



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, March 15, 2021
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 approximately 7:00 p.m. on Monday, March 15, 2021, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Mayor BRIAN TREECE, Council Member PAT FOWLER, Council Member MIKE TRAPP, Council Member KARL SKALA, Council Member IAN THOMAS, Council Member MATT PITZER, and Council Member BETSY PETERS were present. City Manager John Glascock, City Counselor Nancy Thompson, City Clerk Sheela Amin, and various Department Heads and staff members were also present.

Treece explained the minutes were not yet complete for the February 1 and February 15 council meetings.

Pitzer asked that R39-21 be moved from the consent agenda to new business.

The agenda, including the consent agenda with R39-21 being moved to new business, was approved unanimously by voice vote on a motion by Treece and a second by Skala.

II. SPECIAL ITEMS

SI10-21

COVID-19 Update.

Public Health and Human Services Director Stephanie Browning provided an update.

Treece asked if Boone County had the lowest death rate per 10,000. Browning replied Boone County had the second lowest death rate per 10,000 in Missouri.

Browning continued with the update.

Treece thanked Browning for all of the data and her work over the last twelve months. Treece recalled them looking at a much different picture in March of 2022, and they had then seen a spike along with corrections for which he felt the health orders were largely responsible. In terms of future orders, Treece stated he wanted to be consistent with the confidence that the public had given them when they had said the health orders would be issued to manage hospitalizations, preserve the ability to do contact tracing, ensure they had adequate personal protective equipment (PPE), and ensure the positivity rate was where it needed to be. Treece felt all four of those measures were under control at this time. Treece commented that he was not inclined to lift the masking requirements until they had more penetration with the vaccine, and wondered if they might be able keep the social distancing requirements while lifting some of the occupancy limits as a next step. Treece explained he would feel more comfortable if they were vaccinated at a certain percentage for those at most risk of hospitalization or dying, and wondered if they could take another step when the inventory of vaccines exceeded the demand and as they continued to add tiers. Treece stated he believed they risked public confidence by continuing something with a different set of criteria. Treece was hopeful that if they preserved masking and social distancing, they could potentially lift masks for outdoors or for situations whereby everyone in the party had been vaccinated. Treece thanked

Browning for asking Council for their thoughts. Treece understood there were not any easy decisions, and those decisions had been on the shoulders of Browning for the last twelve months, and he wanted to help lift some of that.

Skala thought tomorrow marked the one-year anniversary of the mandatory masking ordinance in Columbia, and echoed the comments of Treece to some degree. Skala appreciated the fact the decisions of Browning and her staff had all been based on the data. Skala noted he probably would have been more conservative if he had been in the position to make those decisions, but believed the decisions made had worked out according to the numbers. Skala commented that there were some benefits to social distancing and masking in terms of respiratory disease. Skala understood it might have been a light flu season, but felt the masks certainly helped. Skala thought masking could be around for a while if people chose that option. Skala stated he would be reluctant to immediately get rid of everything to get back to whatever normal might be now. Skala commented that the Council tended to take some heat for their decisions, but Browning had eclipsed that as she had been the focus of attention this past year, and he had been happy to support her from the political perspective to the extent that had been possible. Skala reiterated his thanks for the data-driven changes.

Browning noted they had three reported cases of influenza last week and one the week before, and believed masks worked.

Trapp suggested they be cautious, especially over the next couple of months. Trapp noted Treece had mentioned the markers they had been looking at and the positivity rate of ten percent was still concerning. Trapp felt five percent would be better, especially with the low number of tests that were being conducted. Trapp stated they were so close and he did not want to allow the variant to impact them. Trapp noted he liked the data-driven approach along with the professional expertise level of organic and in the moment decision-making they had brought to it. Trapp appreciated the fact Browning rightfully saw making these decisions as her duty, and was proud of the Council for keeping politics out of it. They had allowed it to exclusively be a public health and science-based decision-making framework. Trapp commented that, like Skala, he probably would have preferred a more conservative approach, but economic vitality and employment issues were real and those also had some pretty negative connotations. Trapp noted it had been traumatic seeing a near total collapse of the social services system right when there was a sudden burst of need about a year ago. Trapp explained he had been chastened by all of the experiences of 2020 and the unnecessary doubts they had had as a nation. Trapp encouraged Browning to stay the course while being as cautious as she could.

Pitzer commented that he thought they were moving at a good pace in terms of the progress they were making along with the ratcheting back of some of the restrictions. Pitzer felt it was logical and intuitive, and being able to loosen restrictions as they made progress was something people understood. Pitzer believed at some point they would have societal pressure with regard to masking. As people were vaccinated, they would likely be less concerned, which would likely result in the voluntary compliance that had been good for so long being lost.

Pitzer understood Browning had indicated a sharp increase in the supply of vaccines was expected in April, and asked about the capacity between the Health Department and their vaccine partners to administer those doses. Browning replied the capacity was really good. Browning explained they had Boone Hospital that could be put into the mix with MU Healthcare. Browning felt the Health Department could administer about 4,000 per week with their temporary staff if needed if they had the adequate space, and pointed out they also had Compass Health, Burrell Behavioral Health, Hyvee, Walmart, etc. that were receiving and administering the vaccine. If the vaccine was available, they could see about 20,000 people a week could potentially be vaccinated.

In terms of people not wanting to voluntarily wear a mask, Browning believed getting the vaccine was the best incentive to make that happen. Pitzer stated he agreed.

Treece asked Browning if she had enough information from them to move forward.

Browning replied yes. Browning thought incremental changes could be made while keeping an eye on the vaccination numbers. If the vaccination numbers continued to increase, Browning felt they could loosen the restrictions and start to have a feeling of more normality. Browning was hopeful the good progress they were making would hold.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC3-21 Board and Commission Applicants.

Treece understood the vacancy for the Airport Advisory Board was for a representative from an educational institution.

Fowler commented that she felt there was a problem with the definition of educational institution as it was ambiguous. Fowler explained she had read the narrative from one of the applicants and wondered if his experience and his current employment met the criteria.

Skala understood this discussion had to do with Jon Poses and whether or not he was an educational partner. Skala felt Poses offered education in terms of the jazz scene, and was not sure if that qualified for the definition they were discussing. Skala thought it depended on whether they wanted to look at the definition broadly or narrowly. Skala stated his inclination was to look at it more broadly.

Treece understood the language said "must be a representative from an educational institution" and he had always interpreted that to be someone who an educational institution designated to be their representative to the extent it was the University of Missouri, Stephens College, Columbia College, or the Columbia Public Schools. As it related to the airport, Treece felt it should be someone who would be a user of the airport to ensure their needs were being met with respect to destinations, flights, and times, and he was not sure either one of these applicants were qualified in that manner. If the Council wanted to leave this open in an effort to obtain more applicants, Treece was agreeable.

Thomas suggested they each make their own interpretation of the requirement and vote accordingly. Trapp and Skala agreed.

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

AIRPORT ADVISORY BOARD

Poses, Jon, 224 E. Parkway Drive, Ward 4, Term to expire December 1, 2021

Treece stated he would not make an appointment to the Columbia Housing Authority Board at this time because he had not had an opportunity to interview the applicant.

COMMISSION ON CULTURAL AFFAIRS

Garrison, Lee Ann, 5308 Whitekirk Drive, Ward 5, Term to expire October 31, 2022

FINANCE ADVISORY AND AUDIT COMMITTEE

Rebstock, Michael, 1905 Blue Ridge Road, Ward 2, Term to expire December 31, 2023

PERSONNEL ADVISORY BOARD

Hughes, Dakota, 108 Lynn Street, Ward 1, Term to expire September 30, 2023

PUBLIC TRANSIT ADVISORY COMMISSION

Marriott, Heather, 1118 London Drive, Ward 1, Term to expire March 1, 2024

Thorp, Adam, 1032 Southpark Drive, #5, Ward 6, Term to expire March 1, 2022

IV. SCHEDULED PUBLIC COMMENT

SPC15-21 Kristin Bowen, Moms Demand Action for Gun Sense in America - Gun violence prevention and dangerous gun legislation.

Kristin Bowen provided a handout and explained she was a volunteer leader with the Missouri Chapter of Moms Demand Action for Gun Sense in America. Bowen explained she had founded the local Columbia Moms Demand Action group in 2015. It was a grassroots non-partisan organization. They supported the Second Amendment and their chief goal was to end gun violence in all of its forms. As lawmakers in Jefferson City had fast-tracked multiple extreme bills that would strip away gun safety laws that currently worked to keep Columbia safe, their local group felt it was urgent for City leaders to consider the public health crisis of gun violence along with the impacts these legislative efforts could have on safety within Columbia. Missouri currently had some of the weakest gun laws in the nation, and now several proposed laws would force hidden and loaded handguns into places they were currently not allowed, to include hospitals, college campuses, daycares, churches, and bars. Bowen noted another bill even attempted to nullify all federal gun safety laws, prohibiting their state and local law enforcement from cooperating with federal law enforcement. That nullification bill had already passed the Missouri House and included measures that would penalize and punish local law enforcement agencies that did not comply. Bowen explained those were just two of the extremist measures being weighed in Jefferson City. To address the problem of gun violence, Bowen felt elected officials should strengthen safety laws to help stem the flow of guns into their cities and to keep guns out of the hands of dangerous people instead of considering these measures. Bowen commented that researchers had discovered the effects of the pandemic, which involved the stay-at-home orders, the continuing economic instability, and the unique trauma on already vulnerable parts of the community, had exacerbated the root causes of gun violence. Preliminary reporting indicated the year was particularly deadly for Missouri with many cities, to include Columbia, seeing increases in recorded violence. Even before the pandemic, Missouri had been facing a gun violence crisis that had outpaced the nation overall. Bowen referred to the handout and explained gun deaths in Missouri had increased 47 percent between 2010 and 2019 compared to a 17 percent increase in the United States for that same time period. The increases were not only tied to gun homicides but also gun suicides as both were important contributors to gun violence in Missouri. Bowen felt the gun violence crisis in Missouri was uniquely severe as they had some of the highest rates of gun deaths in the nation. In addition, the crisis disproportionately impacted black people. Missouri had the highest rate of gun homicides among black people in the nation. Not only was the gun homicide rate among black Missourians the highest in the nation but it was fifteen times higher than that for white residents. In addition to the already massive impact of gun violence in Missouri, which killed over 1,000 people a year and wounded twice as many, it also had a staggering economic cost as it cost the State of Missouri \$9.8 billion per year. It was a cost of \$1,606 per person and the fourth highest per person cost in the nation. Bowen pointed out a half-billion dollars of that cost was paid by taxpayers. Bowen commented that they knew cities within Missouri, to include Columbia, could take measures, such as investing in life-saving local intervention groups and dismantling the systemic inequities which created the conditions where public health crises like gun violence thrived to address this. As Moms Demand Action volunteers continued to

advocate for strong laws at both the state and federal levels, their group was expanding their work to support community-driven and evidence-based violence prevention strategies at the local level, and they looked forward to engaging the Council with regard to that work in the future.

SPC16-21 Debby Graham - Room at the Inn shelter season.

Debby Graham explained she was the President of the Columbia Interfaith Resource Center Board, which was the organization that operated and managed Room at the Inn. The mission for Room at the Inn was to provide a warm and safe place for the homeless in Columbia to sleep during the winter months. They were a low threshold shelter, which meant their guests could enter the shelter even if they were under the influence of their chosen substance. Graham noted they primarily operated with volunteers and depended upon local churches to provide space for the shelter. In a normal winter, this meant they packed everything up and moved to another church every 2-4 weeks, which was a daunting process. Graham commented that they knew when they had closed Room at the Inn in March of 2020 that they might have to rethink how they did things. Almost immediately after they closed, the national lockdown had gone into effect to slow the spread, and as they moved into spring and summer, the local health orders and guidance from national denominations to local churches were keeping most, if not all, of their church partners inaccessible to them. Graham stated it had become apparent quickly that they would have to rethink how they managed Room at the Inn for the winter of 2021. Graham noted they also had to consider that 70 percent of their volunteers fell into the COVID high risk category because most were retirees. As a result, they were faced with not only the inability to find a space for Room at the Inn but they would have to do something different in terms of staffing as well. Graham commented that she was not exaggerating when she said that without the Unitarian Universalist Church they might not have had Room at the Inn this year. Graham explained she had been contacted by Reverend Molly Housh Gordon indicating they had made the decision to offer Room at the Inn the use of their entire building for the entire twelve weeks of their season. It had been amazing for them since they had not had any other place to go at that point. Graham noted they had been able to house 36 individuals at the Church. Graham commented that it was also not an exaggeration to say that without the Boone County CARES Act funding they might not have been able to find a place to shelter those guest that were COVID positive, under quarantine, or medically fragile. That funding had allowed them to lease the entire Eastwood Motel on the Business Loop and house those guests there for the entirety of the season. Graham stated they had also had an extremely successful CoMo Gives campaign this year along with a very generous donation from the VU Foundation, which had allowed them to meet their payroll which had tripled this year since they had to hire staff to replace the volunteers. Due to the support and donations of the community, they had been able to keep all of their guests fed and warm. She pointed out the City/County Public Health and Human Services Department and Columbia Police Department had also provided invaluable assistance to them. Graham explained they had officially closed yesterday morning, and over the course of the season they had housed 249 unique individuals with 3,777 cot nights during the twelve weeks they had operated. Graham thanked everyone for everything they had done to help. Graham commented that she thought they could do better in the future. Every year, Room at the Inn was advertised as a temporary winter shelter, and they had been temporary for 13 years now. There had been many conversations and efforts over the last 13 years to find

a place for Room at the Inn and to make other programs a reality. Graham noted they had been able to make some programs into realities, such as Welcome Home and In2Action. Graham pointed out Room at the Inn served guests that were very vulnerable and often very challenging. They were those who either could not or would not access the shelter programs at other shelter sites. Graham explained every year they were reminded that Missouri winters were cold and they had people that lived outside. Graham felt now might be the time to think about doing something different and better. Graham suggested they try to find a permanent location to consolidate already existing programs. A permanent home throughout the year in a place away from a neighborhood and on the bus line would be ideal. Graham noted there had been a cold snap in November, and it would have been nice to only have had to move tables aside to set up cots to supplement the Salvation Army cold cots. Graham hoped that as they proceeded through the process of the additional CARES Act funding that they find a way to move toward a permanent location.

