



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, May 20, 2019  
7:00 PM

Regular

Council Chamber  
Columbia City Hall  
701 E. Broadway

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#### I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, May 20, 2019, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was led by Scout Troop 706, and the roll was taken with the following results: Council Members PITZER, TREECE, RUFFIN, TRAPP and SKALA were present. Council Members PETERS and THOMAS were absent. The Interim City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of May 6, 2019 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Ruffin.

Mr. Pitzer asked that B124-19 be moved from the consent agenda to old business, and for it to be considered with B123-19 or immediately after. Mayor Treece asked if anyone objected to the request of Mr. Pitzer, and no one objected.

The agenda, including the consent agenda with B124-19 being moved to old business, was approved unanimously by voice vote on a motion by Mayor Treece and a second by Mr. Skala.

#### II. SPECIAL ITEMS

None.

#### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC5-19 Board and Commission Applicants.

Upon receiving the majority vote of the Council, the following individuals were appointed to the following Boards and Commissions.

##### BOARD OF ADJUSTMENT

Hurley, Thomas, 907 W. Ash Street, Ward 1, Term to expire May 1, 2024

Mayor Treece suggested they readvertise the Broadband Business Planning Task Force since they had seven vacancies but only five applicants. He noted a couple slots referred to industry representatives, such as incumbent service providers. Mr. Skala stated he was agreeable. Although he wanted to get that Task Force moving, he also wanted a broader base of applicants. Mr. Pitzer asked about appointing these five applicants and advertising for the remaining two as the Task Force would then have a quorum and could begin some planning. Mayor Treece replied he would prefer to have a comprehensive array of candidates prior to making any appointments, but noted he agreed with Mr. Pitzer's sense of urgency.

CITY OF COLUMBIA NEW CENTURY FUND INC. BOARD

Wiles, Rebecca, 1779 E. Riviera Drive, Ward 2, Term to expire September 30, 2020

COLUMBIA HOUSING AUTHORITY BOARD

Hutton, Bob, 2252 Country Lane, Ward 3, Term to expire May 31, 2023

DISABILITIES COMMISSION

Graham, Chuck, 102 W. Green Meadows Road, Ward 5, Term to expire June 15, 2022

Miller, Teri, 4708 Emeribrook Court, Ward 2, Term to expire June 15, 2022

Sample, Jacquelyn, 5000 Maple Leaf Drive, Ward 3, Term to expire June 15, 2022

Zeterberg, Dawn, 608 Hunt Avenue, Ward 1, Term to expire June 15, 2022

ENVIRONMENT AND ENERGY COMMISSION

Godwin, Linda, 3801 Eagle View Court, Ward 5, Term to expire June 1, 2022

Huhman, David, 608 Hulen Drive, Ward 4, Term to expire June 1, 2020

Midkiff, Kenneth, 1005 Belleview Court, Ward 4, Term to expire June 1, 2022

PARKS AND RECREATION COMMISSION

Henry, Chad, 115 Gipson Street, Ward 2, Term to expire May 31, 2022

Steenbergen, Brendon, 3200 Greenridge Road, Term to expire May 31, 2022

PLANNING AND ZONING COMMISSION

Carroll, Valerie, 13 West Boulevard North, Ward 1, Term to expire May 31, 2023

After multiple attempts to obtain agreement on the other two Planning and Zoning Commission appointments that needed to be made, the Council decided to come back to this issue at the end of the meeting.

YOUTH ADVISORY COUNCIL

Bridgeman, Abigail, Boone County, Term to expire June 1, 2022

Gautam, Shruti, Ward 5, Term to expire June 1, 2020

Harline, Genevieve, Ward 5, Term to expire June 1, 2022

Keithahn, Hope, Boone County, Term to expire June 1, 2020

Kim, Brandon, Ward 4, Term to expire June 1, 2022

Lake, Nadia, Ward 2, Term to expire June 1, 2022

McKee, Amira, Ward 6, Term to expire June 1, 2022

Menen, Yeshemibet, Ward 6, Term to expire June 1, 2022

Ravert, Blaine, Ward 4, Term to expire June 1, 2020

Sheaffer, Nicholas, Ward 3, Term to expire June 1, 2020

White, Mya, Ward 2, Term to expire June 1, 2022

**IV. SCHEDULED PUBLIC COMMENT**

SPC30-19 Riley Cole and Will Cover - The Youth Advisory Council's report to City Council.

Mr. Cole commented that the Youth Advisory Council (YAC) had two concerns this year, environmental sustainability and substance abuse. He explained they had chosen those topics because they knew the Climate Action and Adaptation Plan (CAAP) was moving forward and because substance abuse had become an epidemic within schools.

Mr. Cover noted the environmental sustainability subcommittee had focused on a few things, to include outfitting schools with solar panels. It had been in the draft CAAP as a strategy to employ and the YAC supported that strategy. He stated they would help advocate moving forward with that strategy during the next school year. He explained they had also looked at climate education at schools, specifically with regard to school waste and composting, and believed increasing education on food waste would be an

easy and efficient way to reduce that waste. He commented that the YAC had also met with people involved with CAAP in terms of what they might need and one of the requests had been to gather creative writing pieces from youth in Columbia to potentially be used in the CAAP. Mr. Cole explained they had also met with Ben Kreitner, the City's Waste Minimization Coordinator, to discuss how schools could participate, particularly with regard to aiding in climate action. They now had a Battle Environmental Protection Agency (BEPA) group who would be standing post at the recycling bins that would be rolled out next year. It would be headed by Asia Smith, a very vibrant youth at Battle High School. Mr. Cover commented that waste audits in schools had been discussed as well. Currently, there were some requirements for waste audits in schools, but they were not happening frequently enough. They felt the amount mandated would have to be increased and it would have to be rolled out to more schools in order to be effective and catch problems early instead of trying to adapt after a problem was already negatively affecting the schools.

Mr. Cover noted the substance abuse subcommittee had mainly been involved with a survey that had been sent to the schools. They had received about 570 responses and it had been a bit Rock Bridge High School heavy in terms of the response rate. He explained the responses had supported the initial hypothesis of the YAC in that one of the main problems with substance abuse was nicotine in schools with the rise of e-cigarettes, vaping, and Juuls. They felt they needed to determine ways to address the issue since it was a fairly new problem and one school was not yet used to addressing.

Mr. Cole stated the YAC had also held their annual Vision Zero drive, which involved having zero traffic accidents, serious injuries, or fatalities by the year 2030. They had reached an 88.8 percent response rate versus a 67.6 percent response rate last year. Mr. Cover explained there were places the YAC felt this could be improved upon next year and provided coordination with a major department within each school as an example so the pledge could also be handed out in classes.

Mr. Cover suggested the incumbent YAC representatives be able to provide input into the selection of the upcoming YAC representatives. He commented that he thought it had been unfortunate that Anthony Butcher had not been appointed this year. Mayor Treece stated he had read all of the resumes and it had been highly competitive. He noted he had even considered adding another slot, but felt that would not be fair to everyone.

Mayor Treece stated he was proud of the work of the YAC and the quality of their recommendations. He noted he had told the scouts in attendance earlier that he was proud of the leadership exhibited by the YAC members in the community every day. He thanked them for their work.

