



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, September 20, 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, September 20, 2021, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Mayor BRIAN TREECE, Council Member PAT FOWLER, Council Member ANDREA WANER, Council Member KARL SKALA, Council Member IAN THOMAS, Council Member MATT PITZER, and Council Member BETSY PETERS were present. City Manager John Glascock, City Counselor Nancy Thompson, City Clerk Sheela Amin, and various Department Heads and Staff Members were also present.

Treece explained the minutes were not yet complete for the July 19, 2021, August 2, 2021, August 16, and September 7 regular meetings nor the August 9, 2021 and September 1 special meetings.

Fowler asked that B294-21 and R151-21 be moved from the consent agenda to old business and new business respectively.

Treece made a motion that he be allowed to abstain from voting on B282-21 and B283-21. Treece noted on the Disclosure of Interest form that this was due to the appearance of a conflict. The motion was seconded by Skala and approved unanimously by voice vote.

Treece asked that B284-21 be moved from the consent agenda to old business due to a request from a member of the public.

Pitzer asked that B290-21 be moved from the consent agenda to old business.

The agenda, including the consent agenda with B284-21, B290-21, and B294-21 being moved to old business and R151-21 being moved to new business, was approved unanimously by voice vote on a motion by Treece and a second by Skala.

II. SPECIAL ITEMS

None.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC9-21 Board and Commission Applicants.

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

BUILDING CONSTRUCTION CODES COMMISSION

Wallace, Scott, 4315 Glen Eagle Drive, Ward 5, Term to expire August 1, 2024

CITIZENS POLICE REVIEW BOARD

Kleiner, Andrew, 5905 Freeport Way, Ward 3, Term to expire November 1, 2022

CITY OF COLUMBIA NEW CENTURY FUND INC. BOARD

Kleopfer, Lynn, 4106 Joslyn Court, Ward 4, Term to expire September 30, 2024
Muench, Fran, 2711 Mallard Court, Ward 6, Term to expire September 30, 2024

CONVENTION AND VISITORS ADVISORY BOARD

Laird, Donald, 5005 Durham Chase, Ward 5, Term to expire September 30, 2023
Marcks, Melody, 3020 W. Wildflower Court, Boone County, Term to expire September 30, 2023
Morrison, Bret, 5380 S. Rock Quarry Road, Boone County, Term to expire September 30, 2023
Strodtman, Rusty, 4009 Quinton Court, Ward 2, Term to expire September 30, 2023

HISTORIC PRESERVATION COMMISSION

Ross, Meg, 205 S. Garth Avenue, Ward 4, Term to expire September 1, 2024

PERSONNEL ADVISORY BOARD

Crumbliss, Angela, 2501 Woodberry Court, Ward 5, Term to expire September 30, 2024
Kinkade, Kevin, 606 Park De Ville Place, Ward 1, Term to expire September 30, 2024

IV. SCHEDULED PUBLIC COMMENT

SPC50-21 Brian Page - One man's explanation for human behavior, as it relates to our lives today.

Brian Page commented that they were all equal with the same brain components as each other, and tonight he would talk about the neo cortex, which was the reasoned, responsive God given brain, and the common sense thinker. Page believed that to think was to be responsible for one's thoughts. Page noted there were brain stem donut components known as limbic and medulla oblongata brains. Limbic was inherited from ancient predatory mammals and medulla had been inherited from the reptile world. Page explained he relied on neo cortex for his reasoned, responsive thinking, and on the medulla and limbic brains to be on guard for reactionary people. Page pointed out that reactionary people tended to react to his appearance and would try to use him as their whipping boy. Page commented that when he had become a new amputee, his world had turned on him as he was judged on his appearance and seldom for content. Page believed human behavior was directly related to any and all physical and emotional wounds from parents and other family relations, and felt hate and reactionism stemmed from childhood wounding as hate was draped around the reaction of a wounded child in an adult body while reaction was the pushback by the wounded child in an adult body. Page noted he tried to avoid raging against or hurting his abusers because he would otherwise be in jail. Page stated he used to be very frightened and ultra-reactionary, had suffered from emotional illness and addiction, and his childhood included the violent taking of his dominant left hand by his family, and his road to sanity had included an undergraduate education in psychology with an emphasis on behavior modification along with 50 years of peer support group work. Page explained he had come to resolution around the physical, emotional, and sexual abuse by his family, and now knew he was good enough. Page noted he had a roadmap to sanity and wholeness, and stood for peace, harmony, love, and justice. Page commented that more black people had treated him decently during the pandemic than white people, and pointed out he would advocate for a world inhabited by reasoned people who used the common sense brain. Page suggested they listen to family farmers whose values and principles included caring for self, neighbors, and the environment as they relied on all three. Page also suggested not advocating for unwanted child births and war as population reduction as those issues were much more about politics than true values and standards.

Treece suggested Page provide his written comments to the City Clerk for her to distribute to the Council. Page noted the City Clerk had them already.

- SPC51-21 Marie Concannon - Neighborhood response to comments made by Councilperson Peters at the end of 9/7/2021 council meeting.

Marie Concannon, 704 Hilltop Drive, listed the people in attendance that were in support of the comments she would make, and it included Vernon Forbes, founder of the Ridgeway Neighborhood Association, Susan Maze, resident of the North Central Columbia neighborhood, Christine Gardener, a member of the West Ash Neighborhood Association and the Columbia Neighborhood Residents Alliance, Paul Sharp, a resident of the East Campus neighborhood, and Peter Norgard and Rita Fleischmann, both of the Benton-Stephens Neighborhood Association. Concannon commented that at the September 7, 2021 Council Meeting, Sixth Ward Council Member Betsy Peters had raised a concern about the impact of the Unified Development Code (UDC) on the neighborhoods that touched the central city. While the impact of the UDC on the downtown district had been addressed, the impact on the neighborhoods might have been ignored putting neighborhoods at risk. Concannon noted Peters had proposed the formation of an ad hoc committee representing the impacted neighborhoods to consider the problems presented by the UDC. As those that lived in the impacted neighborhoods, they were present to support the formation of an ad hoc committee. Concannon explained they felt it was important for the future of their neighborhoods, and appreciated the consideration of Council in that effort.

V. PUBLIC HEARINGS

- PH32-21 FY 2022 Annual Budget for the City of Columbia.
Discussion shown with B277-21.
- B241-21 Adopting the FY 2022 Annual Budget for the City of Columbia.
Discussion shown with B277-21.
- B242-21 Amending Chapter 11 of the City Code relating to certain Public Health and Human Services Department fees.
Discussion shown with B277-21.
- 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.
Discussion shown with B277-21.
- B275-21 Amending Chapter 19 of the City Code as it relates to personnel policies, procedures, rules and regulations.
Discussion shown with B277-21.
- B276-21 Adopting the FY 2022 Classification and Pay Plan; providing for FY 2022 salary adjustments relating to the Classification and Pay Plan.
Discussion shown with B277-21.
- B277-21 Establishing plan year 2022 active employee medical premium rates, active employee dental premium rates, and non-Medicare medical and retiree dental premium rates for the City of Columbia; providing for payroll withholdings.

PH32-21 was read by the City Clerk, B241-21A, B242-21, and B243-21 were given forth reading by the City Clerk, and B275-21, B276-21, and B277-21 were given second

reading by the City Clerk.

Treece explained the Council had another amendment sheet from staff and seven miscellaneous documents with respect to general information in the profile, the budget in brief narrative pages, the projected ending cash balance, which had been emailed, the personnel appendix, the department directors appendix, the financial notes and policies appendix, and the glossary.

Fowler thought they should consider an amendment to the budget to provide funding to create a process for requiring mitigation, adaptation, and climate equity impact assessments for all new policies and projects that met threshold criteria, such as cost-burden, vulnerability, or an increase to net emissions, as had been requested by Jay Hasheider in May. Fowler understood that had been lifted from an action item in the Climate Action and Adaptation Plan (CAAP), and a sum of money had been suggested to hire an expert to help development that assessment so it would become a regular part of staff reports. Treece stated he would add that to list and would ensure Fowler was recognized to make that motion when they took up the other amendments.

Skala commented that the Council had addressed a lengthy list of staff amendments at the prior meeting, and there were now fourteen more amendments totaling over \$7 million, and asked for clarification. Glascock replied Finance Director Matthew Lue would provide further information in his staff report, but some were encumbrances that would carry over from FY 2021 to FY 2022 so it would decrease the budget in FY 2021 while increasing it in FY 2022.

Skala noted he had asked for an amendment regarding land acquisition in terms of the park sales tax, and after communicating with Glascock, he believed they had come to a reasonable solution. Skala understood staff would explain that later this evening.

Lue provided a staff report, and noted the amendments associated with encumbrances would effectively result in a net zero change in the fund balance.

Skala understood staff was documenting changes they would not have normally seen in the past. Lue stated that was correct. Glascock explained the City Charter called for a lapse of anything that was unspent, and they wanted to ensure the Council approved what was carried forward.

Lue continued with the staff report.

Treece referred to the projected ending cash balance document that had been emailed to the Council, and asked about the reason for it. Lue replied this was something the Finance Department had developed, and it had been provided at the budget work session. It included a beginning balance and showed the decision-making process to get to an ending balance. The Capital Improvement Project (CIP) expenses had been removed, and the end showed the anticipated CIP dollars for the next fiscal year. Treece asked what happened between the version they had received Friday afternoon and the version received this afternoon. Lue replied there had been a mistake related to CIPs that had doubled the revenues in the enterprise funds, and that had been corrected. Treece understood the effect was that the ending available resources amount was lower in every utility. Lue stated that was correct, and explained it was due to the revenues being increased artificially. Treece asked what had contributed to the miscalculation in the summary he had received on Friday. Lue replied there had been an error in the formula. Treece asked why the effect of that had only impacted the enterprise funds. Lue replied the enterprise funds used enterprise revenues to pay for CIPs. Treece asked what the formula error was that had led to that and when that had been discovered. Lue replied it had not been on the prior document that had been provided, but it had been missed by staff on the update. Treece commented that this error undermined his and the public's confidence in which numbers they should believe since there had been a change between Friday and today, the day they were to approve the budget. Lue explained that if the Council looked at the document provided at the budget work session, the only difference between that and what they had received today was the amendments. Treece asked if the numbers received at the budget work session were identical to what they had

received today. Lue replied yes with the exception of the amendments that were passed at the September 7, 2021 Council Meeting. Treece noted it had been a big change for each enterprise. Lue pointed out the change was only on that document. There was not a change in the budget. The error only applied to this document.

Lue continued with the staff report.

Skala understood the staff amendments were corrections that had not been previously accounted for and were being addressed now and would appear in the future. Lue stated that was correct. Lue explained they would try their best to not have these types of corrections in the future, and would try to provide everything to the Council in a more timely fashion. Skala stated he appreciated the corrections. Treece thanked Lue for the transparency.

Fowler commented that in prior years the Office of Neighborhood Services had a fund to help neighborhoods with small projects and asked if that had been zeroed out. Lue replied he did not think it had been a fund. It was likely a line item within the Community Development Department budget. Fowler agreed it was a line item. Lue stated he was not sure of the status of those funds. Fowler explained a neighborhood association leader had told her that those funds had been moved for another purpose due to COVID. Glascock asked how much money was involved. Fowler replied the program was to allow up to \$250 per neighborhood association if a project was brought forward, and funding was dependent upon the number of neighborhood associations that asked for it. Glascock asked Fowler if she wanted to add money for that to the budget. Fowler replied she wanted to restore the customary amount of funding they had in the past if it was not already included because it was a program the neighborhood associations greatly appreciated for small projects. Glascock stated he was not sure of that amount, and pointed out a budget amendment could always be made in the future. Community Development Director Tim Teddy noted he could not provide the exact amount, and explained he thought it was their intent to continue to fund the neighborhood mini-grant, which was used for printing, notices, and other things that supported neighborhood activities. Once a neighborhood association used the resource, they could not use it again for the rest of the year because it was meant to be shared. Teddy reiterated he thought they had some funding for it.

Pitzer referred to the projected ending cash balance document and asked for the effective date of the FY 22 beginning available resources estimate. Lue replied he thought it had been as of August 30, which had been the last time an estimate had been done on cash. Pitzer understood it had included everything up until then. Lue stated that was correct. Lue emphasized it was an estimation and it could change. Pitzer understood it had changed from the original version that had been provided as it had more updated information. Lue stated it should have the updated information.

Treece opened the public hearing.

Treece noted written comments had been received from John Conway regarding electric customers and the review of financial projections for the water and electric utilities, Matthew Schact of Vidwest Studios, Rene Powell regarding funds for the unsheltered population, and Nick Knoth of the Boys and Girls Club. The remaining two items were general comments not specifically related to the budget.

Debbie Graham explained she was currently serving as the President of the Board of the Columbia Interfaith Council, which ran the homeless shelter known as Room at the Inn (RATI). Graham commented that she was there to speak in support of funding for a permanent shelter for RATI along with other agencies and services that provided much needed help to the unsheltered population, whether that was through American Rescue Plan Act (ARPA) or other funding sources. Graham stated she was somewhat hopeful, but also somewhat confused about the funding process, and asked the Council to consider releasing funds for the planning and development of permanent home for RATI, Turning Point, Loaves and Fishes, and any other agency that wanted to join them in the creation of an opportunity center. As of this moment, RATI was a homeless shelter that

did not have a home. They were continuing to look and were hopeful they would be able to lease space. It might not be optimum, but they would open and provide as many cots as possible for the homeless in Columbia. Graham noted she would be appreciative of anything the Council could do to make the opportunity center or something like it a reality sooner than later.

Fowler understood a sum of money was in the budget for a winter shelter along with a sum of money for a planning process for homeless services, and asked Graham for her understanding of where they were with those two resources. Graham replied they had responded to RFPs through the Human Services Division that they thought would provide them with sufficient funds to lease a facility along with operating funds. Graham stated she was not sure they were eligible for the CDBG money, and would need to check with staff in that regard.

