Cress Drive (5705 E. Mexico Gravel Road); establishing permanent R-1 (One-Family Dwelling District) zoning (Case No. 18-131).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Thomas understood the owners had an onsite sewer treatment process on the site currently. Mr. Teddy stated that was correct. Other than the house two doors to the west, he did not believe any of these properties were connected to the sewer.

Mr. Skala asked if the lot two doors to the west was within the City's boundary. Mr. Teddy replied yes.

B229-18 was given third reading with the vote recorded as follows: VOTING YES: SKALA, PITZER, PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: THOMAS. Bill declared enacted, reading as follows:

B230-18 Voluntary annexation of property located on the northwest corner of the Scott Boulevard and Brushwood Lake Road intersection; establishing permanent M-N (Mixed-use Neighborhood District) zoning (Case No. 18-146).

The bill was given second reading by the Clerk.

Mr. Thomas asked who would be providing the services on this lot once it was annexed. Mr. Teddy replied Scott Boulevard was a City road and Brushwood Lake Road was within the jurisdiction of Boone County. Mr. Thomas asked about water and electric. Mr. Teddy replied the development would be served with City water, sanitary sewer, electric, trash collection, and public safety. He noted fire protection was impacted by the State Law that had recently changed whereby both the City and the Boone County Fire Protection District would provide those services.

Mr. Thomas commented that he would vote against this as he did the previous annexation because this was adding infrastructure capacity costs to the City without adequately exacting compensation.

Mr. Skala asked about the urban service area. Mr. Teddy replied this was within the urban service area as sewer was located close to the property. Mr. Skala understood it was within the urban service area. Mr. Trapp noted the memo had indicated it was within that boundary.

Ms. Peters understood this would be just to the west of the roundabout. Mr. Teddy stated it was at the northwest corner of the roundabout. Ms. Peters understood one would still be within the City if going south of that location. Mr. Teddy stated that was correct.

Mr. Pitzer understood the road split the lot so it would eventually need to be replatted if this moved forward. Mr. Teddy stated that was correct. He noted there was a remnant section that did not appear to be developable.

Phebe LaMar, 111 S. Ninth Street, stated she was representing the applicant and was available to answer any questions.

B230-18 was given third reading with the vote recorded as follows: VOTING YES: PITZER, PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: SKALA, THOMAS. Bill declared enacted, reading as follows:

B231-18 Rezoning property located on the south side of I-70 Drive SE, approximately 2,000 feet east of St. Charles Road, from District A (Agriculture District) to District PD (Planned District); approving the statement of intent; approving the "Truman Solar" PD Plan; granting a design adjustment relating to landscaping and screening (Case No. 18-115).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Makidi Takagi stated he was a developer with Cypress Creek Renewables and noted he was available for any questions. He commented that he understood the President of Cypress Creek Renewables had made a presentation to the Council when the power purchase agreement had come forward earlier in the year. He explained they were a national solar developer and had developed about 220 projects successfully since their inception in 2014, which totaled about 2.2 gigawatts. He noted they were also a long term owner and operator of solar farms so they had an additional six gigawatts in development across the country.

Tim Waid, 2104 Bluff Pointe Drive, stated he owned 109 acres on the south side of this development. He displayed a diagram and explained the solar farm would be just to the north of the yellow line and would be 70 feet higher in elevation than his property. He commented that a 10-12 acre parcel that was cut off by the Grindstone Creek was the area with which he was most concerned. He stated he was not present to oppose the farm or the project. He only wanted to voice some of his concerns for the future, and make a suggestion for a revision. He understood the City had entered into a contract with the applicant indicating they could be a public utility and that the property could be zoned industrial for a 25-year time frame. As a result, they had structured their operations, costs, and project in that manner, but the City later changed its mind and decided it needed to be a private utility and zoned as a planned development. He commented that he had never heard of a solar farm coming into the city limits as a planned development, and understood that meant it could change over the 25-year time frame. He stated this was a bit disconcerting to him. He pointed out the company had suggested at the Planning and Zoning Commission (PZC) meeting that this new zoning requirement had made them tighten their margins as it had not been anticipated in the original contractual agreement. He understood some landscaping and buffering, which was normally required, would be waived, and thought they might be less apt to respond to stormwater runoff issues due to costs and tightening margins. He believed the City was assuming a lot of liability in policing stormwater runoff in the future, and explained that if he had a problem with stormwater in the future, he would ask the City to take measurements. He commented that he was not sure if future Councils were bound by this Council's decision. He stated another concern was that this property was at the boundary of the City while his property was in the County and would be surrounded by the City and eventually become the center of the City. As a result, there would be a solar farm in the middle of the City similar to those near the Westlake's near Worley Street, but it would be 93 acres instead of one acre, and he was worried about that. He thought it was suspect to bend the Unified Development Code (UDC) for this project as this would essentially allow spot zoning. He noted he was also worried about the working trust with the applicant since the City had already changed the terms of the contract. He commented that the science of the impervious nature of these rotating solar panels had caused him consternation, and he also did not like the fact this was driven by a 15 percent renewable energy quota, which influenced the City's decision-making in the types of contracts created with applicants. He suggested the zoning be changed from planned development to industrial zoning. This would ensure it would not change in the future as a planned development could be brought forward and changed any time within the next 25 years. He reiterated it caused him concern as the owner of property to the south. He also reiterated that he was not opposing the project, and was only making suggestions.

Mayor Treece commented that he thought PD zoning provided more protection than industrial zoning as far as what could go on the property. Mr. Waid explained he felt this was an industrial project and should be zoned in that way. He questioned why they would zone it under the guise of planned development when it could be changed at any time in the future. Mayor Treece stated a change in PD zoning would create an opportunity for adjoining property owners to express their thoughts. Mr. Waid commented that it could create a challenge as well. They would not know how it would

go, and it could be to their detriment or their benefit. He thought it fit nicely as it was, but noted the applicant had never presented science on the impervious nature of the rotating panels so they did not know how that would impact the Grindstone Creek. He reiterated he was worried about runoff. Although the applicant had assured him that they had it figured out, they had only been in business for four years.