#### SPC31-19

#### Lynn Maloney - Using a racial equity lens in the City's June Work Sessions to plan for the Growth Impact Study.

Ms. Maloney commented that at the last council meeting, the Council had been asked to clarify goals for the City's growth and impact study, which they would discuss at a June work session. She believed the planning of a project or a study such as this was when they could most effectively apply a racial equity lens, and referred them to guides that could be found on the National League of Cities (NLC) website. She suggested a few particular guides and listed communities that were utilizing them. She referred to the Dubuque, Iowa website and noted they had organized data by several sectors. She commented that collecting and sharing data was a first step that made it easier for staff to agree on the realities and provided a springboard for policies and programs that could generate clear goals and measurable objectives that could be assessed after implementation. She believed requiring the collection of data that was disaggregated by race could be vitally important in terms of Columbia's growth and impact study. They already had a lot of data demonstrating racial disparities across criminal justice, public health, academic achievement, and employment. She thought there would be a huge impact to the community if they started focusing on changing the disparities. It would not

only benefit those that were not white as everyone would benefit from improvements in public safety, education, health, and the economy. She commented that during the last mayoral race they had seen the issue of the proposed sewer extension without annexation had been highlighted as an equity issue. It was vital for the health of the community that the growth and impact study provide racially disaggregated data from which they could make better plans and policies for advancing equity. She noted that racial equity toolkits had been applied across departments in Madison, Wisconsin as a way to cultivate capacity among staff to use a racial equity lens. She explained racial equity tools had been created to increase decision-making among people of color in the community and for the recruitment and retention of non-white staff. She commented that one city had required each department to utilize a racial equity tool four times per year as a way to begin the process of transforming the capacity of staff for addressing race. In 2009, Seattle's City Council had passed an ordinance requiring all departments to use a racial equity toolkit in decision-making to include when addressing budget proposals. She pointed out they had a lot of role models, and they all implemented RBA, which was results based accountability, as a method for creating, implementing, and assessing the effects of policies and programs. She believed RBAs could improve the City's efficacies beyond just racial equity. She stated growth in Columbia had not been based on a vision of equity, but rather a passive response to requests by private interests. She thought they needed to develop the capacity to think proactively about equity. Social and racial equity would not improve based on best intentions. It would require a disciplined approach offered by results based accountability methods and tools. As the City planned the growth and impact study, she asked the Council to join other cities across the country in implementing results based accountability for racial equity.

SPC32-19 Ginger Owen - Coming together at last.

Ms. Owen, 5775 E. Heller Road, commented that she resided outside the city limits of Columbia and noted she was a founder of an environmental organization for growth and activism. She stated she had overheard a conversation in 1994 about a 30-mile bike track around Columbia. She explained Barbara Wren and her husband, who had purchased a home on Bluff Dale Drive, had learned of a proposed concrete bike trail that would be built in her backyard and interfere with their reason for buying that land on the Hinkson Creek. She commented that the Council had passed an ordinance on February 5, 2018 to build the Shepard to Rollins connection. Since that time, they had learned so much about forest ecosystems, civil law, and compliance with ordinances. She stated they were committed and respectful of the trees, animals, the Hinkson Creek, and all of the wild, and wanted to protect them. She noted they represented a growing movement to protect the Earth and that their efforts fit with the Climate Action and Adaptation Plan. She asked the Council to allow them to continue to see the fruition of the invitation extended by Mayor Treece to work with staff on the trail construction. It's Our Wild Nature had been trying to protect wild spaces in Columbia since 2008. They had participated in council meetings, organized neighborhood activism, and had become involved in a very high-level lawsuit to not only to protect their sanctuary, but to also be acknowledged and respected as an organization. She stated they were counting on staff to be open to the construction of the trail with the highest standards possible. She asked that they be allowed to collaborate for a win/win situation and provided a handout.

SPC33-19 Martha Brownlee-Duffeck - Unintended consequences of implicit bias.

Ms. Brownlee-Duffeck, 701 S. Greenwood Avenue, stated she was with Race Matters, Friends and noted David Aguayo had spoken about the impact of implicit bias in the social service system two weeks ago using the example of the difficulties experienced by a single black father in obtaining custody of one of his children who was now thriving under his care. She commented that about a week ago they had all awoken to a disturbing story on the front page of the Columbia Daily Tribune about a 13 year old black girl at Smithton Middle School who had been wrongfully accused of fighting by school

authorities despite the existence of video exonerating her. She hoped everyone would imagine their own 13 year old daughter, niece, or other family member being arrested, stripped searched, and held in juvenile custody for 24 hours. Likewise, she hoped they could all imagine their own 13 year old relative being subjected to bullying on returning to school and ultimately attempting suicide after being placed on an antidepressant known to increase risk of that kind of behavior in teenagers. Regardless of the ultimate monetary cost of the current pending lawsuit, she felt this story helped them appreciate the real human cost of implicit bias that took place daily across all institutions and interpersonal interactions. She stated the issue of implicit bias was thorny because it was outside their conscious awareness. They had to try to determine what they could do about something that happened automatically at such a rapid rate and was outside of their awareness. She pointed out research indicated that 98 percent of the brain's activity operated at that automatic rate and they were only consciously aware of two percent of what was going on at any given time. She commented that Jennifer Eberhardt, an African-American psychologist at Stanford University, related a poignant personal story about implicit bias in her most recent book. She noted Ms. Eberhardt had discussed her then five year old son who on a plane said he hoped they did not get robbed by a man that looked like daddy when that man had not looked like her husband. Ms. Eberhardt had asked her son in what ways the man looked like daddy and her son had been unable to come up with ways that might be true, and when she had asked what made him say that, he had indicated he did not know. Ms. Brownlee-Duffeck explained that Ms. Eberhardt's personal anecdote had been backed up by all kinds of psychology research showing young black children preferred lighter skinned dolls. As a result, black children growing up were likely to develop the same kinds of implicit biases as the majority culture and it could influence their development in ways that could not be predicted. She stated there were ways to influence this process by becoming aware of it through education, but training was not enough. She noted bias was most likely to occur under situations that were ambiguous and required speed in decision-making. It was also most likely to occur when there was not any monitoring. She commented that Ms. Eberhardt had also given an example involving baseball in that racial bias in calling balls versus strikes had been virtually eliminated when playback cameras were able to monitor the situation to determine a ball or strike and that incentives were also at play, such as a close call at the end of a game because umpires were not paid overtime for extra innings. As a result, increases in that type of behavior could occur if incentives were not properly aligned. Ms. Brownlee-Duffeck hoped they could do something similar to what had been done with community policing in that they had adopted a resolution and were trying to ensure its implementation across all public institutions in Columbia.

## V. PUBLIC HEARINGS

PH21-19 Proposed construction of the Shannon Place PCCE #22 Sanitary Sewer Improvement Project.

PH21-19 was read by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece opened the public hearing.

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

**Mr. Trapp made a motion directing staff to proceed with the Shannon Place PCCE #22 Sanitary Sewer Improvement Project. The motion was seconded by Mayor Treece and approved unanimously by voice vote.**

PH22-19 Voluntary annexation of property located on the north side of St. Charles Road and approximately 400 feet west of Grace Lane (5305 E. St. Charles Road) (Case No. 123-2019).

PH22-19 was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Skala explained this was at the corner of St. Charles Road and Grace Lane and that Grace Lane had notoriety over the last few years. He asked if this interacted with the potential for improvements on Grace Lane, which he understood would involve collaboration between the City and the County. Mr. Teddy replied the City was gradually building up frontage along St. Charles Road so it would perhaps move closer to a condition where the City would have more control over the intersecting roadway. Currently, St. Charles Road was a Boone County maintained road. Mr. Skala understood Mr. Teddy was suggesting there might be more leverage in terms of input toward any potential improvements for Grace Lane if annexed. Mr. Teddy commented that if this became a pattern and they were annexing more, the City would have more of a stake in those roadways.