SPC17-21 Nathan Almquist - New trash bag issues.

Nathan Almquist explained he had not been aware of the new trash bag policy until he had come home from vacation to see his trash had not been picked up. Almquist understood the City was providing about 100 bags per year, which meant he would have to purchase an additional 265 bags per year at \$2 per bag since he utilized a bag per day. This would cost \$530 on top of what he already paid as part of his utility bill. Almquist commented that he decided he would haul his own trash to the landfill as that cost was \$50 per ton or \$25 per thousand pounds. Almquist understood he could pay \$25 collectively or \$530 for the extra bags needed, and believed he should have options. Almquist felt he should have the option of not utilizing curbside pick-up and not paying for those services. Those that did not want to utilize a service should not have to pay for that service. Almquist understood changes had to be made to accommodate certain situations, but believed there was a problem with the new system. Almquist suggested they pause on this system to find a system that might be just and serve everyone equally. Almquist reiterated he felt everyone should have a choice regardless.

SPC18-21 Dee Dokken, Osage Group Sierra Club - I-70 bridge expansion wetland mitigation.

Dee Dokken, 804 Again Street, commented that she was speaking on behalf of the Osage Group of the Sierra Club and explained the I-70 bridge expansion would go right through the Big Muddy Wildlife Refuge in the Overton Bottoms. Dokken understood MoDOT had determined that 35 acres of the area would be permanently filled or destroyed, and 25 of those 35 acres were rare forested wetlands. Dokken also understood the Army Corps of Engineers was still deciding on how to mitigate the situation. Since the current wetlands were healthy and functional, the Osage Group of the Sierra Club felt it needed to be replaced with a ratio of more than one acre for one acre. They believed the replacement should be a ratio of three acres for every one acre. They also felt it needed to be in this area of the Missouri River as one unit and federally protected. Dokken stated they wanted mitigation that would actually come closer to replacing what was there now. Dokken explained the wetlands were important as they provided a buffer for floodwaters, purified the water, and provided a habitat for many animals and fish, to include migrating birds. Dokken commented that she hoped the Council would join the Missouri Sierra Club and the Great Rivers Habitat Alliance in

making a comment to the Army Corps of Engineers for the mitigation to be adequate.

SPC19-21 Eliza Finck - Community integrity.

Eliza Finck explained that in the summer of 2020 she began volunteering her time with the Shepard to Rollins Restoration Coalition at the trailhead on Bluff Dale Drive by planting wildflowers and trees, pulling weeds, watering plants, and doing the other things necessary to repair a job poorly done by the City of Columbia. Finck understood the City had made a promise to plant wild oats in that area, but instead it had been somehow completely filled with an invasive grass called nutsedge that was stimulated by mowing. As a result, they had to pull it all by hand before replacing it with natural wildflowers and trees. Finck thought it was great to see the Bluff Dale community come together to care for a natural space, but felt it was not their responsibility. The community had put out a strong voice of opposition to that project happening, even to the point where one member of the community had spent eight days in a tree protesting the construction. The fact the project had continued after that kind of pushback without being done correctly was disappointing. Finck pointed out the trail had taken out 20 feet of vegetation and trees on each side of the trail, and it was sad to see the space now as it used to be dense woods. Finck felt it could have been a less invasive gravel trail. Finck understood the City was planning to repeat this process, which would be damaging and redundant to the natural space. Finck stated a connection to campus had already been established, and as a result, she did not see the need to do this again as it would only further damage the area. Finck noted she had indicated she was speaking on community integrity and that was because she had been taught that integrity meant doing the right thing even when no one was watching, and she wanted the City to know people were watching. They were watching the integrity of the City to see what they would do. Finck commented that building the trail as outlined in Alignment 3 was unnecessary. Finck felt it was the duty of the Council as public servants to do the right thing by the community, and nature was an incredibly valuable piece of the community that needed to be acknowledged. Finck asked the Council to reconsider Alignment 3 and reassign the funds to a different ward or different project as it was unnecessary, redundant, and damaging to the natural space. Finck stated they would love to see the nature preserved rather than taken away.

V. PUBLIC HEARINGS

PH8-21 Proposed construction of the Flat Branch Park expansion project to include site reclamation, building demolition, installation of sidewalks, stairs, retaining walls, lighting and landscaping, and restoration of the creek bank.

Discussion shown with B95-21.

B95-21 Authorizing construction of the Flat Branch Park expansion project to include site reclamation, building demolition, installation of sidewalks, stairs, retaining walls, lighting and landscaping, and restoration of the creek bank; calling for bids for a portion of the project through the Purchasing Division; amending the FY 2021 Annual Budget by appropriating funds.

PH8-21 was read by the City Clerk, and B95-21 was given second reading by the City Clerk.

Parks and Recreation Director Mike Griggs provided a staff report.

Fowler asked if the stone arch would be removed in the opening up of the creek. Griggs replied he did not believe they were going that far, but would double-check.

Pitzer understood the suggestion was to use park sales tax funds for this, and asked if all of the projects from the most recent park sales tax ballot had been funded or had a line of sight for funding. Griggs replied yes. Griggs explained the sales tax dollars appeared to be coming in good, and they would review it to determine if they could include the remainder of the Perche Creek project. Pitzer asked if all of the other projects were funded. Griggs replied he thought they were on track for all of the projects, and explained they had cut back on land acquisitions.

Pitzer asked how they determined prioritizing the funding of this versus some of their other needs and projects. Griggs provided the Perche Creek project as an example and explained it would take some time before they began that project as they were still in the preliminary phase. They could get the bids out on this project as soon as the Council authorized it. It really had to do with the availability of construction.

Peters understood staff initially did not believe they would have funding for this project until the next parks sales tax was approved but they now thought they would be able to utilize \$200,000 from park sales tax funds and \$300,000 from reserves, and asked for clarification. Peters wondered how they decided how they would fund certain projects. Glascock replied this had been proposed after David Lineberry, the Chair of the Mayor's Task Force on Bicentennial Celebration Planning, had come to the City indicating \$500,000 was needed to complete the project. They would utilize general fund reserves to provide flexibility. Glascock explained they could track the money spent and come back to Council for authorization to replace the funds utilized from the general fund with funds from the appropriate fund, i.e., stormwater funds for stormwater projects, etc.

Skala commented that he could appreciate the fact some items and projects were more accessible than others, but understood this was also related to the bicentennial celebration, and thus, that was a factor. Griggs agreed.

Treece opened the public hearing.

David Lineberry explained he was the Chair of the Bicentennial Celebration Planning Task Force and urged the Council to support the proposal before them now. Lineberry felt it was reasonable and parallel to what had been done in the past, and in his view, it was also necessary. Lineberry pointed out this would not finish the park to the level of the master plan that had been approved, and noted they were not finished with their fundraising efforts. Lineberry stated they were into six figure contributions for the bridge project via in-kind engineering and design contributions, and they were making progress toward funding the rest of the bridge project. Lineberry noted they had raised over \$50,000 just for the support of bicentennial events alone, and that work continued. A year ago, on March 12, had been the first public roll out meeting in terms of fundraising, and a week later, nothing was being rolled out publicly due to the COVID shutdown. Lineberry asked the Council to support this proposal.

Treece noted a letter from the Downtown Community Improvement District (CID) had been received in support of the project.

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

Pitzer commented that the land in this corner had a little history to it, and the representation all along was that it would be entirely privately funded. Pitzer understood COVID had hurt not only plans for this but a lot of other plans. It was a difficult spot for them as a Council. They had to either go against the promise it would all be privately funded or have a half-built park for the bicentennial this summer, and neither was a great choice.

Treece agreed, and noted the corner had a lot history, i.e., it was literally the founding of Columbia when the settlers of Smithton moved to be closer to the Flat Branch Creek. Treece commented that he would have preferred the City's acquisition of that lot be reflected in right-of-way acquisition, the stormwater fund, etc. instead of funding it the way they had, and thought the solution of paying for the improvements and billing the representative fund accounts was an elegant solution to some of the funding shortfalls. Treece explained he had confidence in the fundraising committee and the Task Force in

terms of working on this project. Treece pointed out the remediation and rehabilitation of the current Flat Branch Park had been completed with a combination of federal, state, and local resources as a concrete plant had previously been located there. Treece felt this would complete the gap between the portion of the Downtown CID and the other portion, and believed it would be a net asset for the area.

Trapp agreed this was an important project. Trapp appreciated the efforts of the Task Force in raising what they had during a really tough time. The underlying infrastructure efforts were not very appealing for fundraising purposes and they fell into the City's role in government. Trapp stated he was happy to support this and was glad it was moving forward as they would then have something tangible to celebrate the bicentennial. Trapp felt people would look back historically and be impressed with what they had been able to accomplish in a short period of time.

Skala thought it was notable for Lineberry to suggest this was not the total build out and that there was still more to come. Skala commented that when it came to a situation like this, he believed they had to make the decision that was in the best interest of most Columbians, and felt this was something that would be appreciated in the years to come.

Fowler understood there were a lot of problems and that they should seriously consider how they were handling the funding for the infrastructure, but she also wanted to express the true excitement and joy of this coming to fruition under the circumstances they were facing along with the potential features it would have when things settled down. She noted they had the opportunity to come together to raise money for commemorative items and recognize those that had been instrumental in the founding of Columbia, particularly African-Americans.

Thomas stated he wanted to express his support for the project and acknowledge the comments of Pitzer in terms of what was said in the past regarding the project.

Thomas asked if the crosswalk across Broadway would be completed by this summer as well. Glascock replied it would be under construction, but he was unsure as to whether it would be completed.

B95-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, TRAPP, SKALA, THOMAS, PETERS. VOTING NO: PITZER. Bill declared enacted, reading as follows:

PH9-21 Consider the FY 2020 Consolidated Annual Performance and Evaluation Report (CAPER).

Discussion shown with R42-21.

R42-21 Approving the FY 2020 Consolidated Annual Performance and Evaluation Report (CAPER).

PH9-21 and R42-21 were read by the City Clerk.

Community Development Housing Programs Manager Randy Cole provided a staff report.

Treece thanked Cole for his leadership on this, and noted he loved the metrics and accountability. Treece understood that was required by the federal government, but thought it was nice of him to report it to the Council as well.

Treece opened the public hearing.

There being no comment, Treece closed the public hearing.

Trapp commented that Cole and his staff should be commended for their great work in a difficult time. The HUD bureaucracy was as difficult as anything to navigate, and to do so nearly flawlessly was excellent work.

Treece noted Cole and his staff had been on the front lines of emergency response and emergency support functions. A typical emergency, such as a tornado, was about three days of intense activity and then the hard work of recovery, but this had been a twelve month rolling emergency with devastating needs from which they would continue to dig out. Treece stated the efforts of Cole along with this report reflected that, although not

adequately enough.

R42-21 was read by the City Clerk, and the vote was recorded as follows: VOTING YES: TREECE, FOWLER, TRAPP, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

VI. OLD BUSINESS

B243-20

Authorizing an operating agreement with The Curators of the University of Missouri and Bird Rides, Inc. for implementation of a shared active transportation operation for small dockless electric vehicles.

The bill was given third reading by the City Clerk.

Public Works Director David Nichols provided a staff report.

Peters asked about the timing of the birds being available. Nichols replied it would likely be implemented once the agreement was signed by all parties. Peters asked if that meant it would be within a month. Nichols replied it could be sooner. Peters asked if that would allow enough time to discuss any issues with the Downtown CID. Nichols replied he thought so, and explained he understood a Bird representative had attended a meeting of the Downtown CID Board.

Peters asked how many birds would be delivered to Columbia. Nichols replied 500. Peters asked how many had been available the last time they had been here. Nichols replied about 500.

Fowler commented that page two of the agreement had a clause that said "subject to appropriations" and asked for clarification. Fowler wondered if that was subject to appropriations at the City and the University or at Bird, or if that was boilerplate language. Thompson replied it was typical boilerplate language, but she did not have the contract up at this time to verify that.

Fowler understood 500 birds could be in Columbia on any given day, and there was a minimum of 400 along with an initial payment of \$10,000 to both the City and the University. There was also a \$2 per day fee that would be shared depending on whether the bird had been in service. Fowler asked if the revenues had been projected. Fowler explained she was trying to balance whether revenue would cover the cost of utilizing Walker Consultants to manage the RFP process along with the staff time needed to work with Bird and the University in terms of compliance. Nichols replied he had not done a calculation, but thought the revenues would be about \$30,000 per month. Fowler asked if the \$30,000 per month would be shared. Nichols replied he thought it was the shared amount. Treece commented that 500 scooters times \$2 was \$1,000 per day, and that times the days would be \$30,000 per month and \$15,000 each. Fowler understood that was the amount if they were all in service and were being used. If they sat there with no one leasing it, she was not sure they would receive payment for it.

Fowler asked about the use of the scooter while intoxicated, and whether that was an issue that would go to the municipal court or if the police officer would take the person into custody for a DWI. Thompson replied it was a municipal court violation, and it would likely depend on the level of intoxication in terms of whether they would be taken into custody. It was a judgement call on the part of the officer at the time of the encounter. Fowler commented that the likelihood young people would ride the scooters after partaking in beverages downtown at the bars was high. Fowler wondered if they had a plan in place for how police officers would adapt to this particular variation of driving. Nichols stated he had not had that conversation with the Police Department. Fowler explained these were the kinds of things she was worried about and felt they needed to think through in advance. Fowler understood a lot of people were excited about the scooters coming back and the benefit of bringing more people downtown, but she wondered if they had the capacity to manage the many layers associated with them, to include the use of alcohol when operating them. Nichols explained they had previously had a year's experience with the Bird scooters, and did not recall discussions or issues

involving the Police Department in that regard. Thompson commented that this contract required the daily removal of the scooters, and that daily removal occurred at dusk or 8:00 p.m., whichever was later. As a result, it would eliminate part of the concern in terms of the really late night operation of the scooters.

