



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, June 3, 2019
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, June 3, 2019, 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 PETERS, TREECE, RUFFIN (arrived at approximately 7:04 p.m.), TRAPP, SKALA, THOMAS (left at approximately 9:59 p.m.), and PITZER were present. The Interim City Manager, City Counselor, Deputy City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of May 20, 2019 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Trapp.

Mayor Treece asked if there were any adjustments to tonight's agenda to include the consent agenda. No one responded with any adjustment.

Upon his request, Mr. Thomas made a motion to allow Mr. Trapp to abstain from voting on B145-19. Mr. Trapp noted on the Disclosure of Interest form that he was working on a license application for a marijuana related business. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

II. SPECIAL ITEMS

None.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC6-19 Board and Commission Applicants.

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

PLANNING AND ZONING COMMISSION

Burns, Tootie, 310 E. Brandon Road, Ward 5, Term to expire March 31, 2023

Russell, Lee, 3456 Woodrail Terrace, Ward 5, Term to expire March 31, 2023

Mayor Treece understood Ms. Peters had served as the liaison to the Youth Advisory Council (YAC) and asked if she would be willing to serve again. Ms. Peters replied yes. Mayor Treece asked that the minutes reflect that Ms. Peters would serve as the Council liaison to the YAC again.

IV. SCHEDULED PUBLIC COMMENT**SPC34-19 Traci Wilson-Kleekamp - Restorative Practices and Community Policing: Putting Practice into Policy.**

Ms. Wilson-Kleekamp explained she was the President of Race Matters, Friends, and thanked Mr. Glascock and Interim Police Chief Jones for attending their meeting last week. She commented that when the Columbia Police Department had responded in 2015 to the President's Task Force on 21st Century Policing, they had indicated law enforcement agencies should acknowledge the role of policing in the past and present with regard to injustice and discrimination and how it was a hurdle to the promotion of community trust. She stated they were still working on how to acknowledge the past and work in the present. In acknowledging the role of policing in the past, some felt they had not lived there or that they had not done anything, but there were a lot of people that had experienced those injustices and had kids that had heard those stories. She noted a memory of hers involving her dad being pulled over by a police officer when she was about 11 years old and the officer calling her dad about every horrible name in the book. She commented that she thought the officer was going to shoot her dad. She explained they had not talked about that incident until recently, and her dad, who was now almost 80 years old, still remembered that moment. She stated it was really important for police departments to understand their history with people of color as historical context mattered. She commented that the point of restorative practice was to be provided the opportunity to rebuild the trust that had been hurt. She noted society was heavy on discipline, i.e., they punished and did less talking. She felt overpunishment occurred a lot in the community, and many times, it was because they had single stories about people and made assumptions. She stated she would like them to be less disciplined in terms of x or y, and would like them to consider z or something else. She explained, at the meeting last week, they had been really concerned about acknowledging the wrong and the social media presence of the police along with the way Lieutenant Tate had comported himself on social media. She noted there had not been any public acknowledgement and she did not feel there was a way to publically restore the relationship if there was not an admission or acknowledgement of a harm that was caused. She stated it was not enough to tell everyone to be nice as it did not transform institutional practices or structures. Part of the dismantling of those was to get people to change their ideology about the people they lived and worked among. If they were silent, they were saying it was okay. She commented that it was also the antithesis of community policing for public servants to talk like that about their constituents. She commented that the concepts of procedurally just behavior, such as treating people with dignity and respect, giving individuals a voice during encounters, being neutral and transparent in decision-making, and conveying trustworthy motives, were good. She pointed out this included social media, and Columbia's policies on that issue were silent. She believed the policies for policing, social media, and public servants should be loud and clear with regard to socially just behaviors. She understood the Council was interested in building an inclusive community, and that was an acknowledgement of explicit and implicit biases. She thought everyone should take the Harvard AIT test regularly to get used to their fears. She displayed a slide of a couple of social media posts by the Columbia Police Officers Association (CPOA), and one had displayed a noose and knife. She noted this had been going on for a long time and someone needed to say something. She stated it had also usually been very racially-based and did not know of any reason an association that represented Columbia police officers needed to be using images with nooses and knives. She felt it needed to stop. She commented that they did not want social justice to look like a lackey. They did not want to pretend to do social justice and only do superficial things. When people did not do the right thing, they needed to tell them to increase their intercultural sensitivity. She also did not feel they should reframe and rename things to fit their egos. She pointed out they could have

justice and injustice operating at the same time and it was really important to understand the logics of their history that produced racialized and racist things if they were going to transform institutional cultures like police so they did not have disparities in police stops, arrests, or school discipline. She noted they always saw crime as a black thing, but in Missouri it was a white thing as 40 percent of Missouri's population was male and they were involved in 80 percent of gun suicides. Missouri had a gun deregulation problem and a gun suicide problem involving white men. She commented that homicides were at the lowest they had been over the last 20 years, and if they were only focusing on black people and crime, they were missing white men that were killing themselves due to the deregulation of guns and the cuts in services.

SPC35-19

Kandas Holmes-Barnes - Community Policing and Restorative Practices:
Failures of the police department and school relating to daughter's arrest.

Ms. Holmes-Barnes` stated her daughter had been falsely accused of participating in a fight which she had not been involved with in January. She noted her daughter had been arrested and taken to the Juvenile Justice Center (JJC). She explained she had asked Mr. Drury, the principal, to look at the video, but he had not viewed it. When she had received a copy of the video that night, she had confirmed it had not been her daughter. As a result, she had filed a complaint causing the charges to be dropped. It had been a one-on-one fight and the police officer had told her daughter that they had heard she had stomped on a girl's torso. It had been the teachers that did not really get along with her daughter that had told them it had been her daughter. She commented that her daughter had not even received an apology. She explained her daughter had only been at school 78 percent of the time and was behind due to this and because she had been suspended for being loud or smart with teachers. She noted her daughter had also been bullied when she returned to school and had tried to commit suicide about two months ago due to the bullying and the teachers saying inappropriate things to her. She stated her daughter had been suspended the day before her eighth grade dance because she said "okay, okay, okay" loudly to a teacher. She explained she had spoken with Interim Police Chief Jones who had referred her to Internal Affairs. She commented that she believed she had to be her daughter's voice because no one else seemed to hear her. She did not want her daughter to be a victim of society or to feel like she had to take her own life. It was hard to deal with as a mother. The school had provided her a therapist and the therapist had provided her a psychiatrist that had provided her Zoloft after just meeting with her once and without explaining that Zoloft could make people commit suicide. She commented that her daughter, who was not even 100 pounds, had been suspended for five days because she hit the 300 pound guy that had pushed her into a locker, and the guy that pushed her did not get suspended until two days later after she complained about the fact her daughter had been suspended, but he had not when he had pushed her, and he had only been suspended for three days. She stated she wanted justice, apologies, and for her daughter to feel comfortable when she went to school. She noted she had been considering homeschooling and boarding school because she did not know how her daughter would react or how the teachers would react to her. She reiterated she did not want her to feel victimized. She wanted everyone, i.e., the teachers, the principal, etc., to take accountability for what they had done to her child and the fact they were not fair to black people. She did not feel her daughter should have been confused with the person that had been in the fight because they had different skin tones.

Mayor Treece thanked Ms. Holmes-Barnes for telling them about her experience and asked if she had shared it with the School District. Ms. Holmes-Barnes replied Peter Stiepleman had not even known about the fight in January or the complaint until about a month ago. She commented that they did not want to talk about it. Mayor Treece asked Holmes-Barnes if she had asked the School District to examine their process or training to identify their own implicit biases in these types of incidents. Ms. Holmes-Barnes

replied she had a meeting with them on Thursday at 11 a.m. She commented that she planned to discuss it even though they did not since it involved her child. Mayor Treece thanked Ms. Holmes-Barnes for being an advocate for her daughter.

Mr. Ruffin suggested Ms. Holmes-Barnes ensure Carla London was in the meeting as well as she handled bullying complaints and other kinds of disciplinary issues. He noted she was very empathetic for black children. Ms. Holmes-Barnes stated she had left several messages for her, and she had been the one that had not wanted her daughter to go to the eighth grade dance because she had been loud with the teacher. She commented that she did not know where in the rule book it said her daughter could not get loud. Mr. Ruffin suggested Ms. Holmes-Barnes talk to Ms. London face to face.

V. PUBLIC HEARINGS

PH24-19 Proposed replacement of the water distribution infrastructure along Country Club Drive South and Elliott Drive.

PH24-19 was read by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece asked if a looped water main meant water did not have to be cutoff to everyone if there was a break. Mr. Johnsen replied everyone in the loop would generally have two places from where the water could come. He explained it helped with fire flow, not only to the loop, but to the surrounding areas on other mains close to the looped area.

Mayor Treece opened the public hearing.

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

Mayor Treece made a motion directing staff to proceed with the replacement of aging water distribution infrastructure along Country Club Drive South and Elliott Drive as described. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

PH25-19 Consider the Water and Light 2019 Renewable Energy Report.

PH25-19 was read by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece referred to page 3 of the report and stated it would be helpful to have the cost per kilowatt or megawatt hour for each of the renewable energy contracts along with the voided cost at the Columbia Municipal Power Plant and the Columbia Energy Center. Mr. Johnsen understood Mayor Treece wanted a column added with the impact per megawatt hour to the table on page 3. Mayor Treece stated he would like to compare that to what they were producing in-house and the cost associated with what they were producing in-house. He asked Mr. Johnsen if he could say renewable energy was more or less than what it cost the City to produce energy at the Municipal Power Plant. Mr. Johnsen replied he would say the renewable projects added more recently were less expensive than some of the fossil fuel-based resources they had. He noted some of the contracts they had adopted earlier in the process were likely more expensive. He explained the capital costs associated with renewable energy projects were less now than they had been in the past. In addition, performance was increasing in terms of capacity.