Mayor Treece opened the public hearing.

Kevin Murphy, 3401 W. Broadway Business Park Court, explained he was an engineer with A Civil Group and believed this was a straightforward annexation. Over time, several properties in that area had annexed into the City. He stated his client wanted to do this in order to tie into the City's sewer to replace a faulty septic system located on the property.

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

PH23-19

Consider approval of the design concept proposed by artist Beth Nybeck for the Molly Bowden Neighborhood Policing Center Percent for Art Project.

PH23-19 was read by the Clerk.

Ms. Dresser provided a staff report.

Mayor Treece asked if he had heard Ms. Dresser say powdered coated gold. Ms. Dresser replied yes and explained it would be a coating on the stainless steel that would have a gold color. Mayor Treece understood it would be on shell on the outside. He also understood it would be a stainless steel material, but not a stainless steel color, and the seedpod would be blue. Ms. Dresser stated the seedpod would be gold. She explained it was blue in design so the depth was easier to understand.

Mayor Treece asked how high it would be at its highest. Ms. Dresser replied ten feet. She noted it was in proportion to the adult figures seen in the diagram.

Mr. Ruffin asked if the inscriptions would be cutouts on the interior of the seed. Ms. Dresser replied yes. She displayed an example of another project done by the artist. A light inside the seed would shine at night. As a result, one would be able to observe the writing during the day as it would likely be darker similar to the photo, and in the evening, it would likely glow.

Mr. Ruffin asked if there plans to have a conceptual statement regarding the artwork inside the building or near the sculpture. Ms. Dresser replied there would be signage nearby with an artist's statement. It would be accessible from the outside plaza area.

Mr. Pitzer asked about the process. He wondered if the artist had brought forward different ideas or concepts she had while working on them or if she only came forward with a final idea. Ms. Dresser replied the Standing Committee on Public Art chose the artist based upon past work and the artist was asked to provide an idea of what he or she might propose. It was not very specific though. Once the artist was chosen and under contract, he or she would meet with various community members, which in this instance had included members of the Police Department and others in the community. They essentially allowed the artist to create whatever he or she might want with the input received along the way to ensure it was site specific.

Mr. Skala commented that he liked this piece of art and asked about some of the messages that would be inscribed. He asked if those would be engraved. Ms. Dresser replied they would be cut out or stamped out of the metal.

Mr. Skala stated he had been struck by the paragraph indicating there was no sure

protection against vandalism within public spaces since it would be in front of a police station. Ms. Dresser explained it was an issue that had been mentioned. In the original submission, the size of cutouts were the same and a concern was whether it would entice people to climb the sculpture so she altered it by making them smaller at the bottom. In addition, the stainless steel material would not be very thick so it would not be very pleasant to someone that might want to use it as a jungle gym.

Mayor Treece opened the public hearing.

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

Mayor Treece stated he thought there was a lot here they could work with and understood this was the artist that had done the Short Street garage serpentine sculpture. Ms. Dresser stated that was correct.

Mayor Treece asked Mr. Glascock for the current status of the construction of the building. Mr. Glascock replied the plan was to let the project around July 1. Mayor Treece asked if the groundbreaking would occur this year. Mr. Glascock replied yes.

**Mr. Trapp made a motion to approve the recommendation of the Commission on Cultural Affairs to accept the artist's design proposal for the Molly Bowden Neighborhood Policing Center Percent for Art project. The motion was seconded by Mr. Skala and approved unanimously by voice vote.**

## VI. OLD BUSINESS

B123-19 Amending Chapter 27 of the City Code to establish a water rate structure for community food gardens.

Discussion shown with B124-19.

B124-19 Amending Chapter 27 of the City Code as it relates to winter average consumption water rates.

The bills were given second reading by the Clerk.

Mr. Johnsen provided a staff report on B123-19.

Bill McKelvey stated he was the Treasurer of the Community Garden Coalition and noted they were very much in favor of this amendment. He explained their organization helped groups start gardens and people grow more of their own food. He commented that they especially had an interest of helping those that were low-income who might not otherwise have a chance to grow a garden to have a garden at a community garden plot. In doing the math with the new rate structure, they found that in some cases, their bills would have a 40 percent increase. They had a very small budget of about \$10,000-\$11,000 per year, so for them and the other organizations with which they worked, they found this would be a hardship. He reiterated his support of this amendment.

Mayor Treece noted this would require a separate water meter and asked Mr. McKelvey if all of their fields were separately metered. Mr. McKelvey replied this would not cover all of their gardens. He thought about one-third of their gardens would qualify for the amendment. The hope was to work with the other gardens over time to have a separate designated irrigation hydrant. Mayor Treece understood this would only be for food that was not resold for retail purposes. Mr. McKelvey stated that was correct, and explained all of the food grown at their community gardens were either consumed directly by families or donated to different hunger relief groups.

Billy Polansky commented that he was speaking on behalf of the Columbia Center for Urban Agriculture (CCUA) and they supported this bill. In addition to being positive for the Community Garden Coalition, they found the language as written would also be applicable to the sites with which the CCUA worked, which included the current urban farm off of College Avenue and the new agriculture park at Clary-Shy Park, because all of the food grown went to food pantries. They currently grew about 17,000 pounds of fresh fruits and vegetables for the food pantry annually, and at the new agriculture park, they were looking at about 50,000 pounds of food for the food pantry. He stated this would

have a really positive impact on the community in terms of growing food and teaching people.

Mr. Pitzer asked Mr. Johnsen if he had considered carving out exceptions for any other organizations beyond food gardens. Mr. Johnsen replied no.

Mr. Pitzer understood any homeowners association could qualify for this rate if they had a collectively gardened area. Mr. Johnsen explained the intent was keep it open in terms of the groups that could qualify, but the focus had been on groups versus individuals. He noted it required an application process whereby staff would analyze the application to determine if it met the intent of the ordinance. Mr. Pitzer commented that in general he was not inclined to carve out exceptions to the rules as it left them susceptible to another type of organization coming along and having an equally valid argument in asking for relief. He thought it was something to keep in mind when opening the door to exceptions. Mayor Treece asked Mr. Pitzer for clarification on his concern with homeowners associations as this would be unique to the cultivation of fruits and vegetables, and not flowers. Mr. Pitzer understood but thought it could be taken to an extreme in terms of allowing relief on the rates to a garden involving 3-4 individuals versus one individual. Mr. Skala commented that it was a slippery slope argument, but felt there was a good deal of administrative discretion to make those decisions. He thought a homeowners association would have to play by the same rules in terms of self-consumption or donations to a food pantry.

Mr. Ruffin asked how difficult it would be to install a separate water meter. Mr. Johnsen replied it was not difficult. A decision simply had to be made as to whether the payback was there to actually install the irrigation meter at the site. He noted there were a lot of homeowners that had an irrigation meter if they simply irrigated. Mr. Ruffin asked for the cost. Mr. Johnsen replied he did not have that information. Mayor Treece asked if it was about \$200 or \$1,200. Mr. Johnsen replied it would be closer to the \$200 range. Mr. Ruffin wondered if it was possible to offer some assistance in that area for the Community Garden Coalition sites that did not qualify for the reduced rate. Mr. Johnsen stated that had been discussed, but it had pushed them toward a subsidy that neither the Water and Light Advisory Board nor staff was comfortable moving toward.