Fowler commented that she appreciated the fact the University had indicated it would defer to the City in terms of decision-making, but almost every place in the agreement utilized the term "the City and the University." Fowler hoped City staff had the opportunity for a multilayered conversation with their counterparts at the University with regard to the "what if" situations that might arise to ensure they were on the same page. It was clear the University had veto power on any action the City wanted to take. Fowler wanted to ensure they were in sync and that they had thought about some of the many issues that could arise. Nichols explained they felt the joint agreement was best and understood each of them would have their own issues to deal with and work through. Nichols commented that they were fortunate that the Transit and Parking Manager, who would oversee this operation, had previously worked for the University and had the necessary connections.

Treece asked if Bird had completed all of its obligations financially under the previous agreement. Glascock replied he thought they had as he was not aware of any outstanding issue.

Skala assumed this contract was a product of some lessons learned from two years ago when Bird was previously in Columbia, and asked if some of the issues that had surfaced then had been incorporated into this contract. Skala commented that he did not intend to use a scooter, but understood how it could be vital to the downtown. Skala explained he only wanted to ensure they had learned some lessons, and that this was a better document than those they had entered into previously. Nichols replied he thought they had tightened up the response time requirement. After the first year, Bird had landed some local presence here, to include a warehouse. The City now had contact names and numbers so they knew who to contact when there were issues. When Bird had first arrived, there had not been an agreement. After about a year, an agreement had been drafted whereby they had addressed some of the issues, such as contacts, response times, and where to park. Toward the end of that prior contract, they rarely had calls or complaints come to them, and when they did, they had been dealt with fairly quickly after making a call.

Skala understood that in the past there had not been much that had gotten to the level of a municipal court violation. Nichols stated he thought there had been more issues at the University, such as the placements of the scooters. Nichols pointed out the rider was not required to take a picture of where the scooter was left when the rider was finished with it. If the rules were not followed, Bird could prohibit those that were abusing the system from riding them in the future, and Nichols believe they had implemented a lot of those controls.

Fowler asked if they had an identified source for the revenues. Nichols replied it had been placed in the sidewalk inconvenience fund and the annual transit program fund previously. Treece explained the sidewalk inconvenience fee had been established in 2016 when they had a lot of sidewalk closures for high-rise buildings to deploy materials. Treece felt there needed to be some nexus, and suggested the money be utilized for something that was pedestrian-related since the impact was on their sidewalks and bike lanes. Nichols stated there was currently \$26,786 in each account. It was not enough to move forward with a project, but they could continue building up funds in those accounts and identify a project in the future.

Fowler understood there were a lot of technology tools associated with Bird scooters, such as no fly zones, dismount zones, and geofencing. Fowler thought they should give the Disabilities Commission an opportunity to guide their efforts with regard to determinations on where the no fly zones were located and how to ensure those with disabilities were not negatively impacted by the scooters.

Thomas understood the scooters were not allowed to be ridden on sidewalks. Nichols stated that was correct in the downtown area. Thomas asked if they were allowed on sidewalks outside of the downtown. Nichols replied yes. Thomas asked if that was the same way it was previously. Nichols replied yes.

Trapp thought they had reached a good accommodation that was fair for all parties. It was a good last mile transportation piece, and even though it was a small part of the transportation mix, it was important. Trapp believed it would be good to have them back in town.

B234-20 was given fourth reading by the City Clerk with the vote recorded as follows: VOTING YES: FOWLER, TRAPP, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. ABSENT: TREECE (Treece stepped out during the vote on this item). Bill declared enacted, reading as follows:

B90-21

Rezoning property located on the northwest corner of the Green Meadows Road and Green Meadows Circle intersection from District R-1 (One-family Dwelling) to District PD (Planned Development); approving a statement of intent; approving the "Midland PD Plan" (Case No. 61-2021).

The bill was given second reading by the City Clerk.

Community Development Director Tim Teddy provided a staff report.

Treece asked Teddy if he had a rendering of what the units would look like from the street. Teddy replied he did not, but the applicant might.

Skala asked if there might be any unforeseen consequences with the right-in/right-out or if it was likely the better option. Teddy replied that had come out of the Planning and Zoning Commission (PZC) meeting. Staff had not recommended that particular access limitation in its analysis up to that point. Teddy commented that right-in/right-out accesses were a mixed blessing, and worked best when there was a divider, such as a center median or when the street was clearly designated as a one-way street whereby the motorist was being guided to follow the correct path. When it was a two-way street that did not have any centerline restriction, there would be the temptation to turn against the right-in/right-out. Teddy thought they should be prepared for some of that behavior. It would depend on the specific route out of the development. Skala understood it was the opinion of staff to not include the restriction. Teddy stated staff had not come up with it. Assuming the Council approved this development with that, it would be considered a major amendment if the owner wanted to remove it, which meant the plan would have to go back before the PZC for review.

Peters understood the property was zoned R-1 and asked how many homes could be placed on it now. Teddy replied the testimony had indicated eight. Based on the minimum lot size without any variance, Teddy thought it would more likely be six, although he could be convinced it could support eight. In terms of access, if the Code did not allow direct driveways, a waiver would likely be requested to put individual driveways onto Green Meadows Road. Teddy commented that most single-family residentially zoned property had frontage directly on a street or there was a street that had been brought into the tract.

Thomas understood Teddy had mentioned a couple of guidelines from Columbia Imagined with regard to rezoning from R-1 to PD, such as the mix of uses and the mix of densities, and asked if he interpreted that to be focused on the specific project or in the larger area of the neighborhood. Teddy replied the specific project if it was a large project. This was a very small area. Teddy noted they were kind of in the same situation they had been with the Cottages of Northridge project as that had also been a small tract where it could not be everything. As a result, they were looking at the context. Teddy explained there was already some mix of housing type within the area.

Thomas noted he was intrigued about the three feet of right-of-way for road expansion as it would not make Green Meadows Road a four-lane roadway. Teddy explained it was

just a standardized amount of right-of-way the Code said should be there. Thomas asked what would be done with that right-of-way. Teddy replied right-of-way dedication was not a plan within itself. It only provided for a wider right-of-way. Depending on when the roadway was reconstructed, there would be more space. Teddy pointed out right-of-way could accommodate underground utilities, bike lanes, wider sidewalks, etc. Thomas understood it was a wider right-of-way than had been required when Green Meadows Road had originally built or designed. Teddy stated that was correct and pointed out there were no plans to widen it at this time.

Pitzer asked if staff had recommended placing the entrance on Green Meadows Road versus Green Meadows Circle. Pitzer wondered how staff had weighed those two choices. Teddy replied the most recent proposals staff had seen for this area had chosen Green Meadows Road. Teddy thought that was the result of early dialogue between the developer and the neighborhood as the neighborhood had made it known Green Meadows Circle was not where they would like to have the main access. Pitzer understood staff did not have a professional recommendation one way or another. Teddy replied, professionally, they normally looked to the minor road for access as it was usually a better access. If they viewed it as a feeder, Teddy could understand where the neighbors were coming from as there were long roads like Melody Lane and Greenbriar Drive that terminated near the Hinkson Creek so people were coming to Green Meadows Circle first, and because Green Meadows Road was busy, there was probably some delay in making turns on to it.

Pitzer understood there had been several comments regarding traffic in the area, and asked when the City would typically require a traffic study for a project. Teddy replied when a project would generate 100 vehicles per peak hour. This project of attached homes might include about six trips per unit throughout the entire day so about 60-75 daily trips over a 24-hour period. Single-family houses on their own lots typically involved 10 trips per home. Pitzer understood Teddy had indicated it would be 100 vehicles per peak hour. Teddy stated that was correct, and explained a gas station would generate that amount of traffic. Teddy noted MoDOT had some traffic data for some of the City's roads that were not MoDOT maintained roads, and thus, there was some Green Meadows Road data available, which showed it was at the high end of a major collector road.

Pitzer commented that this felt like an amalgamation of R-2 and the cottage standard. Pitzer understood the lot size of 3,000 square feet was the cottage standard while some of the other characteristics were closer to that of R-2 zoning, and asked if that was correct. Teddy replied that was probably a good way to describe it. The 3,000 square foot cottage standard had been mentioned by staff at the meeting and a dialogue had ensued as a result. Teddy thought the concern involved why staff had not suggested 3,500 square feet as the minimum for an attached unit or 5,000 square feet as he minimum for a detached unit in R-2. Teddy explained his response was that there was the common area factor. While the lots were smaller than the 3,500 square foot standard for an attached single-family in the R-2 district, the common area added to the amount that was supporting the houses. It did not involve back-to-back lots.

Pitzer asked if the landscaping included in this plan was consistent with some of the buffer standards they had, or if it was more or less. Teddy replied it was Type 2, which one would have if there was a more intense use adjacent to residential, such as an office. Teddy explained this was kind of a trade-off between space and landscape treatment. Instead of the providing the space, they were providing the six-foot dimension and a four-foot landscaping strip. It would also include a screening device, i.e., a fence. Teddy stated they were trying to get a little more useable area within the lot, and offering the landscape buffer, which was normally not found between two residential lots.

Pitzer asked for the changes between the initial concept review and what they had here tonight. Teddy thought parking might have been added. Teddy also thought the initial plan had included two access points. The plan that had been offered for the purposes of

starting a staff review had units backing to the Church and along Green Meadows Circle if he recalled correctly. It had also included a semi-circle drive and parking area.

Sarah Hill, 3005 Greenbriar Drive, stated she had resided in this location since 1996 and noted she was present tonight to explain why the neighbors wanted the Council to deny the rezoning of the 1.45 acres at the corner of Green Meadows Road and Green Meadows Circle. They were not just angry citizens not wanting this land developed. They felt there were standards in place for a rezoning and that this project did not meet those standards. Hill commented that they opposed the rezoning and supported the City's initiative as stated in Columbia Imagined. In addition, as natives of Columbia and long-time residents, they wanted to support the stated goal of providing reliable guidance for a rezoning project. Hill understood the developer, Kelly, had purchased the land in 2019, and his first plan had been for a 10,000 square foot office building with twelve units above it. The Community Development Department had immediately denied it so it had not even come before the PZC. The second proposal had been presented to the neighborhood in 2019, and it was a 14-unit attached single-family development so there were seven buildings and two units within each building. The staff at that time had determined the planned district zoning was not an appropriate zoning because of the property's unique location and visual prominence. Staff continued by saying the shape of the lot was constricting and the proximity to residential neighborhoods and heavily trafficked intersections and roadways provided a number of obstacles to traditional development. The third proposal had been the Godfrey Plan, and it had been presented to the PZC in August of 2020. The result of that meeting had been a recommendation of denial by an 8-0 vote. They were now on their fourth proposal, which was the Midland Plan, and the same issues still existed. The property was still unique, visually prominent, had proximity in location to neighborhoods, heavily trafficked, had limited access, and maximized density without any design innovation, green space, or amenities. Hill commented that the vote at the PZC was 6-3 in favor of the plan, and she displayed some of the complaints of the three that were against it. Hill explained there were five objectives associated with a PD, which she felt needed to be met for the rezoning, and four of the five had not been met with the proposed plan. One was to allow for a mixture of housing types and densities located within proximity to each other. Hill noted there were several neighborhood associations in proximity to this proposed development with owner-occupied and rental homes along with condominiums and duplexes. They also had heavier density toward the corridor where there were businesses and apartments. This area needed to be lesser in density since it was the gateway to three neighborhoods. A second objective was for adverse impacts of the mixture of residential and non-residential uses to be minimized, mitigated, screened, or buffered, and Hill did not believe that had been done. There had not been a traffic impact study since 2004 for this area, and there had not been an environmental impact study or an infrastructure impact study. A third objective was to provide for more useable and suitably-located common open space and amenities, including but not limited to clustered patterns of development and open space that would otherwise be provided under the City's base zone districts. Hill commented that there was not really any useable common space in this area. The total impervious area was 54 percent while the open space/landscaping was 46 percent, and the majority of the space would be used for stormwater. At the PZC meeting, the developer's engineer had indicated the attached garages, planned landscaping, and housing type would account for the amenities. A fourth objective was to require the planned development provide the amenities. Hill stated planned developments involved a give and take process, and there was not any giving if there were not any amenities. Hill understood no amenities were proposed per the statement of intent. Hill reiterated four of the five objectives had not been met.

Traci Wilson-Kleekamp commented that she felt the plans that guided their values, such as Columbia Imagined and the Climate Action and Adaptation Plan, were important. Columbia Imagined had been adopted in 2013 and was the result of collaboration between

City staff, the PZC, a citizen's task force, two-way conversations, etc. It was a plan that provided residents, appointed boards and commissions, and elected officials with a document to guide growth until 2030. Wilson-Kleekamp believed the goals of the plan were important because they had a lot of rhetoric regarding growth and what was important, and listed a couple of them. Wilson-Kleekamp noted that if they were not meeting the definition of a PD, they were not following the guide they had set for themselves. Wilson-Kleekamp felt Goal 4 was important as it provided them the opportunity to review the key issues of the Columbia Imagined themes of promoting affordable and diverse housing and maintaining and enhancing neighborhoods, and these items had not been addressed. Another theme involved revising zoning codes and regulations to address how and where growth should occur, and there had been a tremendous amount of growth on the Green Meadows Road corridor, which needed attention. Wilson-Kleekamp referred to the Fair Housing Task Force report, and understood the developer had chosen not to address affordable housing, but pointed out there was an affordable housing crisis, which they needed to get serious about if it was a value they felt was important. Wilson-Kleekamp suggested providing meaningful direction to developers with regard to the kind of housing needing to be developed. The proposal as presented did not meet the City's goal of affordable housing and did not fill a housing gap need. Wilson-Kleekamp listed some of the City's other plans, and explained the Climate Action and Adaptation Plan included the rubric of asking whether equity was actually at work in this particular proposal. Vision Zero discussed local safety examinations, and the traffic on Green Meadows Road was very high, which was an issue. Crime Prevention through Environmental Design (CPTED) was stalled and something they did not really do. Wilson-Kleekamp referred to Goal 8 of Columbia Imagined, which involved providing reliable guidance for rezoning, subdivision, and planned district approvals. In terms of working with the neighborhoods, Wilson-Kleekamp believed it was a two-way conversation that was not met by only holding a meeting whereby the developer only told the neighbors about their plans. Wilson-Kleekamp commented that when someone purchased an R-1 zoned property, it did not mean they were entitled to a rezoning. In addition, early engagement was important, and if the City continued with the 185-foot notice, it made it hard to develop that kind of engagement. Wilson-Kleekamp reiterated they were concerned about traffic moving into their gateway and wanted to see planning done on that area. They did not want more density coming into the neighborhood gateway. In reference to the desire to prioritize infill development, Wilson-Kleekamp thought they should prioritize innovative infill development, which was more than speculative development. Wilson-Kleekamp felt the Council needed to make it clear to the PZC and private developers that maximum density without affordable housing was not the goal.