Mayor Treece understood Mr. Waid was not opposed to an adjoining property owner doing what it wanted with its property to maximize its value. Mr. Waid stated he only felt it needed to be zoned industrial when coming into the City. This would ensure those in the future knew what they were getting.

Mr. Skala commented that he was perplexed at the assertion that planned development was somehow less predictable and dependable than industrial zoning. Mr. Waid believed they would know exactly what they were getting with industrial zoning, but felt with a planned development, the owner could come back within a year or two to change the project. He stated it was concerning due to a 25-year fixed contract being involved.

Mr. Skala understood there could not be any more runoff post-development than there had been pre-development for any development regardless of zoning. Mr. Teddy explained the applicant would have to submit construction documents. This was a preliminary plan, which showed the aerial extent of the solar panel installation, and that arrangement would be locked in by the planned district ordinance. It would also include other parameters, such as the height of the structure. If any of that changed, there would be renewed proceedings for a major change in the plan. With regard to stormwater runoff, the applicant would have to have construction documents that showed they were creating no greater runoff conditions. It would also include treatment of the water. Mr. Waid understood the City assumed the responsibility for monitoring stormwater runoff, so if there were problems, he could contact the City. He thought if there were costs absorbed by the City that were excessive, they would need to go back to the applicant to try to recover those costs. He felt this would be the process for the next 25 years and it caused him some consternation since it involved emerging technology. Mr. Teddy pointed out a civil engineer would have to sign and seal the construction documents certifying it met the City's ordinances. A civil engineer would also review the plans. He agreed the City handled monitoring responsibilities.

Mr. Skala understood there was some protection with a planned development in that if there were major changes, it would have to be examined once again. Mr. Teddy stated that was correct. He commented that he did not know the runoff rates or coefficients for solar panels or how they compared to rooftops, but there were hard surfaces so it would be taken into account and justified by the design professional.

Mr. Trapp understood planned development changes would have to come before the Council. If it was zoned industrial, zoning changes would be a Council decision as well. There was a point where an engaged citizenry needed to hold future Councils accountable. He believed a lot of agricultural zonings allowed solar farms as well so it was not strictly industrial zoning, but since the City of Columbia did not have that in their agricultural zoning, he thought a planned development was appropriate. He noted it offered a lot of protections. Open industrial zoning would allow any of the categories within industrial zoning, and the applicant could decide to relocate the solar farm and construct a factory or another industrial use instead. He believed the planned development zoning was a good solution, and stated he was looking forward to this project.

Mr. Skala commented that he wanted to resolve the issue with regard to the waiver as the staff had recommended there not be a waiver for the trees along I-70. Mr. Thomas asked about the history of the waiver being given. He wondered if that had occurred at the PZC meeting. Mr. Teddy explained the applicant was actually doing the trees along I-70. It was the vegetation being added on the west and south sides. He noted they would install a screening device as a wooden fence was shown on the plan on those two sides. There was also existing vegetation there. He stated they planned to rely on that natural

buffering and there would be a solid fence. Mr. Skala understood there had been a recommendation at one point against the waiver. Mr. Teddy stated that was correct. The PZC had suggested two of the three waivers be recommended, and the applicant had responded to the one they had recommended denial of by amending the plan to include that vegetation.

Ms. Peters asked about the other two waivers. Mr. Teddy replied it would involve plantings based on the transition and uses. The argument was that there would be a solid fence and the fence would be placed well within the property. In addition, there were tree lines along those sides so that natural existing vegetation would also provide screening.

Ms. Thompson commented that this particular PD plan limited the uses on this property to a solar facility and single-family, two-family, and multi-family housing. Open industrial zoning would have opened this particular property up to a plethora of industrial uses allowed under the zoning the code. This PD plan limited that.

B231-18 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B233-18

Authorizing annexation agreements with Dale L. and Joyce K. Rice, the Joel D. Haden Trust, the Estelle Jean Taylor Living Trust, the James W. Gerau Trust, and the Gerald E. Tveitnes and Mary Ann Tveitnes Family Trust for properties located on Lake of the Woods Road and Mexico Gravel Road (Case No. 18-149).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Thomas understood these properties were not contiguous to the city limits. Mr. Teddy stated they were not at this time. Mr. Thomas felt this was the same situation as the one in the Rock Bridge State Park area. Mr. Teddy explained the only difference was that these were developed lots. He understood they had been experiencing some difficulty with their onsite systems, which was why they desired the common system.

Mr. Thomas understood the City would collect a \$3,600 connection fee from each property. Mr. Teddy stated that was correct.

Mayor Treece asked if they would build out to the City's main. Mr. Teddy replied there was a facility on Mexico Gravel Road and it would be the obligation of the property owners to get to that main.

Mr. Pitzer asked why these would be City sewer customers and not BCRSD customers. Mr. Johnsen replied it was a single development and the property owner would own everything from the property to the main. There was not a collection system that needed to be supported by the BCRSD. The City did not support a pump program. While they had some customers on the system that utilized pumps, the property owner was responsible for it.

Mr. Pitzer commented that there were four properties, and asked how the one furthest south would connect to the City sewer. Mr. Johnsen replied since the City line was nearby a collection system was not necessary so the BCRSD was not required to participate.

Mr. Pitzer asked if the City would be responsible for maintenance on those properties for whatever collection system was installed. Mr. Johnsen replied the City would be responsible for the main. The City would not be responsible for the pump that was in the house.

Mr. Glascock stated these were failing sewers, and that was the reason they would be added to the City's system. Mayor Treece understood they were failing septic tanks.