Mr. Trapp commented that this measure did not do everything, but it did something. He thought it was important to at least take care of the metered places. They could then weigh whether it was worth installing meters at the other locations. He stated he thought this was a good measure.

**B123-19 was given third reading with the vote recorded as follows VOTING YES: PITZER, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. ABSENT: PETERS, THOMAS. Bill declared enacted, reading as follows:**

Mr. Johnsen provided a staff report on B124-19.

Mr. Pitzer asked how the four ccf amount had been determined. Mr. Johnsen replied it had been a part of the water cost of service work. He thought that had been defined when looking at the average winter consumption in terms of customer characteristics. He stated it was property of the water consumption characteristics in the community, what the water rates were currently, and how they would add a third tier for a new water rate structure in the right place. Mr. Pitzer understood it was not an average amount used by the average customer.

Mr. Pitzer asked if any other amounts had been considered other than four. Mr. Johnsen replied four had been based upon the consultant's recommendation after modeling all of the meter data.

Mr. Pitzer asked which months were used to calculate the winter quarter average. Ms. Talbert replied January, February, and March. Mr. Pitzer asked how many months were impacted by the summer rates. Ms. Talbert replied four, and noted they were June, July, August, and September. Mr. Pitzer asked if there had been any logic for utilizing four



months for one and three months for the other. Mr. Johnsen replied he thought it had been based on the consumption patterns of the community. The consultant had reviewed all of the water rates for every month and this was the recommendation in terms of calculating the average and how to do the tiers in order to achieve the conservation results along with the revenue requirements.

Mr. Pitzer asked how they were doing in terms of setting up the billing system to account for this new rate structure. Mr. Johnsen replied this was what the billing system would do for them. Mr. Pitzer asked if they had been calculating the averages and applying the summer rates. Ms. Talbert replied yes. She stated that had been done after the ordinance had been adopted in January. Mr. Pitzer asked if she felt confident in the City's ability to correctly bill from this point forward. Ms. Talbert replied yes.

Mr. Skala understood the winter was three months and the summer was four months, and assumed that was a function of Columbia's weather patterns along with the profile in terms of demand. Mr. Johnsen stated he would assume Mr. Skala was correct because there would be a usage change with any climate change. Mr. Skala commented that he thought that was interesting since they were now talking about climate change.

Mayor Treece asked what staff felt was responsible water consumption in terms of ccfs. Mr. Johnsen replied he thought the essential water consumption had been tiered at four ccfs, and the discretionary responsible use had been either six or eight ccfs. Anything over eight ccfs had been considered purely discretionary. Since the fixed tier charges did not really fit everyone in the system, it had been decided to go with the tiered structure based on winter consumption since it seemed to address the different types of customer usage.

Mayor Treece asked why they were setting it at four ccfs if eight ccfs and below was considered discretionary responsible. Mr. Johnsen replied that was the number based upon customer consumptions the consultant had indicated would fit the usage patterns in the cost of service study. Mayor Treece understood four ccfs would generate more money than eight ccfs because more people would be above it sooner.

Mayor Treece asked why the four ccf amount had been omitted from the ordinance that Council had passed in January. Ms. Talbert replied it had been an oversight. It had been included in the council memo, but had just not made it into the actual ordinance. Mayor Treece asked when that oversight had been discovered. Ms. Talbert replied when they were conducting their testing to ensure everything was working correctly, it had been pointed out the minimum four ccfs had not been included in the ordinance. Mayor Treece asked if anyone had been billed at the four ccf level. Ms. Talbert replied no, and explained bills involving that would not go out until July.

Mayor Treece understood the newsletter that had indicated the four ccf minimum had been printed prior to realizing the omission. Ms. Talbert stated the omission had been discovered in April when conducting the testing. Mayor Treece asked how often the newsletter was published. Ms. Talbert replied monthly. Mayor Treece asked if it was possible to be a little more proactive in communication in terms of ways one might reduce water consumption. He noted it dovetailed well with the goal of wanting to reduce demand and in terms of sustainability. Mr. Johnsen stated water conservation programs would soon be promoted. They first wanted to ensure the Climate Action and Adaptation Plan goals and objectives were clearly defined, and the water conservation programs would follow close behind that time frame in an effort to dovetail and enhance those goals. Mayor Treece asked how the water conservation program would be marketed to consumers. Mr. Johnsen replied that when staff discussed conservation out in the community, water conservation would be included. In addition, when people had questions about their utility bills, they would be referred to those that promoted conservation. Mayor Treece commented that he did not feel it would be too soon to put something in the newsletter that was sent to consumers and ratepayers about ways they could reduce water consumption. Mr. Skala stated he thought that was a good idea. He noted the newsletter was a tool that impacted many people and felt it would be useful

information.

Mr. Trapp commented that he thought the winter average was important. He stated they set a minimum to capture snowbirds that did not use water in winter and would be hit with the summer rate immediately. He pointed out this also allowed the water rate to be higher for larger families. The question regarding what was an appropriate amount of water consumption depended on the family and any particular needs. He stated he thought the winter average with the minimum captured that. He understood some frugal water people would be captured by the minimum but it was hard to set it exactly right, and pointed out his water consumption in the winter was sometimes at three ccfs. He commented that he felt this dovetailed nicely if they were really going to implement the Climate Action and Adaptation Plan. He stated they would have a lot of hard decisions as they moved more directly and powerfully toward sustainability.

**B124-19 was given third reading with the vote recorded as follows VOTING YES: PITZER, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. ABSENT: PETERS, THOMAS. Bill declared enacted, reading as follows:**

B132-19 Amending the FY 2019 Annual Budget to add positions to the Municipal Court to provide for increased costs due to changes in the administration of parking tickets; appropriating funds.

Discussion shown with B134-19.

B133-19 Amending the FY 2019 Annual Budget by appropriating funds to the Law Department - Prosecution Division to provide for increased costs due to changes in the administration of parking tickets.

Discussion shown with B134-19.

B134-19 Amending Chapter 14 of the City Code relating to parking tickets and towing.

The bills were given second reading by the Clerk.

Judge Noce provided a staff report.

Mayor Treece understood the Supreme Court felt everyone should have access to an appeal on an ordinance violation. Judge Noce stated he believed the reason the Supreme Court had done this was to make sure people had the opportunity for due process to argue a ticket of any kind by providing a court date. He felt this was an unintended consequence as the Supreme Court was trying to ensure there was a structure for all municipal ordinance violations. He pointed out the Law Department would still have an appeal process before this so there would be different layers of due process. Mayor Treece understood Columbia already had an appeal process. He also understood Judge Noce felt 90 percent would go ahead and pay their ticket. Judge Noce stated that 90 percent might be a wishful assumption.

Mayor Treece asked for the compliance rate now. Judge Noce replied it had been 68 percent in that three month period so at least that many people would likely take care of the ticket. The remaining 32 percent would involve the 72 cases per hour on the average docket. It would be on the 229 and not the peak 300. He pointed out there could be dockets where only 50 percent of people showed up, and that would diminish the 72 cases to a workable number of 35 or less. In addition, when people came to check in, they would remind them that they could go ahead and pay without court costs, but could also have process if they desired. He thought there would be mechanisms to reduce the number of cases.