Rebecca Shaw explained she was representing both her neighborhood and Rock Bridge Christian Church as their social justice team leader. Shaw believed it was important to discuss the PZC meeting. Shaw noted Sara Loe, the Chair of the PZC, had indicated she would have a hard time approving this without justification as to why the minimum standards should not be met. Shaw understood the developer could request an R-2 zoning for a 3,000 square foot development, but had not done so because he wanted to include more units on the property. Shaw pointed out maximum density was not always what they wanted. Shaw commented that the proposed plan was denser than any other recently approved cottage-sized development, and in order to fit twelve units on this property, a lot of exceptions had been requested. Shaw understood they would allow the smaller lot size as well as a buffer of only six feet from the Church playground with just landscaping. It was not just a parking lot as the Church playground was also in that corner. Shaw understood the developer had indicated the common area added to the lot size, but she did not feel paved parking was a backyard for anyone in which to play. Shaw noted there would only be ten feet between buildings, and they already had a development along Belinda Alley that appeared to be similar whereby it looked as though

everything was squished together. Shaw believed the recently approved Cottages of Northridge plan, which people felt was the gold standard, had involved 2.45 acres and 16 units. Thus, it had seven units per acre, which was one unit less per acre than this proposed plan. In addition, that developer added amenities as the neighbors had requested them. It would include a little library, open greenspace, a community garden, and picnic tables. Shaw understood this was a small awkward piece of land, and wondered why they were not looking at differently shaped forms and what was needed in Columbia, i.e., one bedroom/one bath facilities. Shaw commented that if the developer needed more density, smaller buildings might possibly provide that option. Shaw explained the plan did not meet the stated objectives of a planned development, and most notably, did not meet the goals or guidance of the Climate Action and Adaptation Plan and Columbia Imagined. The development contradicted many of Columbia's own stated values in plans and the definition of a PD plan. The plan did not meet the need for affordable housing or fill a housing gap in Columbia, and it proposed a density that was out of sync with other recent plans involving acreage of this size for infill planning. It did not offer any amenities to the community, very little greenspace, and no real sense of connection to the efforts of universal design. In addition, the developer had made a minimal effort to engage the community in planning prior to submitting the request to the City. The original plan had involved the semi-circle and it was the plan on which they had received feedback from a small group of people. Shaw noted the developer had contacted her after she had spoken at the PZC meeting asking for a private meeting involving her, Jay Gebhardt, and himself, but she did not feel a private meeting was appropriate and that public discourse was necessary. Shaw understood the developer had indicated a Google group had been set up to have a conversation, but when she had sent emails to it, she had not received a response. Shaw stated they had failed to communicate effectively with the neighbors.

Peters asked Shaw what the neighbors might consider an appropriate development at this location. Shaw replied she thought it should be something that fit the neighborhood better. They had asked originally if a cottage-sized development was a possibility because they generally offered common greenspace, a community of their own in many cases, and involved smaller housing. Shaw felt a compact lot of this nature needed compact housing. It was a 3,000 square foot lot with 1,400 square foot homes. Shaw did not feel that was a need for the City at this time.

Ruth Friar, 2171 Cimarron Drive, commented that the Council could not say they cared if they accepted less for this neighborhood than they would for their own neighborhoods. Those on Greenbriar Drive, Trail Ridge Drive, Crescent Green Drive, and Cimarron Drive were again trying to defend their established neighborhoods. The PZC had been asked recently to review PDs as they continued to come to the Council. Friar felt additional clarification of this category was needed before approval of PDs moved forward as there were just too many unanswered questions. If those questions could be answered, they could then work responsibly with developers to preserve the neighborhoods and create the quality of life desired within the City. Friar stated the Midland PD did not meet the objectives or purposes of a PD as defined in the UDC. In addition, the Midland PD proposed the highest density per acre request received by the PZC to date. Friar understood the area was zoned R-1, but a plan for an R-1 development had never been brought forward for this site. Friar explained they had questions they wanted addressed before this moved forward, to include stormwater runoff, traffic flow, pedestrian and bicycle safety, and the environmental impact of developing this site. Friar commented that there had not been a traffic study on Green Meadows Road since 2004. Friar understood Teddy had indicated this was a high traffic area and a high-end major collector, and pointed out Greenbriar Drive was listed on the City's traffic management priority list. Friar asked if there would be considerations with regard to traffic flow as Green Meadows Road became another major east-west corridor between Forum Boulevard and Providence Road. Friar wondered what would happen to the houses if Green Meadows Road was

widened to four lanes. Friar displayed a photo of the traffic at the proposed site and pointed out the traffic was backed up past the proposed entrance and exit for this development. Friar asked why they could not have a conversation about greenspace versus paved space. All of the common space would be utilized for parking because there was no other place to park. Friar commented that she did not want to believe that developers were being favored over the people that had invested over hundreds of thousands of dollars to own property in these neighborhoods. Friar understood a PZC member had indicated the developer had spent time, money, and energy on these plans. Friar pointed out it had taken her five years to find a house she wanted to buy and her investment meant something. Friar explained the kind of development that was being proposed would create stormwater runoff and displayed photos of stormwater runoff in the area now. Friar stated backyards were being washed out due to the development that was occurring. They felt traffic flow had already created a reduction in safe and pleasant walking and biking. Friar commented that every slide they had presented tonight reflected a tension point in their community with development, and these tension points were great because they informed them of where cross-priority actions were needed. Friar noted they wanted the PZC and the Council to connect the dots for them. They had all of these great aspirational plans that provided a roadmap for the kind of community in which they wanted to live and continue to build. When small developments were allowed without clarity, they were not being true to what they should be within the communities and the spaces in which they lived. Friar commented that these neighborhoods had worked hard in past and had experienced both positive and negative results of development concessions. Friar felt this requested PD was too arbitrary. Friar did not believe projects of this nature should be permitted to move forward or be approved until a developer answered all of the questions asked and addressed the concerns they had as a community, neighborhood, and City. Friar stated the Cottages of Northridge development had been exemplary in terms of collaboration, compromise, and cooperation shown. They felt that process could easily serve as the standard by which developers and neighbors worked together on all future PD projects. The Midland PD proposal was rebuked by the neighborhoods, not because they opposed development, but because the project failed to create a win-win situation. Friar reiterated the neighborhoods did not believe the project met the standards of highest and best use, and asked that the rezoning change of R-1 to PD be denied.

Jay Gebhardt, a civil engineer with A Civil Group, thanked staff and the PZC along with the neighbors who were very passionate about protecting their neighborhood, which he appreciated. Gebhardt pointed out the proposed plan had a recommendation from the staff and the PZC by a vote of 6-3. Gebhardt explained he felt they had addressed many of the issues although the neighbors might disagree, and mentioned screening between the Church and this property along with the units facing the street and having four-sided architecture. Gebhardt noted they would provide 36 parking spaces when only 24 were required by the UDC, and that had taken up some greenspace. Something that had come out of the first meetings was for there not to be any access from Green Meadows Circle, and that had been accomplished. They had lowered the density from 16 units to 12 units, and had made all units two-bedrooms and one-story tall. Gebhardt passed around a drawing that showed what the façade would look like as that had been a question of Treece. Gebhardt explained the density being proposed was identical to the density of the Crescent Green development across the street, and it was less than the two closest multi-family type developments. Gebhardt commented that they felt this was a multi-family location because of the traffic on Green Meadows Road. Gebhardt noted drainage was designed to City standards, and that the Greenbriar neighborhood drained to the Hinkson Creek while this property drained to Mill Creek. Those issues were real, but this development would not contribute to them. Gebhardt stated they felt this was a good plan and superior to an R-1 development in a lot of ways.

Treece asked where the four-sided architecture was referenced on the PD plan or the

statement of intent. Gebhardt replied he did not believe it was. Treece understood that was just the representation of Gebhardt. Gebhardt stated that was correct.

Pitzer asked Gebhardt if they had considered R-2 or cottage-style zoning. Gebhardt replied they had. Gebhardt explained that City staff had indicated it would have to be PD if they wanted their support as there was more control and more say in the plan. This was the reason they had gone in that direction. Pitzer asked for clarification regarding the comment of more control. Gebhardt explained PDs were generally a negotiated plan by staff, the PZC, and the Council, and noted the general understanding he had received from City staff was that they could not support R-2, R-MF, or any other straight zoning.

Pitzer understood parking spaces had been added to address concerns with regard to overflow parking, which had taken away some of the greenspace, and asked if other options had been considered such as leasing parking from the Church next door. Gebhardt replied no, and explained the Church had been opposed to the project. In addition, they did not feel parking, which had been so important to the neighbors should be dependent upon a leased area from the Church. They felt they needed to provide it on their own site so they could assure the neighbors they had the parking permanently.

Pitzer understood there were two stormwater basins. Gebhardt stated that was correct. Pitzer asked Gebhardt to assure them it would be adequate. Gebhardt explained two detention ponds would act as bio-retention, and they were connected with a large pipe to provide more storage. Gebhardt pointed out the standard was that pre-development flows could not be exceeded after development. Whatever flowed off the grass field now was what they were limited to post-development.

Peters asked if a cottage-type development had been considered as it sounded as though the neighbors might have supported that. Peters wondered how that would work financially and in terms of the size of the development. Peters asked if they would try for a one bedroom/one bath or if they would still aim for two bedroom/two bath units. Gebhardt replied they felt the two bedroom/two bath was what the market showed as viable. Gebhardt explained it was really difficult to build a one bedroom/one bath and keep the costs down. The proposed units were 1,000 square feet with a 250 square foot garage, so they were about 1,250 square feet in terms of a footprint for half of the building. Gebhardt pointed out one of the goals the developer had for the property was to provide one-level living. Peters asked if the goal of the developer was to keep them as rental properties versus selling them. Gebhardt replied that was the preference. Gebhardt noted the family owned many rental properties and were good stewards of those properties.

Trapp commented that the first vote he had ever made on the Council nine years ago was related to this property, and at that time, it had been proposed to be a pinball store. It had faced withering neighborhood opposition as a showroom with internet sales. Trapp explained he had been the swing vote on it since he had run on neighborhoods and felt it would have set a bad tone. It had been 325 feet into the neighborhood district, and Trapp believed it was important to follow their planning documents. Trapp stated that the vote had never sat well with him, and he had felt he had been influenced by political considerations. Trapp pointed out he had learned not to do that. For all of the consequential decisions they had made, it had been a relatively cheap way to learn this, but nine years later, they were still trying to determine what to do with this really choice infill lot on a well-developed corridor. If they did not do infill development, they would have growth along the edges along with more sprawl or they would not accommodate growth while they still had people moving to the community, which in turn would further negatively impact their housing affordability. Trapp noted housing affordability was a key concept similar to affordable housing, but it was the overall cost of housing. There was always a balance between how much people could make in terms of a living in Columbia versus how much they could afford for housing. Trapp felt the general principle was that they wanted to bring on more housing units to accommodate those moving to the area because it was a great place to live. In looking at Green Meadows Road and this lot, R-1

zoning was inappropriate due to the traffic volumes. Trapp stated planned development made sense to him due to the triangular shape of the lot and the difficulties they were having in developing the lot. Trapp noted it had more parking that he would like as he would prefer greenspace, and understood the developer had made that decision out of concerns from the neighborhood regarding parking so he did not want to penalize them for not following his own particular preferences. Trapp believed it was a pretty decent development other than that, and explained Columbia Imagined called for a neighborhood development there. This development would allow for the chance to bring this property to a conclusion while creating more units, which helped to address the housing needs in Columbia.

Pitzer stated he had been conflicted on this for a while as it had gone through its various different iterations. Pitzer noted he had received a lot great input from his constituents and he appreciated the time and energy everyone had put into it. Pitzer explained he had started with thinking about the R-1 zoning in terms of whether that was appropriate, and to him, it was clear it was not. Pitzer commented that if it was open zoning, it should be anything other than R-1. There were condominiums, townhomes, and apartments on a couple of sides of the proposed site. On a third side was a Church and retirement home along with a fire station on that particular island, and to the north was single-family housing. This led to the question of what might be appropriate, and that was a difficult question to answer. There were a lot of considerations and good points that had been mentioned. Pitzer agreed the traffic on Green Meadows Road was not good, and noted he was guilty of utilizing it in order to avoid Nifong Boulevard, which contributed to the problem. Pitzer commented that the R-1 zoning would not help this as they could end up with 6-8 homes and multiple driveways, and the incremental number of cars between 6-8 single-family homes and twelve two-bedroom units was likely inconsequential. In addition, someone could build those 6-8 homes tomorrow without any approvals other than the platting action. Pitzer believed it was really a question of density and what might be appropriate, i.e. twelve units, ten units, etc. Pitzer felt it was likely not less than ten, and they had a proposal for twelve units. Pitzer agreed with comments of Trapp with regard to trying to encourage smart infill development. Pitzer explained he had advocated for building a new fire station in his ward, and some of his constituents had rightfully pushed back on the cost of a new fire station, and thus, might want to consider living next to an existing fire station. Pitzer commented that he was not saying that in a joking matter as it was the cost of growth and a very real consideration. At the last council meeting when there had been discussion regarding the Columbia Housing Authority project, Treece had asked the insightful question of whether that project would have been proposed in the Fifth Ward, and that had gotten Pitzer to think about whether he would approve this project if it was within a different ward. Based on all of the factors mentioned, to include the surrounding considerations, and as difficult as it was to not take the side of all of the people he had been elected to represent, Pitzer noted he would approve this project if it was located in a different ward.