Mayor Treece understood that when Mr. Johnsen had suggested the Climate Action and Adaptation Plan (CAAP) would have an increasing burden, but noted he did not feel it would necessarily create a financial burden if that renewable energy was cheaper than the cost to produce it in-house. Mr. Johnsen stated from an impact perspective, he was only saying the goals the CAAP would have a big impact on how the utility viewed the various items and how they would be put together. He noted those goals would be drivers for the utility to plan for in the future and the completion of the CAAP would time nicely with the planning process in which the utility would soon be engaged.

Mayor Treece asked for the percentage of the City's total power load that was generated at the Municipal Power Plant. Mr. Johnsen replied not much, and explained it was only a peaking facility at this time and only included two gas units. He thought about five percent of the annual energy came from the plant right now. He pointed out the baseload coal units were no longer in operation.

Mayor Treece commented that he had seen a reference in the Columbia Missourian indicating the Municipal Power Plant, the Columbia Energy Center, and the landfill accounted for less than ten percent of the energy, and asked Mr. Johnsen if he would agree with that statement. Mr. Johnsen replied that would likely be in the ballpark. Mayor Treece asked for the percentage of the Water and Light budget the Municipal Power Plant cost. Mr. Johnsen replied he did not have that information with him. Mayor Treece asked if he could find that out by the next meeting so they could consider that with respect to the CAAP. Mr. Johnsen replied yes.

Mayor Treece stated he thought it would be interesting to look at these rates as a percentage of the budget for the electric utility in addition to the cost per megawatt hour. He commented that he was curious as to the cost to operate and maintain the Municipal Power Plant since it represented a small percentage of the portfolio. Mr. Johnsen replied it really addressed capacity needs. He explained it was designed to be a substation and units were sometimes dispatched because of the need for voltage support at the distribution level. He stated they would try to split the numbers apart for energy, capacity, and load serving values.

Mr. Skala commented that the Municipal Power Plant was essentially a capacity asset. He understood renewable energy had become nimble because the technology costs were decreasing and because they were not locked into anything, and asked if that was correct. Mr. Johnsen replied the costs of renewable resources were decreasing and impacting the old, traditional baseload units because they were less economically dispatchable in the market these days. Many of those resources were not only following load, but were also following intermittent resources, so their role was changing a bit.

Mr. Skala noted there had been a rather large jump between 2008 and 2009 and an even larger jump between 2016 and 2017 in terms of the percentage of renewable energy, and asked if that had been the result of significant purchases. Mr. Johnsen replied they were the result of contracts the City had executed in preparation for the next step. He thought the NextEra wind contract had been one of the big ones. He explained the utility was very heavy on the wind side right now, and it was one of the reasons they were looking toward solar. They wanted to balance it out from a resource diversity perspective. He noted solar also matched the City's load fairly well since it generated energy when the sun was out and the days were longer. Wind tended to generate energy in the spring and fall so it did not necessarily match the City's load perspective, but it was good, affordable energy.

Mr. Skala understood there had been discussion with regard to a wind farm between Boone County and Cooper County and a large solar array on the north side of town beyond the city limits, and asked Mr. Johnsen if he was aware of those. Mr. Johnsen replied yes.

Mr. Pitzer asked for the status of the generator that had been damaged in the fire. Mr. Johnsen replied he thought it was still a couple of months out. They had to buy a new generator as the fire had damaged generator #3. He believed the engine had been put back together and it had been the major cost component. Mr. Pitzer asked if the other two generators were still able to run. Mr. Johnsen replied yes. He noted there had been minor work to generator #2, and generator #1 had not been really impacted. Mr. Pitzer asked if they were in the process of acquiring a fourth generator. Mr. Johnsen replied the facility had been built for four so they had the space for a fourth. He explained there were a couple of issues as they needed to ensure they had enough gas supply and had to work through the operating permit to ensure it would run. He commented that they were also looking at a concept of renewable natural gas generation to determine if they

were making the right decision financially. He thought they would be bringing that to Council after going through the Water and Light Advisory Board (WLAB) and ensuring they understood all of the variables associated with it.

Mr. Pitzer commented that the report had indicated staff expected the production from the landfill gas generators to be lower than normal in 2019 since generator #3 was out of service, but the table on page 10 which had the 2019 estimated renewable portfolio had shown an increase in the amount of energy expected from landfill gas. He asked for clarification. Mr. Johnsen replied he thought the table had been created without taking into account the fact they had a fire at the facility. Mr. Pitzer understood that if the landfill gas generated was the same as it had been in 2018, the City would be below the 15 percent in this current year. Mr. Johnsen stated that was dependent on the other resources because the landfill gas was not one of the larger generators. Wind, at this time, was the biggest driver of how much renewable energy was received. Mr. Pitzer commented that the projections were fairly close to the 15 percent so it would not take much to get below it. Mr. Johnsen stated wind would make the biggest difference because they were heavy on the wind side in terms of resources.

Mr. Pitzer understood there had been a purchase of wind renewable energy credits and asked for an explanation with regard to a renewable energy credit. Mr. Johnsen replied a renewable energy credit was received any time one generated renewable energy. In this situation, the load had been up and the wind had died down so they thought they would be a little short. As a result, they had taken the MISO energy they received, found a MISO resource, and bought renewable energy credits on it. They had essentially taken the energy already delivered through MISO and assigned it to a renewable energy project at MISO throughout the year so they could declare those megawatt hours as renewable energy to the City. Mr. Pitzer understood the City bought the credits to claim the previously purchased energy was renewable. It was not the purchase of additional renewable energy. Mr. Johnsen stated it was energy they had gotten through the market and they had been able to buy credits to assign the renewable value to that energy through MISO. Mr. Pitzer asked if this had ever been done before. Mr. Johnsen replied no. He explained they had worked with the WLAB on this issue, and the WLAB had felt it was an appropriate way to move forward. Mr. Pitzer asked Mr. Johnsen if he anticipated doing it again. Mr. Johnsen replied no. He pointed out it had worked this year, but costs were not secure and staff preferred a long-term contract so they knew the costs. They would continue to try to have contracts in place to meet the requirements.

Mr. Pitzer noted it had been about two percent of the total energy so it did not seem as though they had actually acquired renewable energy. They had just bought credits to claim the other energy was renewable. He stated there was not additional renewable energy being added to the grid due to that purchase. Mr. Johnsen agreed and noted the City had just paid extra to have the renewable value assigned to the energy. He commented that it was fairly common even though the focus of the ordinance was energy alone. He explained this was a way to ensure the energy received was assigned the renewable value. Even when they purchased renewable energy off of a contract, the City received renewable energy credits with it and then settled those credits. As a result, at the end of the day, it looked the same. The energy came from that resource and the City received the associated credits.

Mr. Pitzer asked how staff had assigned the additional cost to those renewable energy credits. Mr. Johnsen replied the methodology had changed this year. He explained it had been a marginal cost-type scenario. Previously, they had been taking marginal cost with the energy market. Since renewables were increasing with the energy market, the renewables had an impact on the marginal cost of the energy market. It was not a nonrenewable cost. As a result, staff went back to the portfolio and assigned a marginal cost to the nonrenewable portfolio and compared it to the renewable assets. When they had taken that market energy with the credit, they had compared it to the marginal cost of the City's nonrenewable assets. Mr. Pitzer understood this was the case even though

the City was not actually acquiring power by purchasing the credits. Mr. Johnsen stated the City had gotten the energy off of the market that had been driven by the cost of those resources, i.e., what they had to pay for the energy off of the market had been driven by the cost of the resources. He noted there was also the cost of assigning the renewable energy credit to that resource. He commented that the price of the energy and the renewable energy credit were added together and compared to marginal cost of the nonrenewable resources on the City's system. Mr. Pitzer asked if staff had considered applying the entire cost of that renewable energy credit to that three percent measurement. Mr. Johnsen replied no. He explained they had looked at it in terms of the cost of the renewable energy, i.e., whatever it took to make the energy renewable. He understood there were some places that purchased renewable energy credits to cover every megawatt regardless of the source, but that was not the approach taken here. He stated they wanted to ensure they could tie the renewable energy credit back to the resource that had delivered it. It had not just been a renewable energy credit accounting approach.

Mr. Pitzer commented that he was not sure that was a preferred approach as it appeared as though they were just spending additional money to be able to claim they had reached the 15 percent target. The purchase of the renewable energy credits was not adding any renewable capacity to the overall system. He understood it was a debatable point, but thought ratepayers might be better served by not spending that extra money since it was not providing that direct renewable energy impact. He stated they had spent \$650,000 on the renewable energy credits. Mr. Johnsen commented that he was not sure the renewable energy credits had cost that much as it was likely the cost of the energy and the renewable energy credit put together. He noted he would have to look at the numbers, but thought that sounded high for the cost of the renewable energy credits alone. Mr. Pitzer believed that had been in the report.

Mr. Pitzer understood Mr. Johnsen did not anticipate doing that again in 2019. Mr. Johnsen stated that was not the preferred plan or approach of staff because they were open to market influences with regard to costs.

Mayor Treece asked Mr. Johnsen if the City had purchased power from the project previously known as the Grainbelt Express. Mr. Johnsen replied that were not yet in operation. Mayor Treece understood the City had a purchase agreement with them. Mr. Johnsen stated the City had a contract through the Missouri Joint Municipal Electric Utility Commission (MJMEUC) to take delivery off of a resource on that transmission path if it became commercially viable. Mayor Treece asked if staff had considered the impact of it in the future if that project became viable. Mr. Johnsen replied it would not have a cost to the City with their current methodology of rate impact.

Mayor Treece opened the public hearing.

Jay Hasheider, 1812 Cliff Drive, expressed his satisfaction with the renewable energy methodology the utility had used this year as opposed to prior years with regard to netmetering. He thanked the Council for making it clear to the utility that the netmetered solar should be accounted for in total so all of the solar production in Columbia was accounted for in the report. He noted there had been a big increase in netmetered solar this year. It was still minor in the scheme of things, but it had been a big boost due to the action of Council.

Mayor Treece understood Mr. Hasheider was pleased with the way it was reflected in this year's report. Mr. Hasheider stated that was correct.