Mr. Glascock stated they had failing septic tanks and lagoons. Those would be removed and the homes would connect to the public main. Since the lots were already developed, there was not a benefit to the BCRSD to put them all together as a district. In addition, they were annexing and not staying in the BCRSD territory. Mayor Treece pointed out they were not annexing as they were not contiguous. Mr. Glascock clarified they would annex into the City in the future. He reiterated they were individual lots today. They were not like the one near Clear Creek whereby it was a raw piece of ground developing into multiple lots. These properties were already developed with houses.

Mr. Skala understood the City would provide some of the sewer infrastructure that was necessary for the connection, and they would provide the onsite connection equipment to get to that point. There was no other infrastructure cost associated with this. Mr. Glascock stated there was no other infrastructure the BCRSD owned out there so they were attaching to the City's infrastructure. Mr. Skala understood if this property annexed, the City would be responsible for extending other infrastructure, hard and soft. Mr. Glascock stated that was correct.

Jesse Stephens, 100 W. Nifong Boulevard, explained he was with Crockett Engineering and there was an existing onsite common lagoon that had problems. It was in a watershed very near City properties. The owners wanted to get off of the lagoon and connect to the City sewer. The BCRSD did not have anything in the area and consented to relinquish this territory to the City in the event a pre-annexation agreement was executed. These property owners had agreed to pay the connection fee of \$3,600 along with the ongoing 150 percent sewer fees until annexation. In addition, they would take care of all of the infrastructure. The only impact to the City while the properties were under pre-annexation was the patrolling of a 700 foot two-inch force main that would be connected on the properties and paid for by the homeowners.

Mr. Skala asked if the City had any right of annexation refusal for these properties. Mr. Teddy replied he thought the Council had the right, but not the obligation, to follow through on annexation. Ms. Thompson stated that was correct.

Mr. Thomas understood the City could decline to offer annexation to this property after having signed the pre-annexation agreement and providing sewer service as they were not obligated to annex the property even if they wanted to be annexed. Ms. Thompson stated that was correct.

Mr. Pitzer understood that was the case for the earlier project as well. Ms. Thompson stated that was the case with all pre-annexation agreements. It was permissive of the Council as to whether to accept the annexation at the point in time at which it became contiguous.

Mr. Skala thought this was slightly different than the previous one since there was a failing system involved. Mayor Treece asked how it was different than the Henderson Branch sewer extension project other than the fact they already had a line there. Ms. Peters replied she thought the fact they already had the line there was the difference. She believed there was an obligation to help people in the County with a failing sewer system. Mayor Treece understood they were paying for it. Ms. Peters agreed. She pointed out they did not have to accept those properties into the City in the future either.

B233-18 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B236-18 Authorizing construction of the Hirth Avenue storm water improvement project; authorizing the Purchasing Division to call for bids or issue a contract for the project.

Mr. Trapp walked out of the meeting room.
The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Ms. Peters asked why the stormwater boxes were needed and what would happen further up the street. She wondered how they had determined where the boxes needed to be placed. Mr. Johnsen replied the engineers had located two stormwater boxes to try to keep the stormwater out of the road and from impacting the basements of the homes. More might be needed to be done to completely solve the problem, but the engineers felt this was a project worth bringing forward as a next step to try to improve stormwater in the area.

Ms. Peters understood the plan was to construct those two boxes, and it would connect to a stormwater system already in place. Mr. Johnsen stated that was correct.

B236-18 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN. VOTING NO: NO ONE. ABSTAINING: TRAPP. Bill declared enacted, reading as follows:

Mr. Trapp returned to the meeting room.

VII. CONSENT AGENDA

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

- B232-18 Approving the Final Plat of "The Crossing-EPC Plat 5" located on the southeast corner of the Grindstone Plaza Drive and Grindstone Parkway intersection; authorizing a performance contract (Case No. 18-163).
- B237-18 Authorizing an agreement with The Curators of the University of Missouri, on behalf of its Veterinary Medical Teaching Hospital, for emergency veterinary services.
- B238-18 Authorizing an airport aid agreement with the Missouri Highways and Transportation Commission for completion of master plan and airport layout plan updates for the Columbia Regional Airport.
- R149-18 Setting a public hearing: proposed construction of a traffic calming device on Walnut Street between Melbourne Street and College Avenue.
- R150-18 Setting a public hearing: proposed construction of the Country Club sanitary sewer relocation project located generally east of Old 63 and north of Walnut Street.
- R151-18 Setting a public hearing: proposed construction of Phase 2 improvements to the digester complex at the Columbia Regional Wastewater Treatment Plant.
- R152-18 Setting a public hearing: voluntary annexation of property located on the east side of Bearfield Road, approximately 1,400 feet north of Gans Road

(Case No. 18-109).

R153-18 Authorizing the City Manager to apply to the Missouri Department of Transportation for federal 2018 Transportation Alternatives Program (TAP) funding for projects that aid in non-motorized transportation.

R154-18 Authorizing Amendment No. 2 to the agreement for professional engineering services with Bartlett & West, Inc. relating to the Nifong Boulevard/Sinclair Road and the Vawter School Road/Old Mill Creek Road intersections improvement project.

R155-18 Approving the I-70 Loop Corridor Plan.

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

VIII. NEW BUSINESS

R156-18 Authorizing a cooperative agreement with Resident Arts for a mural project to be located on the tunnel wall along the MKT Trail under Elm Street.

The resolution was read by the Clerk.

Ms. Dresser provided a staff report.

Mr. Pitzer commented that he was curious as to how this had come together, and more broadly, what would be done if someone came to the City wanting to paint a wall in the future. He wondered if the City would solicit different options. Ms. Dresser replied this was one of the first instances involving an organization initiated project. Going forward, they planned to revise how it would be approached. She stated they had a set of guidelines or requirements they had asked of the organization prior to moving to the next stage of the process and obtaining public input. She pointed out they had gone through an internal staff review of the capacity of the organization for completing the project. Mr. Pitzer understood there had not been a request for bids or proposals. Ms. Dresser stated that was correct. There had not been an RFP process for this particular space.