Treece commented that it was clear to him that a planned development was designed to apply to the lot, and not the area. Based on that premise and in the words of that planned development definition, there was nothing in this plan that was innovative or creative in its design. The only thing that might be considered creative was the four-sided architecture and it had not even been referenced in the statement of intent or the PD plan. Treece did not feel the project was environmentally sound, nor did it encourage common open space or amenities. Treece agreed they had approved a PD with greater density per acre in Ward 1 two weeks ago, which they would never have approved in this location. Four weeks ago, they had approved a PD plan in a neighborhood whereby they had been able to thank the developer for working with the residents, but that had not occurred in this situation. The UDC, which the City had worked on for seven years, had been intended to harmonize these projects, create the opportunity for good design, creativity, and density bonuses, and eliminate the need for these types of neighbor-developer

conflicts to come to the Council and create the very inconsistencies that had been done in the last three council meetings. Treece stated he would vote no on this proposal. Treece explained he wanted to support the neighborhood and believed there could be a better plan for that site. Treece felt they were trying to put too many units on this complicated lot.

Skala stated this was a better plan than some of the earlier ones by a long shot and explained he was more conflicted about this project than he thought he would have been. Initially, he had been supportive for infill and equity reasons in terms of the projects recently approved. Skala thought it was likely true that this was not an appropriate property for an R-1 development although that was what had been zoned when the developer had purchased the property. Skala commented that he had been and was still worried about the PD planning process. It had previously been a free-for-all in terms of negotiations. There had been a lot of negotiations and resentment due to exactions and promises. The UDC allowed them to go with something a bit more solid and included a PD process that involved more protections in terms of buffers, etc. Skala explained he had been worried they would not use it as it had been intended in terms of flexibility. A PD was best when there was severe topography as it allowed for more density in one place versus another along with creativity. The lot size here was so small that it did not allow for much creativity. Skala commented that he had a difference of opinion from Treece with regard to whether the principles of Columbia Imagined applied to only a single plot of land versus an area as he viewed it in broader terms. Skala understood one of the interested parties had asked Roy Dudark, a former Planning and Zoning Director, what he thought about the project, and Dudark had responded by saying he would have supported it if he had still been the Director for a number of reasons. It had been a single-story development located on individual lots enabling separate homeownership, and the fronts of the units would face the street while the garages would face inward. In addition, the parking areas would be in the inside, and the buildings were aesthetically pleasing. Skala explained that even though that had weighed heavily on him, he was still conflicted with the equity issue. The Cottages at Northridge involved good faith negotiations between the neighbors and the developer to get to about seven units per acre. This plan would be about 8-9 units per acre, which was typical of R-2 zoning, and Skala believed it was tad high. Skala stated he thought PD zoning was the way to go for this site, but felt the density was a bit too high. Skala reiterated he was still conflicted. Skala pointed out he had met with the neighbors and the developer, and had indicated to them the outcome would likely happen on the dais.

Thomas commented that they had community values, which he thought everyone in this room agreed on, which included the development of more affordable housing, the creation of a walkable community design, a low carbon footprint, and a healthy and safe community, but they had two mutually reinforcing policy systems that moved them away from those goals. One was the zoning code with more than 80 percent of their residentially zoned land being zoned R-1, which forced low density and car dependence. The other was the long range transportation plan, which was also almost entirely invested in road and highway expansion. As their homes were further apart, everyone was forced drive, creating the need for more highways. In addition, there was a fear of more traffic and the desire for developments to be low in density so traffic impacts were not as bad. This essentially moved them away from their goals. Thomas commented that he was not sure how to solve this, but hoped the next comprehensive plan provided the opportunity for a larger group to determine how to get from one point to the other. Thomas explained he did not like voting on specific individual projects as he would prefer to look at the big picture so they were able to create the policies and plans that would really bring them to the community most of them wanted. Thomas noted that he, like Skala, was not sure how he would vote. Thomas believed the developer had worked hard to address the concerns that had been heard and that the neighbors had done an incredible job of studying their existing rights and making their case. Thomas felt the Cottages at

Northridge had been a model whereby the two parties had come together to negotiate and reach an agreement. Thomas stated he was not sure how he would vote, but wanted to declare ex-parte conversations with the developer and the neighbors.

B90-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TRAPP, PITZER, PETERS. VOTING NO: TREECE, FOWLER, SKALA, THOMAS. Bill declared defeated.

B91-21

Changing the name of a portion of “Timberhill Road,” located within Kelly Farms Subdivision, to “Cinnamon Ridge” (Case No. 76-2021).

The bill was given second reading by the City Clerk.

Teddy provided a staff report.

Thomas noted the gate was unattractive and asked how many of these situations they had across the City whereby access was only for emergency vehicles, pedestrians, and cyclists. Teddy replied they had one that was recently reopened in the Bearfield area, and there was another in the east near Rolling Hills Road involving a school in the unincorporated area. Thomas commented that even though this had been at the behest of private residents, it had been the decision of Council to prohibit through traffic so the gate was part of the public space, and as a result, he wondered if they could create a design standard so they functioned and looked better. Teddy replied he thought the design standard would be the sidewalk as it was a narrow street without sidewalks. Thomas understood the two streets did not match. Teddy stated that was correct as the cross-sections did not match. Teddy explained he was reluctant to suggest a design standard for gates because they tried to fully connect neighborhoods when they were able. Thomas understood that had not been the case here per ordinance. Teddy agreed and understood Thomas was suggesting a design standard for situations when Council had imposed an emergency gate. Thomas stated that was correct, and explained he wanted something that functioned as this did not function very well as vehicles could drive around it. In addition, it was not inviting for a pedestrian or cyclists nor was it clear how that could be done. Teddy commented that if they narrowed the gate, they might have a vehicle going around it. Thomas felt the avoidance of that should be a part of the design.

Treece noted five written public comments had been received, and all were supportive of this name change. They had been from Anne Minor, Matt Rackers, Madge Minor, Katie and Mike Kane, and Tony Brite.

Tony Brite explained he was the President of the Shepard Hills Improvement Area and noted they had a small street that had been built in the 1950s-1960s, which barely fit two cars on it. Since this development and the road connection had been put into place, they had gone from about 4-5 cars going down it per day to about 50-100 cars. Treece asked where the cars came from if there were balusters there. Treece wondered if they went around them or went up to them to turn around and go back. Brites replied they oftentimes went up to it and turned around in the driveway of Doris Littrell or Anne Minor. They often had tractor trailers and there was not space for them causing them to be unable to maneuver. Brite stated he had seen mailboxes torn out, trees knocked down, lamp posts knocked down, and some people driving through yards. Brite felt this was a good step to hopefully get people to realize they were two different streets. Brite was hopeful that Google maps and other online applications would follow suit.

Doris Littrell stated she lived at 920 Timberhill Road, which was next door to the development. The agreement with the developer had been for a 500-bed apartment complex, 10-12 single-family homes, a 200-foot buffer, and gate to allow for emergency access only. Littrell felt a sign was needed indicating it was for emergency access only. They also wanted a sign on Timberhill Road indicating no access to Kelly Farms as they felt that might help. Littrell asked the Council to direct staff to install those signs, and wondered when the maps would be changed to show Cinnamon Ridge. Littrell commented that she was agreeable to the suggestion of Thomas for a standard for gates as they had been told by Kelly that they would have a nice emergency access only gate.

This afternoon they had reached an agreement to add boulders on the side of Anne Minor's property to keep trucks and cars from going through there. Littrell stated they would appreciate the help of Council in this matter.

Peters commented that she supported changing the name of the road and appreciated the help of the neighbors, the PZC, and Kelly. Peters asked if signs could be installed in the not too distant future as well. Glascock replied yes.

Fowler understood the staff report indicated that changing the road name would be an impediment if in the future they wanted to connect the two roads, but the deal had been that the two roads would not be connected and the gate would remain there for emergency access only. Fowler felt staff reports provided legislative histories and believed it should be clear that they were not in any way indicating the road would be opened up again in the future. Fowler pointed out the City Manager had assured her that any change to that would require the vote of the Council.

B91-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, TRAPP, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B97-21 Authorizing a cooperative development agreement with Plumrose USA.

Discussion shown with B98-21.

B98-21 Amending Chapter 27 of the City Code to establish an economic development job creation rider.

The bills were given second reading by the City Clerk.

Economic Development Director Stacey Button provided a staff report.

Matt LaFollette explained they had rebranded the company from Plumrose to Swift Prepared Foods during this application process that had taken more than a year, and that it was legally, Plumrose USA d/b/a Swift Prepared Foods and a subsidiary of JBS USA. LaFollette displayed a diagram that showed Swift Prepared Foods was making significant investments in current facilities as well as new facilities. In addition, JBS, the parent company, had an initiative known as Hometown Strong whereby they had invested \$50 million in the communities in which they were currently active. In Moberly, they had committed \$300,000 for an amphitheater and splash pad. LaFollette was hopeful they could get over the last remaining hurdles to call Columbia home as well. LaFollette explained they were interested in Columbia because they had received tremendous support from the REDI team, the City, the County, and the State. They felt Columbia was a business friendly community and they had received commitments of partnerships for project sustainability, which was a facility that would last at least 30-50 years and potentially longer. The community infrastructure, schools, training programs, a central location along an interstate for distribution, a certified site with the appropriate zoning already in place along with access to infrastructure, and appropriate economic incentive offerings in comparison to some of the competition were the reasons they had chosen Columbia. LaFollette commented that they would produce dry cured sausages, salami, pepperoni, prosciutto, pancetta, coppa, and other Italian meats, and explained it was a fermented and dried process. It was not a cooked process so the process of making these products could be from seven days up to six months. LaFollette showed some initial renderings of how the facility could look. LaFollette noted Phase 1 involved an approximate 275,000 square foot facility in 2022 with an estimated investment of approximately \$150 million. The Phase 2 addition and expansion was estimated at about \$35 million with an additional 50,000 square feet. It would be a state of the art facility, and would include social distancing and welfare standards. They were looking at approximately 251 jobs once they were at full capacity with the average wage above the County average at full capacity. The starting rate would be about \$16 per hour, which they felt was competitive. LaFollette stated they were committed to a diverse workforce with equal opportunities to all, and they wanted to be reflective of the demographics within

the community. LaFollette commented that the economic impact at a high level analysis involved a 2.56 multiplier, which meant it involved 163 direct jobs, 67 indirect jobs, and 161 induced jobs. They would also have some contracted services that could bring an additional 30 employees for sanitation services, security, etc. LaFollette displayed a diagram of the benefits provided and noted they were rolling out a new program which involved direct payments for higher education. LaFollette stated they would have measures in place to minimize the consumption of utilities when they were able, and that would include water management and energy uses. There were very little odors associated with the production process. They would be located next to other current food producing facilities and the property was zoned appropriately. In addition, there would be minimal impact on the wooded area on the east and south sides of the site.

Peters asked about the type of training the employees would need. LaFollette replied it was variable. They required a high school education and asked any prospect to come in to assess their reading and writing skills. Production jobs would require some up-front training. Joe Machetta commented that a high school diploma was required to get started. Since they were constructing a truly state of the art highly automated facility, working with electronics would be in high demand. Peters asked if Swift Prepared Foods would train people or if potential employees would need that training in order to be considered. Joe Machetta replied yes for both situations. It helped for someone to already have the basic education, but since they would soon offer the benefit of direct payment for education, they could help those that needed it.

Fowler understood the contract indicated full-time equivalent for at least 35 hours per week. When Fowler multiplied 16 by 35 for 52 weeks, she was not getting to the same number. In order to reach the County average, Fowler understood people needed to get into the job and on an upward promotional path with at least 40 hours per week or the offer of overtime. Fowler commented that the comment of combining two or more people to make 35 hours had concerned her as well. Fowler asked how she could reconcile her concerns in this regard. Treece replied he thought part of the workforce representation had been in the Chapter 100 application in terms of the number of entry level positions, mid-level management positions, supervisors, etc. It might not be represented in the City's clawback, but it was in the County Chapter 100 application. Fowler asked for clarification because there had to be an upward promotional path and at least 40 hours per week, not 35 hours per week. LaFollette replied the 35 hours was the legal term for a full-time job. The \$16 per hour was the minimum starting wage, but they would have jobs that would pay much more than that as well. As a result, the overall average for the facility would be at above those average levels. Thompson commented that one of the things the company had explained to the City as they were looking at the agreement was that a 35-hour a week job was a full-time job for them. Based upon some of the scheduling they did and the hours they worked, it was the maximum some might get during a week. It was not strictly an eight hour, five day per week job. Fowler felt \$16 per hour for 35 hours per week was likely not enough to sustain a family. If that was the definition due to scheduling, she believed that put people that were trying for an upward financial path for their families at a disadvantage. Thompson stated the agreement called for an annual average salary. Brian Talbert with Austin Consulting explained they were trying to seek alignment with the definitions in the incentive agreements with the State. In terms of scheduling, Talbert understood they would offer work for eight hours per day five days per week with the potential to flex on the weekends for overtime opportunities. Creative shifting structures had been discussed, such as 12-hour shifts on a rotating schedule so one would work three 12-hour shifts one week and four 12-hour shifts the next. Talbert was not sure all of those decisions had been made at this point, and noted the current thinking was an eight-hour shift for five days per week. Fowler commented that she wished the agreement stated that.

Skala understood Swift Prepared Foods had worked with REDI and the Chapter 100 group, which included the County and the School Board, and that all of those groups

heartedly endorsed this application. Skala asked if that was a fair statement. LaFollette replied that was correct.

Peters asked if the plant would operate 24 hours per day. LaFollette replied it would. In the beginning, while ramping up production, they would probably have a two shift operation of a production shift and a sanitation shift. Once they were further along in the production process, they would have two production shifts and a sanitation shift. It would be 24 hours through the week with some potential for maintenance and the potential for overtime opportunities on the weekends.