Bob Swope, 1401 Windsor Street, stated he would soon be installing a solar roof and could see much groundwork had been laid for progressive energy policy, which he appreciated. He thought it would be good to see the impact of the solar roofs that were popping up in Columbia. He wondered if it was adding to renewable energy substantially and if it was a portion of what they were claiming as environmentally sound energy. He felt they needed to integrate those ideas and numbers together as he believed it was very important.

Mayor Treece commented that he thought it would be an interesting analysis to know how many rooftops of residential solar would equal one megawatt of hour. They could then determine what the demand reduction could be with incentivizing additional residential rooftops.

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

Mr. Trapp stated he believed this was a good report and was glad to see continued forward momentum. Through his time on the Council, they had tripled the amount of renewable energy and were positioned to meet their next targets.

Mr. Skala agreed it was a great report. He noted the issue of a renewable portfolio had gone to the voters in 2004, but a few of them had started the discussion prior to then, around the time of the turn of the century. He stated great progress had been made and it appeared as though that progress would be continued with the new projects that would soon come online. He thanked those that had been working on this effort over the years.

Mayor Treece made a motion to approve the Water and Light 2019 Renewable Energy Report. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

PH26-19 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.

Discussion shown with R87-19.

R87-19 Adopting the “City of Columbia Analysis of Impediments to Fair Housing Choice - Affirmatively Furthering Fair Housing” report; enacting related provisions thereto.

PH26-19 and R87-19 were read by the Clerk.

Mr. Cole provided a staff report.

Mayor Treece opened the public hearing.

Chad McLaurin, 1807 Jackson Street, asked for a cost estimate in terms of affordable housing. Mayor Treece replied he thought it was different for everyone. He believed the cottages recently completed were about \$180,000. Mr. Cole stated the cost to develop the cottages had been about \$180,000, but the homebuyers had paid about \$100,000 per house due to subsidies. The principal, interest, taxes, and insurance totaled \$750-\$800 per month. He noted the rental units supported through the Columbia Housing Authority had rents that varied from \$400 to \$800 depending on the size of the unit.

Andrew Hutchinson explained he was the President of the North Central Columbia Neighborhood Association (NCCNA) and asked the Council to adopt the resolution as it was written. The NCCNA was supportive of the resolution and the report, especially with regard to the definition of affordable housing. The resolution explicitly defined affordable housing based on people under 120 percent of the area median income (AMI) being able to afford the housing. In addition, the definition included that 30 percent of the gross income, including utilities, was spent on housing. He stated they appreciated the definition because it was clear that the affordable housing had to be affordable to people within a specific income range and the AMI according to the most recent census data he could find was roughly \$47,000, which he thought had been echoed in the report. This meant new affordable housing that was incentivize should only be considered affordable if someone making less than \$47,000 could afford it without being burdened by housing costs. He commented that the NCCNA asked that it be pointed out that while the AMI for the whole of Columbia was \$47,000, the AMI of Ward 1 was about \$18,000. He understood some would say this was due to student housing and the high concentration of students, but he believed it was important to remember that Wards 6, 4, and 5 had a large component of student housing, such as the East Campus Neighborhood and the town homes off of Old Plank Road. He noted the next lowest household income was

\$31,000 in Ward 6 and it was \$84,000 in Ward 4. He stated he wanted to highlight those numbers so that when they were considering Ward 1 they were focusing on the massive disparity that existed there. He commented that it was particularly concerning when 34 percent of Columbia residents were paying more than 30 percent of their income in housing costs. He noted the vast majority of those people were renters. Of the 14,000 households that were housing cost burdened, he thought about 12,000 were renters. When thinking about affordable housing solutions, they had to keep in mind renters in addition to homeowners and potential homeowners. As a result, the NCCNA recommended that the consultant focus on the rehabilitation of existing properties and energy efficiency improvements to existing units in order to decrease utility costs. They felt it was more cost-effective and a better use of money to incentivize the repair of rental homes, especially in Ward 1, than to construct new properties. He stated they were also recommending the rehabilitation and repair to fit into sustainability goals and energy use reductions because lower utility costs would still affect the housing burden numbers. Decreasing the cost of utilities would decrease the cost of housing on the household. He commented that the NCCNA was asking the Council to endorse the resolution and to charge the consultant with focusing on rehabilitating homes and creating a housing stock for those at the lowest end of the AMI spectrum.

Mr. Skala noted Section 3 of the resolution had referred to a trust fund account, and typically the City would initiate the account, which would then be followed by contributions to expand on it, and asked for clarification. Mr. Cole replied the Council had allocated about \$1.1 million in general revenue between 2015 and 2019, and it had included work with the land trust, the downpayment assistance program, and Welcome Home. The thought was for infrastructure to be in place if there was that opportunity in the future and knowing the opportunity might not be there. He explained one of the challenges in expending those funds over the last five years had been tracking since some of the money had come from the City Manager's Office while other money had come from a surplus account or council reserve funding. Those funds had been allocated to projects, which was good since they were able to complete some innovative projects, but they were now in the position of having a robust process of engaging the public, reviewing the data, and forming goals in order to shape where funds were allocated. As a result, he thought it would be good to have infrastructure in place to allocate funds strategically and to blend them with Community Development Block Grant (CDBG) and HOME funds through the Columbia Community Development Commission. Mr. Skala stated he viewed this as a bank account for contingencies.

Barbara Jefferson, 305 N. Fifth Street, encouraged the Council to approve this resolution with regard to fair housing. She explained she resided in Ward 1 and felt this was a first step in terms of affordable housing. She stated there were people with very low income, and referred to the \$18,000 per year AMI mentioned earlier. She emphasized the comments of Mr. Hutchinson in terms of rehabilitating homes for energy efficiencies, especially in Ward 1, versus building something new. She reiterated her request for Council to approve this resolution.

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

Mr. Thomas understood the resolution referred to the procurement of a firm to assist in developing a list of recommended policies and incentives to foster the development of more affordable housing, and his recollection was that this would include looking at items such as inclusionary zoning and making recommendations as to how that might be implemented. It sounded as though Mr. Cole had referenced an event and asked if he had misunderstood. Mr. Cole replied they would utilize CDBG funds so they were limited in scope with regard to what they could procure, and he thought it would be a good approach to procure someone to talk to them about all of the different policies. He felt this would help them to not think of it singularly or in terms of one policy. He agreed inclusionary housing would be a tool in the toolkit that was discussed. He suggested they get someone with expertise in developing a comprehensive set of strategies for

Columbia in comparison to other communities. Mr. Thomas understood the format would be an event rather than a study and report. Mr. Cole replied it would be similar to when they had brought in Tiffany Manuel to speak.

Mr. Trapp asked if it would include an analysis of Columbia's economic conditions for inclusionary housing policies or incentives. Mr. Cole replied no. Mr. Trapp asked if that was due to the limitations of CDBG funding. Mr. Cole replied yes. He commented that he also believed there would be some value in looking at this issue as a whole in terms of all of the different tools and policies available. If Council wanted to take a deeper dive after listening to the speaker, he thought they could reevaluate the situation.

Mr. Trapp stated it had been a pleasure to work with Mr. Cole and those on the Fair Housing Task Force. He commented that five years ago they had a much more robust policy for their Consolidated Action Plan with the Neighborhood Congress, and they had done everything they done five years ago along with all of these activities with the Fair Housing Task Force for a deeper dive into the data and robust conversations. He thought they had come to a policy resolution that had moved the ball forward. He noted Mr. Clark was in the audience tonight, and he had chided the Council many times about the lack of an affordable housing policy. He believed they had addressed the issue considerably via federal pass-through money and the additional \$1.1 million they had invested over the last five years, but it had all been done in an ad-hoc manner. Now, they would have a clear definition of affordable housing and a robust policy statement, which would further inform them. He commented that he thought the challenges would increase as property values increased, and that their own prosperity and loveliness as a community would be the biggest threat to affordable housing. He felt they would have to be more robust in their approach in both facilitating and subsidizing affordable housing and in watching affordability and market conditions to ensure they were not creating additional squeezes on the affordable housing landscape.

Mr. Ruffin commented that he had heard many times from several constituents regarding the possibility of renovating homes as opposed to tearing down and rebuilding, and asked Mr. Cole to address that directly in terms of the allocation of funds and his long-range vision. Mr. Cole replied that activity, i.e., the rehabilitation of homes, was currently funded, and they typically allocated \$250,000-\$300,000 per year to that program. They also received loan payments from previous projects when the homes were sold. He explained these were zero percent interest loans that were due when the home sold so they had money that recycled back into the program. He reiterated they currently operated a rehabilitation program, and it typically involved 4-10 homes per year. He noted it was a fairly time intensive program and they would continue offering it.

Mr. Skala commented that one of the intractable problems they had always had involved providing proper incentives for utility billing, particularly as it related to rental properties. He asked if there was any new information in terms of what they had to offer or extend to try to cover incentives that would affect the cost of utilities. Mr. Cole replied they did a lot of energy efficiency improvements with the rehabilitation program, but noted that oftentimes he found there was \$30,000-\$40,000 of work needing to be done before they could even get to that point. Homes tended to have foundation issues and they were required to look at asbestos, lead, and radon. As a result, there was a lot of other work that had to be done before they were able to get to energy efficiency issues, such as foundations, roofs, electrical wiring, etc. In addition, many homes needing insulation had knob and tube wiring, which involved some safety issues that needed to be addressed. He thought the biggest limiting factor to energy efficiency was all of the other work needing to be done first.

The vote on R87-19 was recorded as follows: VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, PITZER. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

VI. OLD BUSINESS

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).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Skala understood this had specifically excluded standalone bars and packaged liquor sales, and that it was specifically for restaurant purposes. Mr. Teddy stated that was correct. Nightclubs or any dedicated liquor serving establishments that did not serve full meals would still be excluded.

Mr. Pitzer understood this had been a unanimous vote at the Planning and Zoning Commission meeting, and asked if it had not been on the consent agenda only due to the amendment. Mr. Teddy replied it had to be removed from the consent agenda due to the exhibit being different than what had been provided with the published agenda initially. What they had now was consistent with what had been presented at the Planning and Zoning Commission meeting.

