



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, November 1, 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, November 1, 2021, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Member KARL SKALA, Council Member IAN THOMAS, Council Member MATT PITZER, Council Member BETSY PETERS, Mayor BRIAN TREECE, Council Member PAT FOWLER, and Council Member ANDREA WANER were present. City Manager John Glascock, City Counselor Nancy Thompson, City Clerk Sheela Amin, and various Department Heads and Staff Members were also present.

Mayor Treece explained the minutes were not yet complete for the July 19, 2021, August 16, September 7, September 20, October 4, and October 18 regular meetings.

Council Member Fowler asked that R170-21, R171-21, and R172-21 be moved from the consent agenda to new business.

The agenda, including the consent agenda with R170-21, R171-21, and R172-21 being moved to new business, was approved unanimously by voice vote on a motion by Mayor Treece and a second by Council Member Skala.

II. SPECIAL ITEMS

None.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

IV. SCHEDULED PUBLIC COMMENT

SPC60-21 Aida Guhlincozzi - The importance of data transparency and accessibility.

Aída Guhlincozzi spoke.

GUHLINCOZZI: My name is Dr. Aída Guhlincozzi. Okay, so, hello, City Council. My name is, as I mentioned, Dr. Aída Guhlincozzi. I'm geographer here in Columbia from Ward 6, and I've been paying close attention to the ward redistricting

discussions. It's very important and I care about a greatly. And I've paid attentively to the materials coming out of City Council, given the maps -- and so this is actually not about redistricting. I understand that that's on the agenda. But given -- this is an example -- given the maps that we've seen from the City GIS office, I wanted to provide an example for what anyone should look for when given a map, and this is for the general public as well as yourselves. I've created -- and these are some of the questions that I know some of the public have had about in regards to these maps -- and so this is just meant to serve as a contrast. I've created several maps using 2020 census racial and ethnicity data that shade each ward by the number of white, black, or Latinx people in them. So, this one is the Latinx population, and the important thing to know about any map is that there are several key items that anyone looking at a map should look for to know more about the map, that are very informative and very important for data transparency and accessibility. And so, one is the projected coordinate system -- wonderful, okay -- is the projected coordinate system. This is the chosen grid that the cartographer has chosen to use for adjusting the geographic information from a spherical 3D representation to a flat 2D one. They're very important. The next is the title. This is an important detail because it tells you about the map and what the map is. Next is the origin or the north arrow telling us what direction the map is facing, and it helps the viewer orient themselves in relation to the map and where they are. Next is the data source. The data source is very crucial because it tells us where the data came from, and we need to know that information whenever we are looking at any kind of data because there's all kinds of details that go into the data and where it comes from and how it's created. And next is the scale bar. This tells us the ratio of the map distance to the ground distance, again very important, because that's how we can relate the map to real world. And then there's the legend, and the legend is crucial to knowing what different elements on the map mean. The author, and this is very important -- to know who made the map because they may have reasons for the cartographic choices they made. It's me in this case, and I'd always be able to answer those questions about why I made the choices I made. And lastly, the date to ensure relevancy to the map itself and our current lives. So you can see all of these elements throughout the maps that I've provided. As I mentioned, I've done other maps on the white population and also the black population by Columbia ward. I encourage you to compare these maps I've provided with the wards redistricting maps and any other future maps that you may see going forward in this process. I hope this is helpful to both the public and City Council as we move forward in the redistricting process and any process that may involve spatial data in the future. Maps are powerful and they can be powerful tools that need to be crafted carefully and with rigor to ensure transparency and accessibility. No map is perfect. I can tell you that I have critiques of these own maps of mine that I made already, and how -- I have ways I would have improved them, and I have been given feedback as well from the public on how to improve them. However, there are important standards in the public for all public distribution of data in any form, including maps. And these standards are key to guaranteeing transparency and access when it comes to the display and distribution of data. So, thank you so much for your time, and that's it.

SPC61-21 Alexis Stockwell and Malori Chrisman - Sidewalks in Mizzou's Greek Town in terms of accessibility barriers and a request for a plan of action for their repair.

Alexis Stockwell spoke.

STOCKWELL: Hi everyone. My name is Alexa Stockwell and that is Mallory Chrisman. We're both students at the University of Missouri and we are here representing the Panhellenic Association Accessibility Committee. This Committee increases accessibility in PHA and Greek Life through ensuring proactive accommodations are put in place for future member or current members, and we increase representation of the disabled population in Greek Life. We are here to discuss accessibility issues evident in Greek Town sidewalks, and to create an action plan for repairs. Mallory just passed out photos to the council members so you guys can visualize the issues that we are discussing today, and she'll take a minute to describe them now.

CHRISMAN: As you look at these pictures, notice the areas where the sidewalk drops off without being marked, areas without curb cuts, where the sidewalk abruptly ends and there isn't a sidewalk or crosswalk at all, and the large cracks and holes in the concrete. As college students we rely on sidewalks to get us everywhere on campus, and we don't think much about it when we are walking over these flaws in the concrete. However, as a college student in a wheelchair, on crutches or with a physical or visual disability, having curb cuts, and clearly marked dips in the sidewalk are crucial to get where they need to be safely. When the sidewalk ends abruptly or does not even have a crosswalk, it poses a major accessibility issue. For a few years now, this committee has been advocating for the City of Columbia to repair these sidewalks. Last year we decided to start this conversation up again to try to fix this problem, and it fired up the Mizzou Greek and Columbia community. Leadership at Mizzou tried to help us as much as they could, but Greek Town is not their property. It's the City of Columbia's. We are here today to personally ask that the City of Columbia assist us with the repair of these sidewalks.

