



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, August 2, 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, August 2, 2021, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Member ANDREA WANER, Council Member KARL SKALA, Council Member MATT PITZER, Council Member BETSY PETERS, Mayor BRIAN TREECE, and Council Member PAT FOWLER were present. Council Member IAN THOMAS was absent. City Manager John Glascock, City Counselor Nancy Thompson, City Clerk Sheela Amin, and various Department Heads and Staff Members were also present.

Treece explained the minutes were not yet complete for the July 6, 2021 and the July 19, 2021 regular meetings.

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

II. SPECIAL ITEMS

SI16-21

COVID-19 Update.

Public Health and Human Services Director Stephanie Browning provided an update, and asked the Council for its input with regard to requiring masks in City facilities.

Skala stated he had seen a breakdown of County and State numbers, and asked if there was a breakdown of the vaccination rate for just the City of Columbia. Browning replied she could provide data by zip code, but noted some of the zip codes crossed over into the County. Skala stated he would appreciate that information.

Peters recalled the prior mandatory mask ordinance had been meant to keep the healthcare system from being overwhelmed and because a vaccine had not yet been available. Peters asked Browning what she thought with regard to another mask mandate. Browning replied they had the tools this time, to include a vaccine that worked. Browning understood there were people unwilling to get it, and felt the vaccine should be the primary focus. Browning commented that she also believed everyone should be wearing masks indoors regardless of vaccination status because they needed to protect kids and those that were vulnerable. Browning pointed out that there had been people that had not wanted to comply during the last few months of the prior mask mandate. They had been inundated with calls from people saying they saw unmasked people at certain locations, but had not had the mechanism or tools to enforce compliance. Browning noted it was difficult to think about putting an order in place when there was no means to enforce it and when it tended to make people angry at each other, at businesses, etc. Browning stated she felt people needed to do the right thing by wearing a mask, and pointed out they would educate people as much as possible. Browning commented that she had seen a lot more mask wearing the last two weekends. Browning explained they were not in a good place, but they were not at the point of what

was happening in other parts of the State.

Peters understood the local healthcare systems were not being overwhelmed. Browning stated they were very busy, but they were still seeing patients and doing other procedures. The problem in the State of Missouri was that critical care hospitals did not have a lot of specialty care, which was causing people to be transferred in for something that might not even be COVID related when there just were not a lot of spots.

Waner asked about the vaccination rates for City staff. Browning replied 40-45 percent had brought their vaccination card to the City for the eight hours of incentive paid time off the City Manager had authorized. Browning understood others were waiting until they were no longer maxed out on their vacation time, and thought that might get them to 50 percent. Browning did not feel it was high enough. Waner thought there was a lot of room for improvement.

Fowler asked about the difference between the positivity rate shown by Browning and how the Centers for Disease Control (CDC) was calculating it at 13.4. Browning explained that when testing was readily available, people were getting tested multiple times for a variety of reasons, and that one person would accumulate a lot of tests under their name. As a result, they started de-duplicating the totals, i.e., calculating it by individuals. Browning explained the number calculated by them was then higher because it was not diluted.

Fowler asked about the availability of testing. Fowler wondered how easy it was for someone who had learned they were exposed to get tested in Boone County. Browning replied it was definitely more difficult than it had been a year ago. They did not have the drive-thru sites any longer. MU Health just opened a site at the urgent care at Broadway and Stadium Boulevard, but it was by appointment. Browning noted those fortunate enough to have a healthcare provider could have a test ordered by them. It could also be done at Walgreens. In addition, there was some pre-procedure testing, but the ability to be tested was not as easy as it was a year ago. Fowler asked if there was any way they could change that dynamic by removing the appointment only restriction. Fowler wondered if it was about resources. Browning replied Columbia had been fortunate that both Boone Hospital and MU Health were the primary testing sites, but pointed out it was incredibly labor intensive, and staffing was probably the biggest problem the hospitals were having right now.

Fowler asked Browning if they or anyone else was tracking breakthrough infections. Browning replied they were and they tried to report those every Friday. There were not a lot of hospitalizations, and those that were hospitalized tended to have immunocompromised conditions so they probably did not have a great vaccination take at the beginning. Browning thought the breakthrough cases were in the 8-9 percent range. Fowler understood 8-9 percent of the positive tests were breakthrough cases. Browning stated that was correct, and noted that was consistent with what was happening across the country.

Treece recalled another column in a prior briefing of the vaccination rate that had been broken down by age and had included the hospitalization rate. It had showed the correlation between vaccinations and hospitalizations, and at one point, no one that had been vaccinated had been hospitalized. Treece was not sure where they were now, but thought they should try to make that correlation to the public. Browning stated she thought it was under ten, and agreed they could display things differently. Browning noted the Kansas City Health Department had taken the average age of people hospitalized in the month, and it was 34. They knew younger and younger people were being hospitalized and thought they needed to start thinking about how they relayed information.

Peters commented that she had spoken to some citizens that wanted to ensure people knew they could get vaccines at most or all of the pharmacies in town. Browning agreed vaccines were readily available. Every pharmacy had them and they were almost all available for walk-ins. In addition, it was free.

Pitzer asked Browning to update them on her discussions with the Columbia Public Schools (CPS) on mitigation efforts. Pitzer also asked if they were working with CPS on vaccine drives for those that were 12 years old and older. Browning replied they had done a vaccination drive with CPS before school had ended and would likely do that again when it started back up. Browning commented that they had a meeting scheduled with them next week, and explained that CPS brought her in along with a few other experts as they worked on their plans.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

IV. SCHEDULED PUBLIC COMMENT

SPC42-21 Rowen Mutt - Alignment 3 Proposal.

Rowen Mutt explained he was a student of the University of Missouri, a local filmmaker, a local business owner, and an educator, and several months ago, he had been enlisted by some people that lived along the Hinkson Creek to make a video. Mutt noted he had been provided a script and a shot list.

Treece suggested Mutt email the video to the City Clerk for them to watch as they much preferred to hear the public comments. Mutt stated it had been emailed so it could be set up to be shown. Treece explained this was public comment and they would rather hear his comments about his experiences versus watching a video.

Mutt stated he had been approached by a collective of people that lived along the Hinkson Creek and had expressed issues with the proposed Alignment 3 along with the alignment that had preceded it. The people he had met with had come from a lot of different walks of life and had informed a lot of the statistics and information in the video. The group had also requested that he come to this meeting to speak to it and to show the video formally and publicly. The video included implications of the first proposal that had exceeded what had been initially expected. It had been far more detrimental than what had been originally announced. Mutt understood ten feet had been provided for the trail with five feet on each side, but there were parts that were 60 feet wide in the swampland area that absorbed water. Mutt commented that as a business owner, he tried not to get too partisan on these types of issues as he worked independently, but he had seen the implications of what they were talking about when making the video as there had been cars submerged, Missourian articles of people's houses flooding, etc. It was then that he decided to speak formally about it. Mutt explained the idea was to raise awareness to these issues that had transpired so they did not make those careless mistakes again.

Mutt understood Treece did not want him to share the video right now. Treece stated he felt this was more productive than them watching a video.

SPC43-21 Kendra Jackson-Thornton, President of Brilliant Leaders Allocating & Aligning Collectively - Recovery funds and effectively supporting - Community violence through a more direct channel of community members/organizations.

Kendra Jackson-Thornton stated she was the President of Black Leaders Advocating and Aligning Collectively (B.L.A.A.C.), and the group met twice monthly to discuss issues within Columbia that affected the marginalized. Jackson-Thornton noted crime in low income areas of Columbia were a direct impact of homelessness, job instability, poor family infrastructure, and community acceptance. Every person in the community wanted to be successful. Unfortunately that could not happen if every single person did not feel they had purpose. Jackson-Thornton commented that she felt the Council needed to ask themselves questions when considering distributing the American Rescue Plan Act (ARPA) funds, especially when there were not people like her or other black

leaders or minority people in the room. Jackson-Thornton listed some questions, to include what was positively and negatively affected by the issue at hand, how were people situated in terms of the barriers they experienced, were people traumatized or re-traumatized by the issue or decision in the areas in which they lived, what were the barriers to doing equity and racial justice work, what were the benefits and burdens communities experienced with the issue, and who was accountable. Jackson-Thornton stated she wanted to know the process of City management when they deployed and identified structural barriers to public engagement and outreach in preparation for soliciting the ARPA funds, and the processes that would be used to measure the effectiveness of community outreach and engagement related to social, cultural, and economic equity. Jackson-Thornton wondered about the incentives the City would offer to bolster public participation by low income and essential workers. Jackson-Thornton explained equality gave all persons an equal amount of funds to recover losses, and believed the people sitting at the table discussing the issue were not the right people. A more direct connection was needed to get the right people at the table. Jackson-Thornton stated everyone in the community should have the opportunity to at least apply. Jackson-Thornton felt every household in the community needed to be provided the opportunity to apply for the funds. Jackson-Thornton suggested a basic form with the criteria and questions involving pre- and post-pandemic circumstances for people to apply for funding as it could allow people to start a business, pay bills, or do what they needed to do to become productive. Jackson-Thornton reiterated she felt many people in the community had lost their purpose because they did not feel they were listened to or did not have a direct connection. Meetings like this were not really engaging. Jackson-Thornton reiterated that the City would need to engage in different ways to determine what the City really wanted, and allowing people to apply for funds would help give them purpose.

SPC44-21 Laura Mitchell - Homelessness and the pandemic.

Laura Mitchell, 209 Ridgeway Avenue, explained she belonged to Wilkes Boulevard Church and was a door host for Loaves and Fishes. Mitchell commented that she had wondered if there might be more unhoused people due to the pandemic, but in talking to Human Services Manager Steve Hollis, it did not appear there were. The eviction moratorium, however, had just expired two days ago, so that might change. Mitchell understood the people at Room at the Inn had about the same number this year as in previous years. The Unitarian Universalist Church had been generous and had people with them all of the time. They had even opened a hotel for people that had to be quarantined due to COVID. Mitchell understood Treece had proposed the one time ARPA money of \$22 million to be divided in a number of different ways, and she suggested they spend more than what had been recommended for the homeless shelter. During public comments previously, Mitchell had heard Ed Stansberry indicate that \$5 million dollars along with amazing contributions from the private sector would allow them to establish a permanent homeless shelter in 12-15 months. Those working with the homeless community had wanted something like this for so long, but there was not ever any money. Mitchell hoped the City would provide \$5 or \$6 million because that would be a game changer. Mitchell noted a Housing First study had showed that those that were chronically mentally ill, which was a proportion of the homeless, were more stable when housing was prioritized, and this group would include other services like drug treatment and mental health treatment as well. Mitchell understood Treece had mentioned the citizen satisfaction survey that listed public safety along with streets and sidewalks high, and felt some of that might be a perceived public safety issue. Mitchell explained Loaves and Fishes had moved to Wilkes Boulevard Church in 2014, and initially, they were serving about 60 people per night, but it was now not uncommon to serve 85-100 people. Mitchell pointed out she was used to some people hanging around all day, but also understood some no longer went to their church due to being intimidated by those hanging around. Mitchell did not believe that was a public safety issue, and felt it was

more of a perceived public safety issue, and understood it was stressful for the neighbors. Mitchell commented that she also wanted to voice support for funding the mental health crisis intervention project as she understood it was successful in Springfield. Mitchell stated federal money had always been put into Turning Point and Loaves and Fishes in the past. It had never been money from the City's budget. Mitchell believed they should use this federal money the same way. Mitchell explained that if they could do these things, some people would get better, i.e., clean and sober, move into permanent housing, and obtain jobs, but pointed out others never would as they might continue to make poor decisions. Mitchell commented that she had interviewed people for her job that had grown up in families with alcoholic or drug addicted parents, parents that were physically abusive to each other or their children, parents who locked them in the basement, or parents that had sexually abused them or turned a blind eye when others did, and those impacted usually started using substances at a very young age. Every time Mitchell saw someone impacted in that manner having the ability to create a functional life, she felt it was a miracle. A few of the mentally ill people that came to Loaves and Fishes had schizophrenia, which was a wild card, but most of the mental illness they saw was caused by trauma. Mitchell suggested they remember that when they wanted to blame people for their bad choices.

SPC45-21 Andrew Hutchinson, Laborers Local 955 - Solid Waste Employee
Feedback and Working Conditions.