Kevin Murphy, 3401 Broadway Business Park Court, stated he was present to answer any questions.

Mayor Treece made a motion to amend B136-19 per the amendment sheet. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**B136-19, as amended, was given third reading with the vote recorded as follows
VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, PITZER.
VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

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).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Trapp asked if there were any special challenges with building a sidewalk along an unimproved road. Mr. Teddy replied there would always be some grading that would be needed and the drainage would need to be handled carefully, especially when it was 1,200 feet. He noted they would not want to create a barrier to drainage coming off of the roadway or a lot. He commented that there was more of a challenge in that respect than with a right-of-way that had been graded to receive a sidewalk.

Mr. Skala understood the applicant had to provide answers to a questionnaire in order to secure this exception. Mr. Teddy explained the applicant had been provided a design waiver worksheet to complete, and it had been included in the packet. He noted they had provided a cost estimate in terms of what they thought it would cost them to install the sidewalk. Mr. Skala understood it was the judgement of staff and the recommendation to the Planning and Zoning Commission that it was not sufficient. Mr. Teddy agreed. He stated the argument the applicant had made was that it was only two lots and that it would not have a great impact, but staff felt they were very large properties and that it was not unreasonable to require a sidewalk.

Tim Crockett, 1000 W. Nifong Boulevard, explained this involved larger acreage tracts which they typically did not see within the City of Columbia, but given the existing conditions of the site, they felt it was justified at this location. Bear Creek ran across the property and there was a substantial amount of floodplain associated with it. Many years

ago, a preliminary plat had been approved for this property for about 40-45 houses if he recalled correctly. The preliminary plat had since expired and the new owner wanted to subdivide it into two tracts. It would include two basic home sites without having to fill or elevate the floodplain. They would leave the floodplain as it was. They were asking for a design adjustment for the sidewalk construction of roughly 1,200 feet. Since it only involved two tracts of land, it was a burdensome number. In addition, the closest sidewalk along Blue Ridge Road was 1.8 miles to the south. They felt that was substantial. If one went north from this site, they would see land that had already been subdivided into three, five, and ten acres tracts of land, and they had not seen a lot of development taking place over the years. As a result, they believed the request at this location was justified.

Mr. Pitzer stated there was a note in the report indicating it would be cheaper to actually build the sidewalk than to make the payment in lieu and asked for clarification. Mr. Crockett replied he thought the way the City formulated the payment in lieu option involved the average cost the City had paid over the last five years for sidewalk projects. When looking at how the City constructed sidewalks and the fact they paid prevailing wage if it was contracted, it was substantially more expensive than what it would cost if the property owners did it themselves. Mr. Pitzer asked Mr. Crockett if his clients wanted to pay the higher amount. Mr. Crockett replied it would not be a payment in lieu. If they did not receive the sidewalk variance, his clients would build the sidewalk themselves.

Mayor Treece understood that because the Planning and Zoning Commission had rejected the design adjustment, it would require two-thirds approval by the Council to pass the ordinance. He commented that he did not want the approval of the final plat delayed if they were not able to achieve approval by two-thirds vote.

Mayor Treece made a motion to amend B137-19 by removing the design adjustment by deleting Section 4. The motion was seconded by Mr. Trapp.

Mayor Treece commented that they had just had a work session on all of the unfinished sidewalk projects within the City and their associated costs. If they did not implement construction of sidewalks on the front end, it became very expensive, and the City ended up subsidizing it on the back end.

Mr. Skala stated he accepted the rationale of the Planning and Zoning Commission for not wanting to allow the design adjustment.

The motion made by Mayor Treece and seconded by Mr. Trapp to amend B137-19 by removing the design adjustment by deleting Section 4 was approved unanimously by roll call vote with Ms. Peters, Mayor Treece, Mr. Ruffin, Mr. Trapp, Mr. Skala, Mr. Thomas, and Mr. Pitzer voting yes.

**B137-19, as amended, was given third reading with the vote recorded as follows
VOTING YES: PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS, PITZER.
VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

Mr. Trapp stepped out of the meeting room.

B145-19 Amending Chapter 29 of the City Code to establish regulations for medical marijuana facilities (Case No. 103-2019).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Peters asked for clarification regarding a mobile structure in terms of the discussion at the Planning and Zoning Commission (PZC) meeting. Mr. Teddy replied they had not seen a need to regulate it so they had not included the provision. He thought there was some feeling the State would not allow it anyway. Ms. Peters asked if they were talking about a truck in that regard or something else. Mayor Treece asked if they were talking

about manufactured housing or a medical marijuana food truck. Mr. Teddy replied mobile could mean something that was capable of being towed to another site. It was something that was not on a permanent foundation. Ms. Peters wondered if that could be done with the limit of six dispensaries within the City. Mr. Teddy stated he thought it was referring to the type of structure. He noted mobility could infer there would be a change in location and each location would have to comply with the standards. Ms. Peters understood the PZC felt this would be okay. Mr. Teddy clarified he thought the PZC thought it should be dropped as a regulation because a fully enclosed building covered it. Mr. Teddy continued the staff report.

Gail Plemmons, 17 Aldeah Avenue, commented that she had recently been diagnosed with Stage 4 liver cancer and planned to ask her oncologist for a recommendation for a medical marijuana card. She stated she had been very disappointed that the PZC had not attempted to consult any potential patients when making their rules. She thought there should be a dispensary downtown as many disabled people and people with wheelchairs lived close to the downtown, and referred to Paquin Towers. In addition, the medical marijuana initiative was passed by a large percentage of people around the downtown. She felt the 250-foot rule should apply to a dispensary downtown because there were so many churches in the downtown and it would be difficult to have one if they maintained the 1,000-foot distance. She stated the second floor requirement was also disturbing to her as people with wheelchairs would not be able climb the stairs and installing an elevator was extremely expensive. She commented that banks were cash businesses and asked how many bank robberies occurred in Columbia and whether they had a second floor or security all over the place. She encouraged the Council to not make it difficult to people like her to obtain a legal medicine.

Mr. Skala noted the PZC had made a recommendation for a 250-foot buffer, which would allow more dispensaries downtown than the 1,000-foot buffer. Ms. Plemmons stated she agreed with almost all of the PZC recommendations.

Douglas Keeth, 3200 Shoreside Drive, commented that the notion of a requirement for second floor dispensaries anywhere in the City would result in lawsuits. It would be thwarting the intention of the amendment, and the amendment restricted the number of dispensaries that were available on a population basis. He reiterated he thought someone would sue the City if they required the dispensary to be on the second floor and that they would likely win. He commented that he did not understand the principle behind the distance requirement. He knew it was within the constitutional amendment that had been passed and that it had been included in order to try to gain acceptance for it. He noted he had collected a lot of signatures for the initiative and only two people had read the amendment. The people that signed the petition had signed onto the notion of medical marijuana for the people of the State of Missouri, and the amendment had authorized the Council to reduce the barrier from 1,000 feet to whatever it felt was appropriate. He understood the staff report had discussed them being cash-heavy businesses, and asked if they had an example of a dispensary resulting in a gunfight on the street outside. He felt the staff might have another agenda. He stated he would have a medical marijuana card because he took chemotherapy every day, and noted he was offended that they were protecting children and the holy people of the churches.

Jack Maher, 7000 Madison Creek Drive, noted he agreed with the comments in terms of the downtown setback as it would be challenging from the perspective of a broker working with ownership to find adequate locations. In addition, he believed the people living in the downtown needed a place downtown to actually access a dispensary. From a setback perspective outside of the downtown, he hoped the Council would follow the recommendation of the PZC for a 250-foot setback. There was a daycare at just about every block in town and the 1,000 feet would be restrictive and burdensome for individuals looking for an adequate location. He reiterated he hoped the Council would follow the recommendations of the PZC.

Lance Lenau stated he had been one of the top ten signature gatherers in the State so

this meant a lot to him. He commented that the second floor requirement as proposed by the Columbia Police Department would be unduly burdensome. In addition, out of the 7,000 signatures he had collected, there might have been five people that had read past the signature page. He understood the Council might say it had the 1,000-foot rule in it, which was true, but it also allowed the local municipality to reduce the buffer. He suggested the Council follow the recommendations of the PZC along with the intent of the majority of voters instead of those of the City staff.

Nick Peckham, 2009 N. Country Club Drive, commented that the two largest cities in the State had a zero-foot buffer. He was not sure the second floor requirement was appropriate from the standpoint of urban design, especially in terms of the public-facing part of the business. In addition, he questioned separation from activities that were unlikely to use the dispensaries, such as daycares. He recommended the Council accept the recommendations of the PZC at a minimum or consider going beyond it.

Lance Dugan, 4204 Steinbrooke Terrace, stated he was a board member of Mid-Missouri NORMAL, a member of the Missouri Cannabis Industry Association, and a potential licensee for an infused products manufacturing facility that would be located in Columbia. He noted a number of the people that had spoken thus far had addressed the undue burden a second story facility would cause along with the 1,000-foot rule. Article XIV had not set any maximum limitations with regard to how many facilities could be located within a certain city's limit. He commented that he was not certain why the staff felt it was necessary to take the ratio and apply it directly to Columbia. As a potential licensee, he could think of no better place in the State for his manufacturing facility than Columbia due to I-70 and Highway 63. He could get to any dispensary in the State within 4.5 hours. He noted he would have to go through a lot of hoops to get the license, and now there was the possibility that once he obtained his license, he would then be told he could not operate in Columbia and would have to go elsewhere. He commented that it was an undue burden on him as a business owner. It also took away the possibility of more jobs being created, tax dollars being raised, and investment within Columbia. He did not feel it made sense to place a maximum limitation. He reiterated the Article had only recommended minimum limitations. He hoped the Council would reconsider the maximum of two cultivation facilities, two manufacturing facilities, and six dispensaries, and strike it from the ordinance.