STOCKWELL: We recognize that this is a large undertaking and one that might not seem necessary given the location and the resident status of many of the people who live there. However, this is an issue that needs to be addressed now. Disability is an important aspect of diversity. Twenty percent of Americans have some form of disability. How are we to be inclusive as a community if we are neglecting such a large group within our population? By repairing the sidewalks, you are showing that you value the disabled community and that you value the students who have come to the City and makes the City what it is. Our first request to you is that we are put in contact with the proper individuals to discuss the sidewalks, and to create an action plan for their repair. Our second request is that we have an action plan prepared by the end of the calendar year, so December 31 2021. We want this plan to include a timeline for a repair construction that is attainable and able to be implemented quickly and effectively. This plan could even take advantage of academic breaks when Greek housing will be empty and streets clear of vehicles. Our last request is that these repairs happen in a timely fashion. Ideally, we'd like all repairs to be complete by the end of 2022, but the sooner the better. You all

have the power to ensure that students with disabilities can access their homes and that our community becomes a more inclusive place for years to come. So, kind of, as we're wrapping up here -- and then if there's a little bit of time for questions, you could ask, but I spoke with a member of PHA earlier today. She uses a wheelchair. Her name's Olivia Holler and she told me "I don't like going through Greek Town even though I live here because the sidewalks are horrible. I try to avoid the area. I go up to the hospital and then back around to campus when leaving or returning to my house." Help us create a living environment that allows students, like Olivia, to access and enjoy their homes. Help us repair the sidewalks now.

TREECE: Thank you so much for bringing that to our attention. There is a process for that, and I wouldn't be surprised someone comes to talk to you after your presentation tonight.

SPC62-21 Bruce Alspaugh - Broadband Business Planning Task Force.

Bruce Alspaugh spoke.

ALSPAUGH: Good evening, Mr. Mayor. In 2019, the City Council followed through on the Magellan Advisors recommendations and appointed the Broadband Business Planning Task Force to establish a collaborative process to bring together important stakeholders, including the City, the University, the providers, and the general public, to develop a broadband business plan with an eye towards making affordable and reliable broadband access available throughout the City. It was also envisioned that the Task Force would rely on a consultant to pick up where Magellan left off, and assist in the development of the business plan. Due to COVID-19, quorum failures, and other issues, progress has not been as fast as I would like, but we are finally starting to make progress on an RFP for a consultant. You can see a draft of that RFP in the meeting materials from our October meeting as we continue to solicit input into the development of that RFP. And that goes for City Council as well, so if you have things you'd like for us to look at least, please let me know. After our October meeting, I got a call from one of my fellow Task Force Members about -- asking about another RFP for private providers to deploy, operate, and maintain a broadband internet network that had unexpectedly appeared on the City website. After reading that RFP, he felt that the rug had been completely pulled out from under the Task Force by jumping ahead to implementation before the Task Force had a chance to make any recommendations at all. And frankly, since I was not aware that there was another RFP being developed, I didn't know what to tell him. It makes me wonder what meeting I might have missed. It makes me wonder what the public input process was into the development of RFP. So, the reason I appear before you today is to make a simple appeal for better communication between Task Force, staff, City Council, and the public so that we're all on the same page together. When I had a chance to read that RFP, there were three things that stood out. One, first, why the rush to have it in place by the end of the year? It was such a short timeline for applicants to submit their bids. You may not receive the quality or quantity of bids that you desire. Also, due to the fact that the responses will be made public, you might not receive bids at all from outstanding companies that have business reasons not to have their name out there. We aren't talking about a bid for paper towels here. We're talking about expensive infrastructure that will be in place for decades. So I'm not sure

what difference a little additional time would make. It's worth it to take the time to get it right. I'd be more than happy to serve on an evaluation committee for the responses to this RFP with an eye towards not just the responses you received, but the ones you didn't. By reference, the bids are due on November 9 and our next task force meeting is November 10. Second, I didn't know that strategic plan areas were a priority for broadband infrastructure. I was under the impression that the strategic plan areas had more to do with community policing, which is completely outside of our scope. I would be happy to have a Task Force look into these areas, but it needs to be explained to us what the connection is with broadband. It would also be helpful if we had broadband maps that would show us which regions within those areas are served by which providers. The Task Force has spent a lot of time trying to obtain coverage maps, but it's proved difficult because some of the providers consider their maps to be proprietary information they don't want to share with their competitors. My third concern has to do with the ownership of the fiber. There is a sentence in that RFP that reads "all aspects of the service facilities and appurtenances shall be the responsibility of the contractor and shall be owned by the contractor." At least with the IBM deal the City owns the building. If all the facilities and appurtenances are owned by the contractor, the City could wind up owning nothing after the contract is complete. This is not consistent with the Magellan recommendations, which envisioned that the fiber would be owned by the City and leased to providers to cover the costs of construction and maintenance, and also provide customers a choice of providers from among those leasing. The City would be in a position of having to pay high prices for -- to use broadband infrastructure that they helped to finance to put in in the first place if that happens. So there you have it. A few concerns as to how an RFP of this magnitude could show up on the City website without any opportunity for public input in the development of the RFP and whether that RFP is even in the best interest of the City and ordinary citizens. The Task Force was established by the City Council, appointed by the City Council to advise the City Council. In other words, we work for you. I'm asking you to help us to help you by keeping us better informed. This could be done in a variety of ways. We could have a joint meeting, open door or closed door, however you want to do. But perhaps the simplest solution would be to consider taking it down until you have a chance to get public input into the development of that RFP, and you have a Task Force that can help you with that. Thank you.