Adam Saunders with the Columbia Center for Urban Agriculture (CCUA) spoke in support of the Agriculture Park at the Clary-Shy Park site. Saunders noted the first Harvest Hootenanny had been held there this last Saturday and over 2,000 people had been in attendance along with the Columbia Area Career Center people that had cooked for over 1,400 meals for people. Saunders felt that showed what could come with a community building at that site. Saunders stated the Columbia Farmers Market had been voted the number one farmers market in the nation last night by the American Farmland Trust via a competitive poll. Starting last week and finishing up this week, 1,200 kids would visit the site as part of the Farm to School program. Saunders pointed out these pieces were snapshots of the dream they had in this public-private partnership, and explained they would like to finish the last piece of the master plan by continuing the public-private partnership with the City and the County along with private funding. Saunders thanked the Council for its consideration to help finish out the Agriculture Park along with their past support that had gotten them to this point.

Ruth Friar commented that she continued to see discussion regarding the ARPA funds in terms of agencies coming to the Council to try to make a case for funding along with people expressing interest in it for certain projects when at the last meeting there had been discussion of actually separating the ARPA funds from the budget process, and asked if she was remembering that correctly. Treece stated that was correct. Friar explained she could get herself down a deep hole thinking about how the ARPA funds could be used as it was a nice sum of one-time funds that could be transformative. Friar asked if it would be taken out of the budget conversation so she could stop thinking that she had to advocate for that funding at this time. Treece noted there was nothing in the budget now to obligate or spend the ARPA funds. Friar asked if there would actually be a motion that the funds be separated from the budget, and if there would be some sort of robust conversation with people like her and those not like her with regard to how the money would be utilized. Treece replied that was up to the majority of Council and it had not happened yet. Friar asked if there would be a motion and when it might happen. Treece replied there was nothing to pull out of the budget, and thus he felt, that type of motion would be redundant. Treece explained he thought there was general consensus among the Council to pass the \$474 million budget prior to deciding what they would do with the ARPA money they had and would be receiving along with how that process might look. Treece commented that whatever that motion was would trigger a series of public hearings for any appropriation or project. Friar explained it had been confusing for her and she wanted to make sure those funds were not part of what was being discussed now.

Skala noted the City had received about \$12.5 million in ARPA funding, and those funds were sitting an account, and they expected to receive another \$12.5 million next year. Skala pointed out the funds had to be spent within four years. Skala stated Treece had offered a proposal, which had gotten a lot of attention, but those numbers were relatively arbitrary at this time. In addition, it was just a framework. The Council had yet to discuss it or to harvest the input received from the public advocating for certain things. Skala

understood that would happen after the budget was finalized. Friar understood the conversations that had occurred with regard to the opportunity campus, broadband services, etc. were the ideas of people and not recommendations at this point. Skala stated that was correct, and noted there had not been any recommendations, allocations, etc.

Thomas thanked Friar for asking the question because it was a very confusing process. Thomas pointed out the list of proposed expenditures had been printed in the budget document, which had confused everyone, but it would not be a part of the budget because they would adopt the budget today and they were not ready to make any kind of decision on the ARPA funds. Thomas agreed with Treece in that any specific expenditure would go through the normal public hearing process, and noted he was hopeful there would be an overarching high level community engagement process separate from that for at least some of the funds as that would be responsive to the calls they had heard from so many members of the community. It, however, would be dependent upon the vote of a majority of the Council.

Rebecca Shaw, 2625 Vail Drive, provided a handout and explained she was still very curious about the budget process to include the overestimation of department budgets. Shaw explained the handout had graphs of 6-7 operating budgets from the proposed budget and understood only four of 47 operational budgets had ended in the red in FY 2020. The rest of the departments had grossly over-budgeted. In just the six that she had reviewed in more detail, there was an over-budgeted range of 9-18 percent. Shaw asked why they were doing this. Shaw explained she understood the need for a rainy day fund because things happened and proposed operational budgets did not necessarily mean money was there for certain items. Shaw thought it sent a signal to the Council that those were the revenues needed to conduct daily business and would result in Council believing they needed millions more than they actually did. Shaw felt that by continuing to budget in that manner they were essentially saying that they did not have funding for other projects, which was a concern, because she had come before the Council many times requesting funding for transit, a shelter, and other items for the humans in town when they had been told there was not funding available for those items. At the end of the year, however, they had a slush fund of almost \$20 million. Shaw suggested a review of the process behind the budget. Shaw pointed out the Fire Department was a good example of a group that came in at their budget almost every year, and wondered what they were doing differently than these other departments. Shaw commented that she had contacted Lue last week as to how a dollar value had been assessed to the proposed ARPA funding breakdown, specifically regarding the Mayor's Task Force on Community Violence, and the answer returned was that they were a suggested breakdown for qualified spending, i.e., a placeholder of dollar value. Shaw noted Lue had also stated that expenditures had not been budgeted and no programs had been selected. With regard to ARPA funding, Shaw felt the assigning of numbers made it likely that the Council and the community would put a weight on those numbers. Shaw wondered why those items had dollar values if they were not to be a part of the budget because associating \$10 million to broadband and \$1.4 million to community violence programs created a weighted discussion.

Dani Perez commented that the Centers for Disease Control and Prevention (CDC) had said that health equity was when all members of society enjoyed a fair and just opportunity to be as healthy as possible. Perez explained that public health policies and programs centered on the specific needs of communities could promote health equity, and pointed out COVID had elevated a lot of pre-existing inequities and social and racial injustices. Perez stated COVID had unequally affected many racial and ethnic minorities and groups, making them more at risk of dying. In terms of ARPA funding, Perez noted there appeared to be a narrative in media indicating the ARPA funds would be spent on specific projects. Perez commented that she did not see any reputable or well-resourced data indicating the proposed projects identified were priorities or how they would help the

most vulnerable. Perez explained she was afraid the people she was a part of were not being seen or acknowledged. There were Latinx, Asian, and other populations that wanted to have a say. Perez stated it appeared as though the Council had already made up its mind with regard to ARPA funding and what the public said or did would not matter, which made her feel unseen and unheard. Perez believed many other communities, to include the black and brown communities, were not being seen or heard as well. Perez wondered how the City had come up with these assumptions and why they would not speak with the various communities. Perez asked the Council to be mindful of the various groups of people within Columbia.

Traci Wilson-Kleekamp explained she was speaking on behalf of Race Matters, Friends, and did not feel the City did a good job in terms of outreach. Wilson-Kleekamp believed it would have been helpful if in June the City had said they would have a public engagement process for the \$25 million that would be received, and that the process would happen after the budget was adopted while also providing the parameters of the engagement process. Wilson-Kleekamp noted they had tried to bring this up many times, and it had been a really confusing conversation. Wilson-Kleekamp pointed out Treece had tried to pull ARPA funding into the budget at the last meeting and had indicated the others could vote against it if they were not in favor, and she did not believe that was a process. Wilson-Kleekamp understood it was politics, but it was confusing for the public to follow. Wilson-Kleekamp stated it also said a lot about equity and inclusion as that was not reflected in the budget. Wilson-Kleekamp noted the CAAP had great terms along with equity decisions, and felt those should be used with the budget to determine if they were actually doing that kind of work. Wilson-Kleekamp understood the City did not have a mechanism for interrupting community violence, and believed it should be a high priority. Wilson-Kleekamp also understood the City did not have a relationship with the communities that were having a lot of trauma, and felt some communication could occur if they had a robust neighborhood resource center. Wilson-Kleekamp commented that when she thought about equity, she thought about those that had been left behind. In education, it meant helping students meet their maximum potential whereby each student had different needs. The idea was to ensure they met each student where they were so they could work at their maximum operating capacity as learners. Wilson-Kleekamp referred to Seattle, Washington, as they had established an Equitable Communities Initiative Task Force to improve disparate outcomes for their black, indigenous, and people of color communities, and felt that type of investment could begin to correct disparities caused by government sanctioned and racist policies, which negatively affected the black and indigenous communities at disproportionate rates. Wilson-Kleekamp pointed out millions could be disbursed to the community by the end of 2021 in Seattle and legislation had been developed after task force members and city departments had developed implementation plans for each recommended strategy. Wilson-Kleekamp felt it was possible for Columbia to do that kind of work, and did not see that equity or inclusion had been addressed when looking at the budget. Wilson-Kleekamp stated the City really needed to think about how to engage with people, and they likely needed to go to them instead of expecting them to come to City Hall.

Maria Oropallo noted she was speaking on behalf of the Finance Advisory and Audit Committee (FAAC) and explained she had been appointed in 2014. Oropallo stated Jim McDonald, the Assistant Finance Director, had been hired in 2015 and she had been on the interview team when Matthew Lue, the Finance Director, had been hired in 2019. Oropallo explained the FAAC had been working for years to understand the budget, the process, and the outcomes. In addition, they had reviewed it to determine what had been spent, how it was spent, and why, and during the past 18 months, they were seeing an adjustment in the way staff thought. Oropallo felt they now had the beginnings of a robust, transparent, accountable, and reported budget process. Oropallo emphasized that it was in the beginning stages, but she still wanted to give staff credit. Oropallo stated the FAAC was seeing a much more healthy dialogue and hoped everyone would benefit from

it.

Eugene Elkin, 3406 Range Line Street, commented that there were a lot of unknowns and the Council had the task of determining what might be the best choice. Elkin understood \$3 million was tied to the homeless and wondered if that was enough. Elkin suggested \$6 million be earmarked for the homeless. Elkin understood homes that had been in the \$200,000 range were now over \$300,000, and low income people could not afford a home at either price. Elkin noted they did not know how much mental health services might cost, but was glad someone was interested in assisting in that manner as it would help the homeless. Elkin asked the Council to consider more for the homeless.

Susan Renee Carter explained she resided in the Second Ward and felt that if they wanted to meet the mission of everyone in Columbia to be able to live out their life the way they wanted, the City should budget based on data they had in the budget profile. Carter stated the budget seemed out of alignment in terms of how much was being spent to address the fact the black community had such a high rate of unemployment and family poverty, which was a great need. Carter understood it was too late this year as the Council would likely vote on the budget soon, but as they were looking at the planning process and the additional funding they had, she suggested they not forget this issue. Carter pointed out the figures were from 2019, and those very same people had been greatly impacted by COVID. The Council had the opportunity to make a difference in the lives of people while also addressing public health issues brought about by trauma and insufficient basic needs, such as community violence. Carter asked the Council to follow the data, know what it was they were budgeting for, and know what the money was being spent on so it had the greatest impact in the community.

Erika Buford commented that she resided in the Second Ward and a concern she had was with regard to the homeless. Buford explained she was active in the community and understood some landlords were accepting back payments but were still evicting tenants. Buford relayed to the Council the story of a family that had been evicted and had been relieved to be provided housing at Welcome Inn, which was a hotel, so they would not be on the streets. Buford noted there were gaps in the system that needed to be addressed. The wait time was too long at some of the organizations that were helping people. In addition, some of the requirements were difficult for some to meet. Buford explained some families were trying and were working, but there were still issues that needed to be corrected. Buford suggested utilizing some of the funding as resources for some of the organizations that were willing to help those in need. Buford noted that Welcome Inn, which should only be needed in the short term, was overwhelmed with families, some of which were there for the long term. Buford pointed out this was only one of four hotels in Columbia that had the same situation. Buford agreed it provided a relief for them because they were not on the street, but felt some of these funds needed to go toward those resources that provided housing.

Matt Schacht, 1617 Windsor Street, stated he was representing Vidwest and explained Vidwest was a community media center whose job was to get media tools into the hands of the general public. Schacht noted anyone interested in telling the story of their communities could contact them as they would be able to assist them with camera and audio equipment and by teaching them how to use it. Schacht felt documenting and sharing stories would allow people to better understand the situation, and he wanted everyone to know that resource existed.

Susan Maze, 902 N. Seventh Street, stated she wanted to point out the level of desperation people were in when serving the underserved in Columbia. Maze understood everyone was clamoring for the \$25 million for which she had advocated a long term planning process to determine how to help the most people. Maze commented that the City had somewhere in the neighborhood of \$20 million in reserve funds that could be used now to help those in crisis today while still utilizing the \$25 million for planning.

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

Treece made a motion to amend the budget document associated with B241-21A per the amendment sheet with the fourteen staff amendments. The motion was seconded by Skala, and approved unanimously by roll call vote with Treece, Fowler, Waner, Skala, Thomas, Pitzer, and Peters voting yes.

Treece made a motion to amend the budget document associated with B241-21A with the seven miscellaneous documents involving general information in the profile, the budget in brief narrative pages, the projected ending cash balance, the personnel appendix, the department directors appendix, the financial notes and policies appendix, and the glossary. The motion was seconded by Skala and approved unanimously by voice vote.

Fowler made a motion to amend the budget document associated with B241-21A with a sum of money to implement the action item from the CAAP as had been suggested by Jay Hasheider. The motion was seconded by Thomas.

Treece commented that when her amendment had been shared with staff, the new Sustainability Manager had indicated that would be a part of the second phase of what he was currently working toward, and that the \$25,000 suggested might not be adequate. Treece wondered if they should provide the new Sustainability Manager the ability to come back to the Council.

Fowler stated she had not seen the response from staff and wondered if she had been included and if the Sustainability Manager was present to explain his process further.

Treece read from the response, which indicated "This proposal aligns with phase two of work we have been doing to develop an evaluation process for municipal actions using the 'Triple Bottom Line' (people, planet, and prosperity) framework. We put a pause on the people component so we wouldn't get ahead of the equity evaluation question. Staffing has paused the other two for now. While we have not looked into cost for phase two specifically, based on our initial research...I am not confident we could complete a satisfactory project for \$25,000."

Fowler commented that what had been described did not jump out to her as being the same thing that Jay Hasheider had requested, but it had been a long time since she had read the CAAP. Fowler explained she did not want them to go through another year without making any progress. Fowler was not sure whether they should defer to the Sustainability Manager as she felt it was different.