Mayor Treece asked if the City had a policy for public art on public assets. Ms. Dresser replied no. She explained they had a policy for accepting gifts of works of art.

Mayor Treece asked if the utility boxes and the stormwater gutters and drains were done through an RFP process. Ms. Dresser replied yes. She explained the Office of Cultural Affairs oversaw the traffic box art program. It was an annual program for which they provided funding. She thought they had provided consultation on the storm drains years ago, but was not sure about that particular process in terms of selecting artists.

Mayor Treece asked if any organization, not-for-profit, or corporation could approach the City asking to install art on a public asset. Ms. Dresser replied questions had come up as a result of this project and noted they needed to determine the appropriate way to avoid various future scenarios going forward. Ms. Thompson explained staff had identified some weaknesses in the manner in which this particular piece of art had come to the City for installation while going through this process. The City was not able to discriminate based upon content of speech so it was difficult when not utilizing the RFP process to allow one project to happen but not another. In this situation, they were able to differentiate this particular piece of artwork because it was somewhat of a partnership

with the City since the Office of Sustainability had been involved in the design of the project. They could tie this piece of art to the City's Strategic Plan and the goals of the City. If the Council did not want to move forward with this project and preferred the issuance of an RFP, she thought staff would be comfortable with that as well. She noted the way this was done was not best practice for the future, and stated she would encourage an RFP for the future.

Mr. Pitzer felt staff was making a decision based upon the content. Ms. Thompson explained it was a partnership with the City. She noted it would be an issue if it had not been a partnership with the City, but the Office of Sustainability had been involved with the project. She explained the rule was different if there was a City partnership involvement because it was partly a City project. She reiterated if Council was not comfortable moving forward, an RFP process could be done.

Mr. Ruffin stated he had heard that if Council did not approve this tonight, the grant could be lost, and asked if that was correct. He understood they were scheduled to start working on it on Saturday. Ms. Dresser replied she understood the funding organization had placed a timeline of November for the proposed project to be completed.

Mr. Ruffin asked if there was a finished artist's rendering available. Ms. Dresser replied it had been included in the packet. Ms. Peters stated it was a huge attachment that had taken a while to download.

Mr. Skala commented that there had been other murals that had been allowed, and asked if that had involved a different process. Mr. Griggs replied that several years ago, staff had come to Council because they were having problems with graffiti in the tunnels along the MKT Trail. In the report they had outlined every tunnel wall with a mural, and it would be done through the C.A.R.E. program whereby the City would hire an artist each summer. The difference was that City paid for it and organized all of the meetings with the public and nearby constituents. The first meeting had involved a lot of people. Now that they were in year three, only a handful of people had attended the meeting. It was done under the direction of the City.

Mr. Skala suggested the process be refined moving forward, but stated there appeared to be some safeguards in the process given the circumstances and the possibility of losing the opportunity to do this.

Ms. Peters noted there had been a fair amount of public input on this project now. Ms. Dresser agreed. She stated she thought there had been about 40 people at the initial community feedback session held by Resident Arts on this design, and about 30 people at the first interested parties meeting. There had been about 15 people at the other interested parties meeting last week when the project had been moved to the new location.

Mayor Treece asked about the medium that would be utilized. Ms. Dresser replied it would all be painted. There could be some enhancements and differences, but the content of each of the scenes would be what was shown in the design. It was a photo rendering now, but would be transformed to a painted version. She noted they had planned to follow the same procedures as the other mural installations with a primer, the correct kind of paint, and a sealant to protect it.

Mayor Treece asked if there was a right of use agreement with this and whether it expired. Ms. Dresser replied she would say the cooperative agreement was similar to a right of use agreement, but it also included a couple of other stipulations. Mayor Treece explained he was thinking of the mosaic that had been on the University commons that had failed after two years when water had gotten underneath it as the artist had been upset as well as the public, and the taxpayers were left to remove it. Ms. Dresser commented that as soon as the project was done, the City would have complete authority to decide what it wanted to do with it. In addition, the organization had agreed to correct any flaws over the next five years after installation. It was similar to the other Parks and Recreation murals.

Will Erlandson, 813 W. Worley Street, stated he was pleased to hear the discussion

tonight. He explained he did not have views that would fully support all art carte blanche to be funded by the government, but if there were direct lines to the Strategic Plan or a gift had already been made by an organization, he thought it would be sad and ironic for it to go to waste since it involved the Office of Sustainability. He voiced his support for this particular project to go forward at this time.