SPC63-21

Brian Page - One man's view on healing from societal hate.

Brian Page spoke and provided a handout.

PAGE: Good evening, Mayor Treece and Council. I'm requesting five minutes for this evening. Tonight, I'll be talking again about human behavior. Our behavior hinges on how our parents and other family members treated us. If we were nurtured, we use the better, smarter brain, the neocortex, God given brain. But if we were abused by parents and others, we surrender to the medulla oblongata in limbic brains. they are the hyper vigilant, obsessive, and fearful aspects about us. They keep us reactionary instead of our rightful place to be reasoned and responsive. It's childhood wounding that has reactionaries convinced that they can't and won't learn anything from me. To admit that is to admit utter failure, and they will not let that happen. A strange aspect about human behavior is that if you

learned betrayal as a child from your parents and feel superior to any person, place, or thing you will betray them, because they are fair game. Kind of sobering, isn't it? When anyone harshly judges another, they skip out on themselves and the other person. Men are and feel responsible for their actions. Mama's boys don't take responsibility seriously. They are dangerous and often drunks. If you don't always like your appearance, then you will really hate the way I look. If you find yourself exaggerating a point sometimes then you'll believe that I will never stop talking. Those are examples of projection of a character flaw onto the person you were judging harshly. Life said to me if you want something good, work for it. Everybody has to work for what you want even though you may want to steal it. Oppressives lack maturity, and the males are mama's boys. Men work for what they want, and what they have and mama's boys believe it should be given to them. I'm thinking of Josh Hawley out on a limb claiming the absurd. I'm thinking of Fred Parry having a meltdown because a woman, our county health director, enforced facemasks to sustain our health. There are young kids in Columbia in their 20s, who got COVID, got over it, and are now showing up with pulmonary embolisms, unable to breathe. Many of these kids will have to go on social security disability because of falsehoods and poor judgment impulse control. They were the hope of the future. Now they've become our national regret. Childhood wounding has such a profound impact on society worldwide. It explains how Jews hate and suppress the Palestinians, their tribal cousins. It explains white self-justification to suppress the world while screaming, it's the other guys who are guilty. It's the Republican National Committee whose current platform is to cause chaos and destroy everything that's good in the name of God, the dollar bill. God put me in a strange situation. I seem to be the local human Geiger counter. When I walk into a room, there are many eyes that suddenly glower. Supposed men in 25 year old bodies will walk across a room and shove, kick, or attempt to make me fall. These are all Class 4 assaults. God tells me to kick butt defending myself if they break skin. Otherwise, God and I create humor making these oppressives the butt of our jokes. So far, my favorite prank is to ask a jerky boy who's sharing his feminized humor, what gonzo Girl Scout troop taught you that joke. My encouragement to anyone who will listen is to use the Serenity Prayer to pull yourself out of anxiety and into serenity. When you take self out of self-absorption, there is no need for the old, habituated intensity. I had to surrender to God in order to find sanity, reclaiming what parents attempted and failed to emotionally castrate for me. God is my constant companion, best friend ever, and personal prosecutor, judge, jury, and jailer. It's a quirky, great life that I have, and I'm looking forward to reunite with my honey, Gale Jean Plemmons. Thank you.

SPC64-21 Lillian G. Davis - Traffic, speeding, and child safety.

Lilian Davis spoke.

DAVIS: Good evening, Mr. Mayor.

TREECE: Hi, good evening. Good to see you.

DAVIS: Sorry about my speech. Just bear with me. I will probably have a few senior moments. The first thing I want to do is speaking about the speed on the street where I live. I see children playing in the street and I see people's pets getting -- they run out of the house every now. They break loose and they got run, but I hate like the dickens to see a child get ran over. Not too long ago, I seen a young man

who hit a jeep and turned over right across the street from me. And, we need speed bumps on the street, and that street's name is Sanford. This is just a small portion of the speed problem. The Worley Street -- I've seen people passing other vehicles, and a person on a bicycle, in a wheelchair, or on a scooter, and I'm not talking about Bird scooters. I'm talking about a three-wheeled one. Will be upon that person -- their going to die because they hit -- that person's going to be severely hurt, and if they have a health problem, they're going to die. So, I'm asking for speed bumps, and you can check the speed on Worley. It's great. And there's another place that we have problems with, and that is over on Broadway, East Broadway at Williams. There's no crosswalk there, and people pull up and they block the ramp, and they make a person in a wheelchair that's handicapped -- they can't reach the access to the ramp -- to that ramp. They've got it blocked off. And, I think I just about covered everything there is to say. Well, except, I thank you very much for your time, and I thank you for your patience with me, gentlemen and ladies. I think I covered it, Pat, pretty well.