Mayor Treece asked if an infused manufacturer could also have a dispensary as long as it was not in the same location. Mr. Dugan replied he could technically house all three in one building as long as they were separated. There was nothing in Article XIV that said he could not have all three fully vertical businesses located within one facility. Mayor Treece asked Mr. Dugan if it would be his intent to sell his products statewide. Mr. Dugan replied yes, and explained it would behoove his business to get into as many dispensaries as he could. Being based out of Columbia would provide him a better reach to rest of the State than other areas. Mayor Treece asked Mr. Dugan what other attributes he thought Columbia had besides its location. Mr. Dugan replied he had been in Columbia for the better part of 30 years and Columbia had always been a progressive, forward-thinking city. If they looked toward the future, he believed marijuana would be descheduled and would likely be available for research and development. He felt an appropriate place to do this would be the University of Missouri. He understood that was not on their radar at this point, but noted he believed it would happen at some point in the future. He thought they were going to look into the hemp industry and possibly doing that in terms of farming and agriculture, and believed medical marijuana would take the same route. He noted a chemist that worked for the University of Missouri was in the audience and he understood they worked on nuclear medicine. He hoped his business would be able to work with the University on these things in the future in terms of research and development.

Steven Faber, 3004 Woodbine Drive, stated he owned retail property that was about 1,005 feet from a church. If they followed the recommendation of City staff, that piece of

property, which had always been a problem for him, would suddenly become very valuable. He asked the Council to not follow the recommendation of staff and to instead follow the recommendation of the PZC because that was not why he lived in Columbia. He felt the city logo behind the Council spoke volumes, and noted the comments of Mayor Treece the other night at the Blue Note had been heartfelt and sincere and had demonstrated why he lived in Columbia. It was because they took care of their own and their neighbors. To deny the people that lived in the M-DT the opportunity to walk or roll, as many of them could not drive, to a dispensary to obtain medicine was hypocritical. He asked that they not be hypocrites and continue to take care of their citizens the way they always had.

Fred Christman explained he had recently retired from being a dentist. He noted he had lost his wife to cancer last year, and the only thing that had helped her other than excessive amounts of pain medications was having drops of marijuana under her tongue. He stated he had seen firsthand how it could help someone in a lot of pain. He commented that he had a building downtown that he would love to be used as a dispensary, but it fell within 1,000 feet of a church structure. He understood there was not any convenient building downtown for a dispensary and that there was a tremendous need there for access to medical marijuana. He pointed out this would only be for medical marijuana and people would be required to have a prescription to receive it. He noted he had not had a prescription for his wife so he had to do it illegally because it worked. He reiterated it was hard in the downtown area to not be too close to a church, and believed the 1,000-foot requirement was excessive. He suggested 50 feet or 100 feet to allow for access. He commented that he believed the dispensary had to be in a building, and it could not be mobile due to quality and security controls. He stated he was in favor of a dispensary in the downtown area, but not a manufacturing or other facility. He reiterated he thought a dispensary, properly created and regulated, would be viable for the citizens of downtown Columbia, but did not believe the downtown was an appropriate place for manufacturing or cultivation. He understood 10,000-20,000 square feet would be needed for manufacturing or cultivation and that could be located elsewhere within the city limits.

Lee Larkin, 202 Abbey Glen Lane, Weldon Springs, Missouri, stated he wanted speak on the limits of two cultivation facilities, two extraction facilities, and six dispensaries for Columbia. He commented that he thought the State would regulate the number of dispensaries as they would likely spread them out across all eight districts, and that the maximum was 24 dispensaries per district. He would hate to see Columbia limit it even though he did not anticipate any more than six being located here. He pointed out the cultivation and extraction facilities were not being limited by the State to any specific location. He stated he just wanted to clarify those items.

Clarinda Davis, 3407 Lost Tree Terrace, commented that she was a Lupus survivor and wanted to know what the Council would do to ensure there was some diversity and inclusion locally when it came to the dispensaries, cultivation, and the usage for patients. She stated she had tried to spread the word locally to black people telling them they could have weed without going to jail or being killed, but no one else was trying to help her get the word out. She thought it was sad that many people were around in November, prior to the election, but now that it was time to make money or open a business, they did not matter. She commented that she had tried to volunteer for NORMAL, but had been ignored, and felt that was likely because she was black, a woman, and did not have a lot of money. She stated she had been trying her best to do what she could to use her voice to empower her community. She agreed the 1,000-foot barrier would impede people trying to make money, and felt it might be something the Council should address. She explained she was scared to death as there was first slavery, then Jim Crow, and then the war on drugs, and noted she had been a survivor of the war on drugs. She had been four years old when her house had been kicked in and her dad had been taken to jail for marijuana, and now she was seeing the money-grab that was going, which she felt was sad. She asked what the Council would do to try to

help that situation as she believed there would be a crime issue if that was not addressed because people would be upset. She reiterated her suggestion that there be some diversity and inclusion locally with regard to usage and the businesses.

Mayor Treece commented that he did not think the Council could assist on the usage or even the licensure because that was a decision out of Jefferson City. Ms. Davis stated she understood, and noted she had tried to voice her opinion in that regard, but had been ignored. She explained she just wanted to know if there was anything the Council could do locally to address or acknowledge it. She reiterated she thought there would be crime or violence once people realized they had been used for their votes and would not have any business opportunities. Mayor Treece stated he was glad she had stepped up because he had just been thinking to himself that there had not been any people of color testifying. Ms. Davis commented that she felt that was by design. She reiterated she had tried three years ago to join the local NORMAL. In addition, she had a radio show in KOPN that someone had tried to keep off of the air.

Anthony Fuchs, 507 Ridgeway Avenue, asked if they would see the recommendations by the PZC that were listed on the screen. Mayor Treece replied they were included as attachments to the agenda online. Mr. Fuchs asked if they would be read from the display. Mayor Treece asked if he wanted more than what staff had already represented. Mr. Fuchs noted they had stopped on the display at the text amendment content and had not gone to the recommendations section. He assumed that was a summary of all of the changes recommended by the PZC. Mr. Teddy explained they had not gone through the ordinance. Mayor Treece pointed out he had read the transcript from the PZC meeting.

Barbara Jefferson, 305 N. Fifth Street, commented that she was concerned about where the medical marijuana would be grown and the odor that might come along with it. She did not feel it should be grown in the business area. Mayor Treece noted it would only be allowed in agricultural and industrial zoning districts and did not believe either was in the downtown. Ms. Jefferson stated she had heard something about a business in the downtown area. Mayor Treece explained that was likely infused manufacturing. Mr. Teddy noted the PZC had recommended adding the mixed use corridor zoning district, which was the retail district typically seen on roads like the Business Loop, U.S. 63, or Vandiver Drive. Ms. Jefferson commented that on the flip side she agreed with the comments of Ms. Davis in that there needed to be an opportunity for everyone.

Eugene Elkin, 3406 Range Line Street, explained he had voted for medical marijuana. He thought the 250-foot restriction was okay, but noted he did not want to see the smoking of it as he did not plan to participate. He commented that he had recently learned he might have a family member that would need medical marijuana as there were benefits. He stated he was not sure why they needed so many dispensaries in the beginning. He thought they should move slowly and only allow so many per year. He believed regulations were created by the Council, but years later, people would not be fined because they did not live here and the City did not know how to go after them. He reiterated his suggestion to proceed with caution. He understood there was a concern with bars on windows, but felt they might be useful. He wondered if the City would charge a tax for medical marijuana.

Mayor Treece understood there had been three main objectives that had jumped out to him. One was to attract investment as they wanted to have the best quality of dispensaries as possible, and if they could become a destination for manufacturing or cultivation, he thought that made sense due to the University of Missouri Healthcare System, the School of Agriculture, etc. He reiterated that it made sense for Columbia to be a leader, at least on the manufacturing side, if they had medical marijuana in Missouri. Another objective had been to promote the integrity of the industry. They wanted to make sure they did not create an agglomeration of dispensaries whereby they had payday loans, vaping shops, and medical marijuana dispensaries all located in one part of town creating a potential to devalue neighborhood properties or stigmatize those consumers from using it. He noted that had led him to consider how they could best protect

consumers in an emerging industry in its infancy. He thought staff had done a good job of striking that balance early on with their recommendations, but pointed out he was also sensitive to the comments of the PZC and the public. He understood they needed to look at the number of cultivation facilities, manufacturing facilities, and dispensaries, and the 1,000-foot rule, and asked if he was missing anything else. Ms. Peters noted they also needed to discuss the second floor issue.

Ms. Thompson stated staff also had some definition changes due to the rules promulgated by the Missouri Department of Health and Senior Services. Mayor Treece asked if they were technical in nature. Ms. Thompson replied yes, and explained it had to do with Section 29-3.3 (qq)(1), which talked about the 1,000-foot limit. She noted they needed to change "family daycare" to "child daycare" and "religious institution" to "church." In addition, instead of referencing Chapter 29, they needed to reference the Department of Health and Senior Services rules and regulations as they anticipated those becoming effective tomorrow. This would allow them to be consistent with state law and the way state law defined those.

Mr. Skala commented that he thought it was clear that there was a tremendous need and the public support for medical marijuana. He understood there were four differences between the staff recommendation and the PZC recommendation. One was the buffer as staff had suggested 1,000 feet while the PZC had recommended 250 feet. He noted he would propose 500 feet as that would allow dispensaries access to the business district and the central city area while still protecting neighborhoods from those businesses being located nearby. The second was the second floor issue. He commented that he did not see the need for a second floor. He agreed they needed to pay attention to issues and noted there would be security wherever the facilities were located. He understood Boulder, Colorado had limited it to the second floor, but only in a couple of areas, and he did not believe it was necessary in Columbia. He commented that regardless of the decisions made, he thought they should review the situation in about a year to determine if changes were needed. In terms of the diversity issue, he wanted to assure those that testified that this was not just about smoking marijuana. It did not involve recreational marijuana at this time. He pointed out a prescription would be required and there were federal proscriptions on what they could or could not do in terms of marijuana, which needed to be kept in mind. He believed medical marijuana was an important advancement in terms of medicine and felt they should establish the proper framework.

Mr. Thomas stated he would support striking the second floor requirement.