Peters asked who would build the plant. Peters wondered if local people would be utilized. LaFollette replied it was a design-build concept and they had contracted with the Stellar Group who would bid the different areas, such as steel, construction, utilities, etc., at the local, state, and regional level. LaFollette pointed out they had some specialized needs so those might need the expertise of outside resources. Peters understood there would be a fair amount of local or semi-local contracting. LaFollette felt that was a fair assessment. Treece explained the Aurora project had involved some specialized items as well, but they had been able to contract out the mechanical, plumbing, pipe fitting, electrical, etc. work to those in Columbia or the nearby area. LaFollette noted he could not guarantee this, but pointed out it did not make sense to bring people in from far away for some of the work.

Fowler commented that she reviewed the Chapter 100 application, which indicated a new job qualified as a full-time position with a minimum of 40 hours. Since that was the standard in the Chapter 100 bonds, she asked if they could harmonize that with the contract they had in front of them. Thompson replied that at the end of the day, they would have to meet the most restrictive requirements to get all of the various incentives they were seeking. Fowler commented that she was not familiar with the incentives associated with the Chapter 100 bonds. Thompson replied those were tax abatement incentives. Fowler understood those were fairly significant. Thompson agreed they were very significant. Treece suggested they trust the Chapter 100 application because it was for 10 years while what they were considering tonight was only five years.

Tom Jensen, Chair of the Water and Light Advisory Board (WLAB), commented that the WLAB had endorsed the plan for the economic development rider associated with the reduced demand charge. In all of the conversations, notes, and messages from people saying what they felt the WLAB should do on behalf of the ratepayers, there had not been any discussion with regard to the actual numbers to help contextualize it. Concerns some had involved whether they were shifting some of the burden of the reduced demand charges to ratepayers. Jensen thought it was important to review the numbers because it would provide strong reassurance of the decision of the WLAB to endorse the rider. The projected electricity costs under the City's current rate structure would be approximately \$3 million per year. When the Utility staff started looking at the rates here in comparison with other utilities in Missouri, Columbia was way above the average. As a result, it made sense to think about reducing the demand charge, and the Law Department had come up with a very striking suggestion as it was akin to the existing economic development incentives that were allocated for investor owned utilities. There had just not been one for municipal utilities because municipal utilities tended to regulate themselves. Jensen explained the reduction of \$200,000 per year relative to the total amount of the bill worked out to be less than the PILOT charge. Jensen commented that Missouri law was well settled in terms of the PILOT charge not being a tax. The PILOT represented the amount of money the municipality would make if their utility was administered by a private utility. It was the profit the City made, and the profit the City would make would exceed the reduction they were granting. They were not spreading this to other ratepayers. They were really just taking a smaller profit. The amount of PILOT charge the utility would collect over the useful life of the plant would be approximately \$5 million versus giving up \$200,000 in increments. When factoring the payroll on an annual basis, they were over \$60 million per year by year five. Jensen stated it had been a no brainer

for the WLAB to support the decision.

Treece asked Jensen if he had reviewed the communication from John Conway, the former Chair of the WLAB, about the economic development rider. Jensen replied he generally knew of his concerns, and explained they differed on the definition of PILOT charge, which he felt was fundamental to appropriately analyzing it. Jensen understood Conway was maintaining it was a tax, which was a fair suggestion from his perspective because the Charter indicated it was in lieu of a tax, but Missouri law was settled on the issue. Jensen noted one of the controlling cases was the City of Columbia versus the United States, which established PILOT was not a tax, and that it represented the profit they were supposed to make.

Treece understood the WLAB had reviewed and endorsed it. Jensen stated that was correct. Treece commented that he liked the way the financial calculation was done to show them it was a net positive.

Pitzer asked if the WLAB had discussed why the City of Columbia's rates were so much higher than surrounding communities and whether something needed to be done about it. Jensen replied that had been a topic that had actually pushed its way into their discussions of the Integrated Electric Resource and Master Plan Task Force. They knew they had a lot to tackle. The way it worked now was that the commercial and industrial customers subsidized the residential ratepayers because they were way above the average. Jensen understood it would be difficult to bring some sense of equity to what they had now, and they would have to do it while balancing their debt obligations.

Thomas understood the total PILOT payment for the life of the plant would be \$5 million, and asked about the associated time frame. Jensen replied those were rough numbers and did not include time-value money calculations, etc., and it had assumed a 30-year useful life. Jensen noted some elements of the plant would depreciate faster than others. Thomas asked for the annual PILOT payment. Jensen replied it would be a little over seven percent of whatever they were paying. The \$200,000 at the moment represented a little over six percent.

Matt McCormick explained he was the President of the Columbia Chamber of Commerce and noted they were in support of this project. McCormick congratulated and applauded REDI and the City's Department of Economic Development for their work in bringing this type of opportunity to the community, especially during this challenging time. McCormick also thanked Plumrose for their investment in looking at Columbia. McCormick noted Columbia would benefit from the establishment of this project with approximately 250 full-time jobs with an average annual income above the living wage and an average hourly wage well above the national and state minimum wage. They would invest in the community with the development of vacant land while creating property tax for the community and the Columbia Public Schools. McCormick stated his appreciation of the continued considerations by Council for opportunities such as this that would boost the local economy, and asked the Council to move forward with this development agreement.

Eugene Elkin, 3406 Range Line Street, commented that Kraft Foods had a four-day on and three-day off schedule, and thought they needed to consider what was fair. Elkin wondered if there would be physical carving or if everything would be done with automation, and hoped they would have a safety program. Elkin agreed this was a nice opportunity, but felt the Council needed to ask all of the necessary questions.

Treece noted two emails had been received via the City Clerk's Office. One was from Bill Weitkemper regarding the sewer extension portion of the cooperative development agreement, which had mentioned a bottleneck. Treece understood Glascock had looked into that issue. Glascock stated that was correct, and explained there was not a bottleneck. It was a plant operation issue. Treece commented that the other email received had been from Melinda Hemmelgarn. Treece noted both emails had been provided to the Council for their review and consideration.

Treece explained he had also received an email from Mary Concannon at 5:20 p.m.

today, asking that they request a minimum \$15 per hour starting wage. Treece pointed out they were at \$16 per hour and felt the clawbacks were sufficient.

Thomas asked what role the City of Columbia had in approving the Chapter 100 bonds, if any. Button replied the City of Columbia was one of the taxing districts or jurisdictions, and the Mayor was the representative to the Chapter 100 panel. Thomas understood Treece had been on the panel that had voted on it. Treece stated that was correct. Treece pointed out this had been presented to the Council at a closed session and he had asked about any concerns at that time. Thomas stated he recalled participating by Zoom for that discussion.

Thomas asked if the \$1.3 million sewer project had been in the Capital Improvement Project (CIP) Plan prior to this agreement, and what its priority had been if it had. Utilities Director David Sorrell replied it had not been in the CIP. This development plus the potential for a development on the property to the north had brought this project to the forefront. Thomas understood \$1.3 million of sewer projects had now been pushed down the list to accommodate this. Sorrell explained they had reserves above the required reserves that could be appropriated for this. In addition, about \$700,000 had been in the 100 acre point sewer extension fund that had been approved as part of the 2013 ballot, but had not yet been used, and this would be an appropriate use of those funds.

Thomas understood the company would provide an easement to the City to build the sewer across their property, and asked for clarification because he thought the property owner was responsible for building the sewer on their own property in residential areas. Treece explained the company would pay to connect to the City sewer, and the City was installing the main trunk line that would continue north to other potential users. Thomas understood the sewer being built across their property was a trunk line that would be owned by the City. Treece stated that was correct, and noted he understood the company would pay for the portion from the plant to that trunk line. Thomas understood the trunk line would serve other customers. Sorrell explained it could serve properties to the north as well.

Treece noted he had participated in discussions with some residents of Thilly Avenue who had been waiting eleven years for their sewer and were questioning how this project could be expedited when their project could not, and asked staff to determine what the issue was with respect to that project. Sorrell replied he would respond in the morning.

Treece commented that he would like to say this project had fallen in their laps, but that belied the effort they had done to make the community attractive to this kind of development. After Aurora Organic Dairy, which had been a smaller project, Treece had mentioned that he thought they could be selective in future economic development projects, and felt this was one of those selective projects. Treece understood it was a big investment on the part of the City, but noted it also fit nicely in the two corridors they had that made Columbia unique. One was the nuclear reactor and radiopharmaceutical development that Treece believed would be important over the next several decades, and the other was food manufacturing. Treece noted Swift Prepared Foods would join Aurora Organic Dairy, Quaker Oats, Kraft Foods, and Beyond Meat in further solidifying their reputation, and felt this would be good for those employees that were already trained in the mechatronics program. Treece understood this would be the only plant of its kind in the company, and similar to how Columbia produced all of the hotdogs enjoyed in America, they would produce all of the prosciutto.

Treece made a motion to amend B97-21 per the amendment sheet. The motion was seconded by Trapp and approved unanimously by voice vote.

Skala stated he was also enthusiastic about this project and acknowledged REDI for its work in this regard.

Trapp agreed this was an important project. Historically, Columbia did not play the economic incentive game, and their plummeting number of manufacturing jobs reflected

this. They were really great at creating professional jobs that required a college education, but had an astronomical African-American unemployment rate. Trapp believed it was important to build up the areas that had historically not been a strong point. Trapp commented that he had seen the impact of struggling people or those in homelessness being able to obtain a full-time manufacturing job that paid enough to support a family. Trapp wished there was not a need to provide incentives to bring these important kinds of jobs to Columbia, but until everyone unilaterally disarmed by not providing these kinds of incentives, they would have to look out for their citizens to ensure everyone had adequate job opportunities. They would otherwise have bigger problems with poverty and crime. Trapp stated he was happy to support this and thanked REDI and their new corporate partners in this effort.

B97-21, as amended, was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, TRAPP, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B98-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, TRAPP, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

- B89-21 Authorizing and ratifying a second amendment to the agreement with Benevate, Inc. for software to implement a rent assistance module.
- B92-21 Approving the Final Plat of "Burlington Subdivision Plat 1" located on the west side of Burlington Street and south of Vandiver Drive (Case No. 63-2021).
- B93-21 Authorizing a second amendment to the intergovernmental cooperation agreement with The Curators of the University of Missouri for integrated shuttle bus service on campus.
- B94-21 Accepting conveyances for sewer, temporary construction, temporary access, and drainage purposes; accepting a Stormwater Management/BMP Facilities Covenant.
- B96-21 Amending Chapter 19 of the City Code as it relates to overtime provisions for Fire Department shift employees.
- R35-21 Setting a public hearing: proposed replacement of water distribution infrastructure near the intersection of Brown Station Road and Peabody Road.
- R36-21 Setting a public hearing: proposed replacement of water distribution infrastructure along Business Loop 70 between Fay Street and Old Highway 63.
- R37-21 Setting a public hearing: consider the FY 2021 Annual Action Plan for CDBG and HOME funds; establishing a comment period.
- R38-21 Consenting to the issuance of a state license for the sale of intoxicating liquor to Parks Amusements, LLC, d/b/a Cantina, located at 132 S. Ninth Street.

R40-21 Approving the Final Plat of Trade Winds Park, Plat No. 1-B, a Replat of Lot 3, Trade Winds Park, Plat No. 1, in Boone County, Missouri located on the southwest corner of I-70 Drive SE and Trade Winds Parkway pursuant to the requirements of an annexation agreement between the City and the subdivider (Case No. 98-2021).

R41-21 Accepting the donation of a Weber grill from Westlake Ace Hardware to be used by the Police Department at community outreach events.

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

VIII. NEW BUSINESS

R39-21 Authorizing an agreement for professional engineering services with KLM Engineering, Inc. for inspection and maintenance of the City's elevated and ground water storage facilities and production of a management program for the water storage facilities.

The resolution was read by the City Clerk.

Pitzer explained he had asked for this to be moved from the consent agenda to new business due to the request of a constituent. Treece stated they had received an email from John Conway which he asked to be read prior to the vote. Treece read the email which indicated Conway did not feel KLM met the requirements specified on pages 4 and 5 of 19 to be licensed in the State of Missouri on the date of the RFP to conduct the work proposed, and thus, should not have been considered for an interview. Conway believed this was bad business practice and unethical in the engineering profession. Conway suggested the City reject the contract as not being fully valid at the time of procurement and require staff to start the process over again or begin negotiations with the next firm. Conway also suggested a performance audit be conducted with regard to these types of practices.

Pitzer commented that he had looked into the situation. Pitzer understood the concern was that a clause within the RFP indicated the engineering firm certified that it was in compliance with Missouri law, and that a statute in Missouri law that said an engineering firm must be licensed in the State in order to offer services. There was another statute, however, that indicated a firm was in compliance if it was licensed to practice in its primary State of business. As a result, they were in compliance. Pitzer noted this had been pulled in November because KLM had a subcontractor that was licensed in Missouri but KLM itself had not been licensed in Missouri. Pitzer understood they were now licensed to practice engineering in Missouri. Pitzer explained Conway had followed up by indicating he would file a complaint with the registration board against KLM and the City in order to determine how they interpreted that section of Missouri law as prior legitimate complaints had ruled one must be licensed in the State to practice in the State.

Pitzer stated he was agreeable in moving forward with this contract.

R39-21 was read by the City Clerk, and the vote was recorded as follows: VOTING YES: TREECE, FOWLER, TRAPP, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

IX. INTRODUCTION AND FIRST READING

Treece understood Pitzer might have a concern with B116-21. Pitzer stated he understood that bill was appropriating funds for an amended contract for audit services with RubinBrown, but it did not include the amended contract. Pitzer understood that

would be introduced as a resolution at the next meeting. This bill was strictly for the appropriation of funds and not for the contract amendment itself. Since the council memo had stated the bill was to approve the amendment, Pitzer had been looking for the amendment to go along with it. Pitzer noted he was comfortable with moving ahead as planned since the contract amendment would be on the agenda as a resolution at the next meeting. Treece understood B116-21 was asterisked to be on the consent agenda so they would not have discussion on the amendment. Pitzer explained there would be a resolution for the contract amendment. Thompson commented that when this had first come forward to be put on the agenda, it had both the contract amendment and the appropriation of funds, but the actual contract amendment had not been ready to go by the deadline. As a result, that portion was removed. The memo had inadvertently not been corrected, but the legislation was correct as it only appropriated the funds. Skala understood the correction would be in the form of a resolution. Thompson stated that was correct.