Madeleine LeMieux commented that she was the lead artist and Director of Resident Arts. She stated was proud of the City for being supportive of public art through the many programs it had to support artists and arts organizations, and noted she had been making murals for 14 years. Murals had the capacity to beautify and transform, and the ability to deter vandalism and create a sense of stewardship in the community. She noted public art was most important because it had the capacity to reach people out in the world, and pointed out Mr. Ruffin had spoken at all three of their previous dedications along the MKT Trail about the impact art had on the young peoples' lives with which they worked. In the past, she had been hired by C.A.R.E. to teach young people how to make murals, and while they were making a piece of public art, the relationship was more in that she was giving the gift of education in addition to the public art. This proposed project would include scenes of the day in the life of Columbia starting at the creeks and moving into the neighborhoods, showing commuters going to businesses, community gardens, and farms, and then returning to the creek. It highlighted moments in daily lives where they might make choices to reduce their impact on the environment. She noted the scene existed within a poetic quote from Marshall McLuhan, which said "There are no passengers on spaceship earth. We are all crew." It was to remind them of their responsibility to care for their one and only home, and fact bubbles shared insights on the imagery through facts about sustainable practices. This educational message on climate action was already espoused in the work the City did through the Office of Sustainability. She commented that most publically funded artworks were designed and created by a single artist. The Resident Arts team consisted of herself, former C.A.R.E. trainees and assistants, two former Resident Arts afterschool team program trainees, and another artist who had significant experience working with the community. Their last project had been completed in partnership with C.A.R.E. on August 1st and had engaged nearly 300 people in its design and production. She pointed out that no single piece of artwork would be liked by everyone, and stated she would rather have art that she did not particularly care for than no art at all because she knew it might speak to someone else even if it did not speak to her. She noted art was not created by committee. It was created by a single or a few collaborating artists at the helm of artistic expression. In the case of the mural design, the artist team had worked with several City staff members including those in the Office of Sustainability and the Office of Cultural Affairs as well as individuals that had attended the community feedback sessions that had shaped the proposed design. She believed the project had been thoroughly vetted with majority support. She commented that public art was not free, and explained she had applied for the grant and had come to the City asking to use the wall. Resident Arts was one of six artists or agencies that had been awarded a grant from the Union of Concerned Scientists (USC), which was a national non-partisan, non-profit with tens of thousands of members nationwide that advocated on behalf of issues like climate action. It was a one-time grant that had an original completion of today. It was a gift to the City of not only dollars and publicity, but of time. Hundreds of hours of her and the team had already been invested, and hundreds more would be necessary to complete the mural. In addition, it was all without spending tax dollars. She stated the project was funded and the design and process had been vetted and scrutinized. It was supported by four City departments and countless citizens. She noted this was their last chance to accept the gift as further delay would kill the project and the contracts of the young artists that had already gone above and beyond what had been expected of them. If they lost the grant, it would have to be repaid. She feared it would jeopardize their ability to do future projects, and asked for approval without further delay.

Mr. Pitzer asked Ms. LeMieux if she had worked with the USC previously. Ms. LeMieux replied no, and explained she had applied for a grant through them. Mr. Pitzer wondered if she knew anything about their funding. Ms. LeMieux explained this was a one-time grant to promote science through the arts. It was a project they were doing this year. Mr. Pitzer asked how many grants like this Ms. LeMieux typically applied for. Ms. LeMieux replied this was the largest grant they had ever applied for or received. She noted they typically applied for three grants annually because she was a part-time volunteer staff person and that was about how many she could manage. This was about the largest they had ever had.

Mr. Ruffin asked about the criteria for acceptance as it appeared to be a tremendous honor for a city the size of Columbia to be chosen. Ms. LeMieux replied she had actually used the process they had for the MKT Trail as part of the C.A.R.E. program as an example to the USC so they would duplicate that process as part of the fulfillment of the grant.

Levi Sherman explained he was the Vice President of the Resident Arts Board and understood some were concerned that if the City approved this that it would somehow endorse the content. He thought if the City approved the mural, it would just endorse the idea that free speech and creative expression was important. He did not feel all speech was equal or that all speech could be placed on public property or endorsed by a City, but he did not see how this would set a precedent where hate groups and domestic terrorists would get to fund public art. He thought there were already a lot of safeguards with the way they managed creative expression that did not allow for hate speech. In terms of the idea that this would make the City responsible for the maintenance of the wall, it was already within the City's purview, and this would provide a five year pass whereby Resident Arts would maintain the wall. He understood some felt there had been a lack of process or a lack of transparency, and felt the opposition to the mural had been disingenuous as initial concerns about bicycle and pedestrian safety had turned into concerns about property value, aesthetics, and whether art could have text. Every time they had scrambled to address some of the issues, the objections changed, which had muddied the waters as to what the objections really were along with the goals. He pointed out the content of the mural was already endorsed by the community since it aligned with the Office of Sustainability and reflected the values many Columbians already shared. He agreed not everyone would like any piece of public art and not everyone in the community would agree with the City's Climate Action and Adaptation Plan, but the ideas were widely endorsed by the City already. He commented that the process of teaching people to create art was what had gotten the USC interested. The initial call to USC had been to fund five projects nationally, and they had funded six. Residents Art was an outlier as they had been the only community based collaborative approach that had been funded. He thought this was why the projects had been shown to reduce graffiti as people tended not to tag a wall they had spent time painting themselves.

Heather Heckman-McKenna, 813 W. Worley Street, stated she was speaking in strong support of public art and strongly supported this project. Art, especially educational art that sought to induce thoughtfulness, only resulted in increased thoughtfulness amongst the community. The project would benefit the community and did not cost the community anything. She asked that the Council approve the proposal.

Jamila Batchelder, 503 Crestland Avenue, explained she was the former director of the C.A.R.E. Art program and had started the City's relationship with Resident Arts for the mural projects that had been previously done. She stated she was proud of those murals and had received so much positive feedback from the community with regard to them. She thought continuing that was exciting. She pointed out this wall had already been envisioned to be painted in the future, and now they were able to do it for free. She commented that she loved the design and believed it would fit well with the City's values. She stated she and others were excited about the project. She urged the Council to

approve it.

Patrick Tapp stated he was a former resident at Resident Arts and was now on the Board. He explained this was not a painting by one individual. It was a community event to put the art on the wall and people were allowed to participate. He noted they had discussed concerns about crime earlier, and felt that often happened because individuals tended to not feel valued or heard. He thought this was a fun, creative, and safe way for those individuals to have a safe outlet and to feel valued, important, and loved by the community. By doing this, those individuals would give that love and respect back. He urged the Council to support it as he believed it would help them all.

Drew Amidei, 3800 Bent Oak Drive, stated his support for the project. He explained he worked at the University of Missouri and his research was about global warming and anthropocene, so these were things that he cared about along with art and public art. He understood there was concern about what might happen if the Council endorsed some kind of textual message as the City would have to speak with one voice. He did not feel that was the way anything actually worked because the City had many voices. If they did not allow for murals such as this, they would not have the ability to build unity. He thought it was important for it to come from the community and acknowledge the many voices and concerns of the community. He urged the Council to allow the project to move forward.