Andrew Hutchinson, 510 Spencer Avenue, stated he served as the Field Representative for Laborers Local 955 and they represented the service and maintenance workers of the City. Hutchinson expressed appreciation on behalf of their members for the concerns of Council with regard to working conditions and the perspectives of solid waste workers during their July 6 meeting. Hutchinson explained that based upon the request of the Council, he thought the City was going to conduct a listening session for frontline solid waste workers and their representative to understand the new policy surrounding bags, whether there had been a benefit to add-pay, and what they could better do in terms of retention and working conditions. Hutchinson commented that a big part of his work involved prepping members on how to advocate for themselves and how to provide their honest feedback because when working conditions were harder, people did not want to come to work. Those in Solid Waste, like him, had a deep interest in making the City work. They thought it would be their time to make their concerns heard regarding safety, retention, and pay, and they had been excited to work with the City, but that had not happened. The frontline supervisors sat with the workers, and almost every worker complaint had been countered by a frontline supervisor expressing how the full story was not being told. When a member said the pipeline from CDL trainee to being a worker had worked for them, a frontline supervisor immediately indicated it had only worked for him. Hutchinson commented that he had asked the senior management if this was a listening session for the workers or the supervisors because he had mostly heard supervisors speaking, and he had been told it was for both. In addition, a supervisor had immediately called him, the union representative, a bully for asking the question. It had devolved so much that supervisors had said they only wanted to hear about solutions. As the meeting ended, one supervisor had stated he had it worse because he was on salary while the members were hourly and that a lot of the problem was that people did not want to do their jobs hard enough. Hutchinson explained that when supervisors were harsh to workers or had called the union representative a bully, upper management that was present had not made any attempt to correct those supervisors. Hutchinson stated the saddest takeaway was the fact the workers had questioned the point of the meeting since their concerns were immediately dismissed by supervisors. A few of them had indicated they were getting a degree so they could leave the City as they had no desire to make a career there. Hutchinson commented that Columbia was his hometown, and when the City did well, he did well because he would raise his kids here. Hutchinson

noted he was concerned because of the way supervisors treated staff while their union representative was in the room. It made him wonder what was happening when he was not there. It now made sense to him why someone that had just been elected to the bargaining committee could be gone in a couple of months. Hutchinson stated he thought some good policy recommendations would come out of the work as the workers had shared some very important things despite the hostile environment, but felt a lot of work needed to be done to make the City a good place to work. Hutchinson reiterated their appreciation of the Council for their interest in making a better working environment for union represented workers.

SPC46-21 Kyle Rieman - Citizen concerns on pay and equity issues and ordinance 19-84.

Kyle Rieman, 1616 Hinkson Avenue, apologized for not speaking at the prior meeting on July 19, 2021, and explained his reason was the fear of retaliation. Rieman stated that when he had originally signed up to speak, his intent was to shed some light on all of the positive work the City had done this past year through initiatives such as the strategic plan, transforming government, and improvements to budget process. Rieman commented that he personally supported the recommendations of the City Manager to invest in and prioritize employees, and wanted to show his commitment as a citizen and a public servant of the City. Rieman also wanted to get back as soon as possible to help finish the budget process. Rieman stated that once he had signed up, no less than eight employees had reached out to him saying they had heard from their supervisor or another source indicating that if he wanted to keep his position with the City, he should not speak at the July 19 meeting. As a result, he had sent an email to the City Manager on that Friday explaining his intent in hopes that would help the situation. The response received was that Rieman was allowed to speak, but that the City Manager did not support the content. Rieman reiterated his intent had been to help the situation he felt was getting out of control, but had withdrawn his request because he did not feel the City Manager had approved of him speaking. Rieman indicated that tonight he wanted to make it clear that while he believed the City needed to address pay and compensation issues they had known about for the last few years, it also needed to address the abuse of power that had created a culture of fear and retaliation as it was an issue that impacted every citizen in Columbia. The City currently had a little over 200 vacancies and over 400 eligible for retirement in the next few years. If they did not find a way to correct the culture, and actively recruit and retain staff, the impact would involve almost a third of the positions needed to provide services such as public safety, infrastructure, and sound decision-making, stretching everyone even thinner. That would further damage employee morale while also increasing the likelihood for mistakes and further abuse. Examples of this included not accounting properly for utility funds, wasting almost \$1 million of taxpayer money on a timekeeping system that had never been used, or expanding the scope of a parking garage initiative that took multiple years. Rieman felt City leadership had a history of making decisions based on authority rather than data and thoughtful consideration. The most recent example involved the implementation of the solid waste system where a model and data had been created to analyze and help inform decision-makers. Rieman stated an existing pay-as-you-throw system that was cheaper and more efficient was utilized in the City of Kansas City, and that had been one of many of the cities reviewed. Rieman felt that was an example of where they had a culture that did not encourage data and information, and believed they were having these problems because employees were punished or made an example of if they identified mistakes or facts to the contrary instead of encouraging them to come forward. It sent the message to remain silent and cover up mistakes and errors for fear of retaliation, and was the reason those things continued to happen. Rieman commented that he had over 50 employees in the last month reach out to him with their stories and a show of support. Rieman explained he had encouraged them to speak out to the Council and others, but

they had indicated they feared they would be fired in retaliation. Rieman asked if the Council wanted to continue to show support for the culture and message of treating employees like subclass citizens so they were afraid to have a voice or speak out about abuse, mismanagement, and waste or even attend a public hearing without fear for their livelihood and ability to support their family. Rieman stated he personally felt the employees and citizens deserved better. Rieman understood the City Manager had issued a statement acknowledging the seriousness of claims being made with regard to the City's culture, but had also indicated there was nothing to investigate. Rieman did not believe the City Manager could conduct an investigation on these allegations against himself, and felt it needed to be done by the City Council or a State official. Rieman asked the Council to create a safe place for employees to reach out and report issues of mismanagement, waste, abuse of power, fraud, etc. without fear of retaliation by conducting an investigation as soon as possible. If the City did not create a safe place, Rieman was afraid they would never know the truth and citizens would not be able to have the services they deserved.

V. PUBLIC HEARINGS

PH30-21 Consider the FY22 Capital Improvement Project Plan for the City of Columbia, Missouri.

PH30-21 was read by the City Clerk.

Finance Director Matthew Lue provided a staff report.

Treece asked what happened to individual projects after they approved the Capital Improvement Project (CIP) Plan. Lue replied the process to begin the projects would start. Beginning October 1, when the projects were funded, the various departments would review their respective plans to start them. Treece understood they would follow the City Charter and Code, which involved interested parties meetings for neighbors to provide input, a public hearing on a potential design, Council authorization to proceed with the project and to bid the project, Council authorization of contracts, etc., and asked if he was missing anything. Lue replied that summed it up. Treece noted they later had a project that had started as a concept. Lue stated that was correct.

Fowler commented that she saw a lot of projects that had allocated to the First Ward, but benefited the City as a whole, and provided the Municipal Court dais as an example. Fowler asked how they could change that. Lue replied he believed the CIP dashboard broke those out in a different manner, i.e., City projects versus actual Ward projects. Fowler noted security fencing in the garage was assigned to the First Ward when it benefited all of the patrons of that garage, and asked staff to take another look at that. Fowler explained that those that lived in the older parts of town had the most aging infrastructure, and how money was spent equitably mattered to them. It made it more complex to understand where they were when projects benefiting the City as whole were included as a project benefiting that particular ward. Fowler asked how that could be addressed. Lue replied he believed the dashboard showed it in the manner that was being requested, and noted he believed they could do that in the document as well. Fowler understood the document did not match the dashboard. Lue stated it did not in that manner, and noted an amendment would be brought forward with other amendments to the budget to address her concern. Fowler stated she would communicate with the City Manager with regard to how it was portrayed now to ensure those items did not get calculated as a First Ward projects.

Pitzer commented that a year ago, they were projecting about \$900,000 for FY 2022 in enterprise revenue for capital improvements for the water utility, and now that was \$3.675 million. Pitzer asked for clarification regarding the differences, to include which projects had been moved into FY 2022 to be funded through enterprise revenue. Pitzer felt that was important because they had also proposed a water rate increase of three percent with this budget, which was a fraction of the differential to be funded by enterprise revenue. Pitzer explained he was trying to put the pieces together in terms of how they

were justifying the rate increase and how it related to the available cash that was on hand already in the water utility. Sorrell replied the proposed rate increase was part of the voter approved bond sale, and they were proposing for it to go into effect in January with the idea they would sell the remaining bond capacity around January whereby the first bond payment would be due in October. The proposed rate increase was strictly related to the bond. Sorrell commented that he could put together a description of the increase in enterprise funds if desired. Sorrell explained they were items that needed to be done, and because they had some funding available, they had increased the enterprise revenue projects in the CIP.

Pitzer understood they had not had a water rate increase in FY 2021. Sorrell stated that was correct, and reiterated the rate increase proposed for Council consideration with the budget was for bond debt and interest payments. Pitzer understood a series of rate increases had been proposed with the bond election. The rate increase had been deferred last year since it was not needed due to the available cash on hand. Pitzer felt it was all tied together and not split as cleanly as was being suggested. Sorrell noted he was suggesting the proposed rate increase was for the bond and not the cash on hand being proposed to be used with the CIP.

Treece asked for the current debt coverage ratio for the water utility. Sorrell replied it was 1.2 if Utilities Assistant Director Sarah Talbert recalled correctly. Treece asked what it would be if the Council approved a three percent rate increase. Talbert replied it would depend on the interest rate for the debt. Talbert explained they were working with the Finance Department to determine if they were going to do a state revolving fund or a bond sale. Treece asked if the Water and Light Advisory Board (WLAB) had made a recommendation on the three percent. Talbert replied not yet, and noted it was going to them on Wednesday morning.

Treece opened the public hearing.

Traci Wilson-Kleekamp stated it was difficult for her to make comments on the CIP Plan because it was not clear to her how the vision with regard to equity was incorporated into it. Wilson-Kleekamp explained that when the City Manager had made his presentation with regard to the budget message, she had asked him about equity and had sent him a cranky note indicating she had not liked his answer. The questions that Planning and Zoning Commission (PZC) Chair Sara Loe brought up with her colleagues overlapped with the questions that were within the Climate Action and Adaptation Plan (CAAP). Wilson-Kleekamp understood the PZC had suggested the CIP document incorporate a new column or columns to identify how the project was selected, who the project would benefit, and what plans were being considered in selecting the project. Wilson-Kleekamp pointed out these were the same kinds of questions she thought they should ask with regard to the ARPA funds the City would receive. The PZC memo stated that CIP Plan projects should focus on existing infrastructure maintenance and replacement rather than expansion as a means for ensuring equity and system quality to all customers. Wilson-Kleekamp commented that system, infrastructure, structure, etc. mattered, and if they were looking at things in terms of projects without looking at the system and structure of how they were making those decisions, it was inadequate. The PZC memo stated feedback from the community, stakeholders, and relevant boards and commissions should be sought to ensure the included projects were addressing present and future needs. Wilson-Kleekamp felt this went back to the lack of capacity the City had in terms of meaningful public engagement and outreach. The PZC memo indicated project selection should identify adopted area plan and comprehensive plan "tie-ins" that showed the furtherance of the goals and objectives of the plans. Wilson-Kleekamp referred to her neighborhood speaking to the Council about their values a few weeks ago with regard to a rezoning, and noted a project that did not follow those values could be approved. The PZC memo suggested the preparation of an annual summary of completed, delayed, and removed projects with an explanation for delayed and removed projects. Wilson-Kleekamp explained she had read the points in the PZC memo

because she did not feel everyone knew how to navigate the website and because she thought it was important to keep hearing about what equity might sound like in the different documents. Wilson-Kleekamp commented that equity meant attending to what one had right now and to determine what was missing.

Dee Dokken explained she was representing the Osage Group of the Sierra Club and pointed out that the land on which they lived, worked, played, paved over, and preserved had been the home of many people for many hundreds of years before they were forced out by white people. Dokken noted a presentation by Galen Gritts entitled "Wait...There are Native People in Missouri?" would be held this Sunday at 11:00 a.m. as part of the Bicentennial Celebration at The State Historical Society of Missouri. The presentation would involve land acknowledgement of indigenous people and their history in this area long before Missouri statehood. Dokken understood Gritts would also speak about what it was like to be a native person in Missouri and the continued presence and importance of indigenous people to the future of Missouri history, life, and culture. Dokken commented that the land acquisition fund was within the CIP Plan under Parks and Recreation and involved \$599,648 along with a previous \$100,000 appropriation for a total of \$699,648. The amount proposed for land acquisition had been \$2,625,000 when the project list for the 2015 parks sales tax had been put together. It had been cut by 66 percent a year ago in August 2020 due to the concern of COVID decreasing sales tax. The only other things that had been cut were a trail project and the contingency fund. Dokken explained it had started out as 14 percent of the total, which reflected the \$21 of every \$100 that people had indicated they wanted to spend on land acquisition based on surveys. After the cut, it had gone down to about four percent. Dokken stated she was not going to argue about the process or the value of land acquisitions, but felt it should be understood that if the sales tax came in above projections that the money go back into the funds that were cut when they were concerned about the shortfall. Dokken commented that she suspected that would not be the intention of the Parks and Recreation Department unless the Council directed it. Dokken noted she believed it was the fair thing to do for the voters and citizens as they had expressed the desire for that money to be there. Dokken stated she hoped the Council would propose that. Dokken understood some felt those in the Parks and Recreation Department were good negotiators as they received land donations, which benefited the donor and the neighborhood where the park would be located. Dokken agreed it was an efficient way to obtain land, but pointed out she did not believe that meant people were okay with less money being spent. Dokken thought they wanted the money stretched out so more land could be preserved. Dokken understood some people felt there were too many parks. Those that completed the surveys felt there were not enough parks as they wanted more hiking trails, nature areas, and land acquisition among other things.