Skala stated he shared the concern of Fowler in that they should be making some tangible progress and that there needed to be a budget for some tangible progress to occur. Skala felt the \$25,000 was a basement level figure that would allow the Sustainability Manager to get started. Skala pointed out they could always augment that funding should that become necessary per the recommendation of the Sustainability Manager.

Treece asked Sustainability Manager Eric Hempel if he had anything to add to this discussion. Hempel replied his intent in talking about the \$25,000 was to make it clear that he did not feel they would be able to deliver an adequate product for that amount and to set some context that they were working on it. It was a different angle for the same problem, but it was more focused on further educating and increasing capacity at the staff level to understand where impacts were and where they might be avoided in an effort to increase and improve the projects they dealt with at the municipal level. Hempel noted this had come up as a part of the Climate and Environment Commission (CEC) discussion in terms of how to proceed with some sort of evaluation. They decided to start with more education and foundation building. Hempel stated he appreciated the consideration of needing to get on this as soon as possible and wanted to reinforce the \$25,000 would be best used as for scoping and understanding for which a higher budget level tool could be used.

Fowler noted she did not disagree with anything said by Hempel. Fowler commented that

her issue was likely with the budget process in that they got to the end of the budget process and were unsure as to whether they had budgeted sufficient funds to implement the CAAP. They were now in the third year of the CAAP, and it felt as though they had fallen short in moving that along. Fowler understood they would have the opportunity next year, but the CAAP had some aspirational goals. Fowler stated she wanted to see them move more deliberately with regard to amount of funding the CAAP implementation items required. Fowler understood this amendment was a very small step and staff would likely have to come back with a supplemental budget request, but wanted to proceed with adding this \$25,000 to the budget.

Thomas explained he wanted to move forward with the amendment as well. Thomas thought it would show that it was a Council priority to study and comment on how different policies and programs that were coming forward in the process were either in alignment or not in alignment with the CAAP. Thomas noted a lot of the parts of the local and regional policy processes were not in alignment, and believed the more they could do in terms of looking at the CAAP and comparing it to what they were doing with it the better.

Skala understood Fowler was suggesting a \$25,000 allocation. Fowler replied yes. Skala understood they could always augment that in the future. Fowler explained she was proposing the recommendation of Jay Hasheider and was open for Hempel to provide a different number.

The motion made by Fowler and seconded by Thomas to amend the budget document associated with B241-21A with \$25,000 to implement the action item from the CAAP that had been suggested by Jay Hasheider was approved by roll call vote with Fowler, Waner, Skala, Thomas, Pitzer, and Peters voting yes and Treece voting no.

Skala reiterated he thought they had resolution to his prior suggestion for an amendment with regard to bringing the land acquisition fund back to the level at which it should be, and asked Glascock to explain how that would be done. Glascock replied they had reviewed the account numbers tied to land acquisition within the Parks and Recreation Department, and they felt it was short by some amount in between \$1.3 million and \$1.8 million. They would likely bring forward an ordinance in the future to restrict a certain amount in reserves until they received the final park sales tax numbers so they could determine exactly what the amount should be from the general fund. Skala understood this was a mechanism by which they could guarantee the fund would be restored to the level at which it should be. Glascock stated that was correct. Skala noted he was happy with that response and understood it would not require an amendment to the budget at this time.

Thomas pointed out most of the public comment they had received tonight and at prior public hearings had been related to the ARPA funds, and it had been a confusing and dysfunctional process. Thomas commented that he wanted to move forward even though they would not vote on anything related to those funds today. Thomas understood two major decisions had to be made. One involved the items on which they would spend the money, and the other was the process that would be utilized to determine the items on which they would spend the money. Thomas stated he believed the process should come first, but thought they could discuss some of the ideas they had for items on which they might want to spend that money before the process had been completed. Thomas suggested they each say what they preferred in terms of process and the investments they wanted to make with those funds.

Thomas explained his preferred process would be an engaged community process that really elevated the stories of people that had suffered most through the pandemic and had suffered most before the pandemic as that was the purpose of the federal program. Thomas understood there were a number of different ways to proceed. Thomas noted the Public Health and Human Service Department had implemented a process that had come

about as close as anything they had done toward achieving that in 2013 and again in 2018 for the community health plan, but understood that Department did not have the capacity to do it again with the continuing COVID response. Thomas also understood a consultant could be hired to run that kind of process, and explained he would be supportive of that. Thomas noted Fowler had done a tremendous amount of outreach in terms of engaging different organizations and community leaders for input in potentially setting the stage for a really good process. Thomas believed the groundwork had been laid for a good process. Thomas commented that there was urgency to some of the issues they wanted to address, and there were some fairly well-developed projects he thought the majority on the Council already supported as did the majority of the members of the community. Two of those were the opportunity campus or some sort of homeless services center and a 24/7 behavioral health services clinic. Thomas understood a lot of details needed to be worked out with both of those projects. Thomas stated the process he preferred was for them to identify a few of those big categories most of them agreed upon and to then allocate some funds for those while asking staff to come back with specific proposals, which might include the drafting of an RFP for services or inviting organizations in the community that might be able to provide those services to make presentations or specific proposals. Thomas suggested they then agree to start a longer process to engage the community for more authentic feedback and input as to how they should spend the remainder of the funds. Thomas pointed out the U.S. Treasury site had talked about structural inequality and the need to address many of the issues that had already been discussed. Thomas commented that he did not feel broadband, stormwater, or the agriculture park fit into that category, and noted they had other large surplus funds available for some of those projects. Thomas stated he thought they also needed to have a process for how they would utilize the surplus in the reserve funds.

Treece asked if anyone else wanted to speak on this issue and wondered if this was when they wanted to have this discussion.

Skala commented that he regretted the fact there had been a page in the budget document dealing with ARPA because it should not have been there, and it had created confusion. Skala understood that had been a regurgitation of the suggestions of Treece to begin the discussion, and was not set in stone. Skala thought the Council on two different occasions had talked about the fact they would not take the issue on until there was more information available nor prior to October 4. Skala stated he was supportive of obtaining more information and input from the public in order to make decisions. Skala noted the \$12.5 million they had was not going anywhere. Skala commented that he understood the urgency to get this aid out to the right people, and his inclination was to lean more toward the people side than the project side that some were suggesting, but felt people versus projects was a false dichotomy because it was all about serving the people. Skala stated he did not see projects as antithetical to serving the people. Skala explained he was not ready to discuss the ARPA funding tonight when they had already promised to begin to address it on October 4. Skala invited the public to participate in that robust discussion, and noted he was hopeful they would then come to agreement as to how to get this aid to the right people at the right time and in a timely manner at least for the first year. They would then need to do in-depth work with a consultant prior to making decisions. Skala commented that he thought it would be a mistake to take this issue up before they had even adopted the budget after promising they would not take it up until October 4.

Thomas stated he did not recall promising not to take it up until October 4, and it had been discussed at every council meeting as they had received public input and had responded with discussion. Thomas noted they did not seem to be going anywhere or have any kind of direction, and hoped they could have a discussion either now or on October 4 to establish a direction. Thomas explained he did not know where the others stood on what they wanted the process or outcome to be and was hoping they could all express that so they knew the preferred direction of Council.

Treece stated he thought they needed some kind of placeholder on an agenda, and it could be the October 4, 2021 meeting agenda, so there was a mechanism to obtain the public input they all wanted on how to proceed. Treece noted they could have that discussion now if they wanted so a resolution could be prepared as a new business item for the October 4, 2021 Council Meeting, and if they did that, he felt it should include two parts. Treece commented that he heard Thomas saying that they should look at areas where there was the consensus of the Council for the money they had on hand. Treece pointed out he thought it should be in the budget because it was revenue the City had received this fiscal year. Treece understood they could choose not to appropriate it within this budget, but reiterated he thought it should be recognized in the budget. Treece commented that he thought they could proceed with those items that had the consensus of the Council in terms of asking staff to provide additional detail and holding a public hearing like they did with capital improvement projects. They could then look at what the longer term engagement looked like for the money they would see in May of 2022.

Fowler commented that there was a line item within the budget that acknowledged the receipt of the first installment of the ARPA funds. It had been acknowledged as being received by the City and was also included in one of the available cash reports. Fowler stated she did not want the Council to take an action within the budget process to do anything else with the money. Fowler explained she was okay with October 4 being the evening they would engage with the public about the process although she had not heard that date either. Fowler pointed out she was not interested in passing any mechanism whereby they would allocate any of those funds this evening as they had explained to the members of the public they would not do that today.

Treece stated he felt asking for a resolution to come forward for the October 4 meeting would be consistent with that. Fowler understood Treece wanted to use the process they had to allocate the funds and that was not the process those in the audience and others had requested. Fowler explained she was in favor of having a discussion with community members during the public hearing on October 4 but not a resolution. Treece asked how they would put the public hearing on the agenda without a resolution. Thomas replied he thought they could have public hearings without an ordinance or resolution. Treece pointed out there was always a resolution to set a public hearing. Thomas asked Amin if a public hearing could be held without it being tied to any actual legislation. Amin replied there was usually a resolution setting a public hearing, and that was likely the most transparent way to proceed. Amin noted the Council could approve a motion at the end of the meeting asking for a hearing to be noticed, but they would have to be specific in what they wanted the notice to say. Amin explained that was why the resolution was handy.

Fowler commented that she did not trust the resolution process as she understood it, and suggested they do what they did on June 21 whereby they had discussed the ARPA funds prior to the regular council meeting. Fowler thought the public could talk to them about the process. Amin understood they might be speaking about having this open meeting at the October 4 pre-council meeting, and something was already scheduled for that pre-council involving someone that might be coming from out of town. Fowler asked about the October 18 pre-council. Amin replied she had heard there might be a closed meeting and was unsure of the status of that.

Waner pointed out they had said they would wait until after the budget process was done to deal with the ARPA funds, and suggested they finish with the budget process and then dive into a really focused and concerted discussion in earnest with regard to a process they could follow for that specific funding.

Treece asked if everyone was comfortable with that, and no one indicated they were not.

B242-21 was given fifth reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B243-21 was given fifth reading by the City Clerk with the vote recorded as

follows: VOTING YES: TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B275-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

Treece made a motion to amend B276-21 per the amendment sheet. The motion was seconded by Skala and approved unanimously by voice vote.

B276-21, as amended, was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B277-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B241-21A, as amended, was given fifth reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

PH35-21

Voluntary annexation of property located on the east side of Scott Boulevard and west of Persimmon Road (5170 S. Scott Boulevard) (Case No. 215-2021).

PH35-21 was read by the City Clerk.

Teddy provided a staff report.

Treece asked if the property was contiguous to the city limits. Teddy replied it was contiguous on the south and west sides.

Fowler understood the applicant could place a single-family residence on this property now, and asked if the purpose of annexing was for City sewer. Teddy replied yes, and explained that was a typical motivation for annexation. The City's policy was to not extend sewer to a property unless there was a signed annexation petition or annexation agreement if the property was not contiguous. Fowler asked if this would be an agreement to annex in the future in order to get sewer or if it was a request for an annexation now. Teddy replied this would have immediate effect on approval of the ordinance because the property was contiguous and they had signed a petition to come into the City limits. Fowler asked for the location of the sewer. Teddy replied it was on the west side of the roadway. Teddy noted there was a private sewer system within Paradise Hills, but City sewer was in the subdivision to the west. Fowler asked if the applicant would run a line to it or if the City would extend it. Teddy replied the policy of the City was that those kinds of connections were at the expense of the applicant and the plans would have to be approved by the City. Fowler asked about the other utilities as she wondered what other revenues the City would receive from this annexation. Teddy replied property tax and any service fees, such as solid waste. Fowler understood it would involve sewer and water, but not electric. Teddy stated that was correct.

Pitzer asked what type of road Crabapple Lane was proposed to be in the future. Teddy replied a neighborhood collector road, which ultimately involved a 60-foot right-of-way. Teddy described the traffic flows within the area. Pitzer understood the two Crabapple Lanes would connect. Teddy noted there were not a lot of east-west connections in the area that linked Scott Boulevard, Old Mill Creek Road/Route KK, and Sinclair Road, which was why that was a recommended future improvement. Teddy pointed out there were no plans to do it as a City project at this time. Teddy explained there was a fairly large tract to the south, and it might be time to seriously think about getting Crabapple Lane built

when that was subdivided. Pitzer asked if a residential driveway could open on to a neighborhood collector. Teddy replied they were working on some concepts for a driveway that could make use of that right-of-way. Teddy thought a right-of-use permit might come with the subdivision plat.

Treece opened the public hearing.

Ben Ross explained he was the engineer representative of the owner and noted he understood the City's public sewer was on the east side of Persimmon Road, which was just east of the site. It was a public force main and the applicant was planning to connect to that public line for sewer purposes, and the plans had already been submitted for review. Ross stated the applicant anticipated building a sidewalk along the south property line and have a right-of-use for a private driveway in the newly dedicated right-of-way for Crabapple Lane. This would be seen with the subdivision plat.

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

PH36-21

Voluntary annexation of property located along both sides of Van Horn Tavern Road and east of Highway UU (5500 W. Van Horn Tavern Road) (Case No. 226-2021).

PH36-21 was read by the City Clerk.

Teddy provided a staff report.

Peters understood this was almost out to Midway in terms of the sewer, and asked if that was correct. Teddy replied yes, and explained one of the routes that would be possible for them to take would be along the Henderson Branch route. Teddy pointed out it would be a lesser capacity sewer to only serve their tract and it would be built at their expense. Teddy noted the Perche Creek trunk line crossed the creek at a point to the south. There was a place where the creek meandered and curved westward, but the sewer continued on a straight path, so on the other side of the meander, it was on the west side of the creek.

Peters asked how this was different than the sewer line they had discussed a few years ago that had been removed from the CIP list because it was too expensive. Teddy replied this would be a private project paid for by the developer unless the City participated in a differential cost project. Peters understood this was a smaller sewer line that would connect to the Perche Creek line versus a larger sewer line, and that was the difference. Teddy stated that was correct.