Gwendolyn Edward, 211 Basin Drive, believed the statements made earlier with regard to the development of a future policy in terms of public art were fair and smart. She also saw how this proposed project spoke to the City's initiatives and values. As a lay individual, she could only see a benefit in moving forward with this specific project. She was worried they were at the brink of losing this art by not fulfilling the grant. She commented that as a member of two historically marginalized communities, the mural and its content made her feel more welcome in this town. She felt it might also be welcomed by others who sometimes needed to see movements toward equality, inclusion, and community building efforts. She urged the Council to approve it.

Carley Gomez, 1025 Ashland Road, stated she was a writer and visual artist that supported public art that utilized many forms and mediums, including the language chosen for this mural. It was an important and beautiful project that would bring the community together, and spoke to the importance of the planet, which was by no means a political statement. Resident Arts had a record of successful mural design and production in the community. She hoped the Council would support this mural as well.

Carissa Boesh explained she was a Board Member of Resident Arts and noted she believed Ms. LeMieux had created something that would have a huge positive impact on the community. She thought it was a positive message, and urged the Council to approve it.

Eugene Elkin, 3406 Range Line Street, thought it was important to have a rendering of what would be painted as it was necessary in making a decision. He referred to the traffic box art and a painting on Hitt Street of a gentleman in a canoe and thought it was absolutely beautiful. If they thought about how many people from around the world came to Missouri, he wondered how many more people might come wanting to see the beautiful art in Columbia.

Mr. Trapp commented that Marshall McLuhan had also said "the medium is the message" and murals spoke outside of the content in and of themselves. Murals also said something about the community in terms of allowing free expression. He noted this was a partnership with the Office of Sustainability and something they should support.

Mr. Skala thought there had been issues early on that had been addressed due to the new location and that it had been properly vetted. He suggested the process be addressed for the future. He thought this particular project was a positive step forward for the City in terms of its collaborative process and another mural along the trails. He stated he would enthusiastically support the project.

The vote on R156-18 was recorded as follows: VOTING YES: SKALA, THOMAS,

PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: PITZER. Resolution declared adopted, reading as follows:

R157-18

Designating the area bounded on the north by Rogers Street, on the east by Waugh Street, on the south by East Broadway, and on the west by Tenth Street as the central core of the North Village Arts District; authorizing an agreement with Berry Building, LLC for the installation of signage to identify the North Village Arts District.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Mayor Treece commented that he thought this would be a variance to the sign ordinance, and they were now creating a district. He asked by what authority the City was creating a district. Mr. Teddy replied he thought it was a district that had some foundation within the Downtown Charrette where they had branded the general area as the North Village Eco-Arts District. There was also a non-profit organization that desired this identification on the building. It had been done this way to provide the Council additional rationale for approving a rather unique sign. The City did not typically permit roof signs. It was not a category they had in the downtown. They had roof signs for shopping centers, but those were meant for mansard roofs. It was otherwise a typically prohibited type of sign. Ms. Thompson pointed out it was also an off-premise sign, meaning it was not a sign that identified a particular premise. Until the Council designated the district, it would be akin to a billboard, and the City did not allow billboards in the downtown. It had to be wayfinding signage in order for it to even be something the Council could consider. When they really dove into what the Code allowed and did not allow, having a variance at that location was not an option.

Mr. Skala understood normally relief of this sort would be a function of the Board of Adjustment (BOA). Ms. Thompson stated they might be able to use a variance going through the BOA, but it was a sign that was not allowed as an off-premise sign. The BOA would be asked to approve a billboard downtown. From a staff perspective, they did not think that was an appropriate venue or something the staff could support. Another option would be to amend the sign code, and that did not appear to be an appropriate solution as there could be a lot of unintended consequences. Staff identified this as being a really unique situation that called for a somewhat unique solution in terms of designating it as a district in the downtown. It had organically grown and was known as the North Village Arts District.

Mayor Treece asked if there were other ordinances the Council had adopted that formally recognized a 501(c)(3). Ms. Thompson replied they had the District itself. Mayor Treece understood that had been organized under statutory authority. Ms. Thompson agreed, but noted it was a district, and the Council had allowed the signage to go across the roadways in the form of public art as it related to different subdistricts of the District. Mr. Teddy pointed out the City had a banner program that was recognized, and the Downtown CID, i.e., the District, was one of the eligible users of that program. He understood they had a North Village Arts banner that had been used in the past. Mr. Skala noted Boone Hospital was another. Mr. Teddy stated that was correct, and explained the higher education institutions and the library were also participants of that program. Ms. Thompson stated there were loose boundaries associated with each one of those.

Mayor Treece asked why this was not eligible for a variance. Ms. Thompson stated it was an off-premise sign. It was not something that could go to the BOA with a staff recommendation because it was essentially a billboard by definition under the UDC since it was considered an off-premise signage. It could be sent to the BOA, but she understood there had been an objection to that process. Mr. Teddy explained variances and appeals could go to the BOA. He reiterated rooftop signage was not a category in the M-DT district so they had to make this provision of a directional or wayfinding sign.

Mr. Ruffin asked if the City had any construction standards that would ensure the sign

would stay in place. Mr. Teddy replied the owners were required to maintain it so it would be a matter of judgement. He understood it would be a thin vinyl material installed on a PVC panel that would be applied directly to the metal surface of the penthouse structure. The agreement indicated that if they failed to maintain it, the City could take enforcement action.

Mr. Ruffin understood the structure was already there. They were just applying this to it. Mr. Teddy stated that was correct.