Treece asked Dokken how she reconciled restoring full funding for park acquisitions with those that might want to spend a greater percentage for trails. Treece noted he considered trails as linear parks. Dokken replied she understood there was money for trail acquisitions, which she did not believe had been cut. Dokken thought the Chapel Hill connector estimated at \$500,000 had been cut, and felt that should be restored. Dokken commented that the next park sales tax needed to include land acquisitions and trails as both were high priorities for those in Columbia. Dokken stated it was hard to find out what exactly was happening with the park sales tax. They could see the big amount, but could not see the different categories in which the funds would go. Dokken thought it would be nice if that was more available to the public to follow.

Rebecca Shaw, 2615 Vail Drive, stated she wanted to understand the process better. Shaw asked from where this information came and how the department determined the most important projects. Treece replied the Parks and Recreation Department likely had a pretty specific citizen engagement process with the surveys, users, etc. In the Public Works Department, there was a scoring sheet for road improvements so they knew where visibility improvements, crosswalks, speed barriers, etc. were needed, and they were

working down that list. Treece commented that it was the same with stormwater or sewer improvements, which was also dependent on neighborhood motivation and easement acquisitions.

Shaw asked if public input was solicited at the beginning of the process in some way rather than the end. Shaw understood they also had to go through what the City felt was important, but wanted to ensure citizen input. Shaw assumed that at some point this would be provided to the public for comment since it was said there would be more public hearings. Shaw also wondered how the projects were prioritized following public input. Treece commented that he was more familiar with when the process reached the Council vis-à-vis these types of public hearings and asked the City Manager for clarification. Glascock explained a lot of these projects were associated with ballot issues, and provided water, sewer, and street projects as examples. They also had annual projects, which might include sidewalks or streets, and provided the example of paving a path along a street where people tended to walk. Glascock noted the Council might ask for something due to a citizen request, and that was then included in the CIP Plan. Glascock pointed out they had 1-2 year projects, 3-5 year projects, 5-10 year projects, and 10-plus year projects. The CIP Plan was more of a work plan than a funding plan as it showed how they prioritized projects.

Shaw understood there were many sources of funding for the projects, and wondered what happened if something that was planned to be funded with donations in 1-2 years did not have the funding to be constructed during that time frame. Shaw asked if that would come to Council for public input again. Shaw wondered how the finances flowed on something of that nature. Treece replied it likely depended on the dollar amount, and noted amendments or changes were typically brought to the Council. Treece explained the appropriation authority could not be exceeded. Shaw commented that generally the notes on those were that funds were being moved from Fund A to Fund B. There was not a list of the projects. Treece stated capital transfers were not done via transfers just reported to them any longer, and they were fairly specific. Glascock explained funds had been appropriated for non-capital items, but maybe not on that particular item. Treece understood.

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

Fowler noted Thomas had asked for removal of a project to widen a certain portion of Forum Boulevard, and asked how they brought that into this discussion. Treece replied they were only holding a public hearing tonight. Treece explained the CIP Plan would be open with the budget, and suggested someone ask for an amendment to be drawn up at the next meeting for consideration at the September 7 meeting for discussion and vote or to lie on the table until the September 20 meeting. Fowler understood that process began on August 16. Treece stated the budget items would be introduced and first read tonight, and they would then hold a public hearing. Treece noted he did not believe they needed to ask for four votes if a Council Member wanted an amendment associated with the budget drawn up as they would ultimately vote on the amendment. Treece suggested they have a corresponding revenue source, such as a budget cut, if they were recommending the addition of something. Fowler felt that was more appropriate to ask of a Council Member versus a citizen. Treece agreed.

Skala understood a prior speaker, Dokken, had mentioned the potential of restoring some of the funding for green areas via a mechanism associated with the sales tax. It was that kind of thing they were looking for as they needed a way of generating revenue to pay for some of the asks. Skala commented that he felt it was critically important to come forward to ask how the process began before it even got to the staff, and wanted to stress that was usually the function of the City Council as they took public comment in the context of some issues that came before them. This allowed staff to be informed of what was important and what might not be as important. Skala provided aging infrastructure as an example as that was occurring in areas throughout the City, to include Benton Stephens and East Campus, and noted staff took the information they heard during

hearings, etc. so they could make recommendations to the Council, such as funding inflow and infiltration projects, to remediate issues. Ultimately, the projects started with the public and it was never exclusively a top-down approach. What was shown on the slide tended to be a bit of a top-down approach, but it was preceded and informed by the public bringing some of the issues to light.

Treece provided the sidewalks on Clark Lane as an example whereby Skala had heard from his constituents regarding walking in unsafe conditions and had worked with his colleagues to make it a priority so it was ultimately included in the CIP Plan. Treece noted former Council Member Mike Trapp had done that as well with regard to the sidewalk on Leslie Lane. They brought the concerns of their respective wards to the Council. Skala agreed, and noted there had been some compromise as well since making the street wider in terms of sidewalks and streetlights would have been prohibitively expensive. Instead the aprons were extended, which made it a lot safer for a lot of people. Peters pointed out it had been similar with the sidewalks to Battle High School as people suggested it be done so cross country student athletes could run on the sidewalk versus the street.

Fowler commented that she appreciated hearing that because she had been struggling with how to deal with the fact some residents had more access to identifying problems. Fowler stated she always found herself trying to get more information out of City staff with regard to the conditions in the First Ward. From an equity point of view, to rely upon the citizens to bring forward something meant the people that had more resources and more free time would be the ones that were successfully able to carry that forward. Those that were experiencing difficulties and did not have those resources did not have that capacity to get their needs met. Fowler commented that she thought her way forward was more clear now as it would be incumbent on her to insist City staff help identify the places in the First Ward that had failing infrastructure or soon to fail infrastructure. Fowler noted those in the West Ash neighborhood, which involved the most concise collection of owner-occupied homes, had brought their request for safer crosswalks and the ability of their children to walk to schools to the attention of City staff for several years, but had been rebuffed time and time again. Fowler reiterated her thanks for the explanation as she had been puzzled and now saw her way forward.

VI. OLD BUSINESS

B220-21 Rezoning property located on the northeast corner of the Nocona Parkway and Endeavor Avenue intersection from District M-C (Mixed Use-Corridor) to District PD (Planned Development); approving a statement of intent; repealing Ordinance No. 024506 that approved the PD Plan of Aria Boulevard Phase 2; approving the PD Planned Development of "Discovery Center"; granting a design exception to allow more than 200% of the permitted maximum number of parking spaces (Case No. 162-2021).

Treece explained this item had been withdrawn by the applicant.

B222-21 Approving the Final Plat of "Fyfer's Subdivision, Plat No. 2" located on the north side of University Avenue and east of William Street (1615 and 1617 University Avenue); authorizing a performance contract (Case No. 187-2021).

Discussion shown with B223-21.

B223-21 Approving the Final Plat of "Fyfer's Subdivision, Plat No. 3" located on the north side of University Avenue and east of William Street (1611 University Avenue); authorizing a performance contract (Case No. 188-2021).

The bills were given second reading by the City Clerk.

Community Development Director Tim Teddy provided a staff report.

Peters asked for clarification regarding 1611 University Avenue being a contributing structure. Teddy replied historic property surveys included landmarks, contributing and noncontributing categories. Noncontributing would include a structure that was out of place and time with respect to the district so it might be something that was built much later or was modified beyond recognition to how the original structure looked. A contributing structure had a certain amount of integrity, but it was not considered to be at a level of integrity whereby it would be categorized as a landmark property, which was something of a special nature due to associations with a historic person, designer, resident, the architectural style, etc. Peters asked if the applicant was planning to tear it down. Teddy replied he could not say for certain they would tear it down. They had torn down the one structure that had been a bungalow. Teddy thought the desire was to build a multi-family structure, but it would best to obtain confirmation from the applicant.

Peters understood these lots needed to be replatted for legal lot status for development purposes, and asked if that meant they could not develop on the lots if their frontages remained at 50 feet. Teddy replied that due to the fact Fyfer's was the latest recorded subdivision even though it was as old as it was and the fact the zoning was multi-family zoning, they would only recognize those lots that were original to that subdivision for the purposes of new construction without a plat. There had been reductions down to 50 feet from that 70 feet, so recreating the 70-foot frontages would require a replatting process to create new buildable lots or a lot width waiver as the ordinance required 60 feet in the R-MF zoning district for the minimum lot width.

Peters asked if these lots could be replatted as 70-foot lots instead of 100 feet. Peters noted the 100 feet was twice as large as anything else. Teddy replied that with the 200-foot overall lot dimension, one lot would have to be less. They could do two 70-foot lots and one 60-foot lot. Peters understood they could do three equivalent sized lots as well. Teddy stated that was correct. Peters understood there was not a requirement that they had to be 100 feet wide. Teddy stated that was correct.

Peters understood 1611 University Avenue had a number of small land transfers, and asked for clarification. Teddy replied it appeared that adjustments were made in the boundaries as houses were built. Perhaps the subdivider sold less than the full 70 feet or there had been an exchange between lots. Teddy thought it was likely a bit of both. It appeared the old houses matched fairly well the tax parcel dimensions.

Peters asked if there was a requirement in R-MF to build the maximum number of beds allowed. Teddy replied no, and explained there was a cap, but there was not a requirement to build up to that cap. Teddy pointed out the minimum lot size was at least 2,500 square feet per dwelling unit, and it was subject to all of the other factors, which included setbacks, maximum height, etc. Peters understood seven units with four bedrooms per unit would involve 28 beds and about 625 square feet per student.

Peters asked if planned developments were not done in residential neighborhoods. Teddy replied there had been planned developments in residential neighborhoods in the past. Peters thought a concern of the neighbors involved what would be able to be built on the lots. A planned development would allow them to know what would be built. Teddy stated that was correct because site plans were required for planned developments. Peters asked if a site plan was needed if they replatted the lot since it was multi-family zoning. Teddy replied that if the plat was approved, the developer would then submit building drawings for a multi-departmental review and construction permits would be issued unless there were problems with conforming to other standards.

Fowler noted the diagram with the red lines seemed to encompass the structure with the masonry and another structure, and asked if that was a distortion. Teddy replied yes, and explained staff had superimposed a rectangle to show the approximate location. They had essentially placed a two dimensional form on a three dimensional image. Teddy pointed out they would see the same thing on the Assessor's site.

Fowler understood these were all predominately single-family homes, but were carrying what used to be R-3 and was now an R-MF zoning classification, and asked if the property owners had requested the upzoning from R-1 to R-3 or if the City had done that. Teddy replied he thought a past Council in the 1950s had looked at the location being close to the University and possibly the need for that type of housing, and had decided to rezone a large district. Teddy stated there might have been areas that were not initially zoned R-MF whereby individual owners petitioned for it later, but noted he was not aware of individual owners' upzoning to R-MF historically. A number of property owners had voluntarily downzoned and they were the outlying parcels in the light yellow shades on the diagram displayed. The owners had decided they wanted to preserve the single-family character for posterity and not allow that lot to be combined for purposes of redevelopment to multi-family.

Fowler understood one structure had been removed from one of the lots in 1990 and the other had come down recently. Teddy stated that was correct. Fowler commented that even though it was a nonconforming use under the Unified Development Code (UDC), it was a house that could have continued to be a single-family house even though it was on a thinner, skinner lot. Teddy stated that was correct. Fowler asked if that nonconforming use became permanently nonconforming when the house was removed. Teddy replied a single-family home could be rebuilt, but there would have to be some proceedings to recreate a lot for it, such as a 60-foot lot that slightly enlarged what had been 50 feet or a visit to the Board of Adjustment (BOA) for consideration for a variance for a single 50-foot lot. Fowler understood that was possible. Teddy stated that was correct.

Skala understood there was a time Columbia was small enough whereby they wanted to encourage growth to some degree. It had been a time of involuntary annexation and the assignments of some of the zoning categories had been to help to increase the value of the land because the more density they could place on a property would make the property more valuable and encourage the purchase of them. Skala stated there had been a huge glut of R-2 for a long time for those reasons. Skala commented that he did not know of the historical nature of East Campus, but that had been the philosophy at one time. Skala pointed out people would very seldom downzone. There were examples, but it was relatively rare because there tended to be more value in the more dense categories.

Pitzer noted Teddy had mentioned a self-imposed seven unit restriction, and asked if that would be a legally binding restriction if this was approved. Teddy replied the UDC said that when notes restricted property by plat, the note could only be removed by going back to the Council, so it was conceivable someone in the future could go back to amend it, but it would require an action of the Council. Staff did not have the ability to change that.

Pitzer asked for the potential number of units on the lots without any self-imposed restriction. Teddy replied nine and nine for a total of 18 if they looked purely at the size of the lot. It would remain to be seen if they could get all of that on there. A 50-foot front yard was double the standard minimum front yard so that was an extra 2,500 feet, which could take a unit away. The last 25 feet in the rear of the lot was limited in terms of how much could be paved for parking and drives, which involved a maximum of 30 percent.