Peters understood there had been discussion regarding another development on Gillespie Bridge Road they had not annexed because they would have trouble with fire protection, and asked if that would be a problem in this area. Peters wondered what would happen if there was flooding and a fire at this location. Teddy replied he could only say they had not received comments back from emergency services saying they should think twice before annexing the property or asking how far they would go with annexations. Teddy explained he had brought up the distances as a way to suggest it was something to think about if they became more involved in this west area in terms of City jurisdiction. Teddy noted they had discussed a fire station conceptually at the Strawn property that had been donated to the City. In addition, there had been years of discussion with regard to how to get another crossing of the Perche Creek to relieve I-70 when that was tied up with a wreck or major construction as a detour so there might be opportunity to do some long range planning.

Peters asked if this was part of the West Area Plan that had not moved forward. Teddy replied he thought this would be in that area.

Treece pointed out another difference that had not been mentioned was that the Henderson Branch extension was in an area that was not being proposed for annexation. Peters understood that was because it had not been contiguous.

Treece opened the public hearing.

Tim Crockett, an engineer with offices at 1000 W. Nifong Boulevard, explained they were looking to annex in order to access City sewer, and noted the rezoning request that

would come before the Council was similar to what the County had with regard to the open recreational uses. Crockett pointed out they were asking for a little bit of neighborhood commercial as well so a restaurant could be added to the facility. With regard to the sewer, it would be constructed at the cost of the applicant, and it would be a smaller force main sewer serving this property.

Dee Dokken, 804 Again Street, stated she was representing the Sierra Club and explained they had worked hard with the City and the County for an agreement to do a West Area Plan. The first meeting had been held in February of 2020 and they had decided on some general guidelines. Dokken thought City staff had agreed to collect background information and they would then meet the following month, but that had never happened. Dokken commented that she was glad some open space zoning was being proposed for this particular development but they were not aware of the context of this development since the West Area Plan had not been completed. Dokken did not believe this should be done until there was a plan or some sort of weighing of the pluses and minuses of the entire west area. Dokken pointed out the one percent floodplain that had been mentioned did not exist anymore. Dokken stated it was more than a one percent chance of flooding, and explained that any time fill was used, it covered up the soils and plants that had evolved to soak up water and the water was pushed downstream. Dokken believed it was a fantasy to think fill could be utilized and everything would be okay. Dokken did not feel fill should be allowed in the floodplain. In addition, it was not a 100-year flood, and was likely a 15-year flood or something less than a 100-year flood due to increased rainfall. Dokken encouraged the City to try to convince the County to restart the planning process before annexing across the Perche Creek.

Jim Powell, 11 N. Seventh Street, explained he was an attorney on behalf of the Fritz Family Gift Trust, which owned a substantial tract of land to the south of this tract. Powell noted the Trust did not have any objection to the annexation, proposed zoning, or conditional use, but wanted to bring an issue with a 30-foot strip of land that ran through the middle of the tract to the attention of the Council. The applicant had previously indicated they wanted to address the issue, but that had not happened. Powell explained the strip was shown on some of the maps that had been submitted as a dashed line running along the east portion of the triangle than ran south of the proposed tract, but there was not any label as to what that strip might be, and they believed that should be addressed before this matter moved forward.

Treece asked if they were attempting to reconcile that before this item came before the Council. Powell replied they would be happy to discuss it. Treece understood that discussion would take place with the applicant and not the City. Powell stated that was correct.

Jeff Stack, Sexton Road, commented that he did not have anything against this development, but was concerned about 121 acres being opened up for more concrete. Stack felt there was an aversion to spaces that were not covered with concrete. Stack understood they called it progress, but he felt they were raping the earth without being mindful, and were just serving the interests of some people. Stack reiterated he believed they had a perversion of perpetually fighting against the earth. Stack commented that there were about 40 buildings at what used to be the Philips Farm. The sports complex there had about 12 pickleball courts with a bunch of white men playing pickleball. It was a nice space for well-to-do people. The area west of Scott Boulevard was being cleared out of trees and greenspaces. There had been reference to greenspace with the prior item and the need for roads so there was a shorter drive. Stack noted deer and other creatures were running all over the community now because they no longer had homes. Stack pointed out sustainability was discussed quite often, but they were not really proving it. They were continuing to proceed as normal and supporting some economic elites in the community with large and upper scale housing arrangements. Stack felt they needed to be more in harmony with nature rather than overwhelming it. Stack asked that they try to think of other ways to make use of the beautiful area in which they lived.

Dani Perez stated she was not against expansion but was against the lack of mindfulness. Perez commented that Columbia had some of the worst runoff she had ever seen in a progressive city. As an aspiring marine biologist, Perez noted one of her capstones was to determine the impact of the Midwest on ocean health. Columbia had a lot of creeks, and those creeks were not far from the Missouri River, which connected to the Mississippi River, contributed to the wetlands in Louisiana, and ultimately connected to the Gulf of Mexico. Columbia, along with other cities, contributed to pollution and excess nutrients in the ocean, which caused a great imbalance and contributed to climate change. Perez commented that when discussing the CAAP, they needed to be more mindful of construction and zoning. Perez noted that if they wanted to continue with construction, they needed to determine how they would make up for the water runoff, and suggested including more plants that absorbed water. Perez recommended they incorporate environment planning with development by really thinking about the zoning, the lay of the land, and the future. Although climate change was unpredictable, there were patterns they could consider. Something that might good now might not be good in the future. Perez reiterated she believed they needed to be more mindful and environmentally aware.

Scott Fritz, 216 N. Strawn Road, commented that some of the exhibits showed the sewer line that had previously been up for discussion as existing when it did not exist. Fritz understood Treece had indicated the application for that extension had not sought annexation, but he believed that was false because those people were seeking to annex into the City as part of the process. Treece thanked Fritz for the clarification.

Chimene Schwach, 1232 Sunset Drive, pointed out that at some point someone would ask the City to build infrastructure on to the land that had been annexed, and that cost was not known. Schwach noted there was a lot of infrastructure in the middle of the City that had yet to be brought up to modern standards. Schwach explained she lived in a property that still had a sewer collective. Schwach commented that the City would be on the hook for the cost when there was flooding, which she understood would happen in an area that was in a one percent flood zone. Schwach asked the Council to justify and be accountable for rubberstamping development without knowing the actual cost to the City. Schwach did not feel people should get what they wanted just because they asked, particularly if they did not provide information on what they would ask for the next year. Schwach pointed out they would ask for infrastructure funds once the property was annexed, and felt the City needed those numbers in order to make decisions that made sense. They would otherwise not be accountable to the people of Columbia.

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

Thomas commented that he was disappointed that the West Area Plan had come to a halt again. As had been mentioned, the City and the County had met once before the pandemic in early 2020, but that had been after about 2-3 years of attempting to start the process before a development had received a sewer connection by a 4-3 vote, which he believed to be a terrible mistake. Thomas felt annexing this property and allowing them to connect to sewer without proper planning would be the first domino of a lot of sprawl and another bridge over the Perche Creek. Thomas hoped they denied the annexation request when it came to the Council at the next meeting.

VI. OLD BUSINESS

B278-21 Voluntary annexation of property located on the south side of Richland Road and approximately 4,000 feet east of Rolling Hills Road; establishing permanent District R-1 (One-family Dwelling) zoning (Case No. 106-2021).

Discussion shown with B281-21.

B279-21 Rezoning property along the north side of Ivory Lane and west of Cutters Corner Lane from District PD (Planned Development) to District R-1

(One-family Dwelling) (Case No. 107-2021).

Discussion shown with B281-21.

- B280-21 Granting design adjustments relating to the proposed Preliminary Plat of Old Hawthorne North located on the north side of Ivory Lane and the south side of Richland Road to allow longer block distances, a longer cul-de-sac length, and private residential driveways on collector streets (Case No. 105-2021).

Discussion shown with B281-21.

- B281-21 Approving the Preliminary Plat of "Old Hawthorne North" located on the north side of Ivory Lane and the south side of Richland Road; authorizing a development agreement; directing the City Clerk to have the development agreement recorded (Case No. 105-2021).

The bills were given second reading by the City Clerk.

Teddy provided a staff report.

Thomas understood the proposal was consistent with the East Area Plan in the sense that this area had been designated residential, and asked if the East Area Plan had gone into any more detail than to simply designate parts of the study area as residential versus commercial or other types of development. Teddy replied he thought there had been questions and answers in that regard as part of the process. Teddy noted the consideration of a variety of housing types had been there as had been the use of subdivisions to promote land conservation, i.e., the clustering of small lots with larger open space areas where there were draws, ravines, drainageways, or wooded tracts. Thomas understood the Planning and Zoning Commission (PZC) felt the plat did not conform to those recommendations. Teddy stated he thought it had more to do with the immediate impact of the Code indicating blocks should be more compact to promote walking around them, the elimination of the one cul-de-sac, and the concern of driveways directly on the collector.

Fowler referred to the development agreement in terms of the offset for the Richland Road intersection improvements and asked how the \$94,448.70 was determined as the contribution. Teddy replied he thought a reasonable percentage of the entire intersection improvement had been utilized, but noted he did not have the exact details. Teddy explained it worked out to about \$600 per lot. Fowler stated that amount seemed low, and asked for the cost of a typical intersection improvement. Glascock replied there was no way for him to answer that question. It would depend on the intersection and would be impacted by the need for right-of-way, the type of improvement being done, i.e., a signal, roundabout, etc. Glascock explained he would consider these planning numbers. It was a calculation based on some factors staff had taken into account. There was not a typical intersection.

Fowler understood there was a 50 cent per square foot charge that went toward roads. Teddy stated that was correct and explained that was to be spent on arterial and collector roads throughout the City. It was required for any residential development. Fowler asked for the calculation that had been done in terms of what they expected that number to yield when this particular development was built out. Teddy replied they would need to know the average size of the homes. If they picked 3,000 square feet as the average, and multiplied it by 50 cents, it would be about \$1,500 per lot. Teddy pointed out he did not know what the average was as he did not know the home sizes at this time.

Fowler understood there had not already been a calculation as to the revenue stream to assist with the cost of road improvements. Teddy noted he had mentioned the traffic study and the fact the two-lane rural road would need improvements, such as bike and pedestrian facilities, different drainage, safety improvements, etc., if they were to urbanize

it, but felt the burden placed on any property should be a function of a study that said there was a capacity issue based on trip generation. The development was showing there was adequate lane capacity to carry the traffic that was generated from this development, and the City had countered by saying they knew there would be more developments like this coming forward so they wanted to have a plan to get some things addressed to ensure they were not in a position of being way under capacity in terms of what was developing in that area.

Fowler commented that she was troubled by the idea that someone had not already estimated the road fee that would be generated from this development to see if it came close to the anticipated costs of improving the road and the intersection. Teddy explained the improvements would be done in response to growth not only within the boundaries of this property but also other developments that were building out. Teddy pointed out that roads that were arterial in nature could be used by any resident or visitor to the City. There would be more local usage, but they were for everyone that needed to get around in the area. Teddy noted that was the philosophy as they went up the roadway hierarchy causing the funding sources to be a little less localized. Teddy understood some places practiced exactions whereby they would simply say the roadway was currently under capacity and the developer needed to build it up to capacity regardless of the actual impact because they did not want to add to it. Teddy stated he was not sure they were declaring it a failing system yet. Fowler commented that she was not trying to be unduly critical of Teddy and the processes he followed.

Fowler noted she had a lot of hesitations including the size of the lots, the expansive nature of the development, the fact it would involve high-end housing, etc. Fowler stated it made her sad that this was the direction in which resources were being expended and that the City would take on the future responsibility for road improvement without obtaining sufficient funds from the developer. Fowler understood the Growth Impact Study Working Group was looking into some of these issues, and wondered when the Council would intervene in this process. There was a critical housing shortage, but they were still approving projects of this magnitude which added to their future responsibilities.

Skala commented that he had been involved in trying to increase the development charge based on trip generation in the past, and that the referendum had failed spectacularly. As a result, it remained at 50 cents per square foot.

Skala asked about the traffic impact on this corridor from Rolling Hills Road to Grace Lane as he understood there had been conversations with the County. Glascock replied he had talked to the County a couple of times with regard to Grace Lane due to the interchange that would be constructed and the road across the South Farm that would connect everything. Glascock noted it needed to be addressed and it was something they would continue to discuss. Skala assumed this development, if approved, would add pressure to that corridor.

Skala asked if there had been changes recently to the block and cul-de-sac lengths as he recalled other numbers associated with the street standards. Teddy replied the UDC in 2017 had introduced the concept of mandatory maximum block lengths, and prior to that, they had a suggestive block standard. Teddy noted the street standards portion that had been carried forward and was a part of the development code focused on cross sections and the types of improvements along with their respective dimensions that needed to be included to make streets more complete. Teddy reiterated the work that had been done in 2004 was still with them and within a part of the UDC. The concept of making the blocks more compact had been added since then along with the cul-de-sac related issue. Discouraging driveways on major roads had always been a feature but had not always been successful. Teddy realized it was difficult because the subdivider had to work with an extra row of lots if they wanted to interpose lots that did not directly access a major road and the lots had to be backed up to it since there was not another way to do it.

Skala understood Teddy had mentioned exactions and recalled that one of the reasons for the UDC was to get away from that term, and asked if that was correct. Teddy replied

he thought that was fair. Teddy explained they had the traffic study requirement in the UDC now, which created a kind of arbiter since the City's traffic engineer would participate in the scoping of the study on the front end and the review of the submission. If the engineer agreed with it, that study could be used as the basis for improvements adjacent to the site or even off-site improvements. Teddy pointed out a large commercial development would likely involve a traffic study that recommended off-site improvements unless it was on a road that could already handle the anticipated traffic.

Peters asked if the grading of the Richland Road frontage and the installation of a pedway was along the entire length of this development. Teddy replied yes, and explained they would otherwise be going off-site in terms of acquiring right-of-way and building in front of someone else's tract. Peters stated she had seen other pedways on Highway WW, and asked if this would be similar. Teddy replied eight feet was the standard for a pedway.