Mr. Skala commented that the bad news was that this would require more staffing. Judge Noce stated he appreciated the support of Council as they faced these challenges. As they looked forward into the future, which he could not predict, he would closely watch the total workload capacity by amending dockets or court times until they had exhausted

all of their capacity. Physically, with those staff additions, if granted, they would reach maximum capacity of their current office space. If capacity was to surge due to a traffic unit at about 18,000 cases like they once had on top of the other cases, they would be in different straits.

Mr. Skala understood there were some potential structural solutions to this problem and asked for clarification. Judge Noce explained there were other mechanisms available, and one was for an administrative process. He commented that there could be other possibilities as well, but currently, they did it by ordinance so he wanted to bring forward a solution they could act on fairly quickly. Ms. Thompson pointed out the administrative process was not available to the City of Columbia. Statutorily, it had been granted to the City of St. Louis, Kansas City, Springfield, and either Joplin or St. Joseph. She commented that it was an effort they had made during the legislative session, but it had unfortunately not made any progress. She noted they would be back before the State Legislature next year. Mr. Skala understood that was a potential long-term solution. Ms. Thompson agreed, and explained in the short-term they would need to find a way to prosecute the ordinance violations.

Mayor Treece asked how other municipal courts were dealing with the new rule. Judge Noce replied he thought a lot of other municipal courts did them administratively via a grandfathering situation or they did not have the volume of tickets Columbia had. Ms. Thompson commented that the only other cities that had a volume similar to Columbia were Kansas City, St. Louis, and Springfield, and in fact, they were not even close to Columbia. They might write 2,000 tickets per year while Columbia wrote 60,000 tickets per year. She noted Columbia had been up to 77,000 three to four years ago. Judge Noce thought Jefferson City and Chesterfield had a high number, but they were still only at about 30,000.

Mayor Treece asked Judge Noce if he had a comparison of FTEs with other jurisdictions with similar ordinance violations. Judge Noce replied he thought they were fairly efficient and there was not anyone else exactly like them. Columbia was unique at this level. He explained they had calculated the need by the time it took to actually enter them, the time in court, the time it would take to do the letters, etc. They would give up some of the temporary people they had and needed these people to pick up that work. He noted he was out of space so he could not bring in more people so this was a more cost-efficient way of doing it. They would have to expend more costs in terms of space if they needed more people. In addition, it was more difficult to keep temporary employees in terms of management. Mayor Treece understood the three FTEs requested would be processing the letters and warrants. Judge Noce replied two would process the cases pretty much all day non-stop, and would reconcile them in the evenings to get the payments matched up to the tickets in a timely manner for auditing and accounting purposes. One of the employees would be the clerk in the courtroom the entire day on Thursday and potentially additional days if needed. The follow up paperwork, warrants, etc. would likely take 1-2 days after that. The person would also be at a window and perform other tasks during the other days. Mayor Treece asked Judge Noce at what point they might need another municipal judge or if the associate municipal judges would need to be involved via a different courtroom if his projections of a 30 percent deficiency materialized and he was displaced from other cases. He wondered if they might need just a parking ticket judge. Judge Noce replied they were maximizing every available docket slot now, which was why they were only doing one wedding per week. Mayor Treece understood this was in one court room. Judge Noce stated that was correct, and noted he also tried to participate in hiring decisions and department head duties. As a result, he would be down to the fifth Fridays, the one Friday when he had an alternate judge, or would have to bring in an alternate judge to cover a docket to accomplish other things. He commented that they were close to maximizing court space and that was with two night courts already. If they had new or future arraignments, they would have to do those in night court because of space. He understood the public really liked night

court, but it was tough on staff so they would have to take that into consideration. By expanding hours, they could get more use out of the current courtroom. He noted they would do that before trying to expand into different courtrooms or other spaces. He pointed out the space issue would create a ripple as taking space from the Prosecutor's Office, which was on the same floor as them, would require the Prosecutor's Office to take space elsewhere, which would impact another department. He stated he would continue to communicate with Council.

Mayor Treece asked Judge Noce what his marker was to evaluate whether this pipeline was materializing or not and if he wanted to go to a night court situation with a second municipal judge or one of the associate judges. He wondered if that was a three-, six-, or twelve-month evaluation. Judge Noce replied he thought the first thing they wanted to do was to determine how many people took care of their ticket in advance now that there was a court date and how the dockets looked. He commented that he thought that might change the dynamics of parking tickets. Once they hit 16,000-18,000 total cases, they would have to consider what Mayor Treece had mentioned in terms of the expansion of judges or court space. He reiterated they first needed to address the parking ticket issue in terms of how many cases it would create. They had to determine if the tickets were taken care of with the first summons, or a second summons how many warrants were being generated, if the person had one parking ticket or eight parking tickets, etc. If they could get that data under control in the next 3-4 months, he would feel more confident telling the Council where they were at in six months.

Mayor Treece understood the Supreme Court had established a series of municipal court reforms post-Ferguson based on what they had identified in the St. Louis area of an accumulation of outstanding warrants and compounding fees, fines, and penalties that had provoked a warrant for someone's arrest and had led to tragic consequences. If they were increasing the likelihood that 30 percent of the people that received a parking ticket might have a warrant issued for their arrest because they simply failed to appear twice, he wondered how that would help to fix the broken system. He commented that the Columbia, Missouri municipal court system was a model system as it met all 22 of the reforms. He wondered about the unintended consequences. Judge Noce stated he thought the intention of the Supreme Court was to give everyone due process, which they were trying to accomplish by providing everyone a court date. Like all municipal court violations, they had to treat the laws equally and effectively in the court system. He reiterated the Supreme Court was trying insure people had the opportunity to be accountable or had their day in court to fight it. The mechanism in the courts that sometimes caused some bad results was that if someone chose not to show up the consequence was a warrant. He explained that in addition to the initial summons, he would provide another summons and then another summons to try to minimize the situation and remind people to exercise their rights. He pointed out there was also prosecutorial discretion or Council could decide in favor of an administrative process or to not move forward on the first violation.

Mr. Skala understood this was all driven by compliance and that they were trying to reconcile projections based on experience and that the staffing could be adjusted after the evaluation. Judge Noce stated that was correct. He noted he was providing them his best guess, and his initial determination was based on a one week subset. Last Friday, parking had provided him updated data on a three-month time frame, but he would not know until that particular day how many people would show up. Mr. Skala asked if there was anything the Council could do to help, such as encouraging people to respond or making the rules easier to understand. Judge Noce replied one thing the City could do was to remind people of their obligations and what they could do in terms of process via the press so they understood the avenues they could take. For those that routinely wanted to plead guilty and pay the fine, very little would change. This provided a different mechanism than a barnacle or towing because they could have a day in court. For some, it would be a positive change. He pointed out the extra staff and getting the word

out was all he needed for now.

Mr. Pitzer asked Judge Noce if he had any numbers for six months or a year. Judge Noce replied he had not seen any numbers like that. Mr. Pitzer asked if the City did anything for compliance at this point. Judge Noce replied letters were sent through the Prosecutor's Office. Ms. Thompson pointed out the letters did not go out on every single violation. Currently, letters were only sent when someone had four or more violations. She thought they might see an increase in compliance when someone had a set court date. Mr. Pitzer wondered if that might be the case if they received a letter indicating they either needed to show up in court or pay the fine. Ms. Thompson agreed they might actually see improved compliance in collection on parking tickets because of the communication that would have to occur with the mandatory court date.