Pitzer asked for an estimate of how many units would be allowed if they had three roughly equal lots. Teddy replied he thought they would work with the same figure of 2,500 per lot so likely six per lot for a total of 18.

Pitzer commented that they were sometimes told that approving plats was more of a ministerial act and assumed this was different because they were talking about irregular lot sizes, consolidating lots, etc. Pitzer asked what type of proposal for this entire property would fall under that more ministerial category. Pitzer wondered if that would apply if it had been divided into three lots. Teddy replied that might be the case if there had been a preliminary plat where someone had mapped out the subdivision that had received a resolution of approval, and had then come back with a subdivision that

matched all of those lot dimensions that were on the preliminary plat. If the staff told the Council the construction documents for the infrastructure were all in order and the plat met all technical requirements, it was likely a good example of a ministerial act. Teddy felt it was the consistency of a previous planning step taken. Teddy commented that there was language in the UDC that addressed a situation like this where there might be a concern about the appropriateness of scale, and noted the criteria was in the staff memo. Teddy suggested the Council be specific on its reasons if they were inclined to vote no.

Pitzer explained they had denied the proposal for one lot previously, and if the proposal for two lots was denied, they might come back with a proposal for three lots. Pitzer assumed they had some right to do something on the land, and asked where that line might be. Teddy replied his commentary was that anything close to 70 feet was close to the existing historical plat.

Treece asked if the 70 foot lot was fairly consistent or if it was an average. Teddy displayed a diagram and noted that except for the end lots, they were almost a uniform 70.18 feet or something similar.

Treece commented that at the May meeting, the Council had rejected a proposed plat that was 200 feet wide, which was about 2.5 times the average 70 feet, and asked what they were looking at today. Teddy replied two lots of 100 feet width each. Treece understood that was about 42 percent larger, which was still pretty out of scale. Treece noted that if approval of a replat was subject to a finding that the replat did not remove any conditions of the existing plat that had been relied upon by the City and neighboring property owners, it was going to be hard to get there with a 42 percent increase in the lot width. Teddy stated they would stand out somewhat.

Treece asked if there had been discussion with regard to extending High Street north to the alley now that the house had been removed, and creating east facing lots fronting High Street to allow for a series of buildable lots. Teddy replied they had not brainstormed anything like that. Teddy pointed out the alley would slope as much as the street did so he was not sure what complication that would bring. It was also quite narrow so it would be a terminal street if that was done. It would be useful in the sense it would provide access to properties, but it would not necessarily provide traffic circulation.

Treece asked if staff had done any type of review of infrastructure, such as sewers, back-ups, etc., to determine if there was adequate infrastructure. Teddy replied no issues were reported was all he could relay. There were sewers on the north and south ends of these lots heading east. Teddy thought those were both eight-inch lines. Teddy was not sure of the state of maintenance.

Treece asked if the current density was 3-4 dwelling units. Teddy replied he had not calculated that on an area basis. It was a fairly modest density relative to East Campus. It feathered out as one got east of William Street.

Treece understood it would be about 28 dwelling units based on the representations of the developer. Teddy commented that if they were talking about unit density, there would be about 14 units to the acre.

Treece asked what the conceptual site layout and elevations on the graph paper represented. Teddy replied they were exhibits the applicant wanted to include. One was 60 feet so that was not even in play. Teddy thought they wanted to show some contrast with a 100-foot version, which he believed was a very rough sketch showing how they would approach laying out each of the two sites. Treece asked about the other document and its representation. Teddy replied he understood they were views that might have been used in discussions with neighbors. Teddy noted he was not sure what to make of them. There were a couple of very different elevation styles. One looked like more contemporary western architecture and the other was more traditional. Teddy stated he thought they might be trying to reflect the values of East Campus. Treece understood those were not incorporated into any binding document. Teddy agreed there was nothing that tied that to this approval.

Peters stated she could shed some light on the drawings. Peters explained the neighbors had asked for the layouts depending on whether it was a 60-foot lot or a 100-foot lot, and the drawings on the graph paper had been provided. In terms of the conceptual drawings, the developer thought he could put the white traditional structure on the 100-foot lot and the more contemporary styled structure on the 60-foot lot. Treece asked if it would be more of a boarding house situation whereby there were separate bedrooms. Peters replied she was not sure, but did not believe it would be a boarding house. It would be the front of the structure. Peters thought the developer was still planning on student housing, i.e., four bedrooms and four baths with the promise of not more than seven units, but they could ask for clarification.

Treece noted written comments had been received from Kathy Love, Bernadette Dryden, Andrew Smiley, Janet Hammen, and Marie Concannon, and all were in opposition to the proposed plats.

Phebe La Mar, 111 S. Ninth Street, stated she was present on behalf of the applicant and they were asking for the property to be replatted. La Mar explained they were not asking for any design adjustments or variations from the UDC or the East Campus overlay, and as staff had pointed out in its report, the proposed replat did not remove any conditions of the property that had been relied upon by the City or the neighboring property owners. La Mar noted there was also adequate infrastructure to support the replatted property. In terms of sewer, La Mar stated her client had actually met with sewer utility staff and had been told there was plenty of capacity for this area in terms of what he was seeking to do. La Mar commented that the determination of whether this plat should be approved involved whether there was some detriment to other properties in the neighborhood or whether any such detriment was outweighed by the public benefit of the development. La Mar pointed out that platting at any level was considered to be a ministerial act. The Council had to find some reason it did not fit the ordinance in order to deny a conforming plat. La Mar explained her client, in the course of working with staff on this project, had agreed to the insertion of a plat restriction that actually decreased the number of units permitted on the lots to no more than seven units on each lot when the zoning would permit construction of up to nine units, and this actually decreased the density of what would otherwise be permitted to be constructed on the property by almost one-quarter. It was also a permanent restriction that would follow the property to subsequent owners, and would be binding on anyone that purchased it in the future so long as the Council did not change that restriction. La Mar commented that there were several other apartment buildings within less than three-quarters of a mile that actually had a higher density than what was proposed on this plat. It was also important to note the building that would be constructed on this lot would be approximately 45 feet wide, and most of the buildings currently on this block of University Avenue were between 32 and 40 feet wide so any differential in the width of the buildings was minimal. La Mar pointed out that requiring the lots to be narrower would not preclude construction of multi-family buildings. Instead it would simply force the construction to be narrower than the buildings currently on the street at approximately 22 feet wide, taller at three stories instead of two, and one-third to almost one-half the width of most buildings on the block. La Mar noted an analysis of the width of the lots on University Avenue had revealed that there were 20 lots that were 95 feet or greater. As a result, the width of these lots would not be dramatically greater. La Mar understood the current configuration of the lots owned by the applicant already included one 100-foot lot, and two lots that did not comply with the current ordinance requirements that lots must be in excess of 60 feet in width. Making the lots narrower to make three lots instead, which was the only other option to still have lots that complied with the requirements of the UDC and the East Campus overlay would not make the buildings fit into the neighborhood any better. In fact, it might cause the buildings to be less likely to fit into the neighborhood. La Mar commented that when her client had filed his last platting request for the property, he had met with the neighbors several times and had been told he should request plats of 100-foot lots. This time he had contacted

several neighbors offering to meet, but had not been given any opportunity to do so. The property at 1611 University had been a single 100-foot tract since 1910. The property was platted at 70 feet wide, but the deed that had been transferred in 1910 was for a 100-foot lot. The deeds put together in 1922 showed the other two lots were 50-foot lots. As a result, they had not been treated as 70-foot lots for at least the last 99 years. In addition, the entire property had been zoned R-MF for the last 64 years, since 1957. Given all of this information along with the requirement that any development on this property had to comply with the UDC and the overlay, including the provision regarding parking, La Mar did not feel there was any detriment to approval of the plats. In fact, as staff pointed out, it fit the neighborhood better than most other platting proposals would, including the reduction of the lot sizes to approximately the minimum lot width permitted by the City's ordinances. La Mar noted that permitting additional occupants in this location encouraged pedestrian traffic and less reliance on gas-powered vehicles. As was pointed out in the letter from Marvin Tofle, the Council was required to exercise their discretion in this case, and they had to do it reasonably, not arbitrarily. La Mar stated this replat complied with the requirements of the City's ordinances, and the development would be required to comply with the UDC and the overlay requirements, which were inherently designed to protect the neighboring properties. La Mar pointed out her client had developed a number of properties, to include several in the Benton Stephens area, and had a proven track record. La Mar passed out pictures of her client's most recent projects, which had used quality building materials and had been designed to be high quality and energy efficient housing. La Mar noted the agenda packet had included a couple of drawings. The drawing of the white structure was one they thought would fit in 45 feet of the 100-foot lot. The other drawings were what they believed they would be required to do in order to build on three similarly sized lots. La Mar stated the fit and blend would be better with the proposed replatting, and asked that it be approved.

Kathy Love, 1623 University Avenue, explained she was speaking tonight on behalf of the East Campus Neighborhood Association and herself. The neighborhood association had voted unanimously to oppose replatting two lots and the potential demolition of the historic William C. Knight house for the purpose of constructing an apartment building on University Avenue. Love displayed a diagram, and noted the pink area on the map of the historic district was the area in question. Love stated she was concerned about her property value if an apartment complex was built within 200 feet of her home. Like many people, her house was her biggest asset. In addition to being her home, it was her financial future. To gauge the monetary impact of an apartment building on her house, she had relied on two trusted and well-known Columbia realtors, and they had indicated that they expected that type of development to potentially adversely affect property values. They had stated to Love that they would be very uncomfortable having such a project so close to her home and that it would likely reduce the value of her home while also adding traffic on University Avenue. Love suggested they look at a block on Windsor Street in the Benton Stephens neighborhood bordered by William Street and Ripley Street where an apartment building was constructed. Love displayed a photo of the block in 2012 before the apartment building was constructed and pointed out the vegetative cover, and then displayed a satellite image of that same block after construction. Love noted the big white square in the middle of the block was the parking lot for the apartment building. Love displayed a satellite image of the proposed replat of the two lots on University Avenue, and asked them to imagine a big white square where the red arrow was pointed. The proposed parking lot would drain into Moss Creek, which flowed into the Hinkson Creek, less than a half of a mile away. Love reminded the Council that the Hinkson Creek was one of the most impaired streams in Missouri, and displayed a slide showing the amount of money Columbia and others had paid to help remediate the pollution in the Hinkson Creek. The cost to Columbia alone was almost \$12 million. Love commented that according to the Department of Natural Resources (DNR), increases in impervious cover directly influenced the quantity and quality of stormwater

runoff into the Hinkson Creek and water quality problems included larger and more frequent floods, increased soil erosion, and water contamination. Love pointed out they had all had to pay to address the problems of Hinkson Creek and they all had to suffer due to polluted waters and flooded roadways, trails, basements, and homes. Love noted taxpayer dollars also paid for police protection, which was expensive, and the Columbia Police Department budget was \$26 million. Love explained during a five month time frame, from January 1 to June 1, the police had responded to 100 calls on University Avenue from College Avenue to Ann Street. Love commented that she has spoken to Sergeant Youtsey, a 23 year police veteran that oversaw the beat that included East Campus, and he had indicated that if the population increased, the police calls would go up exponentially. The calls would include everything from peace disturbances to car break-ins to pedestrian accidents. Love questioned whether adding 14 or more units to an already high density student population made sense from a law enforcement perspective or a quality of life point of view, and suggested they use taxpayer money wisely. Love commented that in 2020, the two houses on University Avenue in the photo displayed had been offered for sale together. It was apparent to neighbors that the owner believed their value as a large vacant lot was greater than their value as historic homes of the type known as American Foursquare. Love believed replatting two lots for the construction of an apartment building would set a precedent that could be followed up and down University Avenue and throughout Columbia, and wondered if all of the historic homes on that block would be erased for the construction of apartments. The proposal to build an apartment building on University Avenue had detrimental costs that far outweighed its value. Love noted they would be costs paid by her, her neighbors, the City, and fellow taxpayers, and asked the Council to vote no.

Ron Haffey, 1805 University Avenue, stated his home was eleven houses from the proposed development, and noted he had lived there for 35 years and that some of them might know the house as the Jesse Wrench house. Wrench had built the house in approximately 1901, and the south auditorium in Memorial Union was named in his honor. Haffey commented that over the past 35 years, he had watched the neighborhood grow immensely in population, and that this population had brought quite a few issues to the neighborhood. A good portion of the neighborhood had been turned from private residential to rental, which had spurred modifications to structures to add bedrooms, and thus more population, noise, traffic, and problems with trash control. Haffey displayed a diagram and pointed out the black square represented the area of the replatting request. Before the house had been torn down, there had been about 16 units, and with this replat, that would be increased by 40 units. There would be 40 bedrooms on that one side of University Avenue. It would essentially double the population on that side of the street. Haffey commented that they were concerned about the effect on the historic value of the neighborhood along with their quality of life. They were also concerned about a precedent. Haffey explained all of the red boxes on the diagram equaled lots that were contiguous and owned by rental property owners. Haffey asked the Council to be aware of that along with the diversity in the neighborhood, the historic value of the neighborhood, and the precedent that would be set by allowing a combination of lots and bigger structures.