Tim Crockett, 1000 W. Nifong Boulevard, explained he was representing the applicant of the Old Hawthorne North development, which involved a total of 126 acres. They were seeking annexation and R-1 zoning for 123.8 acres along with design adjustments associated with the preliminary plat. Crockett noted they were asking for relief from Section 29-5.1(c)(3)(ii) which discussed the length of blocks and indicated block lengths could not be longer than 600 feet. Crockett displayed a graphic that showed the four locations from which they were asking for relief in blue, and described the street connections that would be needed if the design adjustment was not provided. Crockett commented that the block length associated with Location 1 was similar in nature to a design adjustment the Council had approved in 2017 for a similar subdivision, i.e., the Bristol Ridge development. Bristol Ridge was a much more dense development of roughly the same length with more lots, and the Council had decided it was in the best interest to grant that design adjustment. Crockett stated he disagreed with the interpretation of the block length at Location 2 because both of the streets had an outlet to either the north or the south so the block length itself was already divided. Another connection was being requested between the two streets, which would add two 4-way intersections along with more of a thoroughfare through the development. Location 3 was similar in that the connection would not provide a benefit to the neighborhood or the City. Crockett noted he did not feel this was the true intent of the block length portion of the UDC. Crockett pointed out Location 4 would result in three stub streets of short distances going into Old Hawthorne, and it did not make sense to have streets that often. Crockett commented that revising the layout to include the streets as demonstrated would increase the overall street length by approximately 1,800 feet even after reconfiguring it to be in compliance with City regulations. This equated to about 1.6 acres of additional impervious surface and also resulted in losing density in the development. Crockett explained the cul-de-sac length had a 300-foot maximum but would allow a 750-foot maximum if the Community Development Director was so inclined due to topography and environmental features. Crockett noted they had a draw on both sides and were riding the ridge. They wanted to develop in the appropriate locations and not in the waterways or the draw. Crockett stated they would contend that they were at less than 750 feet, which was the old cul-de-sac length limit and what Teddy was allowed to approve administratively, and that this was justified in this location. Crockett displayed a diagram that depicted the collector street that ran east-west by the dashed red line and explained the lots outlined in yellow were the lots that would have driveways directly onto that collector street. Crockett commented that a traffic study had been commissioned from CBB out of St. Louis, and they had determined this east-west collector would probably never function as a collector street for various reasons. First, the area to the west was already developed property so they did not believe this road would go much further to the west. There were some tracts to the east, but if that area developed, the homeowners would likely not travel east-west. They would go either north or south. The idea of a collector was to get traffic to an arterial roadway, and there was an arterial roadway to the north and a collector that ran north-south immediately to east of them. If they were trying to get to an arterial roadway,

they would traverse east to the future collector and then travel north. They would not continue on in their direction. Crockett pointed out Teddy had indicated he thought that collector roadway had fairly light traffic on it compared to the collector designation, and the traffic study confirmed that. Crockett noted there were some collector designations that had driveways on them, and felt this was one where that would be appropriate. Crockett stated they would limit it to just the sixteen lots identified. Crockett displayed a revised layout which was different than the layout being proposed tonight, and explained it would be the layout that would be in full conformance with all of the regulations. The number of additional streets could be seen as well as the lot count. In addition, it had the collector street with zero driveways, which would be built by the developer at the developer's expense, but would have zero traffic on it for a period of time until it worked as a collector. Crockett reiterated many of them did not feel it would ever act as a collector. It was a street the City would maintain and own without any traffic on it. When calculating everything, it was 182,000 square feet or 4.2 acres of additional impervious surface. It was a large amount of street, sidewalk, and pedway that would be added to the development, and they would have to treat that stormwater. It was also more that would have to be maintained by them and the City. Crockett commented that they wanted to be efficient in their designs while addressing public safety and health. The Police Department and Fire Department had reviewed the proposed layout and were fine with it. Crockett did not feel that adding those extra streets had any real value to the development or the City. Crockett noted the traffic impact study had included this location as well as the surrounding intersections and had identified the level of service at which the existing intersections functioned currently and with the addition of this traffic. The City had reviewed it and had requested a contribution toward the Richland Road and Grace Lane intersection as they believed it would be a roundabout in the future. City staff had then assigned a value as to what it would cost to reconstruct the intersection and extrapolated their fair share based on the traffic study, and that amount was within the development agreement. Crockett stated they would grade along the Richland Road right-of-way and it would include a pedway as well. Crockett pointed out the annexation and zoning request had the 9-0 support of the PZC. Crockett understood the PZC had some concerns with regard to the design adjustments, and reiterated they wanted to be efficient while maintaining public health and safety, and felt there was a better way than the way identified in the UDC.

Dee Dokken, 804 Again Street, encouraged the PZC to keep pushing for smaller lot sizes, clustering, community greenspaces, and other things that would decrease sprawl and meet the CAAP, and pointed out the time to do this was at annexation. It was when they could set the pattern for what people expected because it was much harder to add density later. It was better to start out with a good plan versus a lot of big lots that later had to have more people on them.

Traci Wilson-Kleekamp commented that she recalled the attempt to increase the development charge that Skala had mentioned and it appeared they were still in that same place. They had not addressed whether development was paying for itself or what it might be doing to the infrastructure. Wilson-Kleekamp wondered why they were building out on the fringe when they did not have the requisite transportation or affordable housing. The local agencies were providing people bus tickets out of town because there was no place for them to live. Wilson-Kleekamp understood the budget included one affordable housing project to be built in 2022. Wilson-Kleekamp noted that did not make sense to her, and it was the reason people had to come before projects.

Dani Perez commented that as a person that did not own a car, she saw a lot of things in town that deserved more infrastructure than what she was observing with this development. Perez stated she wanted to see more internal infrastructure, houses being required to meet better codes, and for empty lots within town to be used. Perez also suggested fewer green lots be developed as that contributed to runoff. Perez thought it was intriguing to see how they were willing to spend money on unnecessary streets and

sidewalks in this area when there were streets and sidewalks that were heavily utilized that needed that infrastructure investment.

Chimene Schwach stated she thought Columbia could be a model city for housing and community development, but they were still creating more million dollar houses in the outskirts of town. Schwach noted that in addition to the issue of affordable housing for low income people, there was an issue with affordable housing for middle class families. When the average house prices in Columbia were reaching \$450,000 and they were building \$1 million homes on two acre lots, it was not affordable for many people. Schwach commented that she thought it was possible to have \$600,000 houses along with \$300,000, \$200,000, and \$100,000 houses. Schwach understood developers were focused on \$600,000-\$1 million homes because of the money they could make, but she felt money could also be made on \$300,000 or \$200,000 homes. They could create sustainable communities whereby everyone had sidewalks, access to public transportation, etc. Schwach stated she was certain there was not a bus route directed toward the Old Hawthorne community, and reiterated they needed to think about how they were planning the community. They needed to look to the future versus what they had done in the past as they were supposed to learn from mistakes. The City suffered when they did not pursue best practices.

Aída Guhlincozzi explained she was a relatively new citizen of Columbia and a geographer by trade. As a result, this kind of development discussion was very interesting from a scholarly and citizen perspective. Guhlincozzi stated she was concerned about the housing market costs. Guhlincozzi commented that as someone that was hoping to build a home in Columbia, she was not looking for a house that was upward of \$400,000. Guhlincozzi was looking for something that was far more financially manageable for someone with her educational background. Guhlincozzi noted she was also concerned about the populations in Columbia that did not and would not have that level of financial opportunity in terms of their need for housing, which was crucial, along with their need for transportation. When looking at developments such as this, she was concerned about the lack of transparency in such a process. Guhlincozzi agreed she had not been a part of this conversation since she recently moved to Columbia, but felt there should be more direct engagement around any development and growth practice. When discussing new housing developments whereby infrastructure might be needed in the future, Guhlincozzi believed it was important to think about where else that money could be going, such supporting transportation and sidewalks. Guhlincozzi urged the Council to take more time with this and to think more critically about these issues.

Peters commented that in her review of this development there were some large lots but there were also some smaller lots. Peters agreed nothing there would be considered affordable housing, and pointed out they did not have any way to get people that were living in affordable housing or low income housing to their jobs since there was not a bus system in that area. Peters felt that needed to be considered because they would otherwise set themselves up by demanding they have low income housing in places they could not provide support services. Peters agreed they did not need the extra streets so she believed the design adjustments were a good idea. Peters noted that allowing the design adjustments would decrease impervious surfaces and would be best in terms of the CAAP.

Thomas commented that over a ten year period from FY 2005 to FY 2014, the development fee of 50 cents per square foot had generated just over \$9 million for the City to invest in arterial and collector roads, but over that same time period, the City had spent \$85 million on expanding arterial and collector roads, and the only reason they were doing that was to accommodate growth in the community. As a result, it was clear the 50 cents per square foot fell far short of the necessary cost to balance the budget. In addition, there was not any electric utility connection fee or public safety development fee. Thomas understood a new fire station was being discussed for that area, and they would have to scramble to find money for it like they did for the last fire station in the Fifth

Ward since these homes would not contribute to the cost of the new fire station that would serve them. Thomas commented that he liked the idea Crockett had alluded to in that they could create small block lengths with bicycle and pedestrian connections instead of building the additional streets. Thomas thought that would be a nice proposal and encourage a lot more active travel throughout that neighborhood. Thomas stated all of the neighborhoods where he grew up in England had bicycle and pedestrian connectors to make it permeable to move around without a vehicle.

Peters pointed out she understood they already had the funding for the fire station. Thomas asked from where that funding was coming as he did not believe it was coming from the growth on the east side of town that was driving the need for the fire station. Pitzer understood it had been approved by the voters.

Skala stated he was starting to come to the conclusion that the transportation issues they had involved the chicken and egg situation. Skala noted he did not want to get into the idea of inclusionary zoning at this point, but believed Old Hawthorne was in need of more density. Skala commented that he was not talking about affordable housing in terms of \$100,000 homes, which was desperately needed, but more about housing in the range of \$200,000-\$300,000, which was close to the median. In terms of this proposal in this place, Skala stated he wanted to see something more creative that would lean more toward smaller lots so it was denser and made more sense in terms of how growth paid for itself. Skala noted he was disturbed by the desire to place driveways on a collector street. Skala understood the argument was that this might not ever become a collector, but when reviewing other areas in the Third Ward, such as along St. Charles Road, it was dangerous when there were driveways on a collector roadway. Skala explained he had initially thought he would support the recommendation of the PZC, but had now changed his mind.

Peters understood 700 apartments had been planned for the original Old Hawthorne area, but the Council had recently allowed them to change that to smaller single-family homes because they had not seen the need for that type of development in the area.

B278-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, WANER, PITZER, PETERS. VOTING NO: FOWLER, SKALA, THOMAS. Bill declared enacted, reading as follows:

B279-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, WANER, PITZER, PETERS. VOTING NO: FOWLER, SKALA, THOMAS. Bill declared enacted, reading as follows:

B280-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, WANER, PITZER, PETERS. VOTING NO: FOWLER, SKALA, THOMAS. Bill declared defeated.

Treece understood B280-21 required a five-sevenths vote, and had thus failed. Amin stated that was correct and noted that decision affected B281-21. Treece understood that was because the preliminary plat had included the design adjustments. Amin stated that was her understanding.

Treece asked Crockett how he wanted to proceed. Crockett replied he understood the Council had approved the annexation and the zoning, and since the zoning was approved, they could come back with a new plat at will without waiting the one year period. Crockett asked if that was correct. Thompson replied if the Council continued the preliminary plat versus voting it down, it would provide the opportunity to come back with a revised plat without restarting the process. Crockett stated he would prefer that then.

Treece asked if they could come back with a downward departure of the design adjustments or if that would require a PZC hearing, and provided the bicycle and pedestrian connectors as an example. Thompson replied it would depend on whether it

became compliant. If it required other design adjustments, it could go back to PZC. Thompson stated it would be in the judgement of the Community Development Director as to whether it was compliant with what had already been viewed by the PZC.

Treece made a motion to table B281-21 to the October 18, 2021 Council Meeting.

Thompson commented that if a determination was made that it needed to go to the PZC, it would be reported to the Council, and the applicant would have the opportunity to continue it further.

The motion made by Treece to table B281-21 to the October 18, 2021 Council Meeting was seconded by Waner.

Pitzer understood the reason they were doing this was because all of the design adjustments had been within one ordinance. They had not voted on each one individually. Treece explained the blueprint they had was not accurate so they could not pass that ordinance.

Crockett asked if they could bring another preliminary plat back while still asking for the design adjustments because he thought Thomas had indicated he might be agreeable to some of the design adjustments if they came up with something different. Treece replied he would assume that was fine and that it would require the same two-thirds majority, but in his mind, it would need to be something that was a downward departure. It was also at the discretion of the Community Development Director.

The motion made by Treece and seconded by Waner to table B281-21 to the October 18, 2021 Council Meeting was passed by voice vote with only Peters voting no.

B284-21

Approving the Final Plat of "Forest Hills, Plat No. 2" located on the south side of Geyser Boulevard and west of Lake of the Woods Road; authorizing a performance contract (Case No. 125-2021).

The bill was given second reading by the City Clerk.

Teddy provided a staff report.

Pitzer asked if the subdivision was 75 percent complete. Teddy replied he thought it was probably about 25 percent complete, but the engineer might have some more specific information. Pitzer asked if there had been any other changes to what had been originally proposed and agreed upon in 2006. Teddy replied no. Teddy noted people likely saw the excavation happening now because there were approved construction plans and recalled that condition pertaining to that street. Teddy explained the street was kind of shaped like an elbow as there was a change in direction on the other side of the boundary, and this new street would come into it in a Y-type configuration. Teddy thought it would be circuitous travel from the north to the south so it might be more about incidental construction traffic.