Mr. Pitzer asked for clarification with regard to limiting the number of dispensaries and cultivation sites. He understood the State had a formula they were working through on the issue, and asked what would happen if they granted more than six dispensary licenses for Columbia. He wondered if it would be a first come first served situation. Mr. Teddy replied the City would have to have an application process so those with complete applications and an eligible site would be considered. Mr. Pitzer understood there would not be any kind of analysis or judgement of the applicants. Mr. Teddy stated staff had not devised a system anywhere comparable to that of the State. Ms. Thompson pointed out the Council had not yet seen the business licensing provisions. She noted that would come to the Council once this piece done.

Mr. Pitzer asked if they otherwise limited the number of a certain type of business that could exist within the city limits. Mr. Teddy replied he could not think of any currently, but as one looked at other communities around the country, there were some uses that had concentration standards whereby only a set number were allowed. He commented that cities that offered liquor licenses would oftentimes have a set number of liquor licenses and require an amendment of the code to permit another license holder.

Mr. Pitzer asked if any buffer distance between dispensaries had been suggested in the ordinance. Mr. Teddy replied no. That was not in the State Constitution or the City's draft ordinance.

Mayor Treece asked if there could be a buffer between dispensaries. Mr. Caldera replied

he did not believe there could. He commented that the Constitutional Amendment clearly singled out three facility types that one must be 1,000 feet from and he felt that preempted them from adding a fourth one.

Ms. Peters understood they could end up with all of them being located on the Business Loop or downtown, and that there was no way to try to spread them out across the City so people had access to medical marijuana in their part of the City. Mayor Treece stated he thought they could do that as a function of the zoning code, which might provide for a de facto buffer.

Mayor Treece commented that he viewed the dispensary cap not unlike the certificate of need for nursing homes. If they had a glut of providers and none of them were profitable, they would cut budgets, have looser controls, make lower investments, pay their people less, etc. In this instance they were doing 50 percent more than the population would require with respect to the number of dispensaries allowed. He thought all of them would thrive and make money, and hopefully reinvest in their facilities, controls, safety measures, and the payment of their people, which he believed was a good thing. He felt they might not want to put a cap on the number of cultivation facilities as he understood this emerging industry to be state of the art in terms fully enclosed, hydroponic, agroponic growing facilities so they might spin off new technologies that might benefit other farmers and other agricultural purposes. In addition, if it was truly a medical marijuana product, the University of Missouri Healthcare System might be able to research addictionology, the types of conditions that were seeing amelioration and improvement and under what kinds of potency and product, etc., so being a leader in that field made sense for Columbia as a healthcare destination. He was not sure if it was a simple as eliminating (qq)(2) and renumbering the other sections accordingly. If someone wanted to do the same in terms of the number of infused manufacturing facilities under the same premise, he thought they could do it all at once.

Mr. Pitzer stated he would be inclined to support that and understood that would involve (qq)(2) and qq(3).

Mayor Treece made a motion to amend B145-19 by eliminating Section 29-3.3(qq)(2) and Section 29-3.3(qq)(3). The motion was seconded by Mr. Pitzer.

Mr. Skala stated he believed the point made by Mayor Treece was a good one and that the amendment was reasonable so he would support it.

The motion made by Mayor Treece and seconded by Mr. Pitzer to amend B145-19 by eliminating Section 29-3.3(qq)(2) and Section 29-3.3(qq)(3) was approved by voice vote with Mr. Trapp abstaining.

Mayor Treece stated he did not intend to offer an amendment to eliminate the cap on dispensaries. Although they wanted to encourage investment, he thought they would want to ensure they were profitable. Without some type of buffer between them, he was concerned it would create a glut whereby none of them were profitable.

Mr. Skala commented that he thought there were two remaining issues, and one was the buffer distance while the other was the second story provision for the downtown area.

Mr. Skala made a motion to amend B145-19 by replacing "one thousand (1,000) feet " with "five hundred (500) feet" in Section 29-3.3(qq)(1). The motion was seconded by Ms. Peters.

Mayor Treece understood Ms. Thompson has suggested a change of definition and noted he had a concern with regard to changing "religious institution" to "church" because he was not sure if it would include a mosque, synagogue, or Chabad house. Ms. Thompson stated it was the definition being used by the Department of Health and Senior Services. Mayor Treece asked for the definition. Mr. Caldera replied a church was defined by the Department of Health and Senior Services as a permanent building primarily and regularly used as a place of religious worship.

Mayor Treece made a motion to amend the motion made by Mr. Skala and seconded by

Ms. Peters so that no facility could be within 500 feet of a church or 1,000 feet of a school or daycare.

Mr. Thomas understood the goal was to ensure there were a reasonable number of buildings or lots in the downtown area that would be eligible. Mayor Treece asked if that was the goal. Mr. Thomas replied that was his goal. Mayor Treece believed there were other opportunities on Broadway for there to be dispensaries, including for those on the bus system.

The motion made by Mayor Treece to amend the motion made by Mr. Skala and seconded by Ms. Peters so that no facility could be within 500 feet of a church or 1,000 feet of a school or daycare died due to the lack of a second.

Mr. Skala explained he had reviewed the 1,000-foot map, the 500-foot map, and the 250-foot map. He noted it appeared as though the 250-foot buffer would essentially make everything available in the downtown and the 1,000-foot buffer would rule out virtually all of the downtown, which meant they would be located on the periphery. He commented that when they had dealt with the issue of Tobacco 21, they had essentially pushed everything outside of the city limits, but had failed to address the vaping issue, and as soon as that had happened, a vaping place had opened up right across the street from Hickman High School. Mayor Treece noted it had not just been one as there had been three. Mr. Skala stated he was sensitive to that situation although it was not the same since it was medical marijuana and not deadly nicotine. He felt there needed to be access opportunity in the downtown area while still providing some protections for the surrounding neighborhoods, and believed a 500-foot buffer was reasonable at this time. He noted the staff had made a fairly good argument of having something a bit more restrictive initially since it would be easier to liberalize it later than to go in the opposite direction. As long as they had a one year review process, he thought it could be adjusted. He stated he felt a 500-foot compromise was reasonable.

Ms. Peters asked Mayor Treece why he wanted a 1,000-foot buffer for schools and only 500 feet for churches. Mayor Treece replied it had been in the petition language. Mr. Skala thought someone had indicated it had been an attempt to make it more attractive so people would sign the petition. Mayor Treece commented that his fear of this was less about access and more about who had property to lease.

Ms. Peters stated she liked the argument of being more restrictive and loosening it up in a couple of years based on how it was working. Mayor Treece commented that once someone located within the 500-foot parameter it would be hard to go back up to 1,000 feet. Ms. Peters understood and explained she was just trying to determine if it would really be a problem or not and she was not sure that could be done until it happened.

Mr. Thomas stated he supported Mr. Skala's amendment.

Mr. Ruffin commented that he thought the 500 feet was a good compromise for now.

The motion made by Mr. Skala and seconded by Ms. Peters to amend B145-19 by replacing "one thousand (1,000) feet" with "five hundred (500) feet" in Section 29-3.3(qq)(1) was approved by voice vote with Mr. Trapp abstaining.

Ms. Thompson asked if the staff changes to the definitions could be made while they were discussing this section.

Mayor Treece made a motion to amend B145-19 by replacing "family daycare" with "child daycare center," "religious institution" with "church," and "defined in this chapter" with "defined in the Rules of the Missouri Department of Health and Senior Services as contained in the Code of State Regulations Title 19 CSR Division 30 Chapter 95" in Section 29-3.3(qq)(1). The motion was seconded by Ms. Peters and approved by voice vote with Mr. Trapp abstaining.

Mr. Skala made a motion to amend B145-19 by deleting the second sentence in Section 29-3.3(qq)(6) reading "when located within the M-DT (mixed-use downtown) district, such

facilities shall only be permitted within a second story tenant space.”

Mayor Treece asked for the rationale by staff for the second floor requirement. Mr. Teddy replied it was the idea that if they were downtown they would be able to preserve an active storefront. He noted there was also a security aspect, but it was more of the former idea of preserving active storefronts. He commented that these would be rather private spaces and the M-DT was more about activity on the sidewalk. He understood these would be visits by consultation as the patient would have to have an identification tag to enter. He stated they had received a lot of pushback on it and much of it was based on the awareness that there were not many elevator buildings in the downtown and the expensive adaptation that would need to be made to make the facilities accessible.

Mayor Treece commented that he understood law enforcement had been concerned about the potential for a smash and grab since it was a cash only business, particularly with downtown storefronts, as well as consumers walking into a front-facing building and someone seeing them walking out. Mr. Skala understood that was the tradeoff and believed the storefronts would take security into consideration. He noted they were not talking about entire blocks of downtown involving dispensaries. They would be peppered due to the 500-foot buffer. He commented that his reason for offering the amendment had to do more with access than security. He thought adequate security would be provided.

Mr. Thomas asked why these would be cash only businesses. Mayor Treece replied federal banking rules prohibited the use of credit. Ms. Thompson explained it remained a violation of federal law although federal authorities had determined they would not enforce the federal law in states that had medical marijuana legislation. Mr. Thomas asked about the writing of checks. Ms. Thompson replied the federal banking laws were still applicable for transactions. Mr. Thomas understood it applied to checks and credit cards. Mayor Treece pointed out it applied to the inventory in the store as well. Mr. Skala commented it was the same with banks. Mr. Pitzer noted banks had security, and understood there were some security requirements as part of the licensing process. Mr. Thomas commented that it was still the responsibility of the store owner to secure his or her property. They did not have to legislate it. Mr. Pitzer agreed and stated he believed the 500-foot buffer also limited the storefront issue. There would not be wide swaths of downtown that would be affected.

The motion made by Mr. Skala to amend B145-19 by deleting the second sentence in Section 29-3.3(qq)(6) reading “when located within the M-DT (mixed-use downtown) district, such facilities shall only be permitted within a second story tenant space” was seconded by Mr. Thomas and approved by voice vote with Mr. Trapp abstaining.