Mr. Skala understood there would have to be some action by the Council for the BOA to address this if there was an application. Ms. Thompson explained the problem was sending items to the BOA as an escape hatch when not allowed under the City Code because they would set themselves up for an anything goes situation. From a practical standpoint, she did not believe they wanted to send things to the BOA that were otherwise not allowed as there was a practical difficulty in the application of the Code itself since it was prohibited by the Code. By sending things to the BOA that were prohibited by the Code, they would be allowing the BOA to legislate in place of the Council. If this was the type of signage they were okay with having anywhere downtown, the City Code could be amended.

Mr. Pitzer asked if this would establish any kind of precedent for other neighborhoods or districts that would want a similar sign. Ms. Thompson replied she thought the Council still had to make the finding that this was a district they felt was appropriate for wayfinding signage, and it should be designated in that fashion since it enhanced the City as a whole. She pointed out staff had not viewed this as advertising for the North Village Arts District, which was a 501(c)(3). This went beyond that. It was viewed as a subdistrict that had developed within the downtown.

Tootie Burns explained she maintained studio space at 106 Orr Street and noted she also served as Secretary of the North Village Arts District. She stated she had looked at the UDC as well and agreed this was a different animal. The North Village Arts District was recognized by the Charrette and the Comprehensive Plan as an arts district or arts-eco district depending on the document and viewed as an area of town that had certain amenities and future possibilities. She noted they had formed a 501(c)(3) in 2007 and conducted fundraising for their free programming, First Fridays, etc. to promote the area. She explained that was what the sign would do. It would promote the district. She commented that they wanted the Council's approval for this so they could continue to evolve as a desired area for the community. She pointed out it was an area the Convention and Visitors Bureau, the Office of Cultural Affairs, and the Downtown CID promoted as a destination for the City, and noted they were an economic engine for the City. They generated tax revenue and housed students, residents, businesses and offices. She asked the Council to support the request for signage on the Berry Building, which was a privately owned building. She noted the sign would be privately maintained. It would involve a vinyl wrap similar to what had been used for the Traffic Box Art program, and some of those were about eight years old. She believed signage on the building would support the City initiative to provide artwork in public spaces and to deter tagging, which had happened on this particular space. She pointed out artists would not deface the work of other artists. It would be a hand-painted mural overseen by other professional artists. She thought it would be a wonderful way to promote the North Village Arts District and to continue to allow the area to grow and thrive.

Mayor Treece asked if the sign would be illuminated. Ms. Burns replied she was currently not aware of that happening.

Ken Greene stated he was the President of the North Village Arts District Board and noted they were thankful for this City being one of only two cities in the State that recognized and had public funds for arts organizations. He explained they were asking to be recognized as a specific area of Columbia that supported and engendered the arts, similar to the Sharp End, Flat Branch, and the District. He hoped there would be a positive result.

Shannon Webster commented that he actually lived in the Berry Building in one of the top lofts, had a studio next to it, and was a member of the North Village Arts District Board. He had also assisted with how the signage might function and attach to the elevator shaft. It was essentially a steel cube setting on top of the building that had been tagged, and this would allow them to clean up the area. It would also serve as a beacon to the arts area as well. He stated he was supportive of it.

Mr. Trapp explained he had asked for this to be brought forward, and noted he thought Ms. Thompson had come to a fairly elegant solution. If that was the logo, they would be able to tell they were artists. Big, splashy, colorful art that served a wayfinding purpose spoke to who they were as a community. He thought a formal recognition of the North Village Arts District at the Council level was a bonus. It was certainly a thing that existed and was in people's consciousness. It was one of the things that made Columbia cool.

Mr. Skala stated he was convinced the suggestion that this go to the BOA was not appropriate for the reason Ms. Thompson had mentioned, but noted he was also convinced the proper way to go about this was via an amendment to the sign ordinance. He wanted to do everything possible to support the North Village Arts District, but believed there was a correct way to go about this. He stated he would likely ask for a draft amendment to enable this type of thing so everyone could participate, but at this time, he planned to vote no on this bill.

Mr. Pitzer commented that they had back-to-back situations with similar questions and he was coming to the exact opposite conclusion as Mr. Skala on both. He noted he had been concerned about the process on the prior one, but this was private property with a private installation. There was not any public ramification with it. He thought this was a wonderful idea.

The vote on R157-18 was recorded as follows: VOTING YES: THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: SKALA. Resolution declared adopted, reading as follows:

IX. INTRODUCTION AND FIRST READING

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

- B239-18 Rezoning forty-seven (47) parcels in the West Ash (and West Central Columbia Neighborhood) within an area bounded by West Broadway on the south, Glenwood Avenue on the east, McBaine Avenue on the west and West Sexton Road on the north with forty (40) of such parcels rezoned from R-2 (Two-Family Dwelling District) to R-1 (One-Family Dwelling District), six (6) parcels rezoned from R-MF (Multiple-Family Dwelling District) to R-1 (One-Family Dwelling District), and one (1) parcel rezoned from R-MF (Multiple-Family Dwelling District) to R-2 (Two-Family Dwelling District) (Case No. 18-160).
- B242-18 Approving the Final Plat of "Hilltop Estates" located east of the terminus of Jenne Lane and north of US Highway 63; authorizing a performance contract (Case No. 18-92).
- B243-18 Authorizing an agreement for professional engineering services with Weaver Consultants Group, LLC for the Columbia Sanitary Landfill lateral expansion permitting project.

- B244-18 Amending Chapter 22 of the City Code relating to solid waste rates for construction dumpsters.
- B245-18 Accepting conveyances for utility purposes.
- B246-18 Authorizing an agreement with Boone County, Missouri for the installation of an outdoor warning siren to be located in the southeast corner of Cosmo-Bethel Park.
- B247-18 Amending Chapter 28 of the City Code to repeal Article V. relating to transportation network services.
- B248-18 Authorizing a non-federal preliminary design reimbursable agreement with the Federal Aviation Administration for the relocation of navigational aid equipment at the Columbia Regional Airport; appropriating funds.

X. REPORTS

- REP85-18 Correspondence from the Environment and Energy Commission regarding waste hauler ordinance.