Christina Luebbert, 304 Travis Court, Jefferson City, explained she was with Luebbert Engineering and noted the 2006 approved preliminary plat had indicated Sugar Maple Drive was to be designed and constructed to North Waterfront Drive using Boone County Public Works design standards and a gate with a Knox box, which would only be opened by public officials in times of public need, was to be installed by the developer and would remain in place until Rice Road, now Geyser Boulevard, was extended from its current terminus to Lake of the Woods Road. In addition, it indicated the gate was no longer needed once the connection existed. Luebbert commented that she had received a copy of the Boone County Commission order today, and it only provided permission to have the gate and said "the gate may remain in place until the adjoining subdivision is 75 percent complete or Rice Road is extended through to Lake of the Woods Road, whichever comes last." Luebbert understood the County was only giving permission for the gate to be over their right-of-way. Luebbert noted that once the construction plans had been approved by the City, which had been an arduous 6.5 month process, and the right-of-way permit had been obtained from the County for the connection, the contractor had started to work on the sewers, storm sewers, and streets. When learning work was

being done for the street connection, the neighbors had become concerned. Luebbert pointed out that at the end of the petition that had been signed by this and other homeowners associations in support of the preliminary plat in 2006 had indicated the intersection would be blocked until such time Rice Road extended to Lake of the Woods Road. It had not said anything about the 75 percent. Only one letter had included the desire for the 75 percent, and that caveat had not been on the preliminary plat. As a result, Luebbert did not feel it was a requirement. Luebbert explained she had spoken to her client and he had indicated a willingness to work with the neighbors by installing a temporary blockade, but he did not want the expense of an actual gate, Knox box, etc. Luebbert stated they did not have any problem with the homeowners association installing it, but in the meantime, they planned to utilize some boulders for traffic control after the connection was constructed.

Treece asked Luebbert for the name of her client. Luebbert replied D & D Investments of Columbia, which owned the property associated with the plat. They had purchased it from the bank when the previous developer had gone bankrupt, which was in 2016 or 2017. Treece asked Luebbert if they did or did not want the gate. Luebbert replied they would rather not have a gate because they did not want to spend the money on a gate. Treece asked if there was a gate there now. Luebbert replied there was not a gate there now because there was not a connection now. Treece asked if he was looking at the 2006 plat. Luebbert replied he had the 2006 preliminary plat, but they were voting on the final plat tonight.

Randy Benton stated he lived in the Edgewater Condos and explained trees had been cleared, but there was not any road there yet. In addition, it appeared as though there would be another road a few lots over.

Treece commented that the final plat before them tonight did not show any connection to North Waterfront Drive. Luebbert explained it was because the Boone County right-of-way was already there. Benton stated it was not a street yet.

Treece asked Benton about his concerns. Benton replied the traffic congestion. Benton understood the connection was required due to emergency services, but that there would be a gate with a lock there permanently. The emergency services would go through the gate if access was needed.

Treece asked Benton for his desired action tonight. Benton replied he was agreeable to the development if a gate was installed. Benton stated he did not want a street coming through to his neighborhood. Benton reiterated it appeared there would be another street. Treece asked Benton if he was referencing Apple Blossom Drive. Benton replied yes.

Phillip Bridgeford noted he lived on Waterfront Drive and had moved to this area for the security, but since he had been there, the residents of what used to be Rice Road would cut through their property on foot by crossing over fences, etc. Once the connection was made, it would make it easier for them to be in an area in which they should not be. Bridgeford stated his house faced the new construction, and they had not properly maintained the drainage from all of that construction, which had polluted their lake. The bottom of the lake had risen, and it was just a mudhole now. Bridgeford was not sure how putting in an additional road would keep them safe. The road that came in and out of there was a lane and one-half wide, and there was not room for two cars to pass if there was a car parked on the side of the road. It would increase problems in terms of accidents as those that did not live there would not be aware of the issues.

Bruce DeGroot explained he was the State Representative for District 101, which included Wildwood, Clarkson Valley, and Chesterfield, where he lived. DeGroot noted he had been on the Chesterfield City Council for three years, and prior to then, he had served on the Planning and Zoning Commission and the Board of Variances. DeGroot pointed out that developers did not get council members elected as they were corporations, not people, and as a corporation, they did not have a soul or a moral compass. They were made up of board members that had the fiduciary duty to their shareholders who were only interested in money. Developers wanted to cram as many houses on a property as

possible to satisfy their shareholders, and that was the situation here. DeGroot commented that the roads in the area were very narrow and dangerous, and constructing a road would put more people in their neighborhood to try to get on Lake of the Woods Road. DeGroot stated the infrastructure was not there as they did not even have sidewalks, and now more people would be on that road. DeGroot asked the Council to put neighborhoods before developers and corporations tonight by either postponing the vote or voting no as he did not feel they knew enough about this development.

Treece asked DeGroot if a gate or boulders to help restrict traffic was a potential solution or if he just did not like the plat. DeGroot replied he would be satisfied with a gate for emergency services, and explained he did not see the need for unfettered access.

Pitzer asked DeGroot why he was commenting on this item. DeGroot replied he lived in Chesterfield as well as at 1992 Waterfront Drive as he split his time. DeGroot noted he was also moving his mom from North Dakota to a home across the street on Waterfront Drive.

David Strumpf stated he resided on Waterfront Drive North and wanted to reinforce some of the prior comments. Strumpf believed safety was the issue as it was a very windy street and people did not watch what they were doing when going around the curves. Strumpf asked the Council to reconsider even providing access through there, and pointed out the fire station was actually in the opposite direction so there was not any reason anyone would want to get onto Waterfront Drive North. If the connection was needed, Strumpf suggested a 100 percent completion before unlocking the gate due to the safety issues.

Skala understood there was no reason to have a gate if the connection was maintained and there was build out of the entire subdivision, and asked if that was correct. Teddy replied staff was operating with the understanding that when development had been originally proposed there was an awareness that it would progress in phases and Rice Road, now Geyser Boulevard, would not be completed, which meant movements to the east would drop down on Sugar Maple Drive to Waterfront Drive and out to Lake of the Woods Road. Teddy understood a condition was annotated on the preliminary plat as guidance to say that if the connection was made before Rice Road was extended, there had to be a gate. Otherwise, the connection could be made. Teddy explained it was rare, but there were occasions when roads were closed due to some emergency causing the need for an outlet in both directions. On June 25, there had been a number of roads closed due to flooding and fallen trees.

Skala asked if the blocking of the connection could be permanent. Teddy replied he would not recommend that as he did not feel that had been in the spirit of the original agreement. In addition, they were trying to foster some interactions between neighborhoods. Teddy understood people tended to like the conditions in which they found their neighborhoods, and if they had streets that were somewhat private, they wanted to keep it that way. Teddy commented that he thought diverting construction traffic while construction was in progress was likely something the developer could work out with the neighborhood.

Treece asked if the current street standards required Sugar Maple Drive to connect to Waterfront Drive or if it could just curve into Royal Plum Drive. Treece wondered if the length was adequate. Teddy replied he was not sure. Teddy thought they had worked with Boone County staff on this and they had been in agreement that there should be some connection there. Teddy understood someone had mentioned Apple Blossom Drive, and noted that was a dead end stub street. It would not connect to a street on the south side. It would only enable possible access in the future should the large tract subdivide. Teddy pointed out the Code indicated that streets should be carried to the property lines.

Treece asked Peters about the circumstances involved with the gate at Timberhill Road as that had been something on which he had voted. Peters replied Timberhill Road was an unimproved road with large ditches on both sides. Although the gate was installed, the road name was the same on both sides, which caused some confusion for those utilizing

GPS services, and many people would either turn around or go around the gate causing them to drive into people's yards. Some boulders had been placed near the gate to try to prevent that. Treece understood it was a breakaway gate in case of an emergency. Peters agreed.

Skala thought there was a gate on Lillian Drive as that road was supposed to connect through the Links Golf Course development to Clark Lane. It allowed for bicycle and pedestrian access but not anything else other than emergency access.

Pitzer commented that he thought those gates were the result of an agreement between the neighborhood and the adjoining the development, and there was a similar agreement here. Pitzer provided an analogy involving the Lillian Drive and Timberhill Road situations whereby fifteen years from now a different group of people living there could decide they wanted to remove the gate, and that would not be in conformance with the agreement that had been made in the public record. Pitzer stated his concern was that they were opening the door to undoing fifteen year old agreements, and noted he was troubled by the fact they might go down that path. Pitzer pointed out there were opportunities for a temporary restriction, whether that involved boulders or something else, until the construction traffic was done or when it was built out to 75 percent or more. Pitzer stated he was not in favor of doing anything permanent that was contrary to the agreement everyone had been amenable to fifteen years ago.

Treece clarified Pitzer understood the agreement was that the gate would remain until Rice Road, which was now Geyser Road, connected to Lake of the Woods Road. Pitzer agreed and noted there had been a 75 percent notation that the developer seemed to be willing to accommodate. Pitzer understood that might not hold up legally, but it sounded as though they were willing to honor that.

Peters understood they would be voting on approving the final plat. Treece replied yes.

Treece understood the plat did not reference whether there would or would not be a gate, and asked for clarification. Luebbert replied the final plat had been prepared based on the approved preliminary plat, and the approved preliminary plat did not say anything about the build out of the development. As a result, they had not been aware of the 75 percent until recently when it had been brought to their attention. Luebbert clarified they had not been the original developers so they were not privy to those conversations, and had just been made aware around 5:00 p.m. tonight. Luebbert commented that houses were being built at a fairly steady pace. Treece asked if houses were being built in this development. Luebbert clarified houses were being built in Phase 1, which was north of this and along Geyser Road. Luebbert noted her client wanted to move forward with this plat so they could install the necessary infrastructure for houses to be built there when they were finished with Phase 1.

Treece asked Luebbert if she wanted the Council to vote or if she wanted to work with the surrounding neighborhood a little longer. Luebbert replied she wanted to emphasize that this plat met City standards and what had been required per the preliminary plat so she did not understand how it could not be approved.

Skala asked Luebbert if she had said they did not have any particular issue with a keyed gate there as long as they did not have to pay for it. Luebbert replied they did not want to pay for a gate and a Knox box, but were willing to put something up as a temporary barrier if agreeable. Skala understood it would not bother them if the neighborhood decided to install it. Luebbert replied they would not be opposed to that.

Luebbert pointed out the applicant was not a corporation with a board of directors. D & D Investments of Columbia consisted of David Drane and Dan Burks, who had grown up the last five and seven decades in this community and had multiple businesses and projects in Columbia.

Skala understood it would be illegal to block the connection if all of the conditions were satisfied, and asked if that was correct. Thompson replied that if the Council wanted to say there would not be a connection between the two roadways, the best way to do that was to not connect the two roadways. Luebbert pointed out that was not what had been

on the approved preliminary plat. Thompson stated that was correct. The approved preliminary plat, with which the final plat had been drawn to be in conformance, had the connection. Thompson explained the role of the Council was to determine the appropriate connectivity in terms of traffic movement, safety, etc., and not necessarily the desires of the neighbors. The Council had to decide how best the traffic patterns would work given the City Code and their planning tools. Neighborhoods did not get to decide to block streets. It was the right-of-way of the public, and the Council made that determination. The Council could not leave it in the hands of the neighbors to decide who came and went on a public street at any particular point in time.

Luebbert pointed out it was County right-of-way at the location where the gate would be, and the County order said that the gate had to be removed when 75 percent build out was complete. Glascock asked if that meant the County would install the gate. Luebbert replied no, and explained they had just granted permission for the gate. Glascock stated he did not think the County could direct the Council to take out the gate.

Skala commented that the County did not have jurisdiction over this, and thought the best solution would be to not to connect the road.

Pitzer understood the gate on the preliminary plat was drawn on the County side of the border so the County had jurisdiction in terms of whether the gate could be put in or taken out. Pitzer pointed out they had also received the document signed by the five homeowner associations and condo associations agreeing to the idea of a temporary gate after a long series of negotiations. Pitzer commented that he believed it would go against what they had recently talked about in terms of connections, streets, and how neighborhoods were laid out if they blocked it.

Treece made a motion to table B284-21 to the November 1, 2021 Council Meeting.

The motion was seconded by Peters and approved by voice vote with only Pitzer voting no.

B290-21

Authorizing a joint funding agreement for water resource investigations with the U.S. Geological Survey, United States Department of the Interior for hydrological monitoring of well sites in the vicinity of the McBaine wetland treatment units and the Eagle Bluffs Conservation Area.

The bill was given second reading by the City Clerk.

Pitzer understood this was an agreement with U.S. Geological Survey (USGS) to monitor groundwater quality in the McBaine bottoms and that this agreement had been in place since 1992. Utilities Director Dave Sorrell stated that was correct. Pitzer understood the USGS had been monitoring the groundwater quality throughout that time period. Sorrell replied he thought there was one year it had not been performed.

Pitzer noted he had asked Sorrell earlier today how anyone could find the results of that monitoring, and had been sent to the USGS site. Pitzer commented that no one would ever find it. Sorrell agreed one would have to know what they were looking for on the site to find the information from these wells. Pitzer asked how the City was using the information they received from this monitoring. Sorrell replied they had baseline information from before the wetlands had been built, and they used this information to determine if the sewage treatment wetlands had an influence on the drinking water aquifer. The wetlands had changed some of the flowpaths and they had found some constituents in affluent that had shown up in some of the monitoring wells at a very high level, i.e. not deep down in the aquifer. By continuing to monitor this, it would allow them to be aware of whether the wetlands would have a negative impact on the water system before the damage was done so they could implement some modifications to the sewer treatment process. Pitzer understood that by "high level" Sorrell meant close to the ground surface and not a high level of contaminants. Sorrell stated he meant "high level" in terms of elevation, i.e., close to the surface of the ground and not down at the water intake area, which was closer to 100 feet in the ground. Pitzer asked if this data was

included in the annual water quality report. Sorrell replied this data was not in the annual water quality report, and explained that report had a different set of data. Pitzer asked if this data was more or less comprehensive. Sorrell replied the water quality report was more comprehensive with regard to what they actual got from the tap, and this data more comprehensive in terms of what was going into the water plant. Sorrell noted they could put this data on the City's website to make it more readily available in the community as he agreed it was difficult to find on the USGS site. Pitzer thought that would be useful if there was a way to do that.