Marie Concannon noted she was a 20-year East Campus resident and homeowner, and previously, a former renter of apartments and historic houses in the Benton Stephens neighborhood. Concannon displayed a picture of the house she had lived in on Paris Road when she had been a student at the University of Missouri, and stated she had appreciated the opportunity to live there and in other glorious Columbia homes. Concannon explained she was also a librarian at the University of Missouri, and her specialty was government information. Concannon stated the East Campus neighborhood closely aligned with census tract #3 bounded by Rollins Street, College Avenue, Broadway, Old Highway 63, and the Hinkson Creek, and she had used that data to determine if more rental units in the East Campus neighborhood would provide a public

benefit. Concannon noted that if they looked at rental vacancy rates, the answer was no. The rental vacancy rate in East Campus currently stood at 18.6 percent. This was for a five year block of time, extending from 2015 to 2019, and it was triple the rate it was for a five year block of time just nine years earlier. Concannon commented that they could put that in perspective by comparing those rates to those in Columbia and the United States. When looking at the entire United States, the current rental vacancy rate was six percent, which was what it had been for Columbia from 2006 through 2010. It was now far beyond any level of normal. Concannon stated the numbers for Columbia might look as though they were hanging steady at 7-8 percent, but they were trending up. Concannon pointed out rental vacancy rates were available at the City level on an annual basis, and in 2015, it had been under two percent, and by 2019, it had been close to 13 percent. Something dramatic had happened between 2015 and 2016, and it had been climbing upward since then. Concannon did not feel this 56-bed high-density apartment complex in East Campus provided a public benefit in terms of rental vacancy rates. Concannon commented that the census also told them that only 5.5 percent of Columbia's dwellings were built before 1940, and that the median construction date for Columbia homes was 1994. This meant that half of all of the homes in Columbia were built after 1994 so they had very few historic homes left. Concannon noted this was Columbia's bicentennial year, and suggested that they recommit to preserving the few remaining historic structures they had as they celebrated their bicentennial. Concannon asked the Council to vote no on the replat requests.

Ann Mehr, 714 Ingleside Drive, commented that someone in her family had called the East Campus neighborhood home for four generations. Mehr noted her mother and aunt had been roommates on Ross Street, just a block from where she currently lived, her children had lived in East Campus during college, and she had called East Campus home for the last 16 years. In addition, their grandchildren were with them during the work week. With bicycling and walking accessibility to downtown and the Hinkson Creek Trail, East Campus offered a lifestyle they loved. Mehr noted East Campus was architecturally rich and diverse as each home that was still standing was full of history. They occasionally had people drop by that had spent formative college years in their 1907 home. Mehr felt that demolishing unique solid historic homes that held decades of memories was thoughtless, and replacing the historic homes with modern multiplexes insulted the character of East Campus while also stressing the infrastructure of the historic neighborhood. Mehr pointed out that one of the two homes in this area of concern had already been demolished. 1617 University Avenue along with its sister home at 1619 University Avenue had been known as the S. D. Brooks homes in the 1995 National Register of Historic Places form. S. D. Brooks was the eleventh president of the University of Missouri. Mehr stated that in the document, the now demolished 1617 University Avenue structure had been noted to be in excellent condition with little changes. The home slated for demolition at 1611 University Avenue had been known as the W. C. Knight home. Knight had been a prominent druggist and the home had been noted in the society pages for its gatherings. Mehr pointed out the home was noted to be in good condition in the 1995 East Campus report. Mehr realized that historic homes that became student rentals could get run down and perhaps seem to not be worth saving, and explained her home had been brought back from college student abuse and neglect as it had been remodeled. Mehr noted these historic homes were well built and remained structurally sound, and they had to have care and maintenance as was true for all aging architecture. Mehr asked the Council to not allow this area to be replatted as they did not need larger new buildings or increased density and impervious surface in East Campus.

Ruth Tofle, 1805 Cliff Drive, explained she resided in a historic home where Pulitzer Prize Winner Frank Mott, Dean of the University of Missouri School of Journalism, had lived. Tofle noted she was also the landlord of the house next door, LEED accredited, and a professor emeritus of Architectural Studies at the University of Missouri where she had

taught a course on historic preservation, and pointed out her pride of place and plea for neighborhood protection had brought her to the meeting tonight. Tofle commented that preserving historic property was neighborhood protection. Tofle stated there was real value in their treasured historic houses with brick streets as described in the National Register, and controlling vehicles was neighborhood protection. Tofle noted only six percent of dwelling units in East Campus had occupants that were living a car-free lifestyle, and roughly a third of all units had three or more vehicles associated with it. Of about 2,000 vehicles belonging to East Campus residents overall, about 1,700 belonged to renters while less than 300 belonged to home owners. Tofle displayed a photo she had taken of 1611 University Avenue at 8:00 a.m. and pointed out it had eight parked cars. Tofle explained the parking space requirements in the UDC did not reflect the actual number of cars in the neighborhood now or with the replat, and there was not enough on-street parking to cover the overflow now or in the future as parking was only allowed on one side of the street. Tofle believed the proposed replat with the proposed density would overtax the neighborhood and cause a severe detriment to property values, history, safety, and livability. Tofle noted a vote of no for the replat was neighborhood protection, and asked the Council to not set a precedent to authorize large apartment complexes in historic neighborhoods without proof that there was not detriment in doing so. Tofle stated she endorsed the overarching importance of architectural compatibility to preserve the special character of the East Campus neighborhood.

Vernon Forbes, 1007 Grand Avenue, noted he was the founder of the Ridgeway Neighborhood Association and had helped draft the nuisance abatement ordinance the Council had passed many years ago. Forbes explained the model of growth in city planning was the donut model. Cities expanded at the outside edges and rotted in the middle. Forbes stated the oversupply of housing in the economy along with crowding produced blight, and slum resulted from it. Forbes noted Marie Concannon had explained how Columbia was severely oversupplied in this specific area. Forbes believed approving this plat would increase the amount of oversupply of housing, which in turn would invite blight. Forbes encouraged the Council to vote no on this replat request.

Pat Kelley, 1007 Grand Avenue, explained she tended to tell people she met about the Community Development Block Grant (CDBG) homebuyer assistance programs and the Community Land Trust houses, but lately, she had not been feeling so good about that because the places people would buy houses with these programs tended to be in the historic or central neighborhoods, which they were not necessarily protecting. They were encouraging homeownership, but were not protecting those homes if the same standards were not being applied in the historic and central neighborhoods as they were in other neighborhoods. Kelley pointed out that half of the renters in Columbia were cost burdened by housing, and more student housing did not really solve that. The Ridgeway Neighborhood Association had been talking about the kinds of rentals that were needed to actually solve problems for people, such as accessory dwelling units, alley flats, and renting a portion of a house to help with the mortgage while providing a place for someone to live. Kelley felt those were more creative solutions that would address real needs without hopefully having to replat or rezone property. Kelley asked the Council to consider those types of precedents versus the direction proposed with this replat as it did not really meet the needs they had.

Clyde Bentley, 1863 Cliff Drive, commented that his house was one of several in East Campus on the City's Historic Properties List. Bentley explained he wanted to talk about lot sizes and how scale created an atmosphere and culture in a neighborhood. East Campus had been added to the city limits of Columbia in 1860 and developed in the late 1800s and early 1900s. From the beginning it had been a pleasant tree-lined neighborhood of beautiful, unique homes or boarding houses with primarily students and faculty from the University of Missouri. The 1994 final report of a survey of the East Campus neighborhood noted that most of these large homes were built on 50-foot wide lots, the standard at the time. The report indicated that University Avenue with its wide

brick paved street lined with mature gums was by far the most picturesque of all of the streets of the neighborhood, and that the neighborhood had always had rental properties, but they had been small with 4 or 6 units. Bentley noted that during that time they were one-bedroom units versus the four-bedroom units that were being proposed, and the neighborhood had a homey and quaint atmosphere. Bentley stated he had driven through New England this summer, and like most tourists, he had been drawn to the wonderful traditional neighborhoods in the small towns and cities there. They tended to be hardwired to love these older neighborhoods, wherever they were. One of the key factors to that beauty was scale. Bentley pointed out that although historic neighborhoods lacked the sprawling lots of modern suburbs, they were seeing a rebirth of popularity across the country. Consistent lot size and architectural style were parts of the fundamental beauty of any neighborhood. Bentley asked the Council to imagine what would happen if they tried to insert a double or triple sized lot for development in their neighborhoods or any modern subdivision. Bentley believed there would be outrage or a restriction through the neighborhood covenants. Bentley noted East Campus had been developed long before the private covenants that protected newer neighborhoods were popularized, but felt it deserved the same protection of character other neighborhoods enjoyed. Bentley stated history was fleeting, and once they removed a building or changed the face of a neighborhood, it was gone forever. Bentley believed that once a city gave up its history, it would forever lose its soul.

Cindy Neagle, 1836 Cliff Drive, appreciated the comments earlier indicating the Council had the discretion to make the determination on each of the three criteria set out in Section 29-5.2(d)(4). Neagle noted that approval of a replat was subject to a Council finding, and the criteria within the ordinance were vested with the Council. It should not be considered ministerial based on whether or not the staff indicated the criteria were met. The role of staff was to provide Council with information upon which they would make the decision. Neagle understood the staff report indicated the stormwater ordinances did not require a formal plan and seemed to view the two replat requests as separate and apart from one another. Neagle pointed out it was well established in the public record and in the discussion tonight that the developer intended to use all of the parcels as one development regardless of how they were platted or replatted. The three lots at issue, together, were larger than one acre, which had been clearly discussed during the May meeting and shown in the materials. The exception with regard to stormwater excluded parcels that created a plan of common development or a sale that would disturb one acre or more. Neagle stated she wanted Council to be aware that there needed to be some stormwater protection there, and noted it was a part of the Hinkson Creek watershed. Neagle felt the Council could find that the stormwater issue itself created a detriment to the neighborhood, creeks, and watershed, and there was not any insight as to how that would be remediated since that had not been contemplated in the staff report. Neagle commented that there was also no mention in the staff report with regard to whether the street, sidewalk, or parking infrastructures were adequate. What they had heard tonight was that there were no reports of problems, and that was not really the way to determine whether infrastructure was adequate in her view. Neagle explained she also wanted to address the issue of legal lots. With regard to everyone's own property, they all knew what they had purchased and had a legal description. That information was used to buy and sell property and make use of properties. Neagle felt that to require lots be replatted to be able to be used seemed to be an absurd result of the UDC, and noted that if these were not legal lots, the East Campus overlay could not apply as many of those protections required the lot to be a legal lot. Neagle commented that the replat requests had been made to permanently change the character and nature of these lots, and the applicant had indicated he could not otherwise develop them, which was not true. The lots could be developed with cottages or smaller units. Neagle pointed out the lots were purchased as they were and at the size they were, and the owner knew what could and could not be built on them at that time. Neagle explained precedent had

already been established for rejection of a replat request. It had been done in May and also in 2016 when there had been a request to replat three lots together on Anthony Street. At that time, there had been discussion as to how to better protect neighborhoods and update the UDC for better neighborhood protection, but five years later, they were still there. Neagle urged the Council to vote no on this request and to examine the UDC with respect to neighborhood and historic protections so they did not see this very same group before them again in a few weeks.

Treece asked Neagle if she recalled a requirement within the UDC for doors to face the street. Neagle replied she thought there had been a requirement for at least one door face the street. In this situation, they were talking about 28 people, and they would probably not all use the same door. As a result, Neagle expected one door and one window on the frontage, and facilities to come in and out of for however many units on the side, which would be unlike any of the other houses on this block.

Rita Fleischmann commented that this replat would enable the developers to chip away at a historic neighborhood and create more unaffordable housing. Fleischmann understood they had all agreed affordable housing was necessary, and this was not the way to accomplish that. Fleischmann stated she held the Council responsible for this, and asked that they do what was right. Fleischmann commented that her neighborhood, the Benton Stephens neighborhood, was being chipped away by this very thing. There was no neighborhood any more. It was basically dormitories and parties, and they had no recourse. Fleischmann stated she did not want this to go any further if it could be contained. Fleischmann begged the Council to do the right thing by thinking about those living in the neighborhood and the characteristics of a neighborhood.