TREECE: Thank you very much.

DAVIS: Mr. Mayor, thank you very much for your time you spent here at City Hall.

TREECE: Thank you very much.

V. PUBLIC HEARINGS

PH43-21 Proposed construction of the south parking lot expansion project at the Columbia Regional Airport.

PH43-21 was read by City Clerk Sheela Amin.

Airport Manager Mike Parks provided a staff report.

PARKS: Good evening, Mayor and Council, I'm Mike Parks, the Airport Manager. In accordance with a 2019 Supplemental Terminal Area Master Plan recommendation for additional parking at Columbia Regional Airport, staff proposes to expand the south parking lot, located directly west of the new terminal. The project will include a new pavement section for an additional 93 standard parking spaces, six handicap parking spaces, lighting, storm sewers, curb and gutters, and pavement markings at an estimated cost of \$550,715. The project will be funded by transportation sales tax and enterprise revenue appropriated in FY21. The parking lot expansion is expected to be completed during the spring of 22, prior to the opening of the new terminal. An IP meeting was held on October 8, and there were no comments. If Council concurs with staff's recommendation -- staff requests direction to move forward with final plans and specifications for the expansion of the south parking lot at the airport. Questions?

Mayor Treece opened the public hearing.

Traci Wilson-Kleekamp spoke.

WILSON-KLEEKAMP: Good evening, Tracy Wilson-Kleekamp. Just a question and I just don't know -- are we going to charge for parking in this new parking lot?

TREECE: My thinking is no. There's no change.

GLASCOCK: We don't plan to this time.

WILSON-KLEEKAMP: I'm hoping we're going to charge for parking because we just do so little with our public transportation. Last year, we didn't spend a lot of money

on public transportation. But, I don't understand why we have bad sidewalks, but we don't charge for parking at the airport. This doesn't make sense to me. So, if we're charging for money, charging people to park at the airport, then we can spend things, spend on our public transportation and our sidewalks and have things like bus shelters. So, I don't understand why it has to be free, and it just seems to me that we have a strategic plan and we talk about growth and infrastructure, but we're not tying these pieces together. So that's my concern. I think, we should -- parking should be paid for, even if it's \$5 a day. This is a huge privilege problem to let people park for free at the airport, but we're making them pay in all kinds of ways by our bad sidewalks and our poor public transportation system. Thank you.

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

Mayor Treece made a motion to direct staff to proceed with the proposed construction of the south parking lot expansion project for the Columbia Regional Airport. The motion was seconded by Council Member Waner and approved unanimously by voice vote.

VI. OLD BUSINESS

B259-21

Amending Chapter 21 of the City Code relating to the Citizens Police Review Board.

The bill was given fourth reading by City Clerk Sheela Amin.

City Counselor Nancy Thompson provided a staff report, and the Council asked questions.

THOMPSON: We do have an amendment sheet before you with a substitute bill that was in your packet. There were a significant number of changes that we made and edits throughout. We just felt like it would be more understandable if we did an entire substitute bill so that you could read it from top to bottom. One of the things you asked for was a bit of an overview of SB26 and what that has done, or provided for the changes that are being necessitated by SB26. So, I'm going to start by walking through that briefly, just to hit some of the highlights that affect the operations of the Citizen Police Review Board and the changes that we're trying to make to ensure that you continue to have the model of civilian oversight that this Council put into place a decade ago. So, in Senate Bill 26, which is now codified actually -- is Section 590.502 RSMo -- in case you're trying to find it in the statutes. The law actually applies to any officer who is the subject of an administrative investigation or questioning, and this is actually the key part, which says that the officer reasonably believes could lead to disciplinary action or placement on a status that could lead to economic loss. That economic loss applies to any loss, which includes but is not limited to the loss of overtime accruals, overtime income, sick leave, accrual sick time, secondary employment, holiday pay, vacation pay. And why that's important is because that actually makes it apply to circumstances where an officer might be placed on administrative leave. It's fairly standard for our department, if there's a critical incident to put an officer on administrative leave, and we don't consider -- within the City, we don't consider administrative leave to be disciplinary in nature, but there's certainly the potential when someone's been placed on administrative leave that they could lose, have an economic loss applied to overtime. So anyways, I think just starting off from a definition standpoint, it's a