Pitzer understood the City had been paying \$78,000 per year since 1992. Sorrell explained it had originally been split three ways between the Department of Conservation, USGS, and the City of Columbia, and over time, the City had become the sole provider of the information financially. Pitzer commented that he thought it would be useful if there was a way to make that data available or usable for people that were interested. Sorrell replied they could look into having that information on the City's website or with a link to the USGS website. Sorrell reiterated he thought it was data worth getting because it would give them notice prior to any damage to the aquifer if it was caused by the wetland units.

B290-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B294-21 Authorizing a cost share request/agreement with the Missouri Department of Conservation for a Tree Resource Improvement and Maintenance (TRIM) grant for marketing consultant services to provide information on private tree care to improve the City's urban tree canopy; amending the FY 2021 Annual Budget by appropriating funds.

The bill was given second reading by the City Clerk.

Fowler explained she had pulled this item because she did not want it go without mention since a tree canopy served a variety of benefits to the community and because she was concerned that they were not doing enough for climate action in this budget and in this year. Fowler understood this was a small step and asked how this particular project could involve a more focused look on the climate action steps. Teddy agreed it was a small step in the direction that trees were performing important ecological services, and he thought this campaign was aimed at people that owned trees. It was a way to reach out to the community to enhance the tree canopy by teaching people best practices in pruning, how to watch for disease and weakened trees, how to nurture planted trees, etc.

Fowler wondered a next step was contemplated. Fowler understood this involved a campaign with Bucket Media and the time contributed by members of the Tree Board as the match for the grant. Fowler asked how they could move beyond that step. Teddy replied the guidance document was the Urban Forestry Master Plan, which the Tree Board had helped to develop, and as a result, he thought they would take a look back at the campaign when it was finished to assess successes along with ways to leverage some larger scale efforts of the same nature.

Fowler asked if the City was doing something with rental property owners in the core parts of downtown in terms of the tree canopy. Fowler noted the house next door to her was surrounded by beautiful trees that were all scheduled to come down. One would be removed due to a stormwater project and the others would be removed due to the landlord viewing them as a peril to his roof. As a result, they would go from a shaded area to a bare area. Fowler felt they did not have a lot reach into the neighborhoods about the importance of the tree canopy. Fowler commented that she understood it as a homeowner, but was unsure about others. Teddy stated he would take that as a good suggestion for intervention on which they could strategize, and provided outreach on the benefits of trees to neighborhood associations and apartment associations as an

example.

Skala commented that an issue they had run into with urban or street trees years ago was the concern that they could create accident sites in terms of vehicular travel.

B294-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

- B273-21 Authorizing a second amendment to the collective bargaining agreement with Columbia Police Officers Association, Fraternal Order of Police Lodge #26.
- B274-21 Authorizing an amendment to the collective bargaining agreement with Laborers' International Union of North America, Local 955.
- B282-21 Granting a design adjustment relating to the proposed Final Plat of Eastport Centre Plat 2-C located on the south side of Bull Run Drive and east of Port Way (5710 Bull Run Drive) to allow a terminal street without a turnaround at the closed end of Burnside Drive (Case No. 213-2021).
- B283-21 Approving the Final Plat of "Eastport Centre Plat 2-C" located on the south side of Bull Run Drive and east of Port Way (5710 Bull Run Drive); authorizing performance contracts (Case No. 213-2021).
- B285-21 Approving the Final Plat of "Tandys Addition Block 1, Plat No. 1-A" located on the west side of College Avenue and south of Business Loop 70; authorizing a performance contract (Case No. 93-2021).
- B286-21 Vacating a portion of a utility easement on Lot 3 within Westbury Village subdivision located on the west side of Scott Boulevard and south of Smith Drive (Case No. 111-2021).
- B287-21 Vacating utility easements within Arbor Falls, Plat 1 and Plat 2 located on the north side of Highway WW and south of Pergola Drive (Case No. 141-2021).
- B288-21 Authorizing a consolidated grant agreement with the Missouri Highways and Transportation Commission for FY 2022 transportation planning purposes (Case No. 276-2021).
- B289-21 Authorizing construction of the Grace Ellen Drive PCCE #27 Sanitary Sewer Improvement Project; calling for bids through the Purchasing Division or authorizing a contract for the work using a term and supply contract.
- B291-21 Authorizing a joint funding agreement with the U.S. Geological Survey, United States Department of the Interior for operation and maintenance of a streamgage on Hinkson Creek to provide historical stream flow data and flood stage information.
- B292-21 Authorizing a contract with the Missouri Department of Health and Senior Services for crisis cooperative agreement program services to

demonstrate measurable and sustainable progress toward achieving public health and healthcare preparedness capabilities and promote prepared and resilient communities.

B293-21 Amending the FY 2021 Annual Budget by appropriating funds to the Department of Public Health & Human Services for CARES Act COVID-19 expenses.

R149-21 Setting a public hearing: proposed construction of the Landfill Fuel Station improvement project located at 5700 Peabody Road to include the installation of two (2) diesel fuel dispensers and metal canopy with lights, concrete pavement, storm water inlet and piping, and upgrades to the mechanical and electrical systems and existing control and fuel monitoring equipment.

R150-21 Setting a public hearing: proposed replacement of the aggregate pool shell in the Water Zone area at the Activity & Recreation Center (ARC).

R152-21 Authorizing acceptance of an Assistance to Firefighters grant from the Federal Emergency Management Agency - U.S. Department of Homeland Security for the purchase of communication equipment for the Fire Department.

R153-21 Authorizing an amendment to the community housing development organization (CHDO) agreement with Central Missouri Community Action for the construction of an owner-occupied home at 1105 N. Eighth Street as part of the Cullimore Cottages project and providing homeownership assistance.

The bills were given third reading and the resolutions read by the City Clerk with the vote recorded as follows: VOTING YES: TREECE (except for B282-21 and B283-21 on which he abstained), FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

VIII. NEW BUSINESS

R151-21 Authorizing Adopt A Spot agreements.

The resolution was read by the City Clerk.

Fowler wondered if they could utilize adopt a spots as a way to meet climate action goals in terms of mitigating stormwater excess runoff or incorporating them into the rain garden program. Teddy replied it was called the Adopt A Spot Beautification Program and the primary purpose traditionally had been to establish greenspaces and seasonal colors on roadways, i.e., corners, center medians, and roundabouts. As time had gone on and with the hiring of a Sustainability Manager, they had gotten more into native plant education so there had been some projects where they had looked into pollinator species combinations and native vegetation to establish hardiness and conserve water. More broadly in terms of climate action, these spaces, which would otherwise be hot and impervious, were being cooled by landscaped medians, some of which were large, like those at roundabouts.

Fowler asked how they would move forward if they wanted to expand the program to fulfill a larger role with regard to the CAAP. Teddy replied he would begin with a look at the data and a mapping of the sites. Teddy thought they could look at other similar types of landscape installations that were not part of the adopt a spot program but were performing some of the same services. They could then see where they had gaps on a

geographic or functional basis. From there, they could get into a discussion as to whether they wanted to expand the program. Teddy commented that the program operated on a budget as the City provided adopters signs, bulbs, etc. so there was a finite source of funding.

Fowler asked if the raingarden slew at the fire station on Green Meadows was an adopt a spot or if that was done in conjunction with a different program. Glascock replied that had been part of the design of the fire station.

Pitzer commented that there had been a roundabout project in his ward a few years ago, and there had been neighborhood concern about it for a couple of reasons, to include aesthetics, as they did not want a large concrete thing in the middle of the road. The result was that some of the neighborhoods had agreed to adopt the interior of the roundabout on a long term basis as an adopt a spot. Pitzer felt that had helped in terms of climate action while also addressing the concerns regarding the aesthetics of the project, which was a positive. Pitzer pointed out staff was very proactive in the use of native plants, plants that did not require a lot of water, etc. with the adopt a spot program. Pitzer noted he would caution against expanding the program because they already had trouble getting enough volunteers to take care of the adopt a spots in existence now so he thought that should be kept in mind.

Treece thanked Pitzer and his family for adopting an adopt a spot and keeping it looking good. Treece pointed out former Council Member Mike Trapp was one of the people adopting an adopt a spot with this resolution.

R151-21 was read by the City Clerk, and the vote was recorded as follows:

VOTING YES: TREECE, FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS.

VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

IX. INTRODUCTION AND FIRST READING

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

- B295-21 Voluntary annexation of property located on the east side of Scott Boulevard and west of Persimmon Road (5170 S. Scott Boulevard); establishing permanent District R-1 (Single-family Dwelling) zoning (Case No. 216-2021).
- B296-21 Voluntary annexation of property located along both sides of Van Horn Tavern Road and east of Highway UU (5500 W. Van Horn Tavern Road); establishing permanent District O (Open Space) and District M-N (Mixed-use Neighborhood) zoning (Case No. 227-2021).
- B297-21 Granting the issuance of a conditional use permit to MFL Golf, LLC to allow "outdoor recreation or entertainment" uses on property located at 5500 W. Van Horn Tavern Road in an O (Open Space) zoning district (Case No. 253-2021).
- B298-21 Rezoning property located on the north side of St. Charles Road and approximately 500 feet west of Grace Lane (5301 St. Charles Road) from District R-1 (One-family Dwelling) to District M-C (Mixed Use-Corridor) (Case No. 221-2021).
- B299-21 Rezoning property located on the east side of Fay Street and the west side of College Avenue (504 Fay Street) from District M-N (Mixed-use Neighborhood) to District IG (Industrial) (Case No. 225-2021).
- B300-21 Approving the Final Plat of "Central Addition Plat No. 2-A" located on the

- east side of Fay Street and the west side of College Avenue (Case No. 223-2021).
- B301-21 Approving the Final Plat of "Central Addition Plat No. 3" located on the west side of Fay Street (509 Fay Street); authorizing a performance contract (Case No. 244-2021).
- B302-21 Approving the Final Plat of "Pi Beta Phi Plat 1" located on the north side of Rollins Street and west of Tiger Avenue (511 Rollins Street); authorizing a performance contract (Case No. 224-2021).
- B303-21 Granting the issuance of a conditional use permit to AnnElise Hatjakes to allow for the construction of an accessory dwelling unit on property located at 504 Parkade Boulevard (Case No. 152-2021).
- B304-21 Authorizing an annexation agreement with Equipmentsshare.com, Inc. for property located on the south side of I-70 Drive Southeast, approximately 630 feet east of Tradewinds Parkway (8378 I-70 Drive Southeast) (Case No. 167-2021).
- B305-21 Vacating a utility and drainage easement on Lot 10, Block 2 within Moon Valley Heights Addition No. 4 located on the west side of Bucks Run (Case No. 267-2021).
- B306-21 Accepting conveyances for utility and tree preservation purposes.
- B307-21 Authorizing construction of sanitary sewer infrastructure from the Hinkson Creek outfall trunk sewer to serve properties along the eastern side of the Route B industrial corridor; calling for bids through the Purchasing Division or authorizing a contract for the work using a term and supply contractor.
- B308-21 Authorizing an agreement for professional architectural services with Connell Architecture, P.C. for the design and construction of two (2) vehicle storage shelters at the Columbia Sanitary Landfill.
- B309-21 Accepting conveyances for utility, drainage, sewer, temporary construction and temporary access purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B310-21 Authorizing a memorandum of understanding with the Missouri Department of Health and Senior Services for the issuance of birth and death certificates and associated information technology activities.
- B311-21 Amending the FY 2021 Annual Budget by appropriating funds for COVID-19 expenses associated with the program services contract with the Missouri Department of Health and Senior Services for public health emergency preparedness services.
- B312-21 Authorizing replacement of the aggregate pool shell in the Water Zone area at the Activity & Recreation Center (ARC); calling for bids through the Purchasing Division.
- B313-21 Authorizing a contract for sale of real estate and special warranty deed with Columbia School District No. 93 for the acquisition of property located on the east side of Sinclair Road, adjacent to John W. Warner Middle School, to be used for open space and park purposes.

B314-21 Amending Chapter 4 of the City Code relating to the sale of alcoholic beverages.

X. REPORTS

REP69-21 Amendment to the FY 2021 Annual Budget - Intra-Departmental Transfer of Funds.

Treece asked where the funds had been moved and whether this was last year's money. Glascock replied it was in this year's budget. Treece asked why it had not been a part of the encumbrances they had approved for the FY 2022 budget. Sorrell explained the funds had been budgeted in the capital account for repairs to the cooling tower, and they had been told by accounting that it needed to be paid for out of the operating budget. This just moved funds that were already appropriated for repairs to the cooling tower from a capital account to an operating account. Sorrell noted it had been budgeted incorrectly and should have been budgeted as an operating expense. Treece understood they were not actually moving the money, and were only moving the source of funds. Sorrell commented that it was all from the electric utility revenue account. It would come from the operating account now instead of a capital account.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Ben Ross explained he had emailed the Council last week with regard to the parking variance process, which he felt needed improvement. Ross stated the Code itself needed to be improved, and provided the requirement for elementary schools to only have one parking space per classroom along with the criteria the Board of Adjustment (BOA) utilized to approve variances as examples. Ross commented that he had attended four different variance hearing in the last few years, and the members tended to talk differently with regard to their role. Ross noted an elementary school off of Sinclair Road had been required to go to the BOA due to the City Code requirement, and even though there was nothing wrong with the property, it had received City staff support and the variance had been approved by the BOA. Ross pointed out the BOA required extra greenspace at Russell Boulevard Elementary, which ended up costing them six parking spaces and increasing the impervious area per parking spot. In addition, the people that would have parked in the six spaces were parking on the street, which was not as safe. Ross referred to Rock Bridge Elementary and noted CPS wanted 477 percent of the allowed parking, which he felt meant the requirement in the Code was unreasonable. The BOA had denied the request and had later ultimately tabled it. In addition, City staff had not recommended approval. Once the parents had gotten involved, the BOA approved the request by only one vote. Ross described an infill development in the Second Ward involving a Starbucks and a Dobbs Tire and Auto Center whereby both had asked for parking variances for more parking. The staff had recommended denial, and the BOA had denied the request. Starbucks had only wanted three more spots, and the staff had suggested parking on the neighboring undeveloped lot instead. The neighboring lot was the Dobbs Tire and Auto Center, who had later asked for more parking, and City staff recommended denial for that request as well. Ross stated Dobbs Tire and Auto Center was a great family business within the State of Missouri that had a great relationship with Ranken Technical College for jobs. People were not able to find affordable housing without good jobs, and that development would have provided good jobs. Ross described the proposal and stated he felt the BOA was misinterpreting the ordinance. Ross explained one of the BOA members that had initially voted against the Dobbs Tire and Auto Center request had done so because he did not think the variance pertained to nature of the site, but when he had the opportunity to vote again, he had changed his mind and voted in favor of it. Ross suggested the Law Department provide training to the BOA so they were all on the same page with regard to the ordinances. Ross also suggested the Council ask the BOA to reconsider the parking variances for Starbucks

and the Dobbs Tire and Auto Center and fix the issues within the City Code.