Mr. Pitzer asked where money from parking tickets went currently. Mr. Glascock replied the general fund. Mr. Pitzer wondered if they might be able to track what that would mean with increased compliance. He commented that unintended consequences had been mentioned, but noted he thought it felt like an unfunded mandate even though it was not from the State Legislature. He asked if that was correct philosophically. Mr. Glascock replied he was not a lawyer, but felt Columbia should be able to do this administratively if other communities like St. Louis, Kansas City, and Springfield were able to do it in that manner. Currently, they were not able, but would continue in their effort to obtain that potential. Mr. Pitzer asked Judge Noce if he would support the idea of handling it administratively and if it would outweigh the benefits of everyone having their day in court. Judge Noce replied the administrative process was a different mechanism and he would support whatever mechanism the City chose. He noted he had to follow the court rules and processes. In addition, a part of the administrative process could involve the municipal court, and he would support that process. He felt that was a legislative decision and he would help support that decision through the judicial branch.

Martha Brownlee-Duffeck commented that if she understood what was happening correctly, the unintended consequences would be more people failing to appear for their court date, which would result in a warrant as opposed to some administrative resolution. As a result, they would ultimately send more warrants out for people's arrest for failure to appear. She asked if that was correct. Ms. Williams replied the process would still be the same in that the ticket would be placed on people's cars so they still had the right to pay those tickets like they did now. The only difference was that now there was a court date. She noted most people paid their parking tickets right away. She felt the benefit of the way they would do it in the future was that a notice would be sent saying they needed to come to court because the ticket had not been addressed. Currently, if someone had four outstanding parking tickets, the vehicle could be towed or barnacled. She felt people would receive notice after notice saying they had a parking ticket and did not believe there would be a lot of warrants. She commented that some of the parking tickets would not have names and addresses and warrants could not be issued for a plate. In addition, she thought there would be more compliance. Judge Noce commented that he thought there might be some warrants due to the sheer volume of cases. He explained that if someone could not afford to pay their parking tickets because they had received quite a few of them, the current mechanism would be to either barnacle or tow the vehicle. Under the new mechanism, the person could come to court, plead guilty, and ask for a payment plan or for community service to be done instead. In some ways, there would be extra benefit available to someone that wanted to take care of the issue but might not otherwise have a mechanism or the necessary funds. He pointed out the remedy with the court system was a warrant, but noted he planned to provide people three opportunities prior to pursuing that remedy.

Ms. Brownlee-Duffeck understood it would be an empirical question until they were able to see how things fell as there were a lot of unknowns. Judge Noce stated he agreed.

Ms. Thompson pointed out there was also a protest process before they ever got to the court where someone who felt they were wrongfully ticketed could reach out to the

Prosecutor's Office to file a protest. The Prosecutor's Office reviewed those and would many times grant them based upon the protest. In those situations, the tickets were resolved before the court date and resulted in no fees as well. She reiterated there were other mechanisms and safeguards in place to help people.

Mr. Skala stated this reminded him of how necessary it was to have some guidance through the entire process. There was a lot of relief available, but one had to know what the relief was before taking advantage of it. Otherwise, one might wrongfully ignore it making the situation much worse. Ms. Thompson noted that information was printed on the tickets, but it was in small print and many times people did not read it.

Mr. Trapp thanked staff for moving quickly. He thought they should continue to lobby for an administrative process as they could still do justice without clogging up the courts or generating warrants, which was inherently problematic. He believed they would need to continue to look at warrant amnesties. He agreed with Mayor Treece in that this was a one-size-fit-all solution for the entire State, but there were courts that really needed this kind of reform due to injustices in how ordinance violations had been administered and used as a form of taxation. He suspected an increased compliance would pay for the staff and thought they could make adjustments based on the costs to administer the service. He commented that there would not be any parking spaces downtown without parking tickets because people would store their cars there. If they wanted to have chum, they had to have tickets.

**B132-19 was given third reading with the vote recorded as follows VOTING YES: PITZER, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. ABSENT: PETERS, THOMAS. Bill declared enacted, reading as follows:**

**B133-19 was given third reading with the vote recorded as follows VOTING YES: PITZER, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. ABSENT: PETERS, THOMAS. Bill declared enacted, reading as follows:**

**Mr. Pitzer made a motion to amend B134-19 so Section 14-307(c) included public parking garage like Section 14-312(b)(1) and the two sections were consistent. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.**

**B134-19, as amended, was given third reading with the vote recorded as follows VOTING YES: PITZER, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. ABSENT: PETERS, THOMAS. Bill declared enacted, reading as follows:**

## VII. CONSENT AGENDA

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

- B112-19 Voluntary annexation of property located on the south side of St. Charles Road and south of Talon Road (5200, 5202 and 5210 E. St. Charles Road); establishing permanent M-N District (Mixed Use-Neighborhood) and District M-C (Mixed Use-Corridor) zoning (Case No. 69-2019).
- B113-19 Approving the PD Plan of "Bearfield Plaza Plat 1-B, Lot 1B-1" located northeast of the Grindstone Parkway and Bearfield Road intersection (Case No. 74-2019).
- B114-19 Approving the Final Plat of "Bristol Ridge, Plat No. 1" located on the east side of Bearfield Road and approximately 1,400 feet north of Gans Road; authorizing performance contracts (Case No. 73-2019).
- B115-19 Changing the name of "Baxley Court" to "Baxley Drive" (Case No.

- 87-2019).
- B116-19 Authorizing an annexation agreement with Kenneth A. Stauffer for property located on the south side of Mexico Gravel Road and west of Lake of the Woods Road (5704 E. Mexico Gravel Road) (Case No. 94-19).
- B117-19 Accepting a conveyance for tree preservation easement purposes from Christian Fellowship Church of Columbia, Missouri, Inc.
- B118-19 Authorizing an intergovernmental cooperation agreement with The Curators of the University of Missouri for integrated shuttle bus service on campus.
- B119-19 Authorizing a right of use license permit with Stephens College for the construction, installation, maintenance and operation of signage on the pedestrian bridge located over a portion of the East Broadway right-of-way.
- B120-19 Authorizing a right of use permit with Missouri Network Alliance, LLC, d/b/a Bluebird Network, for the installation and maintenance of fiber optic cable within portions of the Stadium Boulevard, Worley Street and Old Highway 63 rights-of-way.
- B121-19 Amending the FY 2019 Annual Budget by appropriating funds to provide for limited Go COMO transportation services on Saturdays and three (3) University of Missouri home football games.
- B122-19 Amending Chapter 2 of the City Code as it relates to membership and attendance requirements, and duties and responsibilities of the Youth Advisory Council.
- B125-19 Authorizing an electronic signature agreement with the United States Environmental Protection Agency in compliance with the Risk Management Plan (RMP) Rule of the Clean Air Act as it relates accident prevention and emergency response practices at the McBaine Water Treatment Plant.
- B126-19 Accepting conveyances for sewer purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B127-19 Authorizing a first amendment to the facility usage agreement with The Curators of the University of Missouri for the development and construction of a cross country course and associated amenities at the Gans Creek Recreation Area.
- B128-19 Authorizing an inspections participation agreement with the Missouri Department of Health and Senior Services for the summer food service program for children.
- B129-19 Authorizing The Right Time initiative participation contract with the Missouri Family Health Council, Inc. for family planning services; amending the FY 2019 Annual Budget to add a position to the Department of Public Health and Human Services; appropriating funds; amending the FY 2019 Classification and Pay Plan.
- B130-19 Amending the FY 2019 Annual Budget by appropriating donated funds to be used by the Department of Public Health and Human Services for the healthy families home visiting program.