very inclusive bill as it relates to things that happen with and actions taken with regard to police officer conduct. And I'm not going to go through every piece of this that I've put in the memo. I've highlighted all of them with bullet points and I know you're able to read those. I'm just trying to get the ones that really impact the operations of the Citizen Police Review Board. One of the other provisions is that a complaint has to be supported by a written statement, which includes the personal identifying information of the person who files the complaint. That means no longer can there be action taken on anonymous complaints. In the past, if an anonymous complaint was received, it was investigated, and, you know, frankly, the police department is still probably going to do some level of due diligence on anonymous complaint, but as far as that being a complaint that is actionable, and something that can go forward with a formal investigation, that's not allowed under the Police Officer Bill of Rights. The officer may not be questioned by more than two investigators. That's important because, previously, the Citizen Police Review Board could question an officer without an officer's consent of the Citizen Police Review Board as long -- if there have already been two investigators who have questioned the officer, the officer can't be required to come before the Citizen Police Review Board and provide a statement. So going forward, that is, that's no longer something that they can do. That doesn't mean that they can't some sort of civilian oversight. It just changes the way civilian oversight is done. Now, it doesn't apply -- that doesn't apply to any officer who would appear before the Citizen Police Review Board. Only an officer who, under that first definition that I read to you, has a reasonable belief that there could be -- the testimony or the investigation could lead to disciplinary action of that particular officer. The -- then probably one of the more difficult things and one of the reasons why we really have to take a look at it, and you've already taken a look at Chapter 19 as relates to the timeframes, but under SB26, the department has 90 days from receipt of a citizen complaint to complete an investigation. There are opportunities for extensions, and if there is a criminal investigation which is occurring at a time, there is a delay during the pendency of the criminal investigation, but complaints need to be -- once received, they need to be investigated. They need to be investigated promptly. And then after the determination, the disciplinary determination, there is a 90-day window, a second 90-day window when -- during which there is -- the final determination of disciplinary action must be made. That's the second 90-day window, or what we call the appeal time frame -- is what now is in Chapter 19. So, what you have before you has that first 90-day window for investigation of a citizen complaint. So, you -- and then -- plus the two 60-day extensions. So, what we have tried to do in order to continue to make the Citizen Police Review Board complaint process meaningful is to put their review in that first 90-day window plus the two 60-day extensions, so what you're looking at is a -- the changes that are made have been made so that the police chief makes a preliminary determination on discipline, that's communicated to the citizen and it's communicated, well not the disciplinary action -- it's not communicated to the citizen, but the preliminary determination on the complaint is as far as whether it's exonerated, sustained, not sustained, or unfounded -- is communicated to the citizen, and then the citizen would have a right to appeal that during the investigatory stage. And honestly, the advantage to that is that the chief would get the benefit of that review process and citizen review process before making a final

decision. Once the chief's final decision is made, that's when you kick into that second 90-day period that then becomes the officer's right of appeal through the Personnel Advisory Board on the disciplinary action. Then the last item, or major item, that SB26 did was that SB26 closed all records and proceedings of the CPRB as it relates to the complaints, or the officer or the officer in the investigation and discipline. Previously this Council had decided that all -- there would be as much transparency as possible. All records of the Citizen Police Review Board were open. All officer investigations as it related to a complaint were open. And so, once SB26 goes into effect, which was August 28, that rule has changed, and from August 28 forward, those proceedings become closed and the complaint becomes closed. Now, it is our opinion, and I think we are in a disagreement, and you're going to this from, I believe, the CPOA -- is that it's our opinion that any complaint that was pending on August 28 is subject to the rules that the Council had in place prior to August 28. Any complaint that was pending August 28 and after are subject to SB26 and the closure requirements. So that's written into the substitute bill that you have in front of you so you see those two different dates. I think it's in Section 54-1, 21-54.1. That's my really high overview. If you have any questions, I'd be happy to answer them.

FOWLER: Yes, I recall reading one of the staff reports and it referenced the fact that a complainant, a citizen complainant, who had previously 30 days to file an appeal, now is reduced to 10 days. So, how does that fit in with that initial 90 days because, as I understood you and I'm -- this isn't clear to me. So, the citizen files a complaint, the police chief makes a preliminary determination, and then notifies the citizen what that preliminary determination is -- not a final determination. Then the citizen has to move quickly, 10 days, correct?

THOMPSON: Very quickly, yes.

FOWLER: Very quickly to then think about all the consequences of their filing an appeal into a system that will not allow them to find out or -- I mean everything that happens then becomes a closed record. And you know, perhaps that helps, except that somewhere else in the bill, it says that the identifying information of the complaining witness is available to the officer that the complaint was leveled against. I'm having trouble understanding how that's preserving our intent to provide to the public a path forward when they feel they had been mistreated by an individual officer.

THOMPSON: Well, I think, what we're trying to do is make lemonade out of lemons -- help you preserve that. We can't preserve the model as it exists today with the current statute in place, given the time frames and the requirements that are out there. So, just to be totally frank, there is no way to preserve exactly what we have. We're trying to keep it as meaningful as possible so that the CPRB can provide that feedback and that citizen oversight. Unfortunately, the citizen's only recourse at that point will be will be litigation if they aren't afforded this kind of process or procedure at the administrative level if they have a cause of action. Certainly that would be their only recourse. If they don't have a cause of action, then they would not have any recourse whatsoever for review.

FOWLER: Over the time that I've been on Council, the conversations that I've had with members of the community and members of the CPRB are about whether or not there would be additional resources available to the CPRB where they would have their own budget. The way this is cutting back on the time options for a

complaining citizen feels like the next solution is to have staff and support within the CPRB to assist members of the community in meeting those deadlines so that they are not inadvertently left behind when they bring forward a complaint.