Fowler understood those two items would come up separately so they would vote to appropriate the funds and would later see the scope of services for potential approval. Fowler stated that was not okay with her. The Finance Advisory and Audit Committee (FAAC) had a real interest and had been sidelined more than once in participating more fully in this process. In addition, some community groups had been the mechanism that had made the performance audit a reality. Fowler asked how this could be rearranged so the FAAC and community groups had access to the scope of services for review and so they could vote on the two items at the same time. Glascock suggested they not introduce B116-21. Treece thought that was best because they might want to make changes that would drive up the cost of the audit.

Fowler understood the City already had a copy of the scope of services, and asked if that could be provided to FAAC now for their review. Glascock replied yes.

Treece understood B117-21 had adjustments for unrepresented employees and asked about the represented employees. Glascock replied a resolution with two contracts was forthcoming.

Thompson explained it took two meetings to amend the budget as it had to be done by ordinance. The collective bargaining agreements, however, could be done by resolution so those would marry up. Fowler asked if those would be voted on at the next meeting. Thompson replied yes.

Treece made a motion to remove B116-21 from the agenda. The motion was seconded by Pitzer and approved unanimously by voice vote.

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

- B99-21 Authorizing replacement of a sanitary sewer under Providence Road, south of Nifong Boulevard; calling for bids through the Purchasing Division or authorizing a contract for the work using a term and supply contract.
- B100-21 Authorizing the acquisition of an additional easement for replacement of the water distribution infrastructure along Country Club Drive South and Elliott Drive.
- B101-21 Authorizing a local site generator agreement with Mortgage Research Center, LLC, d/b/a Veterans United, for standby electrical generation service on property located at 4700 S. Providence Road; authorizing an easement agreement with State Farm Mutual Auto Insurance Company for the operation, repair and maintenance of generator equipment on property located at 4700 S. Providence Road.

- B102-21 Authorizing Amendment No. 1 to the Software as a Service (SaaS) agreement with N. Harris Computer Corporation for the implementation of a test system module associated with the LINK Enterprise customer portal for management of utility billing accounts; amending the FY 2021 Annual Budget by appropriating funds.
- B103-21 Amending the FY 2021 Annual Budget by appropriating funds for installation, configuration and training services for the LINK Enterprise utility billing software system.
- B104-21 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for HIV Prevention services.
- B105-21 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Human Services for Epidemiology and Laboratory Capacity (ELC) CARES funding for case investigation, contact tracing, coordination and reporting activities associated with COVID-19 testing; amending the FY 2021 Annual Budget by appropriating funds.
- B106-21 Amending the FY 2021 Annual Budget by appropriating funds for family planning services related to The Right Time Initiative Participation Contract with the Missouri Family Health Council, Inc.
- B107-21 Amending the FY 2021 Annual Budget by appropriating a disbursement from the Conley Fund to the Department of Public Health and Human Services for utility assistance.
- B108-21 Amending the FY 2021 Annual Budget by transferring funds for temporary employment services in the Law Department.
- B109-21 Amending the FY 2021 Annual Budget by appropriating Public Works Department funds to finalize and close out completed capital improvement projects and to provide funding for current and future capital improvement projects.
- B110-21 Amending the FY 2021 Annual budget by appropriating funds for the Fourth Street and Broadway pedestrian crossing improvement project and the replacement of camera systems in City-owned parking structures and elevators.
- B111-21 Amending the FY 2021 Annual Budget by appropriating fire equipment sale proceed funds and account balances from Fire Department funds to finalize and close out completed capital improvement projects and to provide funding for current and future capital improvement projects.
- B112-21 Amending the FY 2021 Annual Budget by appropriating Round 3 CARES Act funds and FY 2020 CDBG and HOME funds for small business assistance.
- B113-21 Amending the FY 2021 Annual Budget by appropriating federal reimbursement funds for the relocation of equipment in the Automated Flight Service Station (AFSS) building at the Columbia Regional Airport to the airport terminal project.

- B114-21 Amending the FY 2021 Annual Budget by appropriating funds to finalize and close out completed capital improvement projects and to provide funding for the Airport Drive improvement project at the Columbia Regional Airport.
- B115-21 Amending the FY 2021 Annual Budget by appropriating transportation sales tax funds for the development of a comprehensive strategic business plan for the Columbia Regional Airport.
- B117-21 Amending the FY 2021 Annual Budget by adding and deleting positions in the Parks and Recreation Department and the Human Resources Department; appropriating funds; amending the FY 2021 Classification and Pay Plan; providing for FY 2021 salary adjustments for unrepresented employees; establishing an implementation date.

X. REPORTS

- REP17-21 Board and Commission Applicant Diversity Statement/Information.
- Treece stated this looked good to him. An issue discussed today with the City Clerk was that they had already received some applications. If they wanted to proceed with this, they would have a myriad of applications until they were able to get through another cycle of advertisements, etc. to obtain the new information.
- Trapp noted there would always be a transition issue, and felt it was best to get started.
- Treece commented that he thought it would be helpful to have more information.
- Amin understood the Council was good with everything on it as it was. Treece stated that was correct. Skala agreed.
- Amin noted it would take a couple of days to update everything, but it should be available later this week.
- REP20-21 Community Foundation of Central Missouri 2021 Report.
- Trust Administrator John Baker provided a staff report.
- Fowler commented that she was a big fan of legislative history and appreciated all of the attachments as it made it easier to obtain a total picture of the Community Foundation.
- REP21-21 Uncollectible Receivables and Adjustments.
- Treece explained he had reviewed these line by line, and if he had had more time today, he would have called some of them himself. There was a company in Sedalia owned by the Stanley Corporation that owed Columbia more than \$10,000, and there was not any reason they could not pay the bill. Treece commented that he had a good conversation with the Finance Department in terms of their process, and believed the process was getting better.
- Treece noted Finance Director Matthew Lue had shared Chapter 143 of the Revised Statutes of Missouri, and asked if that was available for municipalities. Treece wondered if they could submit their debts to the State. Lue replied yes. Treece understood that if the State determined the debt was legitimate, they could intercept their tax return, etc. to settle the debt. Lue stated that was correct.
- Treece asked the Council if they would want to try to participate in that program at a certain dollar amount. Treece commented that he would probably draw a distinction with utilities unless it was a big issue, but thought it could be utilized with something that was a clean claim. Lue stated he thought that was a good idea. Treece asked Lue if he had done this in Warrensburg. Lue replied he had not, and explained their uncollectibles had been miniscule compared to Columbia.
- Skala asked Treece if he had any recommendations on the threshold or if he thought it

should be discretionary. Treece replied he would leave it up to the discretion of staff. Treece did not believe the Council objected to trying to recover debt. Treece commented that his frustration on the utility side was that all of utility write-offs impacted the rates and everyone else paid the cost of it.

Pitzer asked if the collectibles were reasonable for a utility of the size of Columbia. Lue replied he thought they were. Lue explained the problem was that this had been ignored and the City was now trying to catch up. Peters asked if they were having any success catching up. Lue replied yes.

Pitzer felt there should be some sort of rule or guidance before going down the path involving the State although he did not know what that might be. Pitzer stated he would not want the appearance staff was selecting who they were going after for tax collection. Lue explained they would follow some threshold if they chose to move in that direction, and provided \$1,000 as an example. It would not be selective.

Treece commented that he had more confidence in the utility receivables because there was a process if someone did not pay their bill, such as a late notice, penalty, or disconnect letter. If they were not collecting those, there was a problem with the contact, follow-up, etc. Treece stated he was more concerned with the other non-utility write-offs.

Glascok understood it would not have to come to Council for them to submit these debts to the State as it could be done by him as the City Manager. Glascok suggested they ask the FAAC for a recommendation as to the amount. Treece stated he was agreeable to that suggestion. Fowler commented that she believed that was an excellent suggestion, but also felt a policy they could point to was needed to ensure there was not an allegation or appearance of favoritism.

REP22-21 **Monthly Finance Report.**

Lue provided a staff report.

Peters appreciated these ongoing updates versus receiving the information only once a year.

Treece commented that he liked the fact they were included the Purchasing Division as they were not always aware of the pending RFPs.

Pitzer asked if everything was going okay with reconciling the WasteZero bags and vouchers. Lue replied yes. Pitzer asked how many vouchers had been collected. Lue replied he could provide that information if desired. Pitzer stated he would appreciate that information.

REP23-21 **Amendment to the FY 2021 Annual Budget - Intra-Departmental Transfer of Funds.**

Treece understood this report had been provided for informational purposes.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Eugene Elkin, 3406 Range Line Street, commented that there were issues with people speaking into the microphone and suggested people be reminded to speak into the microphone or be told to remove their masks so they could be heard more clearly.

Elkin reiterated his earlier comment about Swift Prepared Foods ensuring safety programs and protocols. It was a financial issue for both the employee and employer. Elkin suggested the City implement stretching programs as well, especially for their solid waste employees.

Roy Lovelady explained he was a resident of the Third Ward and was representing the People's Defense, who had been feeding the homeless recently. To date, they had fed 207 homeless people. Lovelady stated they had intake forms whereby they asked other questions, to include what other assistance they might need. Some had indicated they were open to education while others had expressed the need for shelter due to the closing of Room at the Inn. Lovelady commented that he had been allowing them to stay

in his salon overnight for now, and wanted to point out that was a need in the community he hoped the Council would help to address.

Lovelady noted someone that had recently moved in next door to him had not been provided trash bags, and as a result, he had tried to purchase some bags for his neighbor at \$10 for five bags. In addition some locations were out of the bags. Lovelady commented that his neighbor had set out about sixteen bags that would not be collected because they were unable to obtain the logo bags, and asked if there was a process to help resolve this issue. Treece thought the bag vouchers were provided when signing up for utilities. Lovelady explained his neighbor had not received them nor had he been provided that information, and felt this was an obstacle.

Lovelady commented that he owned a business on the Business Loop, and their trash can was a dumpster. People within the community were placing their bags that were not being collected into that dumpster creating issues for him as there was not space for his trash.

Lovelady stated he was in support of the Swift Prepared Foods development, but questioned the wages as 35 hours per week at \$16 per hour would only result in \$29,120 per year. Lovelady understood they had been told the average was \$42,000 per year. In addition, a high school diploma was required. Those entering into the workforce with only a high school diploma would likely be the ones making that \$29,120 per year. Lovelady noted the company had also indicated their workforce would be representative of the City of Columbia, and wondered how that would be ensured. Treece commented that he had been surprised when he had heard the statement involving the high school diploma because in his conversations with them, they had indicated they did not always a high school diploma. Lovelady pointed out they said something different tonight. In terms of the diversity goals, Treece explained he was happy to ask for something similar to what they had done with Aurora Organic Dairy in that a report had been provided a year after opening. Lovelady thought that would be beneficial.

Treece commented that for the first time ever the Missouri Senate had passed a Wayfair bill. The Missouri House had also passed a Wayfair bill. The bills were similar but not identical. Treece thought the Senate bill was a little more superior to the House bill. Both established the marketplace fairness act and adopted the language from the court case. The Senate bill had a slightly better ballot language. Both had the streaming reduction in terms of the franchise fee. Treece felt they were really close and that both sides were willing to negotiate for further harmonization. Treece was not sure which bill would pass, but thought it was promising that they were at this point at this time. Treece commented that his hope had been that the House bill would honor those that had already passed the use tax, but it did not. A new use tax would have to pass in order to capture what was included in the bill. It also still provided the same dilemma in terms of the calendar and placing something on the ballot. Treece stated the good news was that he thought there would be an opportunity to pursue something in a thoughtful way, but not until early 2022 if this were to pass. The House had not had enough votes for an emergency clause, and as a result, it would be August 28 before it would take effect.

Thomas understood both bills came with an income tax reduction. Treece stated that was correct. Thomas explained he was not sure he was in favor of that because it was essentially a regressive tax change. Treece commented that he was not sure it was, and noted the income tax reduction was already set to take effect in State law when certain triggers were made. They had now divided those triggers into three. The income tax cut at the highest level would be triggered sooner but it was already in place. The Senate bill was superior to the House bill because it also included an earned income tax credit for low income families that he thought would balance that out in a way that was meaningful to get the 21 votes it needed to pass.

Treece noted Dokken had spoken about the wetlands earlier this evening and noted he

had been moved by a documentary that showed how Eagle Bluffs had been created. Treece asked Glascock if staff could work with the Army Corps of Engineers or MoDOT to mitigate some of the impact and determine if there might be some complimentary offset that might protect their interests in terms of sewer discharge. Glascock replied the concerns expressed by Dokken had been about the I-70 bridge expansion, and not Eagle Bluffs. Treece asked if the City had an interest in that. Glascock replied MoDOT would have to replace it on the basis of one for one for sure. Glascock understood Dokken had requested a three to one ratio and was not sure if that had ever happened.

Sorrell commented that the City was in the process of developing a mitigation bank that the Corps of Engineers was still reviewing, and if that was put into place, it could play a big part in the one to one offset for the wetlands destruction associated with the bridge. Treece asked for clarification. Sorrell replied it would be near the wastewater treatment plant. Sorrell explained they were hoping it would get through the approval process so it could be brought to Council in time to provide the opportunity for MoDOT to use it.

Treece asked if there could be more than one to one with respect to some of the credits. Sorrell replied the credits would be one to one. Sorrell stated they were hoping it was something that could be used.

Glascock asked if the City had 35 acres. Sorrell replied yes. Glascock pointed out they had also looked at hardwood wetlands at the landfill. Sorrell stated both properties were potential options. Glascock stated they could talk to the Army Corps of Engineers about it.

Fowler commented that there had been several outside presentations with slides tonight, and wondered if the City had an established procedure for when people brought them slide presentations. Fowler noted she was particularly interested in the one from Swift tonight, and had asked their corporate person for it. Fowler asked that a process be looked into for situations of this nature. Fowler understood it was placed on the computer but wiped at the end. Amin pointed out a flash drive was sometimes utilized and they might not necessarily be able to capture those. Fowler asked that staff think through all of the different ways they were missing slides.

Fowler made a motion for an ordinance to be introduced at the April 5, 2021 Council Meeting that would conform to the request of the Disabilities Commission as detailed in their February 11 letter regarding a virtual meeting policy and accessibility. The motion was seconded by Thomas.