Treece stated his understanding of the BOA was that this issue was only appealable to the Circuit Court, and asked if there was another mechanism for the issue to be revisited. Treece noted he was also unsure of the best policy. Treece did not think the BOA should rubber stamp every request that came to them. In addition, Treece was not sure they should create exceptions in the UDC for these developments because others may want the same exception downtown or close to a neighborhood creating more parking than what might be appropriate. Treece reiterated he was torn as to the best solution in terms of process and content.

Thompson explained there was the opportunity for the developer to come back with a planned development for the site so the Council could determine whether or not there was the ability to have the number spaces requested based upon the use, layout, etc. Thompson noted she considered a planned development an interactive process where there was give and take in the design of the site and parking layout. With additional parking, there might be more landscaping, buffer, etc. It was dependent upon the circumstances of the exact request. Thompson reiterated a planned development was always an option. Thompson pointed out there was not an option for a do-over, and the appeal was to the Circuit Court. The Council did not hear appeals from the BOA.

Ross asked if the BOA could reopen the case. Ross noted they had tried to during the meeting last week. Thompson replied if the BOA had not voted to reconsider the issue at that meeting, it was closed. Thompson reiterated there was an opportunity for a planned development, and noted there was also the opportunity to provide further guidance in the Code as it related to seeking a parking variance. Changing the variance rules to apply to a parking situation would likely cause more harm than good. Thompson noted it might be more appropriate to set out criteria for when a parking adjustment or variance would be authorized for parking maximums for Council consideration for the future.

Waner stated she tended to be supportive of the planned development approach.

Skala noted he understood planned developments were supposed to be the relief necessary for exceptional issues. The UDC was established to stipulate some solidarity with the way the Code was written instead of having to negotiate, but planned developments were still an option. Skala commented that if they wanted to influence how the BOA viewed certain issues, they could stipulate guidelines for variances to help them.

Pitzer stated he too was unsure of the best approach. The facts of this case were one thing and something to which he was probably sympathetic. Pitzer noted the planned development route would create a second avenue for parking variances. They had the variance route with the BOA as well as the planned development route that came to the Council, which meant applicants would weigh their options to determine how they might best succeed given the particulars of their case. Pitzer understood the UDC was supposed to reduce the number of planned developments, and not motivate more of them.

Waner commented that it was interesting to her and almost seemed nonsensical in some capacity to say they were categorized as service so they could only have a certain number of spots, but if they were categorized as retail, they could have double or triple that number of spots. Waner noted she was not a Code expert by any means, and had visited the site with Dr. Nakhle Asmar, who was not a typical developer as he wanted to beautify the area and bring some jobs to Columbia. Waner stated she wanted to find the best possible route to make that happen.

Skala noted the number of spaces for the type of development was based on data. Skala also agreed they did not want to encourage a lot of planned developments, but pointed out it had not been totally discarded and it was an option for some of these exceptional cases.

Pitzer felt this was one of those government bureaucratic morasses that no one knew how to navigate, and he was unsure of the way either.

Ross commented that he knew they had lost 22 jobs, which was why he had been motivated to talk to the Council.

Jeanne Mihail, Crawford Street, stated she was delighted the Council had split the question as to what to do with the ARPA funds from the current budget issue. Mihail noted she agreed with some of the proposed uses, such as finding a permanent shelter for their unhoused community members and providing mental health services, which both appeared to be longer term projects. Mihail commented that she also agreed with a number of the speakers this evening that had indicated they needed to provide real relief to suffering people right now. Mihail felt there were two tracks for the funds. Mihail explained the part that worried her was the use of the word "remainder" in describing the difference in two pools of funds, one for the longer term, larger projects and the other for everything else. Mihail stated she was not sure how they would know what was an appropriate proportion for the "remainder" until they had actually spoken to the community to determine the needs. If the needs were great enough, the remainder might be larger than they thought. Mihail asked that they think about not making this type of division in terms of the ARPA funding until they had explored the needs within the community where they were located since some could not come to council meetings to determine what that division should be in terms of longer term projects and immediate relief.

Aída Guhlincozzi, Old Highway 63, echoed the comments of Mihail and emphasized the importance of a publicly engaged, transparent process for the ARPA funds in terms of how it was determined the money would be spent. Guhlincozzi commented that accessibility in addition to transparency needed to be considered and pointed out those in the room tonight were not a proper representation of the community. Guhlincozzi explained she was able to attend because she did not have children, had a supportive and patient husband, and had a flexible work schedule to manage the mornings after being at the meetings so late. Those without that ability and flexibility were still valid and deserved to be heard when it came to spending these funds in the best way to support community members. Guhlincozzi noted she would continue to push for those kinds of transparent, publicly engaged processes for all actions the Council took moving forward, especially in terms of redistricting. As a geographer, Guhlincozzi recommended considering resources available at geocivics.com and at the University of Missouri Geography Department.

Traci Wilson-Kleekamp commented that one of her favorite documents completed by the City was the CAAP, and a reason for that was because it said one of the things they had to do as a City was to deal with the tension spots they had amongst issues. Wilson-Kleekamp stated she felt that needed to be done with regard to the budget process. Wilson-Kleekamp explained she was impressed with Finance Director Matthew Lue as he was trying to help get the budget and financing issues together, and believed he was being charitable by saying it had been handled in this manner but they were trying to get it going in another direction. Wilson-Kleekamp noted tension spots were transparency and the inability to do outreach and education with the public with regard to the process. Wilson-Kleekamp felt there was some value to using Zoom and transcribing minutes for items such as the budget hearing held on August 19. Using Zoom or an extended tool of Granicus would allow more people to participate online and at home. Wilson-Kleekamp stated she was not sure why that was a touchy subject as it would provide more access, particularly with boards and commissions. Wilson-Kleekamp noted she was disappointed by board and commission meeting minutes that were one sentence long as there was no way to know what was going on with that commission. Wilson-Kleekamp commented that she was reviewing the contrast with regard to where they had tension spots. The PZC had asked for rubric on the CIP in terms of how the City determined what needed to be done in an equitable way. Wilson-Kleekamp understood there were issues of equity involving the Housing and Community Development Commission with regard to how money was provided to organizations. Wilson-Kleekamp

noted the Climate and Environment Commission also had some really good suggestions in their supplemental report, similar to the kinds of concerns raised by the PZC in terms of commitment. Wilson-Kleekamp commented that they had made a records request regarding pay data, and in their review, they felt the option that had been picked for pay for employees was the least equitable option. Wilson-Kleekamp explained that, for her, the exercise of the budget was a test of how they were managing their tension spots and whether they were looking at equity as something they valued. Wilson-Kleekamp stated she was concerned they said the words "equity" and "inclusion" but did not really understand them. Wilson-Kleekamp suggested they work on that for the next year.

Dani Perez quoted Ibram X. Kendi, the author of *How to Be an Antiracist*, "In America, it's as though racist ideas are constantly rained on your head: 'You have no umbrella and you don't even know that you're wet with those racist ideas,' because the ideas themselves lead you to believe that you are dry. Then someone comes along and says 'you know what, you're wet' and these ideas are still raining on your head. 'Here's an umbrella.' You can be like, 'Thank you! I did not even realize I was drenched.'" Perez explained some of the things she had observed at the prior meeting had activated her, and she likely said some things that were uncomfortable. Perez noted she wanted the Council to know she and others that had been critical had not done so because they were white or men or due to their class in terms of income. It was because they were so used to the system in which they were born and would take advantage of that system since that had been taught to them. Perez commented that she was half white so she was guilty of it as well. Perez stated they were just trying to provide the Council umbrellas because they were drowning in systemic racism, sexism, and ableism. It was not because they hated those groups or favored a certain class over another. It was because they did not realize they had been taught their way of life was a dry life even though they were drowning. Perez asked the Council to think about why they wanted certain projects in the future with the ARPA funding and the next budget. Perez suggested they determine if it was because they assumed it was wanted due to speaking to a few select people or if it was because they made assumptions based on their privilege and comfortableness. Perez asked the Council to stop thinking they were dry as many of them, to include her, were not as they all had a lot to learn. Perez suggested they talk to the homeless, people with cognitive and emotional issues, the black community, and other communities prior to moving forward with projects such as a homeless shelter or mental health facility. Perez stated they did not want revenge. They only wanted equity and equality. Perez understood it was not their fault they were white.

Chimene Schwach commented that she was impressed the Council did this marathon on a regular basis as it was the first time she had stayed for an entire meeting. Schwach noted she was also dismayed as she had missed dinner and other activities with her kids while at the meeting, but felt she had to since not everyone else had the privilege of attending. Schwach understood they had bus service that lasted to the end of council meetings, but there were not many people here that would take the bus home tonight. Schwach felt the council meetings were not accessible. In addition, the public comment whereby people could talk to them about something that was not on the agenda should not be at 12:30 a.m. or 1:00 a.m. Schwach thought there needed to be another process at least once a quarter. Things did not always have to be done the way it had been done in the past. Schwach was happy the budget process went well tonight. Schwach commented that she was not against development, but felt modernization and best practices needed to be considered. Schwach stated she was appalled that the Citizens Police Review Board (CPRB) did not have any non-white people on it. Schwach understood the Council had been given the opportunity tonight to change that, and instead of choosing one of the two people of color, they had chosen a white guy. Schwach pointed out these two people of color were not like her or Traci

Wilson-Kleekamp who were always speaking out against things. Schwach noted the Council could have made a better choice, even if it was solely for symbolic purposes. Schwach felt it was very telling that when given opportunity after opportunity to make the right choice, they always went with the white guy.

Eugene Elkin, 3406 Range Line Street, stated he recently learned Shelter Insurance was constructing the first house of a group of 33 Habitat for Humanity homes along Highway 63 North. Elkin understood they were using their employees along with their money for that home. Elkin noted he was thankful for the Community Housing Development Organization (CHDO) funds as that had helped Habitat for Humanity over the years. Elkin understood someone had asked if they could receive that type of funding, and as far as he knew a 501(c)(3) would provide the means to obtain those funds.

Elkin wondered if they were doing themselves an injustice by covering up their faces and lowering their immune system to other things that might be in the atmosphere. Elkin commented that in July he had gotten sick with an ear infection and sinus infection, and in August, he had been infected with COVID. Elkin stated he had previously been supportive of the mask, but was not anymore due to the lack of oxygen and the lack of exposure to germs, potentially leading to them getting sick.

Peters asked for a report regarding sidewalks on Lightpost Drive. Glascock replied a report would be provided.

Peters asked Council if they would be agreeable to an ad-hoc committee with representation from the different neighborhoods surrounding the downtown area to review the UDC to determine how it affected neighborhoods and whether there was a need for a better overlay or something else. Peters noted that if the Council was agreeable, she would come back with a plan to discuss the number of people they might want on it and what they might want them to address. Treece asked if there was any objection, and no one objected.

Fowler noted they were about to embark on leaf-raking season and she wondered what that might look like for residents that wanted to bag them as it could require the purchase of additional bags. Fowler explained she understood why there was a charge for more bags, but pointed out the program created some disproportional impacts on families with kids and those with particular packaging difficulties. Fowler wondered how they could manage the collection of yard waste this fall.

Glascock asked Fowler if she wanted a report or if she wanted to discuss it now. Fowler replied she thought it would be helpful to have options to discuss. Glascock noted an option was to set aside two weeks, maybe before and after Thanksgiving, whereby leaves in any type of bag would be picked up. Glascock stated he had not thought about it much beyond that, and emphasized it would be for leaves only. The trash would still need to be in a City logo bag. Glascock pointed out he would have to talk to staff prior to bringing back a report. Fowler asked if that could include the bundling of small branches.

Pitzer commented that he had brought up this issue a year ago when they had gone to this trash system and did not recall support for doing anything with yard waste at that time. Pitzer agreed about the need and noted he supported doing something different.

Treece stated he was not opposed to looking at a special pick-up, but pointed out the content of the bag was not the issue for trash collectors as they still had to pick it up and throw it into the truck. It was why they had gone to the pay-as-you-throw model. Treece was not sure it mattered if it was leaves or a television as it was all the same to trash collectors. Treece noted that did not mean there was not a better solution, such as twice a year in the fall or if they raked leaves into the street for a street sweeper. Treece stated he was not sure of the solution but was willing to explore it.

Treece commented that he thought there was consensus for a report. Skala agreed.

Skala stated a special pick-up in the fall to provide a bit of relief sounded like an interesting proposal. Skala noted it did not personally affect him as he raked his leaves towards the woods on his property, but he understood how others might benefit from it.

Thomas asked if the bags would go to the landfill or the mulch site if there was an extra pick-up. Thomas did not think they wanted leaves in the landfill. Glascock replied they took them to the landfill now due to the bioreactor and its generation of gas. Glascock thought they could take it to the compost area at the landfill, but they would not take it to the mulch site. Glascock reiterated it was something they could look into. Thomas felt it would be best if people were composting the leaves on-site.

XII. ADJOURNMENT

Treece adjourned the meeting without objection at 12:34 p.m.