THOMPSON: And I would tell you that what you're probably looking at is determining whether or not you want to totally change the way that your Citizen Police Review Board operates. That's probably the more long term solution. There are models out there where civilian oversight is part of the investigation from day one, and then there are models out there where civilian oversight provides more of a perfunctory review after everything is over and all you're going to do at that point is hold management accountable. They're really -- we're in this kind of middle hybrid-type program where we want to provide this civilian oversight and review as kind of part of the recommendation for the findings of the action after the -- kind of after the investigation. So long term, I think based upon what you're talking about, you would want to review what type of civilian oversight is being provided. Right now, we're just trying to fit what we're doing as best as possible into the new structure guided by SB26.

FOWLER: Thank you. I may have another question after we have a public hearing.

David Tyson Smith and Traci Wilson-Kleekamp spoke.

SMITH: Good evening. My name is David Tyson Smith and I just want to thank the Council for the opportunity to comment about this. You know, there is a -- I know there's obviously been a lot of talk about Senate Bill 26, and people have been working on it and it's kind of been a headache, but you have to understand there is a citizens police review board statute as well that's in place, and I sent a letter to the Council and to the Review Board in this regard. There is a review board and statute that's already there and it's existing, and it allows for a Citizens Police Review Board. And not only does it allow for it, but it gives it the power to investigate and to make recommendations regarding discipline. So, Senate Bill 26 -- I understand there's kind of a conflict in a few regards and in manner, but I can tell you that when Senate Bill 26 was debated and discussed, the review boards were never talked about. There was no documentation regarding the review boards when it was dealt with. I was on the House floor when Senate Bill 26 came up, when it was debated, discussed, and voted on, and I didn't -- I voted against it, but -- and I don't think the intention was ever to deal with citizens police review boards. That wasn't the intention of Senate Bill 26. The intention of Senate Bill 26 was to deal with the initial complaints regarding law enforcement. That's why it came up. No one talked about the review boards and how it was going to affect them, and I think what happened is that went through, and there was this thought, well wait a minute. I think the CPOA rushed and said, let's see how we can curtail or weaken or continue to try to dismantle the review board. But anything that Senate Bill 26 does that does not give the review board the power to investigate, make findings, recommend discipline -- if that's allowed, then you're running afoul of the review board statute. So it's not that we're, you know -- this idea that we have to bow down to Senate Bill 26 and new statute -- there's a review board statute that has to be obeyed. And this argument from CPOA and I read, one of the initial letters and it said, well you have to do this, this, and this otherwise you're running afoul of the law. Well, if you do anything that runs afoul of the review board statute then you're

running afoul of the law. So SB26 is not the giant gorilla that's going to dictate what's going to happen with the review board. There is an existing review board statute. And honestly, I realize there are some conflicts between the two, but that doesn't mean we bend towards Senate Bill 26. A lot of this is for the courts - they're going to have to decide and work out the kinks. But it's not that the CPOA gets to come in and say, okay, now we're just going to follow Senate Bill 26. You know, one of the initial letters I saw from the CPOA when this thing started talked about the purpose of the review board is for collaboration and communication. That's not the purpose of the review board, okay. The purpose of the review board is for accountability and transparency. So, we need to keep that in mind. Those other things are byproducts. So, and I'll close, I'm out of time, but I think there's some irony here because everyone talks about the CPOA and they talked about trust, trust, trust, we want trust. Well there's not going to be trust if you whittle away at this police review board, so, keep that in mind. There's a review board statute that needs to be honored, and if you deviate from that, and you don't give the review board the power to investigate -- because you can't investigate if you can't call officers in front of them, right? If officers can't answer to the review board then they're not investigating. Then you're running afoul of review board statute. Thank you.

THOMAS: So in your opinion, does the bill we have before us run afoul of the review board statute.

SMITH: I think parts of it do. I mean, I think to say that the review board can't question officer -- that's afoul of the review board statute. They, you know, the statute says they have the power, the power, to investigate. Well anything you do that takes away their power is a violation of the review board statute. And again, it may be an issue for the courts to hash out, but I don't know that the CPOA gets to come in and dictate what the Council's going to do in this regard. And I find it very interesting, just as, just food for thought, that the review board is designed to hold the police department accountable. Yet, the police department, the CPOA, is coming in and dictating the terms for that accountability. It's bizarre.

THOMAS: So you feel that municipalities like ours with a review board are in a situation where either we leave things as they are and we run afoul of SB26 or we make these kinds of changes and we run afoul of the other statute.

SMITH: I think it depends on the changes. You know, I know that there's talk about the time frames. The time frames aren't that big of a deal, although if the time frames are such that you can't do -- the review board can't do their job, then it is a problem that it does run afoul of the statute. Certain minor changes I don't think would have a huge impact on Senate Bill 26.

So, I don't think it's one or the other, but I would say be very careful about taking away the power of the review board to do its job because that is a statute, and that is in place.