Marvin Tofle, 1805 Cliff Drive, stated he and his wife, Ruth, had resided in their current residence since 1998. Tofle felt the applicants had not heard the Council when they had voted unanimously to deny their previous application. Tonight, they were proposing an even larger apartment complex. The diagrams the Council had received showed either 56 or 64 beds, which was more than they had indicated the last time. Tofle explained he had sent the Council a copy of the Guffey case, which had to do with the tools the City had to enforce its comprehensive zoning plan in such a way as to promote the general welfare of the community. That case had been decided in the Missouri Supreme Court in 1957, and today it represented the controlling precedent on the issue of whether provisions such as those in Section 29-5.2(d)(4) were simply ministerial or not. The Guffey case told them the job of the Council did not stop when all of the technical requirements of the building code had been met, and that this was actually when their job began. The Council had to determine the proposed replat did not violate Section 29-5.2(d)(4) in any respect. Tofle commented that if the Council chose to approve the replat for no reason other than the fact they believed their job was ministerial, they would allow these applicants and others to build whatever they wanted in the East Campus neighborhood and other neighborhoods. In addition, if a lawsuit was brought against the City in the future and the Missouri Supreme Court told the Council that its job was not just ministerial based on the precedent of the Guffey case, it would then be too late to save East Campus because the damage would already be done and that harm could not be undone. Tofle asked the Council to do the very minimum of no harm by denying the replat.

Peter Norgard commented that since 2015, he had been adjacent to a seven-unit, 28-bedroom apartment complex similar to what had been shown as proposed in the drawings. It was exclusively used by students from typically middle to upper class families. The style of housing and the rental rates typically precluded anyone from middle to lower incomes from renting there. Norgard explained it was his experience that the residents of these particular apartments were the most disruptive in the neighborhood as noise pollution and solid waste pollution along with car storage had increased overnight. Other types of crimes, such as property crimes, shootings, etc. had increased as well. Norgard noted a replat of the kind being proposed would be a detriment to the

neighborhood, and the only people that would potentially benefit were students from upper middle class families that already enjoyed strong societal benefits.

Cecile Bentley, 1863 Cliff Drive, stated the Council had heard a lot of concerns tonight with regard to architectural integrity, potential losses of historic properties, the precedent this kind of replatting could set, and the negative impacts of increased density from parking to walking and safety. Bentley commented that they all shared the belief that the proposed replat for development of apartments would have a detrimental effect on the neighborhood. Bentley noted that in 2013, the Columbia Imagined project after obtaining input from over 80,000 local people, had established the preservation of the historic integrity of Columbia's landmarks, neighborhoods, and downtown as one of its guiding principles so those resources and the history they represented were not lost as the community developed. There had been 35 goals across seven categories, and the number one goal for land use and growth management was for the personality and character of neighborhoods to be preserved. It had proposed providing incentives, tools, and protections to discourage contextually inappropriate redevelopment in historic neighborhoods and cited an underlying principle indicating "neighborhoods and historic areas with unique character would be protected by promoting preservation of significant structures rather than demolition." It further indicated that sensitive redevelopment would be supported within historic neighborhoods. Tonight, they were focused on two replat requests, and the staff report along with the developer's drawings had indicated this developer might move ahead with 56-64 units. It was more than four times the number of bedrooms that existed in the space, and was not sensitive development or contextually appropriate development. Bentley felt they were lacking sufficient protections in their historic neighborhoods as had been called for in the Columbia Imagined project. Bentley asked the Council to deny the replatting requests and to consider the sufficiency of the neighborhood protections. Bentley also asked the Council to take an active role in reviewing any development projects in historic neighborhoods in the meantime.

Rick Shanker, 1829 Cliff Drive, explained the East Campus Neighborhood Association was one of two associations, and the other was the East Campus Traditional Neighborhood Association, which he had not heard from in terms of whether they were in favor of this request or against it. Shanker described the composition of the East Campus Neighborhood Association. The chair and treasurer had to be residents of the neighborhood for three years while the vice chair and secretary could either be residents or nonresidents of the neighborhood. There was also a non-resident property owner, a resident property owner, and an at-large member. The Board of the East Campus Neighborhood Association had met by Zoom with regard to these replats, and had voted unanimously against them.

B222-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: NO ONE. VOTING NO: WANER, SKALA, PITZER, PETERS, TREECE, FOWLER. ABSENT: THOMAS. Bill declared defeated.

B223-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: NO ONE. VOTING NO: WANER, SKALA, PITZER, PETERS, TREECE, FOWLER. ABSENT: THOMAS. Bill declared defeated.

B233-21 Calling a special election in the City of Columbia, Missouri, to be held on Tuesday, November 2, 2021, on the question whether to extend the one-eighth of one percent local parks sales tax.

The bill was given second reading by the City Clerk.

Parks and Recreation Director Mike Griggs provided a staff report.

Fowler asked if they had an estimated cost of the election. Griggs replied it had been \$120,000 in 2015, and that election had been shared with the Harrisburg School District. Griggs commented that he had spoken with the Boone County Clerk's Office, and they thought it might cost \$150,000 or \$180,000 for the entire County depending on how many other districts had ballot issues in November. Fowler asked if the City paid 65 percent

due to population if there was another question on the ballot. Griggs replied he thought that was correct. Fowler asked if there would be another ballot issue. Griggs replied he did not know.

Fowler commented that Dee Dokken had asked that Council consider restoring land acquisition funds, and understood that pertained to the current sales tax versus any future one. Treece stated that was correct, and explained his sense was that staff would restore those funds for land acquisition because the sales tax collection had been better than anticipated when the funds were withheld. Griggs stated that was correct. Griggs explained the CIP Plan process began in February, which meant calculations were based on December numbers. Griggs pointed out that if there was a need to purchase property in the meantime, they could use fund balance to help make that real estate contract purchase. Griggs stated it would be in the park sales tax reserve. Fowler wondered if it would be a prorated allocation even if they did not have a purchase pending since they had to cut some funding elsewhere as well. Griggs stated they would fund both of them completely. Fowler understood that was dependent on whether they had sufficient revenue. Griggs commented that they were waiting on the bridge bids for the second phase of the Perche Creek Trail, and pointed out they had a grant. As a result, they were hoping to have enough to fund it without an appropriation. Griggs thought they were good as long as the sales tax continued to generate what it had been.

Fowler asked about the use tax due to the actions of the Missouri legislature. Treece replied they had the entire year of 2022 to place that issue before voters prior to collecting the tax in January of 2023. Treece commented that it could be an April 2022 election, and wanted to make sure they were having the appropriate discussion with Boone County and other municipalities in Boone County to see if there was value in having a coordinated education campaign. Treece thought they needed to have that conversation as a Council before selecting an April, August, or November election date.

Skala stated he had not seen anything with regard to the promise of an eastside dedicated double tennis court facility with lights. Griggs replied there was a project at Albert-Oakland Park with two dedicated tennis courts.

Pitzer asked if the bids for the bridges associated with the Chapel Hill connector were still coming in high. Griggs replied they had gone onsite with their engineer and some potential bridge bidders, and understood this site would be easier to access. As a result, he thought they would be at or below budget. They were more optimistic about this one versus the other one.

Pitzer asked how much had been allocated to Phase 1 of the Sports Fieldhouse with the 2015 ballot. Griggs replied \$2.75 million, and noted they had received \$1 million from the lodging tax as well. There had been a 25 percent increase in steel costs so the project ended up costing closer to \$5 million. Pitzer understood that roughly half of it had been funded from that park sales tax. Griggs stated that was correct.

Pitzer asked how much had been proposed for this extension for Phase 2 of the Sports Fieldhouse. Griggs replied it was a little over \$5.8 million. Pitzer asked if that was the entire cost of that second phase. Griggs replied yes. Pitzer understood there would not be a contribution from the lodging tax. Griggs stated they were not anticipating any other funding sources for the project at this time.

Pitzer understood the tax would generate \$30.9 million over ten years, which was roughly \$3 million per year. As a result almost two full years of that tax would be allocated to that Sports Fieldhouse project. Griggs noted they would likely do that project first since they usually did the biggest and most expensive project first because they would not want to wait until the end when costs might increase. In addition, by the time they had hired an architect and engineer and had gone through the bid process, they would have likely entered into the next fiscal funding year for the CIP. Pitzer understood all of the money would not need to be appropriated prior to starting. Griggs stated they would likely have it close enough to sign a contract with a bidder by the time they needed it.

Dee Dokken, 804 Again Street, stated she was speaking for the Sierra Club and noted

they were supportive of the park sales tax, but were concerned because the land acquisition percentage had gone down by seven percent. It had been at 14 percent for the prior tax. Dokken was not sure where that had been reflected in the survey as it had indicated the spending of \$24 of every \$100 for the acquisition, protection, and preservation of parks, greenspace, and stream corridors. Dokken reiterated less funding would be collected in terms of a percentage than last time, and it was less than indicated by the public for the use of the money. Dokken commented that she also wanted to see a policy for making cuts in case it happened again as she did not feel it should all come out of land acquisition solely because it was left for the end. Dokken noted she was not assured that the extra sales tax for the 2015 ballot issue would go into land acquisition either. Dokken understood it would go into a surplus fund and would be there to use if a project was identified. Dokken thought it should be in the land acquisition fund and should sit there until they moved forward with land acquisition projects. It should not be available for any project. Dokken explained Treece had mentioned something about land acquisition and trails. It seemed as though it fell in that category because it included greenway. Dokken felt it might be a good use of that money if something biologically important fit that category and would also help to build a trail, but noted she was not sure of the interpretation of staff because there was also an account for trail acquisition separate from construction. Dokken reiterated she thought land acquisition should be funded at higher than seven percent for the next park sales tax ballot.

Pitzer understood they would talk about the projects they wanted funded at the next meeting, and there would likely be discussion about adding some other things, whether that was more trails, accelerating projects, etc. The funding of the Sports Fieldhouse project would take two full years of the park sales tax, and thus not allow the funding of some of the other projects. Pitzer asked if there was a way to introduce a concurrent resolution or an amendment to the resolution they could discuss at the next meeting that would allow them to potentially secure other funding prior to making an adjustment to the project list. Pitzer noted there were other sources of funding, such as excess reserves. Thompson replied she thought they could find a way, but pointed out they would have to identify the funding sources regardless of whether it would just take an amendment to the CIP or the resolution. Thompson thought they could add another section indicating the Council would fund projects x, y, and z through the use of x, y, and z funds. The purpose of the resolution in question was to express the support of Council for certain projects to be funded with the proceeds of the ballot measure. The amendment would create a two-fold commitment. It would not address just the ballot measure. Pitzer commented that it would only be relevant if the Council wanted to supplement the proposed list. Thompson agreed it would be a supplemental piece or a reorganization of projects along with funding sources. Pitzer understood the potential funding sources were excess reserves and rescue plan funds, and potential amounts were zero to the full amount.

Pitzer asked if he needed to make a motion at the end of the meeting. Thompson replied it could be added to the resolution for the ballot measure, and explained it would help to have the language in advance so they were not trying to draft it at the council meeting. Pitzer noted he was asking now in order to try to get his intent across. Thompson understood, and explained that if Pitzer could provide him information in advance, she could have an amendment sheet prepared.

Treece thought it was good Pitzer was bringing this up now and agreed Phase 2 of the Sports Fieldhouse was consuming a lot of the funds when in the past they had two sources of funding for it, the park sales tax and the lodging tax.

Fowler asked if there was something they could add to address the concern of Dee Dokken with regard to adding any extra sales tax money received this year to the land acquisition fund. Glascock replied they could add that money to that fund, and staff would try to determine what to bring back to the Council so it was clear.

Peters asked if there was land they wanted to buy or if this was just to ensure they had a fund available. Fowler replied she thought preservation of land and the biodiversity of land

was a continuing objective of the Sierra Club and the community. Fowler did not believe it was about a specific parcel. It was more about refilling what they had to cut now that the sales tax numbers were rebounding.

Griggs commented that hopefully the ballot issue would pass in November. They would then come back to Council in January or February with an implementation plan, which would identify when the projects would be done and appropriate any necessary funds. Griggs explained his intention was to add the funds for the land acquisition at the same time. Griggs understood they could not do it now without an amendment to the budget since the budget had already been released.

Fowler thought they were talking about the sales tax under the existing 2015 ballot measure, and understood Griggs was saying that because of the lag in being provided the sales tax from the State, they would have to attend to it in next year's budget. Griggs replied they could also do it as a part of next year's ballot too. They could then appropriate everything at one time. Glascock asked that staff be allowed to talk about it to determine the best way to proceed.

Treece asked Pitzer if he wanted to have any other conversation now about changes to the project list. Pitzer replied the project needed to happen so he would not want to remove it from the sales tax list without securing the funding elsewhere. Thompson commented that what she was hearing was that they wanted to commit to the project continuing to be funded in some capacity in their commitment to the voters regarding the parks sales tax. If it was done in two separate resolutions, it was not really a part of that commitment. Thompson thought they needed to find a way to put it into the resolution and she could draft language for that. Pitzer understood that would be amendable depending on the amount of the funding. Treece thought that was correct.

B233-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: WANER, SKALA, PITZER, PETERS, TREECE, FOWLER. VOTING NO: NO ONE. ABSENT: THOMAS. 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.