- B131-19 Authorizing a Fixed Account Amendment to the Group Flexible Purchase Payment Deferred Variable Annuity Contract with Nationwide Life Insurance Company.
- R72-19 Setting a public hearing: proposed replacement of the water distribution infrastructure along Country Club Drive South and Elliott Drive.
- R73-19 Setting a public hearing: consider the Water and Light 2019 Renewable Energy Report.
- R74-19 Setting a public hearing: consider the findings and recommendations from the Fair Housing Task Force related to an Analysis of Impediments to Fair Housing Choice for the FY 2020-2024 Consolidated Plan.
- R75-19 Setting a public hearing: consider the FY 2019 CDBG and HOME Annual Action Plan.
- R76-19 Authorizing an artist's commission agreement with Christine Doerr for Traffic Signal Cabinet Art to be located at the corner of Sixth Street and Broadway.
- R77-19 Authorizing the temporary closure of a portion of the sidewalk and vehicular lanes on Seventh Street, between Locust Street and Elm Street, to allow for the construction of a new sidewalk, curb and gutter and the installation of stone on the east side of the new State Historical Society of Missouri building located at 605 Elm Street.
- R78-19 Authorizing an aviation project consultant agreement with Burns & McDonnell Engineering Company, Inc. for construction phase services for the relocation of a portion of Route H to allow for the extension of Runway 2-20 at the Columbia Regional Airport.
- R79-19 Authorizing an aviation project consultant agreement with Burns & McDonnell Engineering Company, Inc. for development of a request for proposals (RFP) for selection of a design/build contractor for construction of replacement Hangar 350 to be located directly south of Taxiway C and west of Hangar 40 at the Columbia Regional Airport.

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

## VIII. NEW BUSINESS

None.

## IX. INTRODUCTION AND FIRST READING

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

- B135-19 Voluntary annexation of property located on the north side of St. Charles Road and approximately 400 feet west of Grace Lane (5305 E. St. Charles Road); establishing permanent District M-N (Mixed Use-Neighborhood) zoning (Case No. 92-2019).



- B136-19 Approving a major amendment to the “Gadbois Professional Offices” PD Plan located on the northwest corner of the Nifong Boulevard and Santiago Drive intersection; approving a revised statement of intent (Case No. 81-2019).
- B137-19 Approving the Final Plat of “Tuscany Estates” located on the south side of Oakland Gravel Road and east of Teresa Drive; authorizing a performance contract; granting a design adjustment relating to sidewalk construction along Oakland Gravel Road (Case No. 79-2019).
- B138-19 Approving a major amendment to the PD Plan of “Kelly Farms” located on the east side of Cinnamon Hill Lane and approximately 1,100 feet north of Stadium Boulevard (Case No. 88-2019).
- B139-19 Vacating a tree preservation easement located on the east side of Paris Road (4501 Paris Road); accepting a conveyance for tree preservation purposes (Case No. 89-2019).
- B140-19 Authorizing a contract with Graham Construction, Inc. for repairs to the Fifth Street and Walnut Street parking garage; amending the FY 2019 Annual Budget by appropriating funds.
- B141-19 Authorizing replacement of the water distribution infrastructure along Crown Point and Orchard Court; determining that a portion of the work shall be done by City employees and authorizing the Purchasing Division to issue a contract for a portion of the project.
- B142-19 Amending the FY 2019 Annual Budget by appropriating grant funds received from the Missouri Department of Natural Resources Volkswagen Trust Government Truck Program for the purchase of three (3) collection vehicles for the City Utilities Department - Solid Waste Division.
- B143-19 Accepting conveyances for utility purposes.
- B144-19 Amending Chapter 27 of the City Code as it relates to customer-generator rates and renewable energy credits.
- B145-19 Amending Chapter 29 of the City Code to establish regulations for medical marijuana facilities (Case No. 103-2019).

## X. REPORTS

- REP43-19 Proposed amendment to Chapter 16 of the City Code to prohibit the practice of conversion therapy on juveniles.

Mayor Treece commented that he had asked for this and had the concern that it might invite pre-emption. He understood a few municipalities had imposed a conversion therapy ban, but given that it could provoke legislation or a lawsuit, he was reluctant to pursue it while they were short two members.

Mr. Skala stated that was a point well taken and commented that he did not shy away from something that risked pre-emption depending on the importance of the issue.

Mayor Treece stated he was happy to be the test case, but would not want to do it without involvement from the balance of their colleagues and from stakeholders in the community. He asked if there was any objection to waiting, and no one objected.

Ms. Thompson stated staff just needed to know whether or not the Council wanted it to appear on a future agenda. Mayor Treece suggested they hold off until they had a balance of the Council.

A recess was taken temporarily for the lack of a quorum as two members had stepped out of the meeting room, and once a quorum had been re-established, the meeting resumed.

REP44-19 Establishment of a Sports Commission.

Ms. Schneider and Mr. Franklin provided a staff report.

Mr. Pitzer understood this would be an advisory commission to an advisory board. Ms. Schneider explained the Sports Commission would be different than an advisory board. It would allow them to have the people involved in a room on a monthly basis. Currently, if they wanted to bring an event to town, they had to make about 25 phone calls in terms of a venue, dates, etc. This would allow them to have key players, i.e., people that managed events and venues, in the same room on a monthly basis. She thought it would help obtain a larger volunteer pool as well if everyone involved was willing to assist one another.

Mr. Pitzer understood this would formalize a structure to create cooperation when bidding for a competition, and asked Ms. Schneider if she saw this commission having any real authority beyond a minor marketing budget. Ms. Schneider replied the marketing budget was for sports marketing, and they work with the commission in using that money for a look and brand to get their name out. She explained some sports planners did not like working with a convention and visitors bureau, but would work with a sports commission even though it was one in the same most of the time. The money utilized to bid on sporting events along with festivals and other events came from the one percent tourism development program, and they would still use that pot. In addition, due to the way the ordinances were written, they would still have to go to the Convention and Visitors Advisory Board (CVAB) to sign off on the expenditure.

Mr. Pitzer stated this was an intriguing idea. He understood sports commissions could have a wide range of functions. In larger cities, they had their own funding sources and did lots of different things to attract events and teams. Ms. Schneider commented that they had talked about other ways to bring money into the sports commission besides the tourism development fund in the future, but believed this was a great way to start. Mr. Pitzer noted he thought it was a great idea to get it started to determine what might work and what could be effective.

Mr. Skala understood this was really an introduction to the commission members so people knew who to contact and for them to have their own standing. Ms. Schneider stated that was correct. She explained Springfield had a model that was successful and had been proven to work. She noted Zach Franklin was the Sales Manager for the Columbia Convention and Visitors Bureau, but if one looked up the Columbia Sports Commission, they would see him as the Director of the Columbia Sports Commission. As a result they would know to contact him with regard to any sports events. Mr. Skala understood Columbia competed quite a bit with Springfield. Mr. Franklin agreed Springfield was Columbia's largest competitor.

Mr. Ruffin understood the work was already being done, and the establishment of the commission would formalize it for marketing purposes and efficiency. Ms. Schneider stated that was correct, and noted she felt this would allow them to streamline the process for the future when they had larger venues and wanted to bring in bigger events.

Mayor Treece asked if there was any objection to staff bringing forward an ordinance in the future, and no one objected. Mr. Trapp stated he thought it was a great idea.

REP45-19 Community Development Commission Request for Amending Authorizing Ordinance.

Mr. Cole provided a staff report.