Skala understood they had discussed this previously and that a resolution with regard to the software was still pending. Glascock stated that was correct and that they did not have the appropriate software yet.

Fowler suggested they proceed with the drafting of the ordinance since it could be amended prior to its passage to ensure it was in keeping with the functionality of the software. Fowler stated she thought the letter had been pretty comprehensive. Fowler understood they were moving along with vaccines, but noted they still had members of vulnerable populations that were having trouble participating with the Disabilities Commission and other commissions. They had appropriated \$35,000 for the equipment and assumed the purchasing of everything was underway. Fowler explained she wanted to get the ordinance moving so they could implement it.

Treece commented that part of the problem was that the software did not meet all of the requirements of their letter. Skala agreed that was part of the problem, and explained they did not know the capability of all of the software. Skala felt they needed to know what they had with regard to the capacity to reconcile it with the request. Treece stated the Information Technology (IT) Department recommendation he had seen had indicated there was only one software package that was ADA compliant, but it did not meet the see and be seen requirement of the Sunshine Law.

Fowler explained she had received communication from the members of the Disabilities

Commission after every council meeting asking why the City was not moving forward with their request. Fowler did not feel they were providing an understandable reason for not moving forward a year into COVID. Fowler understood they had informal agreements with regard to who could participate remotely, but she did not believe they were meeting the needs and expectations of the community. Fowler pointed out others had been able to figure it out, and noted one member of the Disabilities Commission had indicated to her that she had been participating in meetings at the State level for more than year.

Thomas wondered what was next in terms of the technology situation if both of the standards of ADA compliance and see and be seen requirement could not be met. Glascock replied the last he had heard was that the software they had chosen did not work in terms of accessibility since it required the use of a mouse. Glascock did not believe the issue had been resolved.

Thompson commented that the complicating factor was that they had this robust citizen participation along with the need to pin the board members on the screen while also having some people present in person while others were present remotely. It took a very specialized kind of software as opposed to going completely virtual or being completely in the room. This was the complicating factor for the software that the IT Department was looking at, and it was the reason they had landed on the AnyMeeting software. Thompson pointed out the Council would still need some sort of policy in terms of how they wanted to handle public participation, such as signing up in advance, etc., since they had such robust public participation. Thompson understood a lot of groups were holding remote meetings, but she was not sure how they allowed for the public participation piece of that.

Thomas asked if research could be done as to what other communities that had to follow the same rules were doing. Glascock replied yes.

Thomas felt someone would produce the software if it was needed and there was market demand. Thompson explained that when they had utilized virtual technology for a few council meetings, they did the bare minimum to comply by putting all of the council members on one screen. Technically they could be seen by the person at home, but the view was very small and facial expressions could not be seen. As a result, they had identified the need to improve that process. Thompson understood the solution from the IT Department was for a camera at each council member seat with each face in the Council Chamber on the screen along with any face at home. Thomas commented that those watching over the internet would not know the difference other than the background. Thompson stated that was correct. Thompson pointed out this also had technological problems because it would involve speakers and feedback, and the IT Department along with the City Channel staff had been working to ensure the microphone system could be used for those meetings in the Council Chamber. After settling on the AnyMeeting software, they had found out it did not work for those with disabilities that relied on the keyboard to increase or decrease the volume or brightness of the screen. A mouse was required so it was not accessible in that manner.

Pitzer asked what would happen if they moved forward with the ordinance but still did not have the technology. Fowler replied she would like to think the IT Department staff had casted a wider net to other communities and private industries to determine how they were handling this type of remote communication, and that they would have a solution by the time they got to the vote on the ordinance. Pitzer asked if the ordinance would say this was allowable so long as they had the technology, or if it would require it regardless of whether the technology existed. Fowler replied the things requested in the letter were specific to the software capabilities. Fowler understood they needed to meet the standard, and felt they could get started with drafting an ordinance that included the component pieces and make any necessary adjustments prior to passing the ordinance. If they did not have the software by the time they were prepared to vote, the item could be table to a future meeting. Fowler commented that the obstacle of not even drafting an ordinance made it seem as though this would never be accomplished.

Treece stated he would prefer to see a draft ordinance before it was introduced and first read.

Fowler withdrew her motion on the table for an ordinance to be introduced at the April 5, 2021 Council Meeting that would conform to the request of the Disabilities Commission as detailed in their February 11 letter regarding a virtual meeting policy and accessibility. Thomas who had seconded the motion was agreeable to its withdrawal.

Fowler made a motion for a draft ordinance that incorporated the component pieces that had been asked for by the Disabilities Commission in their letter dated February 11 followed by the letter from the Great Plains ADA Center dated December 17. The motion was seconded by Thomas.

Skala stated he would support this as a draft ordinance, but noted he would likely be reluctant to entertain an ordinance without knowing the capacity of any equipment even though he wanted to see them accommodate as many people as possible to include those with disabilities. Skala explained he was not trying to delay it, but did not feel they would know how to make it happen without understanding the capacity of the software.

Fowler understood the draft ordinance would not be introduced or on track to be approved until they had more information.

Pitzer asked if the draft ordinance would come back as a report at the next meeting. Fowler replied yes. Thompson commented that she was not sure she could have it ready by the next meeting due to workload unless the Council wanted to push this as the top priority. Skala asked if it could be done in a month. Thompson replied yes. Fowler commented that she had not put a date parameter on it as part of her motion. Pitzer asked if there was an interim step short of a draft ordinance they could discuss at the next meeting. Thompson replied they did not necessarily need an ordinance to make a policy change to allow a majority of the boards and commissions to participate remotely. Council had previously said they wanted a majority present in the room, and that was the guidance staff had been operating on. This would be a shift in that policy to allow a complete virtual meeting. If that was something Council wanted to authorize, they could work to make that the path, but up until this point, staff had not been given that guidance. Thompson pointed out the software was still needed in order to have that enhanced see and be seen technology for the City Council and the handful of boards and commissions that needed the higher level of visibility. Everyone else could use a number of software programs if they had the majority in the room because they were only allowing some members to participate remotely. When allowing a quorum to attend virtually, it created a virtual meeting, and they now had to provide for public participation in that virtual meeting. The Sunshine Law required the ability of the public to attend the meeting, and in Columbia, they allowed the public to participate in the meeting as well. Pitzer asked if they had to allow the public participation. Thompson replied they did at council meetings, but not necessarily at other board and commission meetings.

Fowler understood that if they lifted the quorum in the room requirement and had one person present in a meeting room, anyone could approach to make public comment that could be heard by everyone else, and asked if that would meet the requirement for public comment. Thompson replied that if they had a virtual meeting, they had to allow for the public to attend the meeting virtually, and if they did not have a quorum in the room, it was considered to be a virtual meeting.

The motion made by Fowler and seconded by Thomas for a draft ordinance that incorporated the component pieces that had been asked for by the Disabilities Commission in their letter dated February 11 followed by the letter from the Great Plains ADA Center dated December 17 was approved unanimously by voice vote.

Fowler clarified that she wanted the draft ordinance as a report by the April 19, 2021 Council Meeting. The Council was agreeable.

Fowler understood they would discuss B117-21, which had to do with pay increases at the next council meeting, and stated she was concerned they would not see the pay increase that pertained to the represented employees two weeks ahead of time as she understood it would only be available on the Thursday prior to the meeting when the agenda was posted. Glascock stated that was correct as it would be a resolution. Fowler asked if that provided the public sufficient notice with an opportunity to review it. Fowler believed one of the reasons they had the first read process was so they had two weeks to know it was coming. Fowler commented that when they had discussed the collective bargaining agreement for the police officers on November 2, 2020, there had been community members that had spoken to them about concerns about police stop disparities, in-school arrests, and the culture of racist comments and actions by the leadership of the Columbia Police Officers Association (CPOA) and some of their officers. During the hearing, Fowler and other council members had responded to those citizens indicating that when the wage increases for the officers was taken up that they would use that opportunity to address their concerns. Fowler explained one likely cause of the disrespectful interactions between the police and their black and brown neighbors was the exhaustion factor, and thus, she had asked the City Manager for specific information regarding the number of hours officers were working. Fowler had received a spreadsheet that enabled her to calculate the base pay, and had asked for information with the number of hours along with the corresponding pay for overtime so she now had a report that listed the number of extra duty hours. Fowler noted she and the Citizens Police Review Board (CPRB) were looking at this data. Fowler commented that she wanted to ensure they had sufficient time before they were asked to approve any changes, to include a wage change, to the CPOA agreement. Fowler also wanted to provide sufficient time to the public so they knew what was coming and could participate meaningfully. Fowler pointed out they were all interested in the equity and respect for all of their residents. Fowler stated she hoped the file she had received today finished out her inquiry so she could start doing calculations.

Treece asked how that could be addressed in a wage reopener. Fowler replied they had expressed concerns on November 2 about having to adopt an agreement given the concerns that had been brought to them along with their own observations, and staff had indicated there would be an opportunity to reopen this for conversation. Treece explained the only thing open at this point was the wage reopener, and pointed out that when the Council was in closed session to provide direction to the City Manager with regard to collective bargaining no one had said anything. Fowler stated she had. Treece stated it had not been a topic they had asked the City Manager to negotiate. Fowler explained she had expressed in a work session her concerns about the number of hours the officers were working and how that could be contributing to the exhaustion factor and an explanation for the concerns of the public.

Treece asked Police Chief Geoff Jones if he had anything to add. Jones replied he was not sure how to respond. Jones explained he likely had the same spreadsheets as Fowler and had done some quick math. Fowler commented that she did not need Jones to do the math regarding the hours as she intended to do it herself. Fowler reiterated she wanted to proceed in the manner they had told the public they would on November 2 with regard to their very clear concerns. Fowler wanted the public to have the opportunity to know what would be voted on that evening when it came to pay increases in general along with pay increases for their represented employees. Glascock explained it would be a part of the packet that was published on the Thursday prior to the Monday meeting at which they would vote, and if they were not happy with it, they could table it. The raises only included those that were unrepresented until they were able to move forward with contracts with the represented employees. Fowler commented that the reason for first reading was to provide people an opportunity to review the item. Glascock stated that was correct for ordinances. The contracts would come forward as resolutions.

Treece understood it was a resolution authorizing the City Manager to sign the contract. Peters understood this had been a planned raise, which had been delayed due to COVID since they were unsure of the outcome of those. Fowler understood they were two separate issues, and that it involved the represented and unrepresented employees. The unrepresented employees were covered by B117-21, which allowed for more notice as everyone could read it now. The agreements with negotiated wage increases for represented groups would only be available 3-4 days prior to being considered for approval. Fowler commented that given the concerns they had in the community and what had been said, she felt more than 3-4 days was needed. Fowler also did not want to have to table it so it was out there longer.

Trapp noted political space was finite. Trapp commented that when he had been elected to the Council about nine years ago, he immediately began making decisions and voting when he had not necessarily been clear on the decision-making framework. There were a lot of details that went into as there were land use decisions, road categories, etc. Trapp explained he had also pondered what it all meant, what they were doing, and the best way to do it. Trapp stated the Council was essentially the Board of Directors of this corporation that met community needs with these 1,500 employees, and they needed to govern effectively. They were elected operating on a political strategy, and candidates tended to say candidate things. In order to govern, however, they needed to execute a governing strategy. Trapp felt Pitzer had done this well tonight as a lot of his constituents had wanted a particular outcome on an item, but he had weighed the situation and explained his rationale and reasoning. Even if people did not agree with the outcome of the vote, Pitzer had been transparent with how he had come to that decision. In addition, Pitzer had made the decision based upon how the City would develop and operate. Trapp felt they all wanted to focus on a governing strategy more so than a political strategy. Columbia was small enough whereby people were satisfied if they explained what they were doing transparently even if they did not agree with the decision. Trapp commented that when they were faced with a decision, they should do things in the most sustainable, elegant, and egalitarian way possible, but when those options were not on the table, they had to factor in what they could actually get done, i.e. what were realistic next steps. They also had to factor in the cost of not addressing a particular situation or not doing something that might incrementally improve the situation. Trapp suggested they think about how they were making decisions, and do the least worst when the most beautiful, elegant, and perfect solution was not on the table. Sometimes this was not great or good, but it was the least worst option because there were no good options. Trapp explained he worked with struggling people, and a lot of times in life, there were not good options, and they had to pick the least worst bad decision and move forward. Trapp commented that he felt he had spent most of his political career arguing against the utopian ideal that he believed in because it was not a realistic option. Trapp noted there were also dominoes and brick walls in the world, and the art was to try to spend the most time on one of the dominoes so the world started to reorganize based upon what they were doing. Brick walls were things that seemed like they should make an impact, but did not, and there were many reasons for that. Trapp explained he had tried to recognize a domino versus a brick wall. Trapp stated that if they each picked one brick wall, there would be seven, and this was too many for the City Manager to try to knock down. If they each had 3, 4, or 5, there were now 35 things, which meant they were spinning their wheels. Trapp suggested they focus, prioritize, and recognize what was possible and do the least worst thing they could do most of the time. When they had the chance to move forward with those elegant items, they were usually easy decisions to make and unanimous votes.

Treece asked Trapp for the decision he was most proud of in his nine years. Trapp replied his participation on the Mayor's Task Force on Community Violence and the resulting report. The report was still salient, and he and former Council Member Laura

Nauser had decided early to not pre-judge the process and instead follow where it led. They ended up with a consensus report that was still salient seven years later.

Thomas commented that for thirteen years Debbie Graham and Room at the Inn had come together with tremendous passion and hard work to address a public safety and public health social service crises in the community, and had been asking the City of Columbia to respond to that crises, which they had failed to do. Thomas felt the situation was not getting any better, and was likely getting worse. Thomas believed this issue should be a priority and hoped his fellow council members did too. Thomas thought there were some real openings now that they had not had previously.

Skala explained the Broadband Business Planning Task Force had finally made some decisions and some of those decisions would involve money within the next budget allocation period. They were interested in hiring a consultant to help guide the group by mapping the dark fiber and conducting a citizen survey to determine the needs of the community.

XII. ADJOURNMENT

Treece adjourned the meeting without objection at 12:17 a.m.