- B221-21 Approving PD Plan Major Amendment May 2021 for "Discovery Park Subdivision Plat 4" located on the northwest corner of the Nocona Parkway and Briarmont Avenue intersection (Case No. 182-2021).
- B224-21 Approving the Final Plat of "The Crossing - EPC Plat 6" located on the west side of Southland Drive and south of Grindstone Parkway (3615 Southland Drive); authorizing a performance contract (Case No. 180-2021).
- B225-21 Amending the FY 2021 Annual Budget by appropriating funds for advertising expenses relating to cases considered by the Planning and Zoning Commission.
- B226-21 Authorizing construction of the Wabash Drive extension project; calling for bids through the Purchasing Division.
- B227-21 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.
- B228-21 Amending the FY 2021 Annual Budget by appropriating funds for the

- installation of an ADA compliant dais in the Municipal Courtroom.
- B229-21 Amending the FY 2021 Annual Budget by appropriating funds for Public Works Department capital improvement projects.
- B230-21 Authorizing construction of a recycling drop-off center at the Parks Management Center located at 1501 W. Business Loop 70; calling for bids through the Purchasing Division or authorizing a contract for a portion of the work using a term and supply contract.
- B231-21 Accepting conveyances for utility purposes.
- B232-21 Accepting conveyances for sewer and drainage purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B234-21 Authorizing a cooperative agreement with Boone County Family Resources to provide funding support for the Parks and Recreation Department's Career Awareness Related Experience (CARE) Program for youth employment placement and mentoring services.
- B235-21 Amending the FY 2021 Annual Budget by appropriating rebate funds and donated funds for various Parks and Recreation Department projects.
- B236-21 Authorizing a first amendment to the PCS antenna co-location agreement with Cellco Partnership, d/b/a Verizon Wireless, for the lease of City property located at 1400 Ballenger Lane (Fire Department Station No. 5).
- B237-21 Authorizing a program services contract with the Missouri Department of Health and Senior Services for the Show Me Healthy Women program.
- B238-21 Authorizing a program services contract with the Missouri Department of Health and Senior Services for the COVID-19 and Adult Vaccination Supplemental project.
- R130-21 Setting a public hearing: setting property tax rates for 2021 for the City of Columbia.
- R131-21 Setting a public hearing: FY 2022 Annual Budget for the City of Columbia.
- R132-21 Appointing Jeremy A. Turner as an associate municipal judge.
- R133-21 Granting a temporary waiver from the requirements of Section 16-185 of the City Code to allow possession and consumption of alcoholic beverages for a Ninth Street Summerfest event.
- R134-21 Granting a temporary waiver from the requirements of Section 16-185 of the City Code to allow possession and consumption of alcoholic beverages for an After Pride Street Celebration event.
- R135-21 Granting a temporary waiver from the requirements of Section 16-258 of the City Code to allow amplified sound exceeding a distance of 100 feet from the 6300 block of Upper Bridle Bend Drive on August 14, 2021.
- R136-21 Expressing support and granting approval for the City Manager to work with the University of Missouri, the Downtown Community Improvement District and the business community to provide encouragement, community engagement and support of Mizzou athletics, Mizzou student-athletes and the 2021 Mizzou football season.

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

VIII. NEW BUSINESS

None.

IX. INTRODUCTION AND FIRST READING

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

- B239-21 Amending Chapter 2 of the City Code relating to conflicts of interest and financial disclosure procedures.
- B240-21 Setting property tax rates for 2021.
- B241-21 Adopting the FY 2022 Annual Budget for the City of Columbia.
- B242-21 Amending Chapter 11 of the City Code relating to certain Public Health and Human Services Department fees.
- B243-21 Amending Chapter 22 of the City Code to suspend transportation fares for users of the GoCOMO Public Transit System for the period October 1, 2021 to September 30, 2022.
- B244-21 Amending Chapter 27 of the City Code as it relates to water rates.
- B245-21 Rezoning property located on the south side of Bull Run Drive and west of Port Way (5530 Bull Run Drive) from District PD (Planned Development) to District M-C (Mixed Use-Corridor) (Case No. 193-2021).
- B246-21 Rezoning property located on the west side of Port Way and south of Bull Run Drive (705 Port Way) from District PD (Planned Development) to District M-N (Mixed-Use Neighborhood) (Case No. 194-2021).
- B247-21 Approving the Final Plat of "Eastwood Hills, Plat No. 2" located on the southeast corner of the intersection of Business Loop 70 and Eastland Circle (2518 E. Business Loop 70); authorizing a performance contract (Case No. 186-2021).
- B248-21 Approving the Final Plat of "Hanover Plaza Plat 6-A" located on the east side of Hanover Boulevard and approximately 450 feet north of Clark Lane (1420 and 1430 Hanover Boulevard) (Case No. 143-2021).
- B249-21 Authorizing a first amendment to the consultant services agreement with Center for Transportation and the Environment, Inc. relating to the procurement and deployment of three (3) 30-foot battery electric buses to extend the term of services.
- B250-21 Authorizing the acquisition of easements for construction of the Hinkson Creek outfall trunk sewer to serve properties along the eastern side of the Route B industrial corridor.
- B251-21 Authorizing a contract of obligation with the Missouri Department of Natural Resources to satisfy financial assurance requirements for proper closure and post-closure care with respect to a permit for operation of a solid

- waste disposal area.
- B252-21 Accepting conveyances for sewer purposes; accepting a Stormwater Management/BMP Facilities Covenant.
- B253-21 Authorizing a second supplemental agreement to an airport aid agreement with the Missouri Highways and Transportation Commission relating to air service promotion for the Columbia Regional Airport.
- B254-21 Authorizing a supplemental agreement to the airport aid agreement with the Missouri Highways and Transportation Commission for reconstruction of Taxiway A, Taxiway A1 and Taxiway A2 and portions of Runway 2-20 at the Columbia Regional Airport; amending the FY 2021 Annual Budget by appropriating funds.
- B255-21 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for HIV prevention services.
- B256-21 Amending the FY 2021 Annual Budget by adding a position in the Department of Public Health and Human Services in support of the COVID-19 and Adult Vaccination Supplemental project.
- B257-21 Amending Ordinance No. 020519 of the City of Columbia, Missouri authorizing the issuance of not to exceed \$59,335,000 principal amount of Sewerage System Revenue Bonds (State of Missouri - Direct Loan Program - ARRA) Series 2010A.
- B258-21 Amending Chapter 19 of the City Code to add a new Division 8 relating to police officer rights and appeals to the Personnel Advisory Board.
- B259-21 Amending Chapter 21 of the City Code relating to the Citizens Police Review Board.

X. REPORTS

- REP61-21 Communication from Board of Health regarding Pot-Bellied Pigs.
- Treece understood the Board of Health had suggest changes not be made and for the variance process to be followed. Treece asked Waner if she had any comments. Waner replied she was appreciative that they had taken the time to review it, and was comfortable communicating this to her constituent.
- REP62-21 Parks and Recreation Naming Policy.
- Treece understood this report had been provided for informational purposes.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Peter Norgard commented that he had been flabbergasted by the comment of Browning earlier tonight indicating people would do the right thing and wear masks because he felt very few people were doing it. Norgard noted the Delta variant was very dangerous and did not understand why the City of Columbia did not have a mask mandate. Norgard encouraged the Council to apply pressure to Browning to make that happen.

Rita Fleischmann, 1602 Hinkson Avenue, stated Peter Norgard was her husband, and since he was an engineer at the University of Missouri Research Reactor (MURR), he wore a mask all of the time. Fleischmann encouraged the Council to take care of the citizenry they were entitled to protect by doing what they could to bring forward a mask

mandate along with spacing. With the students returning to Columbia, she felt some sort of baseline and understanding was needed. Fleischmann begged the Council to do this.

Don Weaver commented that he was employed as the General Counsel of the Columbia Police Officers Association (CPOA) and was present tonight to discuss B258-21 and B259-21. The CPOA was asking the Council to forgo further discussion on those two agenda items, which involved proposed changes to Chapters 19 and 21, and to direct staff to collaborate with them on the proposed changes. On May 25, Senate Bill 26 had been sent to the Governor's desk, and on Friday, the CPOA had received an email from City staff with some substantial changes to existing ordinances. They had spent the weekend analyzing the impacts of the City's recommended changes, and at 2:30 p.m. today, they had met virtually with City staff. They had asked staff to remove the proposed ordinance from the agenda and to collaborate with them on the changes. The response at 5:00 p.m. today was that they could not remove the agenda items, and that they were happy to meet and confer with the CPOA concerning the impact and implementation of the proposed ordinance changes. Weaver pointed out City staff had indicated they would meet with regard to the impact and implementation, but had not addressed meeting with them regarding the substance of the ordinance changes. Weaver noted the City had breached the collective bargaining agreement by failing to provide a 7-day notice, and the City was required to bargain with them as their current internal affairs policy had been bargained for and incorporated into the collective bargaining agreement. In addition, the City was required to meet and confer with them on any changes. Weaver stated collaboration was the key, and reiterated that both parties should collaborate and work together on a solution that worked for everyone. Weaver commented that over 50 substantive items were being proposed in the two ordinances, and over 20 of those contained issues that negatively impacted CPOA members compared to the status quo. Weaver understood City staff might feel this had to be done now due to the looming State law implementation deadline, and the CPOA was willing to put in writing that what they had now was substantially compliant with State law. Weaver asked the Council to read the details and noted he had sent the Council a letter that detailed their position. Fowler asked for a copy of the presentation. Weaver replied he would send it to the City Clerk to share, and pointed out those were only bullet points. The actual substance was in the letter that had been sent.

Alyce Turner, 1204 Fieldcrest, noted the Council had received an email from her along with emails from others in the community that wanted Columbia to consider a mask mandate. Turner stated the mandate could be similar to the honor system, which was how it had essentially been handled previously. Turner explained that under the prior mandate she could wear a mask in the store, but if she did not, no one would throw her out. They did not need much Health Department involvement. Turner believed the public wanted a mask mandate. Turner noted she had recently returned from Florida, and the compliance in stores was at about 70 percent. Today, at Gerbes in Columbia, it was at about 15 percent. Turner did not believe people were paying attention to the changes recommended by the CDC. If the City had a mask mandate, she believed the majority of people would comply. Turner understood the breakthrough rate was at 8-9 percent while the national rate was at 2-3 percent, and pointed out the students were returning. Turner suggested they support the University with another mask mandate, and understood it could only be done for 30 days due to State law. Turner commented that she knew 13 people that had been impacted by breakthrough cases, and believed they needed to let people know everyone should be wearing a mask. Turner felt a City policy would be the best way to accomplish that and begged the Council to consider it.

Rebecca Shaw commented that masking had been required in summer school for those students that were 11 years old and younger, and noted she wanted to see at least that

this fall. Since they were having breakthrough cases and the vaccination rate stood at 17 percent for children 12-18 years old, she thought everyone in school should wear masks. If the City issued a masking ordinance, it would provide confidence to the Columbia Public Schools and others to issue mask mandates as well. Shaw believed people would follow the law if they had a law on the books, and if more people were masking, they would protect more people. Shaw commented that the City could not expect the public to pay attention to everything and noted they were there to protect the public.

Ginny Chadwick, 305 Alexander Avenue, pointed out that as students returned to the community, they were at a worse place than they were a year ago. The solution, as Browning indicated, was the vaccines. Unfortunately, the community was not obtaining them. While they were seeing an increase, they were not seeing a sufficient increase to decrease the number of COVID cases. They had plateaued based on the sewershed data. Chadwick noted the Health Department had made it clear that they could contact trace about 30 cases per day, but they had been far exceeding that number. As a result, they could not reach out to all of their positive cases to let them know how to quarantine and isolate. Chadwick read a Facebook post from yesterday involving the capacity of hospitals. The post indicated a person had been airlifted to Iowa because there were no units available in Missouri that would accept critical care patients. Another post from the wife of an emergency room doctor had indicated hospitals in Texas, Oklahoma, Arkansas, and Joplin were calling to see if they had any ICU beds, which they did not. Chadwick had heard patients had been transferred to Indiana recently. Chadwick reiterated there were not any ICU beds available within the State of Missouri, and stated the way to help reduce the spread was through masking. It was another tool in the toolbox. Chadwick commented that Browning had been a rock star for a year and had taken a political beating. Chadwick asked the Council to be leaders in the community by following St. Louis and Kansas City in reinstating the mask mandate. Chadwick suggested the Council request an emergency ordinance be drafted to put the mandate in place as it did not need to come from Browning. Chadwick understood enforcement was a concern, and noted enforcement could come from someone other than the Health Department.

Barbara Jefferson, 305 N. Fifth Street, agreed a mask mandate was needed as the Delta variant was serious.

Jefferson noted she wanted to talk about public engagement related to the ARPA funding. Jefferson understood they had five years to spend those funds so 6-8 months to obtain public input was doable in order to determine what the public might want to do with that funding. Jefferson understood someone had decided \$10 million of the ARPA funds should be used for broadband, which she did not completely understand because there was already funding coming for broadband. In addition, Jefferson did not believe it made sense to utilize \$10 million of the \$25 million for that purpose. Jefferson felt those for which this funding had been provided needed to be allowed to provide input. They did not need rich people telling them what to do with these funds.