Mr. Pitzer noted the PZC had brought up some other issues, such as adding zoning districts for cultivation and manufacturing, fines, and a mobile structure. He stated he would be agreeable to adding zoning districts for cultivation and manufacturing. Mayor Treece asked for clarification. Mr. Pitzer replied they had added the mixed use business park for cultivation and mixed use corridor for manufacturing. Mayor Treece asked if Columbia had a mixed use business park at this time. Mr. Teddy replied Columbia had very little of that zoning district. He thought it was just a handful of acres in the northeast near Brown Station Road and Waco Road. Mayor Treece asked if the recycling facility and Nanova were zoned as a business park district. Mr. Teddy replied he was not sure about those specific locations, but that was the general location where it had been mapped. He thought it had been scaled back on Brown Station Road near Blue Ridge Road in recent years. He commented that making the addition would not involve a large number of acres. Mr. Pitzer agreed it would not have a huge impact, but believed those types of sites had the feel of cultivation.

Mr. Skala stated this was something they could discuss in a review session after seeing how it was working and the kind of demand involved.

Mayor Treece understood the infused manufacturing facility was allowed in M-BP and IG and asked Mr. Pitzer what he was suggesting. Mr. Pitzer replied M-C had been recommended by the PZC. Mr. Skala pointed out his notes indicated the PZC wanted the M-BP added in terms of cultivation and M-C added for manufacturing. There was no suggested change for the other.

Mr. Pitzer made a motion to amend B145-19 by adding medical marijuana cultivation facility as a permitted use in the M-BP zoning district. The motion was seconded by Mayor Treece.

Mr. Skala felt this was rather innocuous, but noted he would rely on the recommendation of staff and oppose the amendment.

The motion made by Mr. Pitzer and seconded by Mayor Treece to amend B145-19 by adding medical marijuana cultivation facility as a permitted use in the M-BP zoning district was defeated by voice vote with only Mayor Treece and Mr. Pitzer voting yes.

Mayor Treece asked for the process the City of Columbia would use to evaluate the business licenses if the State licensed more than six qualified applicants for a dispensary within the city limits and whether Council would be involved. Ms. Thompson replied that the Council was only dealing with zoning this evening. There were some licensing provisions within zoning, but it did not deal with the City's licensing processes or procedures. She noted Council would not be involved in issuing the license in the draft they were currently working on as a staff, but Council would have to be involved in setting forth those rules. As a result, the licensing rules would come to the Council within the next couple of months.

Mayor Treece asked if staff anticipated it being a first come first served situation or if it would be based on the best location, best architectural plan, best safety control, best inventory control, etc. Ms. Thompson replied she had nothing to share with the Council at this point in time.

Mayor Treece asked if a municipality or political subdivision could assess taxes in addition to what the State collected. Ms. Thompson replied it was subject to sales tax. Mr. Caldera explained the State would collect four percent on all purchases and the City was entitled to collect all of their currently existing taxes, but not any new taxes.

Mayor Treece commented that the City had a \$10,000 application fee for electric scooters in terms of the business license, and asked if they intended to establish a similar fee for this. Ms. Caldera replied the City planned to assess a fee as part of the business license application, but it would be similar to what was associated with other business license applications. He stated there might be an additional one because at this time they were proposing some background checks and processes that were similar to that of the Department of Health and Senior Services, but the fee would not be close to \$10,000. It would be much closer to the cost associated with other business licenses.

Mayor Treece asked if there would be any form of revenue sharing or payments in lieu of taxes authorized by Amendment 2. Mr. Caldera replied no. Mayor Treece asked if Amendment 2 prohibited them from doing anything like that. Mr. Caldera replied it was his understanding under Amendment 2 that they were entitled to recover the fees responsible for the administration of it.

Mr. Pitzer understood the number of dispensaries had been established by the most recent census population estimate and asked for that number. Mr. Caldera replied he thought it had been one for every 33,000 individuals. Mr. Teddy stated the estimate from July of last year was 123,800, and that had come from the Bureau of Census. Mr. Caldera noted the Department of Health and Senior Services was going to award 24 dispensary licenses in this congressional district. They divided 24 by that number and then had decided to make it a bit more favorable by reducing it to one per 20,000. Mr. Pitzer understood seven would be permitted instead of six based on the math. Ms.

Thompson stated that was correct.

Mr. Skala asked if they wanted to codify a review of this decision in a year and whether that would require an amendment. Ms. Thompson replied Council could request it during council comments at any particular meeting. Mayor Treece noted they could have a hard sunset, which would force it to come back to Council. Mr. Pitzer stated he did not feel it needed to be a year as it could be less. Mr. Skala agreed. Ms. Peters asked for clarification. Mr. Pitzer commented that after all of the regulations were established and the program was in effect, he thought they might want an evaluation, whether a report, work session, etc. Mr. Skala stated a year might not be unreasonable as it would take a while for this to be established. Mr. Pitzer explained his point was that something could come up in January.

Mr. Teddy stated he incorrectly stated the population earlier at 123,800 as it was actually 123,180.

Mayor Treece asked if they wanted to entertain a hard sunset. Mr. Skala replied he would entertain that idea.

Mayor Treece asked for the next series of milestones in this process. He understood the State would release its final order of rule-making tomorrow. Mr. Caldera stated applications would be accepted on August 3 for facilities and July 4 for individual medical qualifying patients. He noted the Department of Health and Senior Services had not specified a cutoff date, but they had to make decisions on applications by December 31 per Amendment 2.

Mayor Treece understood the first type of facility could conceivably open on the first of year even though there would not be any product. Mr. Caldera stated that was correct. He noted the industry people he had spoken with had indicated they expected it would be the beginning of next year before any operations began.

Ms. Peters thought they needed at least six months of operation in order to get any kind of feel for whether this was working. Mr. Skala stated he would be comfortable with a year after the anticipated start date.

Ms. Thompson explained the zoning code dealt with property rights and a sunset provision was not something that would normally be included in a zoning code. It was not easy to take property rights and erase them with a sunset. It was acceptable to ask staff to bring something back as a report or other mechanism. Mr. Skala stated he was comfortable with whatever Ms. Thompson was comfortable with as he only wanted a review process. Ms. Thompson commented that if they were dealing with licensing, they could have a sunset, but zoning was a land use decision and the appropriateness of the land use. Mayor Treece thought the time to do this was when they were reviewing the licensing ordinance as they could include a sunset within it.

**B145-19, as amended, was given third reading with the vote recorded as follows
VOTING YES: PETERS, TREECE, RUFFIN, SKALA, THOMAS, PITZER. 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.

- 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).
- 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.
- R80-19 Setting a public hearing: proposed construction of a single-lane roundabout with splitter islands and sidewalk at the intersections of Sinclair Road, Route K and Old Plank Road.
- R81-19 Setting a public hearing: proposed construction of the Hinkson Creek Trail improvement project, from Stephens Lake Park to Clark Lane.
- R82-19 Authorizing agreements with Lucky's Market Operating Company, LLC, TKG St. Peters Shopping Center, L.L.C. and University Centre, L.L.C. for the use of a parking lot located west of Providence Road and along both sides of Locust Street, and an agreement with Columbia Cemetery Association for the use of a part of the cemetery as a fallout safety zone, for the 2019 Fourth of July Celebration Event.
- R83-19 Authorizing an agreement with Community Partners Funding, Inc., d/b/a BancLease Acceptance Corp., for the lease of a trash compactor for use at the municipal landfill; authorizing an agreement with Humdinger Equipment, Ltd. for maintenance of the leased trash compactor.
- R84-19 Authorizing an agreement for professional engineering services with Crockett Engineering Consultants, LLC for final platting and design services of the North Eighth Street Cullimore Cottages project.
- R85-19 Authorizing submission of an application to the Missouri Development Finance Board for participation in the tax credit for contribution program in connection with construction of the Clary-Shy Community Park - Agriculture Park - Phase II improvement project.
- R86-19 Approving the "The Villages of Arbor Pointe Phase 4 Preliminary Plat" located on the west side of Arbor Pointe Parkway and between Waco Road and Flatwater Drive (Case No. 109-2019).

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

VIII. NEW BUSINESS

None.

IX. INTRODUCTION AND FIRST READING

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

- PR88-19 Establishing a policy to guide the internal audit function; adopting an internal audit charter.
- PR89-19 Adopting the "Climate Action and Adaptation Plan" for the City of Columbia.
- B146-19 Approving the Final Plat of "Westbury Village" located on the northwest corner of Scott Boulevard and the southwest corner of Smith Drive; authorizing a developer agreement guaranteeing installation of public improvements and irrevocable letter of credit (Case No. 118-2019).
- B147-19 Approving the Final Plat of "Wellington Villas Plat 4" located on the east side of Canyon Ridge Drive; authorizing a performance contract (Case No. 98-2019).
- B148-19 Vacating a sewer easement on Lot 5 and Lot 6 within Academy Village Plat 1 located southeast of the Green Meadows Road and Carter Lane roundabout (Case No. 121-2019).
- B149-19 Authorizing an annexation agreement with Fred Overton Development, Inc. for property located on the north side of Gillespie Bridge Road (Case No. 18-80).
- B150-19 Authorizing a connection agreement with the Boone County Regional Sewer District for sewer connection of the proposed Perche Ridge Subdivision located on Gillespie Bridge Road to the City's wastewater collection and treatment system.
- B151-19 Amending Chapter 14 and Chapter 24 of the City Code to expand the designated metered mobile food vending zones within the Downtown Community Improvement District (CID).
- B152-19 Amending the FY 2019 Annual Budget by appropriating transportation sales tax funds to the Public Works Department street maintenance account.
- B153-19 Amending the FY 2019 Annual Budget by appropriating funds to pay costs of a condemnation settlement related to the Burnam Rollins Providence Intersection project.
- B154-19 Amending the FY 2019 Annual Budget by appropriating funds for construction of the Forum Boulevard and Green Meadows Road intersection improvement project.