WILSON-KLEEKAMP: [Traci Wilson-Kleekamp] I understand that we live in a State that is very pro police and pro police unions, but we live in a City where there's not a lot trust in policing. And, we have a CPOA that doesn't have a really terrific track record. We don't have trust. There's no trust building going on. This idea that if someone files a complaint because they're treated badly and they have to -- their name gets to be known, and the officer gets to know -- who's protecting the citizen? No one. Not the police. So this is - you're in a hard place. You have to ask

yourself what kind of culture do we have in our police department, and are we going to bend to the state or are we going to do the things we really say we believe in our strategic plan and all these different reports that say we believe in equity and all that other kind of stuff. But when the State does something demonic, we just can't wait to change everything to step to that. That's fine. At the end of the day, what I'm hearing is the police department's not really interested in trust. At least the police union isn't. They're interested in power and being in control no matter what, even when there's no threat. There's no threat to them. They carry guns and they can take lives all the time, anytime. The citizens are the ones who are in danger. It's on you. I've already decided. We've been working on this, Race Matters Friends, since 2015, trying to get the Council to understand that we need a different kind of policing, and I don't think it's worked. And I've kind of moved to the other side. I've decided that the policing as we know it just needs to go away. And we may need to have a different kind of Citizens Police Review Board. I'm cool with that, but if this is what the Council bends to because you're going to bend to this demonic stuff that's going on at the State. That's twisted.

The Council asked further questions and made comments.

TREECE: Counselor, who initiated Bill 259. Did CPOA or did the legal department do that?

THOMPSON: What do you mean? Bill 259 --

TREECE: Who felt we had to harmonize our local ordinance to comply with Senate Bill 26?

THOMPSON: Oh, I'm sorry, Bill 259 is the title of this bill. The law department did. We did.

TREECE: So, and I looked at Chapter 590.653 RSMo. That's the enabling legislation for civilian review boards. We had one before this bill took effect in 2000, and it does say the board shall have the power to receive, investigate, make findings, recommend disciplinary action. What Senate Bill 26 did though was -- provide clear days, calendar days, that those efforts had to occur. Is that correct?

THOMPSON: That's correct. I would say that I think the enabling statutes for civilian oversight are permissive. They're not necessarily mandatory. It gives powers, but it doesn't -- then we have Senate Bill 26 come in and --

TREECE: -- take away those powers.

THOMPSON: -- Take away those powers. It chips away and it did not exclude civilian oversight. Now, does it mean that next legislative session they can't go in and remedy that, but right now we're sitting here with a bill that did not exclude that, and the penalties for the City if we were to run afoul of SB 26 as it's currently enacted are pretty significant.

TREECE: And what would those penalties be?

THOMPSON: The officer is -- it voids any action taken if we're in violation of the statute is how SB 26 is written. I keep calling it SB 26. It's actually 590.502. And then the court may award the officer the costs of bringing the suit plus attorney fees, and anytime you're in this kind of litigation, it's all about the attorney fees. It's a pretty significant risk for the City to take without a specific exclusion into the statute.

TREECE: So, most of my concern is on how we treat complaints prior to August 28,

2021 when the bill took effect, and if we don't pass, -- so help me understand why we would bifurcate that process. I understand the complaint was filed prior to the bill becoming effective, but we haven't released those internal affairs records. The statute then changes and says we can't release them. So, why would we carve those out, if you will, and treat one group of complaint differently than a different group?

THOMPSON: So, what the statute actually says is that all records compiled as a result of any investigation -- and this is the important language -- subject to the provisions of this section shall be held confidential and shall not be subject to disclosure. So all records compiled as the result of any investigation subject to the provisions of this section shall be held confidential. I don't believe that you can --

TREECE: -- shall become confidential.

THOMPSON: Pardon me.

TREECE: Shall become confidential.

THOMPSON: Shall be held confidential. And so, I don't believe that records that were compiled as a result of an investigation prior to the effective date of this statute are covered under the statute. So, we will have an answer that I believe, but for right now, we believe that we should separate out and make it abundantly clear that things that were prior to August 28 would be open, anything past August 28, would be held confidential. Otherwise, I think what you do is you use run the risk of turning back the dial on the transparency that the Council had prior to August 28 for the Citizen Police Review Board.

TREECE: So, the City as a defendant in that officer's lawsuit in the in the request for declaratory judgment.

THOMPSON: Correct.

TREECE: I'm a little hesitant to change ordinance while there's an issue at hand at the circuit court.

THOMPSON: Currently our ordinance calls for open -- the records all to be open. We're required to open any records related to an investigation.

TREECE: But, we haven't opened them yet.

THOMPSON: Yes, you have. The current Chapter 21 has affirmatively opened those records as it sits in existence today. As a matter of fact, there was litigation on that particular issue when the Citizen Police Review Board was formed, and at that point in time, the court ruled that it didn't just open the records at the time that the Council made an affirmative statement and didn't just open the records at that time. It retroactively applied that particular provision.

TREECE: I hate to ask this question when we're not in closed session for legal purposes, but if we do not -- if this Council does not pass these changes tonight, what prevents that litigating officer from amending the complaint to sue the City for not being in compliance with Senate Bill 26 and pursuing attorney's fees?

THOMPSON: We're in compliance.

TREECE: For him, but maybe not for another? So, okay, so maybe there's another -- at some point, we're not in compliance for the next officer that comes along. That's a problem, right?

THOMPSON: I wouldn't want to answer a hypothetical question like that without knowing what we're trying to deal with.

FOWLER: So, since there's already a discussion going on in circuit court, Boone County Circuit Court -- there's been an action filed?

THOMPSON: Yes.