Nickie Davis, 11 S. Tenth Street, explained she was with the Downtown Community Improvement District (CID), and they had received about 81 responses to a survey they had distributed earlier in the day. At this point, 53 percent of the businesses did not want another mask mandate. Davis commented that she wanted to leave the survey open for another week, and would then get back to the Council with the results. Davis noted most of the businesses had indicated they would need help with masks for customers and employees if a mask mandate was implemented, and asked that the Council keep that in mind if they chose to move forward with a mask mandate. Davis pointed out businesses were still reeling from the effects of COVID, and that would be another added expense.

Fowler commented that she understood what Browning had said and had also heard the concerns of those that had spoken tonight regarding COVID and a mask mandate. Fowler noted she had experienced an uptick in emails, text messages, and phone calls regarding this issue as well. Due to the difficulties of getting tested, Fowler stated she would ask for an ordinance to bring back the mask mandate. Fowler understood there would be a delay, but hoped they could find a faster way to discuss it and vote it up or down. Fowler did not want to wait two weeks or a month as she was afraid they would be in an even worse position with regard to the availability of critical care beds, medical beds, and/or ICU beds.

Skala stated that if he had his druthers, he would reimpose a mask mandate. Skala believed there was a process by which they had to do that, which really put them in a compromising position because the students were coming back. Skala understood they would have to establish an emergency declaration and vote a mask mandate up or down. If that was not possible, Skala believed they needed to at least take the recommendation establishing a mask mandate for personnel within City of Columbia facilities. Skala pointed out this was a very dangerous variant, and for all practical purposes it was almost a different virus. Skala stated it was likely not the end either as Lambda was on the way.

Waner commented that she would be supportive of a mask mandate. The only concern Waner had, beyond the timing of the actual process, involved the enforcement mechanisms. As Browning had indicated, they were getting beat up in that regard. Waner wondered how the enforcement mechanism might look, and whether it was enough to say they believed this was what people should be doing. From a parental perspective, Waner thought they should look at the data, and noted that talking about a sharp increase in the number of positive cases for those ages 0-17 broke her heart. Waner explained she had a five year old and sending him to school in the fall was giving her some anxiety.

Peters understood they had already recommended people wear masks indoors as that had been done three weeks ago, and the CDC was recommending that now. A mask mandate would again create problems for bars and restaurants because it would make it difficult for them to have people in their facilities, which in turn would impact their ability to remain open. Peters pointed out they knew they needed to maintain distances and wash their hands. Peters noted she was concerned about enforcement and felt they would get just as far by using the CDC recommendations. Peters did not believe there was any way the Health Department would be able to enforce it.

Pitzer commented that he thought they would be fighting with more people than just bar and restaurant owners. Peters agreed it would include those that had been upset the first time they had a mask mandate. Pitzer believed they were seeing a substantial uptick in mask wearing as some employers were requiring it. In addition, the CPS had required that for those that could not be vaccinated. Pitzer explained he and his wife had pulled their youngest out of summer school this past summer so they would not have to deal with it, but that was a luxury they had in the summer. Pitzer felt a mask mandate would only protect those that had chosen to protect themselves as the tools were now available through vaccines. Pitzer understood there were breakthrough cases, but almost all of those breakthrough cases were much milder. Pitzer reiterated the tools were there for people to protect themselves, and if they chose not to take the vaccine, it was on them.

Treece noted the City Clerk had received 43 emails in favor of the mask mandate, and those emails had been shared with the Council.

Treece commented that one of the values they had adopted last year was to make decisions based on data and science, and not public opinion or political pressure. Treece thought they should continue to rely on that. The previous mask mandate had been in effect when there had been limited access to vaccines, and they were not there now. There was plenty of access to testing and vaccines. Treece felt they needed to look at what they were trying to accomplish, and pointed out vaccinations offered a greater protection than wearing masks. Treece also believed a mask mandate at this

time would undermine public confidence in their decisions. Treece reiterated what they really wanted was for people to get vaccinated. Treece suggested they put energy into an education campaign, and noted he believed these types of decisions were better when they originated from the Health Director.

Fowler commented that she had a medically fragile mother, and even though her mother had been fully vaccinated, she had no assurances that her mother was creating a sufficient amount of antibodies to protect her. In addition, Fowler had experienced difficulties when she had been exposed as no one had a test for her. Fowler had been told she could go to Walgreens, but at Walgreens people were required to swab their own noses, which was not as effective as having someone put the swab where it needed to be to obtain an accurate reading. Fowler noted she had later gone to what was called "a doc in a box" whereby there was an assembly line. At the two week mark, Fowler had shown up at a Health Department, and they did not have anything for her as they only tested on Mondays. Fowler explained she had all of this capacity, but had been in a place where there was nothing she could do. Fowler commented that the idea of having to continue to stand outside her mother's window to communicate with her along with not knowing how susceptible others were was more responsibility than she thought was appropriate for them to take. Fowler understood the Council might ultimately vote a mandate down and the public might overwhelmingly say they did not want it, but she thought they should have that opportunity.

Skala explained the issue for him was that there was a lot of misinformation. Skala commented that he was less concerned with the effectiveness of what they could do. Skala agreed the vaccine was the most important tool they had, but short of that, the mandate might be necessary. Skala pointed out the viral load of the non-symptomatic Delta variant was 1,000 times that of the original COVID virus, and that was exactly the kind of milieu the virus needed to create another lethal variant. Skala did not feel they were solely talking about people that did not want to become vaccinated as it could also impact people that were vaccinated, and those that were non-symptomatic might be giving this to those that were not vaccinated. Skala believed they should do what they could to help the situation in any way regardless of whether they had the resources in terms of enforcement. Skala felt the mandate would increase mask wearing, and believed they could inform people of what they might gain by setting this example. Skala reiterated he thought an emergency declaration along with a resolution should be prepared.

Peters commented that the first time they had issued a mask mandate was to keep their health services from being overwhelmed so they could adequately take care of citizens within Boone County and the surrounding counties. When asked earlier today, Browning had said the hospitals had indicated they were busy but were doing okay. Peters stated she was not sure how to take the stories of people having to be airlifted to Iowa or Indiana and thought they had to trust those people that were here on the ground that were indicating they were doing okay. If they were at that point or were getting to that point, it might be a reason for a mask mandate, but they were not there now.

Fowler noted they could call a special meeting to keep it separate from the budget process.

Fowler made a motion for a special meeting to be held to consider a mask mandate ordinance. Fowler felt it was needed to protect children and vulnerable people, even those that had been vaccinated as they could still contract the Delta variant.

The motion made by Fowler for a special meeting to be held to consider a mask mandate ordinance was seconded by Waner.

Skala stated he wished they could deal with this at a regular meeting, but noted he was prepared to support a special meeting if that was the only way to get to a discussion regarding this issue.

Pitzer asked for the parameters of the process leading up to the special meeting. Pitzer wondered what needed to happen in order for it to be called, when it would be held, etc.

Thompson replied they had a motion on the floor to call a special meeting and it would require four affirmative votes. If the Council desired a mask mandate, it would require an ordinance. It could not be a resolution. Thompson commented that it was more difficult to enforce a mask mandate coming from the City Council if the Health Director was not making the finding as it related to public health because a public health emergency was the basis for a mask mandate. The City was currently no longer under a state of emergency as there was not a declared emergency.

The motion made by Fowler and seconded by Waner for a special meeting to be held to consider a mask mandate ordinance was approved by voice vote with Waner, Skala, Peters, and Fowler voting yes, and only Pitzer and Treece voting no.

Skala asked if an emergency declaration was required to accompany the ordinance. Thompson replied she would need to research the powers of the Council outside of the Health Director. Skala understood the process they had followed the first time had involved an emergency declaration. Thompson stated that was correct, and explained the City Manager had the power to make a declaration. Skala understood a resolution had been brought back to the Council previously. Glascock stated he had declared it and the Council had ratified it. Thompson noted that same thing had occurred with the health order as the ordinance had been changed to not allow an order to be in existence for longer than 21 days without the ratification of Council.

Pitzer asked when the meeting would be scheduled. Treece replied he did not know.

Glascock asked if the Council was okay with requiring masks within City of Columbia buildings starting next week. Treece replied yes. Fowler noted it could be done even sooner. Glascock explained it took time to get prepared. Treece agreed that was appropriate for public spaces.

Skala asked where they were with regard to a masking ordinance. Treece replied the Council had voted to hold a special meeting. Peters understood they had to choose a date, and asked if they wanted to do it in a week, i.e., the following Monday evening.

Fowler recalled a special meeting years ago in March when there had been a different mayor, and understood that ordinance had been on an accelerated time line. Fowler wondered if this would require two meetings or one as it would make a difference as to how they timed it. Treece understood it could be an emergency ordinance. Thompson agreed and noted all readings could be done in one night. Thompson clarified the ordinance that Fowler had referred to involving the Opus development had not been done as an emergency ordinance. A special meeting had only been called. Fowler understood and agreed.

Peters asked if holding the meeting in a week would provide staff enough time to write the ordinance and notice the meeting. Fowler stated she was agreeable to that time frame if that was the earliest they could do it. Thompson noted it was the earliest it could be done because they had to come up with all of the findings that formed the legal basis for it. It required all new factual findings because it was an entirely different situation than the last time. Thompson explained the Council could send her findings to support the mask mandate if they had any. Fowler stated she was looking at members of the audience who had spoken and were nodding their heads. Thompson commented that she could not take 20-40 different emails. Fowler understood the public could send suggestions to Council and Council could pass it on to Thompson.

Pitzer asked when that meeting notice with the ordinance needed to be posted. Thompson replied Thursday.

Amin asked what time the meeting would be held on Monday. Fowler suggested Monday at 7 p.m. because that was the time the public was accustomed to them meeting. Treece asked if anyone objected to 7 p.m. No one objected. Peters understood the meeting would be held August 9 at 7 p.m.

Skala commented that some time ago he had asked for information with respect to the Alignment 3 trail and a change in the idea that there would not be two high-water bridges, and wanted to follow up on that request. Glascock replied he needed to obtain that information from Griggs.

Skala stated he had noticed the Home Depot parking lot had been striped and asked if there was any word on the recycling center on that site. Glascock replied he had not heard, and assumed it would be reinstated when the City received notice that they were done. Skala asked to be told if they heard more about that. Glascock replied he would inform him.

Fowler commented that she had a request from a constituent for the parking issues they had taken up at their last meeting to be referred to the Downtown Columbia Leadership Council (DCLC) for review.

Fowler made a motion to refer the parking issue to the DCLC for review at their next meeting. The motion died due to the lack of a second.

Fowler stated she had been invited to a meeting regarding trash, and asked for the Solid Waste Master Plan for the downtown. Glascock replied he would provide it.

Treece noted they had received a written comment from John Conway, which had been distributed to Council, regarding a bill that had been introduced tonight relating to water rates. Treece asked that staff be prepared to answer those questions as he shared some of those concerns.

Treece stated there had been a couple of comments relating to collective bargaining agreements, and it seemed as though they were missing an opportunity to use those collective bargaining agreements as a way to get authentic feedback from their front line employees.

Treece understood Glascock had met with police officers three years ago which had resulted in a lot of good feedback, and wondered if they would not benefit from that same process with their refuse collectors. Treece thought they knew best what they were experiencing on the ground. The comments of Andrew Hutchinson made it seem as though supervisors were dismissive of concerns. Glascock stated he was confused by the comments of Hutchinson as his staff had indicated it had been a good meeting. Treece felt it could be resolved by Glascock meeting with them directly without the supervisors being present as had been done in the past. Glascock indicated he would meet with them.

In terms of the two police related ordinances that were introduced, Treece had the sense staff was trying to move forward before the August 28 effective date, but it seemed to be something that needed to be bargained. Either way, when he heard staff use the words "meet and confer," it was concerning because they did not meet and confer. They bargained in good faith. Thompson stated that was correct, and explained that had been the language of the CPOA in the letter to staff and staff had responded to the language in their letter and request. Thompson noted that bill had been signed by the Governor on July 14 and it would go into effect on August 28. It had gone to the Citizens Police Review Board with regard to time frames. It was a police officer's bill of rights and created very compressed time lines for disciplinary review because the bill mandated an investigation to be complete and a determination to occur within 90 days with the potential of two 60-day extensions. The bills that had been prepared for the consideration of Council would do that. From a staff perspective, communication about pulling it off of the agenda had occurred today, and as Council knew, staff did not have the authority to pull something off of the agenda. In addition, they had to meet the August 28 deadline.

Treece asked if communication had occurred before it was placed on the agenda. Thompson replied she did not know exactly when it went out. Thompson thought they had indicated they had received it Friday morning instead of Thursday. They should have received it as the agenda was posted. Treece asked that more discussion with the CPOA happen before the next meeting. Thompson replied that would be done, and noted staff had communicated that today.

XII. ADJOURNMENT

Treece adjourned the meeting without objection at 11:24 p.m.