- B155-19 Authorizing construction of the Hinkson Creek Trail improvement project, from Stephens Lake Park to Clark Lane; authorizing the Purchasing Division to issue a contract for a portion of the work utilizing a duly authorized term and supply contractor; authorizing an agreement for professional engineering services with Crockett Engineering Consultants, L.L.C. for structural and civil engineering services.
- B156-19 Accepting a donation from Petco Foundation for equipment and supplies for the arson dog in the Fire Department - Fire Marshal's Division; amending the FY 2019 Annual Budget by appropriating funds.
- B157-19 Amending the FY 2019 Annual Budget by appropriating funds for the Flat Branch expansion project.
- B158-19 Amending the FY 2019 Annual Budget by appropriating funds to finalize and close out the Short Street parking garage capital improvement project.
- B159-19 Authorizing a first amendment to development agreement for Somerset Village with St. Charles Road Development, LLC; authorizing an intergovernmental cooperation agreement with St. Charles Road Transportation Development District.
- B160-19 Approving the Final Plat of "The Shoppes at Somerset Village Plat 1" located on the northwest corner of the intersection of St. Charles Road and Battle Avenue; authorizing a performance contract.

Mr. Thomas left the meeting.

X. REPORTS

- REP51-19 North 763 Community Improvement District - Board Membership.
Discussion shown with REP53-19.
- REP52-19 North 763 Community Improvement District - FY 2019 Annual Budget.
Discussion shown with REP53-19.
- REP53-19 North 763 Community Improvement District - Reports on Services, Revenues, Expenditures for Fiscal Year 2017 (October 1, 2016 - September 30, 2017) and Fiscal Year 2018 (October 1, 2017 - September 30, 2018).

Mayor Treece explained this had initiated with a request to appoint a replacement member to the North 763 Community Improvement District (CID). In review of that, they had realized three of their five board members had been in expired terms since December of 2018. He noted a CID was required to submit its annual report to the City no later than 90 days after the end of its fiscal year, and they had not submitted a report for 2017 and 2018 until they were asked to submit it well after the fact as was reflected here. They were also required to submit an annual budget, and the annual budget was required to be approved by the CID no more than 180 days before the fiscal year and no less than 90 days before the beginning of the fiscal year and it was typically not approved until February, which was half of the way through their fiscal year. Before appointing three new members to that CID Board, he wanted to ensure the people appointed were committed to following the statute with respect to the CID. He understood it did not generate a lot of money, but the budget they were receiving only included budgeted numbers. They were not actual numbers and they did not look at the previous year's

budget. He stated he had spoken to the Chair of the North 763 CID expressing his concerns with regard to the oversight and accountability they were exercising and had asked if this was a CID problem or a legal counsel problem and the Chair had assured him it was not a CID problem. He noted he had spoken to one of the proposed board members, but had not been able to get a hold of the other two, and had planned to hold off on these appointments until he received a commitment to follow the state statute.

Mr. Skala stated he agreed with Mayor Treece as the only leverage they had with some groups, such as CIDs was the appointment process. Mayor Treece commented that if they were going to collect sales tax from consumers, they needed to follow the statute, and if they were not going to follow the statute, they needed to abolish themselves. Mr. Skala stated he agreed.

REP54-19 Flat Branch Park Expansion Compromise Plan.

Mr. Glascock provided a staff report.

Mayor Treece asked if Arcturis had indicated whether they had conducted a floodplain assessment. Mr. Glascock replied they had not. Mayor Treece understood they had not been contracted to do so. Mr. Glascock stated he believed they had not been to that point yet. He commented that he was not sure it affected the park as much as it affected the signage. Mayor Treece understood the area was governed by the Army Corps of Engineers and its permitting process. Mr. Glascock stated a no rise certificate would be required if they were to fill the floodway. Mayor Treece understood they could also enlarge the box. Mr. Pitzer thought there had been discussion with regard to removing part of the tunnel, and asked if that would change the floodway. Mr. Glascock replied no. He explained it had been a stream when Providence Road had been Third Street years ago, and it had traveled all of the way up to Sexton Road. It had been enclosed, but the floodway was still there. He thought some type of flood study would be required.

REP55-19 Request for Proposal (RFP) for Equity Training and Capacity Building.

Mr. Glascock provided a staff report.

Mr. Skala explained the intention when this had been included in the budget had been not only to review the City's ordinances with a racial equity lens, but to also do a bit more, such as training with regard to implicit and explicit biases. He commented that the National League of Cities (NLC) Racial Equity and Leadership (REAL) group had recently had an exhibit at a national meeting with regard to redlining. He thought the \$50,000 could go to more than just the racial equity lens review. He also believed it was critical to bring in some local people to help with some of the work that needed to be done.

Mr. Glascock commented that he felt the RFP process would lend itself to that because they could require the entity hired to utilize local people.

Mr. Skala noted the RFP should also include a racial equity roadmap.

REP50-19 2020-2024 Consolidated Plan Neighborhood Preservation Area and Federal Reserve Bank of St. Louis Community Reinvestment Act Goal Alignment.

Mr. Cole provided a staff report.

Mayor Treece asked if the area proposed included Broadway west to West Boulevard. Mr. Cole replied yes on the north side.

Mayor Treece commented that one of the things the Downtown Columbia Leadership Council had found was that if they just did the north side, they would be forfeiting the streetscape on the south side. He asked if they had considered going one parcel in on the south side. Mr. Cole replied the good thing about the programs was that they could serve households citywide. Creating this area would not necessarily say they would not rehabilitate houses on the south side of the street. If they went to the 120 percent area median income (AMI) in that area, they could potentially do more homes on the north side. A home on the south side could be included if the homeowner met the 80 percent

AMI or below. Mayor Treece stated he did not want to create the opportunity for entropy that faced a preserved streetscape on the north side. Mr. Cole commented that he did not believe this would necessarily cause a flood of additional rehabilitation projects as they only did 5-10 every year now. He thought they would likely only do 2-3 more.

Mr. Skala stated he was trying to reconcile the establishment of this new area with the Strategic Plan that had identified some of the underserved areas in terms of eligibility. Mr. Cole explained work had been done in some of the strategic plan areas. He commented that they had struggled in the north neighborhood with the downpayment assistance program because the existing housing stock that had been for sale had been beyond the reach of a lot of the people they served. He stated they would still work within any kind of citywide strategic plan or areas, but this specific area would better align with the resources that interplayed with their funding and programs. He noted the Community Reinvestment Act requirements could be met by investing in these specific census tracts that met the criteria for local banks that wanted to get that credit by investing in low to moderate income census tracts. Mr. Skala understood this particular area would relate to those federal funding mechanisms better than some of the others. Mr. Cole stated that was correct.

Mr. Trapp understood this would create a greater chance for private investment and affordable housing in the central city. Mr. Cole stated that was correct.

Mr. Trapp commented that he thought it was appropriate to add this to the Consolidated Plan. What they had been doing had not been keeping up with entropy. He felt they needed to find ways to do more and believed this was a good step forward.

Ms. Peters asked when the Federal Reserve Bank of St. Louis representatives would be here. Mr. Cole replied they would be here on June 18 from 8:30 a.m. to 12:30 p.m.

Mr. Cole noted Mr. Teddy had asked if HUD required an application and noted it would be a part of the submission of the Consolidated Plan whereby it was a provision HUD would have to approve as part of the Plan.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Eugene Elkin, 3406 Range Line Street, asked about the subject matter for the meeting on June 18 from 8:30 a.m. to 12:30 p.m. Mr. Trapp replied it had to do with the Community Reinvestment Act with regard to creating a focus area for affordable housing development. Mr. Elkin asked if there was a meeting this Saturday. Ms. Peters stated she was not aware of anything this Saturday. Mr. Elkin understood there would be two different meetings on two Saturdays in a row. Mayor Treece stated he was not aware of anything.

Mr. Elkin commented that Mr. Glascock had met with him after the last meeting, and although he had not yet heard back from him, he understood Mr. Glascock was going to try to get him some answers. Mr. Glascock stated staff had tried to call him and Mr. Creech would try and reach him at the phone number provided. Mr. Elkin understood a person with a new hook-up would be charged five ccfs, and wanted to know what one ccf would cost along with the deposit that could be refunded after a year. He suggested the Council look at new rates or different ways to charge the disabled that were on a limited income. He commented that he did not want to ask for assistance as it took away from those with low incomes. He reiterated he felt the Council needed to revisit how they assessed water, sewer, and trash rates as he did not want to ask for assistance.

Mr. Skala stated there was a potential drug house in his neighborhood and asked if he should go through Mr. Glascock or directly to the Police Department. Mr. Glascock replied he could go through him.

Mr. Skala asked if the City had a role in the upcoming census. Mayor Treece replied yes. He noted he had met with them two years ago and they had wanted to meet again. Mr. Skala explained the League of Women Voters had been asking. Mayor Treece

stated the City had a designated liaison with the census and noted he had research on his desk as to the importance of the census count with respect to the City's receipt of federal funds per capita. He commented that he would be happy to engage him with them.

Mr. Trapp commented that when poison ivy encroached on the sidewalk and a nuisance complaint was submitted, inspectors would follow up and the expectation was that the poison ivy would be removed from the sidewalk, and he was pretty confident in that. He noted he was less sure about the ongoing follow up when they had poison ivy on City-owned property that encroached on the sidewalk. He stated there was a big patch of poison ivy on Providence Road at the Bear Creek Bridge on the southeast side, which he had reported. He understood it had been sprayed, but that this had just made it mad. As a result, he had dealt with it himself by clearing the sidewalk pathway. He noted the root was on the side of the bridge and as big as his arm, and as a result, it had grown back. He stated he was curious as to how those kinds of issues were handled as it was definitely a nuisance. He thought they needed a clear system of dealing with it and then checking on it to ensure what they had done had worked. Mr. Glascock commented that instead of spraying it, they should have removed it at the root as that would have killed it. He noted staff would take care of it.

Mayor Treece thanked Ms. Whatley, the Deputy City Clerk, for doing an excellent job tonight under a challenging agenda. He felt her training as a 9-1-1 telecommunicator had actually come in very handily.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 10:24 p.m.