Discussion shown with REP86-18.

- REP86-18 Correspondence from the Environment and Energy Commission regarding electric scooters.

Mr. Matthes provided a staff report on electric scooters.

Mr. Skala asked if there would be any accommodation to companies other than Bird, such as Lime. He wondered if it was open to anyone. Mr. Matthes replied it was not an exclusive right of use. It was open to anyone.

Ms. Peters asked if there was a limit to how many scooters they would allow within the City. Mr. Matthes replied there could be, and noted they were talking about that at the staff level now. He stated it might be in their best interest to release an RFP for the future and to tie it to the transit system.

Ms. Peters understood the scooters traveled around 20 mph and asked if there was a way to limit how fast they traveled. Mr. Matthes understood the company had the ability to scale back the speed if that was desired.

Mayor Treece asked if the scooters were allowed on the trail or if they were considered a motorized device. Ms. Thompson replied they were currently not allowed on the trail, but noted she did not know if any concessions had been made during the negotiations.

Ms. Peters stated she looked forward to seeing the agreement.

Mr. Thomas commented that he wanted a staff response to the suggestion of the Environment and Energy Commission (EEC) with regard to the waste hauler ordinance.

Mr. Matthes stated staff would provide a response.

Mr. Thomas felt it was a relatively unusual prohibition to not allow private companies to collect food waste, and as a result, the City collected very little food waste. Mr. Matthes thought historically the City had wanted that going to the landfill because they wanted to capture the methane, but understood a case could be made for composting instead.

Mr. Thomas asked for a time frame for when staff would respond. Mr. Matthes replied about two months as it would take coordination between different service lines.

REP87-18 Intra-Departmental Transfer of Funds Request.

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

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Cooper Grant explained he was the Assistant Director of Policy and Advocacy for the Missouri Students Association (MSA) at the University of Missouri, and only wanted to introduce himself to the Council and City Manager. He offered to make himself available on things with which the MSA could provide assistance. With regard to community policing, he knew international students along with people of color would benefit from it, and noted he would be open to working with the City on that.

Steve Callis, 6304 W. Normandy Lane, stated the proposed changes to the City Code with regard to the waste hauler ordinance would allow Columbia to increase the amounts of organic waste diverted from the landfill. Methane was a major greenhouse gas, and depending on who one talked to, it was 20-70 times as damaging as carbon dioxide. According to the International Panel on Climate Change, up to 80 percent of the total methane generated by landfill gas to an energy project was lost to the atmosphere. He commented that the divergence of organic waste, including food waste, could reduce the amount of methane Columbia put into the atmosphere. In 2016, Columbia had diverted one percent of the total amount of food waste generated by the City. The private sector could help with diversion, but it was currently unlawful for them to do that. He noted compost returned nutrients to the soil, helping to improve soil health, and assisted in control erosion. It also created local, green jobs. He felt positive action on climate change was consistent with the goals of the Mayor's Task Force on Climate Action and Adaptation Planning.

Eugene Elkin, 3406 Range Line Street, commented that he sometimes had trouble hearing the Council when the noise was loud in the lobby. He asked that the issue to be looked into to determine if something could be done to address that problem.

Mr. Skala understood there had been a recent situation on Kelsey Drive that had involved eleven police cars, and situations like this were a recurrent theme in the area. He asked for a report with regard to the responsibilities of landlords as there were many absentee landlords. He also thought they needed to look into a tenant's bill of rights as they were also impacted by absentee landlords. He wanted to try to determine how to address some of these chronic problems.

Mr. Skala stated he was wearing the first annual Hawaiian shirt of the Roots N' Blues N' BBQ Festival, and noted it had been a great event.

Mr. Thomas asked for an ordinance to change the speed limit on Stewart Road, from West Boulevard to Providence Road, to 25 mph as it was a residential street. Speed humps had been placed on it about a year ago, and there had been concern that the speed humps were harsh. Those that felt that way had thought they would be more tolerable with a speed limit of 25 mph instead of 30 mph. He noted he had polled people, and almost everyone supported reducing the speed limit to 25 mph. He understood it would take Council direction to bring back an ordinance.

Ms. Peters stated she would be agreeable.

Mr. Thomas commented that the City Code included signage with regard to deaf or blind children living on a street whereby the family could ask for a sign indicating the need to

slow down due to a deaf or blind child. He noted he had been asked by a constituent for the street she lived on to have a similar sign that said slow due to a blind resident. He explained he had discussed this with staff and they were reluctant to do something like that until the Disabilities Commission had reviewed it and made a recommendation. He asked that the issue be passed along to them for a recommendation for the broader category of adults as well as children.

Ms. Peters explained she had asked for a report with an update as to where they were with regard to the completion of sewer projects from the 2013 sewer bond, and wondered when it might be received. She hoped they would receive it within the next couple months.

Mr. Trapp commented that a year ago, when he had been up for election, he had requested a press release be issued about the filing period opening as he felt contested elections were good. He understood the City Clerk did not want to move forward with that without some direction from Council. Mr. Thomas stated he was agreeable.

Mr. Pitzer asked for the Law Department to provide suggestions short of revising the City Charter to strengthen the internal auditor position. The goals would include maintaining the independence of that position and allow the individual the authority to be able to investigate the City Manager's Office and the City Council in a worst case scenario, while retaining the power to request whatever information was needed to fulfill those duties.

Mr. Pitzer suggested they ask the Finance Advisory and Audit Committee to think about a process for establishing an audit plan and how that Committee might interact with the Council and the internal auditor position to revise, refine, and evaluate that plan. He also wanted any other initial suggestions they had as items for review for that plan.

Mr. Matthes commented that he had initiated the recruitment process for that role. Given the request of Mr. Pitzer, he asked if he should pause on that. Mr. Pitzer replied he did not think there should be a pause. Ms. Peters agreed.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 11:03 p.m.