Mr. Trapp commented that Mr. Cole was correct in that this had come up during the meetings of the Fair Housing Task Force. He noted he preferred this approach as the

alternative was for there to be a commission that worked directly on housing. He thought members of the Fair Housing Task Force would want to see a standalone commission if this change was not made. He believed this was more elegant as it would not duplicate resources. He thought it would capture the work they did and allow for a little bit of expansion with regard to the development of metrics.

Mayor Treece asked if there was any objection to staff bringing this forward in the future, and no one objected.

Mr. Skala stated he liked this approach. He commented that this reminded him of the discussion involving the Mayor's Task Force on Climate Action and Adaptation Planning as he understood some comments had been made with regard to the Environment and Energy Commission (EEC) reevaluating and expanding its responsibilities. He noted he planned to ask the EEC to consider that at the end of the meeting.

REP46-19

**African-American Heritage Trail Route and Other Sites.**

Mr. Skala stated he appreciated the work that had been done and wanted to see this realized. He felt there were other locations, such as Indian Hills Parks, that could be included. He noted he would love to attend one of the meetings to chat with those involved. He asked the City Clerk to let him know when the group met so it could be further discussed.

Mr. Griggs noted the Columbia Cemetery Board did not want the Trail to run through the cemetery. They were opposed to a gate at the end near the location of some fraternities as they were afraid it might lead to vandalism as they had experienced vandalism in the 1950s. As a result, it would be moved to the front of the cemetery and they would attempt to direct people to that location.

Mayor Treece commented that in looking at the map, the black Union soldiers were at the southern end of the cemetery along with the Lincoln soldiers. Mr. Ruffin noted the monument for slaves was in that area as well. Mayor Treece stated the headstone of James T. Scott was also there.

Mr. Skala asked if there was a potential for any other solution that offered some protection. Mr. Griggs replied they had offered to redo the fence with a magnetic gate that would lock at dusk and open in the mornings. He explained he thought it had been worked out but some members of the Columbia Cemetery Board had voted it down at their last meeting.

Mayor Treece asked what was next for this in terms of time frame. Mr. Griggs replied a lot of the markers would be installed this summer. He thought the challenge for the Committee now was to determine how to do a dedication of 21 markers all over Columbia. It might be one event or several events.

REP47-19

**Administrative Public Improvement Project: Bear Creek Park Playground Replacement.**

Mr. Griggs provided a staff report.

Mayor Treece asked if anyone objected to moving forward with the administrative public improvement process. No one objected.

REP48-19

**Evaluation of proposals to expand sewer utility cost reimbursement programs.**

Mr. Sorrell provided a staff report.

Mr. Skala asked if staff was marketing these solutions or if they only notified those with a problem or complaint. Mr. Sorrell replied staff planned to expand its outreach. He noted an article had been included in the City Source and there would be another article within the next couple months. He stated they were also advertising it on the website. In addition, they had attended one neighborhood association meeting where there had been histories of back-ups in an effort to encourage those individuals to consider applying for the programs. He explained they were hoping to expand their outreach efforts for more

participation.

Mr. Trapp stated he had learned more about what kind of help was available and was pleased they were doing what they could to help people address their issues.

REP49-19      Amendment to the FY 2019 Annual Budget - Intra-Departmental Transfer of Funds.

Mayor Treece understood this had been provided for informational purposes.

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

Eugene Elkin, 3406 Range Line Street, commented that he had tried to get an appointment with Mr. Glascock this week. Mr. Glascock noted he thought Mr. Elkin would be here tonight and they could talk after the meeting. Mr. Elkin explained he was having an issue with the water utility and infrastructure at Rustic Meadows. He did not believe there was a plumber onsite. In addition, he did not believe the water line had been installed correctly. He was concerned the line would freeze once the meter was installed. He commented that the increase was also impacting him and others on fixed-incomes. Mr. Glascock stated he would speak further with Mr. Elkin after the meeting if he was able to stay. Mr. Elkin thanked Mr. Glascock.

Mr. Pitzer asked for the support of Council in asking Mr. Glascock to negotiate an agreement with the Boone County Fire Protection District (BCFPD) for a territorial response in some of the areas surrounding the City. He commented that they had funded two fire stations, but those would not be operational immediately. As a result, he was hopeful they could move forward with something in the short term to address any urgent emergencies in those areas. He thought it was a situation whereby the City had plenty to offer the BCFPD as well. The two could help each other with needs. He explained he had spoken with Ms. Peters, who was supportive of this idea, as it primarily affected Ward 6 and Ward 5. He commented that it would be great if it did not involve payment and reiterated he believed there were ways the City could help the BCFPD. He again asked for their support.

Mayor Treece stated he would support Mr. Glascock trying to negotiate something.

Mr. Skala asked for the status of any agreement with the BCFPD as he thought there had been ongoing conversations. Mayor Treece replied they had been waiting for a piece of legislation to pass that had not passed. Mr. Glascock commented that he was meeting with the BCFPD and there were a number of things he was discussing with them.

Mayor Treece asked Mr. Glascock if there was anything the Council could do to support him. Mr. Glascock replied not at this time.

Mr. Skala noted Ms. Maloney and Ms. Brownlee-Duffeck had spoken earlier this evening and had mentioned racial equity toolkits. He wanted to let them and others know he had been notified by Ms. Weidemann in the City Manager's Office that there would be a report on the June 3 council meeting agenda that dealt with his and Mr. Thomas' inquiries regarding a racial equity lens review of all ordinances. He expected it would include some information germane to some of the issues.

Mr. Skala commented that on Sunday afternoon he had been notified by a constituent of a water problem in the area of Kelsey Drive in northeast Columbia. He noted he had called the emergency line and had received a quick response in terms of what was happening and that people had been dispatched to the area to address the issue. He had also been assured there would be notification of any boil advisory if it became necessary. He appreciated the fact there had been a response with an explanation. He suggested notification on the website if that were to happen again. He understood it had information about outages, but it did not include notifications about other issues as it

would have been useful in this situation.

Mr. Skala understood they would likely be making a decision in the future as to whether to have a permanent commission to follow up on the Climate Action and Adaptation Plan and thought they might be able to divide some of the work between the Environment and Energy (EEC) and any future commission if they agreed to form another commission. He asked that the EEC review its mission in light of this issue.

Mayor Treece stated he was not opposed to that, but noted he was not inclined to change the ordinance. He explained he would have to review the ordinance with regard to EEC's existing authority. He thought one of the assets of the Mayor's Task Force on Climate Action and Adaptation Planning was the deliberate intersectionality and cross-collaboration of 15-16 different interests, and he was not sure that would be fully replicated on the EEC. He reiterated he was not opposed to it and noted he was also not keen on creating a new commission. He stated he might be more inclined to have some type of annual report card to the Climate Action and Adaptation Plan, but thought they could discuss it later in conjunction with the Plan.

Mr. Skala stated he would like to have input from the EEC with regard to what they thought in terms of whether they saw themselves as having a roll in this.

Ms. Amin asked the Council how they planned to proceed with Planning and Zoning Commission appointments and if they would delay the remaining two appointments until the next meeting.

Mayor Treece asked if anyone had any thoughts. Mr. Skala commented that this was one of the reasons he thought it was good to re-establish a policy for interviews. He agreed they might need to wait until they had a full Council.

Ms. Amin stated it would be included on the next agenda.

## **XII. ADJOURNMENT**

Mayor Treece adjourned the meeting without objection at 9:23 p.m.