FOWLER: There's reference to that in the staff report. I'm not sure the order in which I'm going to suggest this, but given what Representative Smith said about the viability of the Citizens Police Review Board statute, I think I would feel better about this conversation if we similarly had tried to -- out were all of us can watch and look at -- if we had tried to harmonize that statute with what changes we're making right now to Chapter 21. And I know you know what that says, but in all the things I read and all the confusion I tried to sort out in my head in preparing for tonight's hearing, I did not pull that statute. I did not look at it and harmonize that, and I would suspect other members of Council similarly and the public haven't done that, but I'm also wondering if there's some way that, given that there is pending litigation, whether it's declaratory judgment or otherwise, if there isn't some way for us to determine whether or not -- I don't know in a counterclaim or an ask or whatever -- what proper venue is -- about the -- when you have a conflict between Senate Bill 26 and the statute that establishes citizen review board, how will the courts come down on that because at some point yes, it's going to have to be -- I mean you have a conflict of laws passed by the same body at different times.

THOMPSON: I don't think that that's something that I can answer definitively for you. I will tell you that we don't believe that the request for declaratory judgment is bad for anybody. We really think it brings clarity to how the law is applied to the records that we have. Currently, the records that -- kind of when we're in no man's land and then going forward -- but we really believe that it's -- it will -- it gives an opportunity to have the court take a look at it, listen to the concerns on both sides, and reach a definitive answer. We feel like if we can't -- otherwise we're in a no win situation -- because we really feel like we need to support the citizen request, but at the same time, we understand that this law that went into effect that does have an impact on our existing city code. So we don't look at -- we don't actually look at that as a bad thing. If that can -- and so we just really want to have enough clarity so that going forward that the court can make a good a good decision one way or the other.

FOWLER: And I understand that from the point of view that we're -- what the officer who brought that suit is litigating is the applicability of Senate Bill 26 restrictions on a matter that was filed prior to the effectiveness of that statute. Is it possible that -- I'm going to ask very specifically -- for us to -- in a counterclaim or a an answer -- to bring up the fact that we also feel that this action is going to run us afoul of the statute that establishes the Citizens Police Review Board and see if they want to include any of that in the discussion?

THOMPSON: I think that's a different set of facts at this point. And the Citizen Police Review Board authority is just that. It establishes enabling authority, but each jurisdiction that has a review board sets their own set of rules within the parameters of that statute. So it's really not a mandatory statute. It's permissive statute.

FOWLER: Except that now our statute that we worked so hard to establish, not me personally, but Representative Smith and other members of the community that I'm familiar with -- work so hard to establish, is now being undermined and swept aside by that, and so I just am wondering what's the proper venue for looking at that before we then adopt changes that further erode what our predecessor council and our earlier citizens worked so hard to establish.

THOMPSON: That's something we're going to have to take a look at.

SKALA: I just had a question. I think that what we're doing now appears to me, and correct me if I'm wrong -- it's a way of minimizing the risk by harmonizing SB 26 and the ordinance that we have, right? And I guess the question that I have is -- would it significantly increase the risk if we delayed this to the extent that we found out what some of the legal determinations are as a result of the ongoing legal determination?

THOMPSON: If we were to delay this, we would basically need to stop utilizing the Citizen Police Review Board for any type of review activity because their processes are not in conformance with state law so we would have to hit a pause button on what they're doing going forward. You know, I think -- it's just kind of my off the cuff answer. I can take a deeper look at it if you choose not to do anything but I would -- I think that we're to that point of -- we have an effective date of August 28 and we have to figure out how to operate in those parameters. And they -- because you have very specific city code sections set forth on how they operate, we'd have to see if there are parts of that we continue to utilize but --

SKALA: So your advice would be to proceed to harmonize those two documents and then look back and modify the Citizen Police Review Board ordinance at that time.

THOMPSON: Yes, yes. If we have things that are not working or that need to be improved to do that, maybe as Step B.

FOWLER: So, if we do that -- if we accept the changes that you and your staff have brought to us tonight, we have taken away the power of the Citizens Police Review Board to investigate if the police department in responding to a citizen complaint begins an investigation process and then that uses up the ability of -- I mean, you can't subject the officer to questioning. We've taken away the power of the Citizens Police Review Board to investigate.

THOMPSON: Not completely. What you have taken -- what you are not allowing them to do is investigate the subject officer. They can continue to do an investigation. They can continue to do a review. What they can't do is subject the subject officer to any questioning because Senate Bill 26 limits that to two investigators, and your -- you have the potential for your Citizen Police Review Board to be considered to be a third investigator. But that doesn't mean other officers can't be questioned or --

FOWLER: Because they're not subject to the complaint and they're not at risk or perceived to be at risk. But they can't -- but our Citizens Police Review Board can't have access to the information that is determined from the two investigating officers.

THOMPSON: No they can.

FOWLER: So that information -- the police report of whomever the police puts in as an investigator role with that officer -- that transcript of that will to come to the Citizens Police Review Board -- they will be able to access that?

THOMPSON: Yes, they have access to that. And they're required to hold it confidential. They're required to meet in closed session, but they definitely have access to that because they're part of that investigation. They just don't have to right to question the officer. They cannot question the officer, the subject officer.

FOWLER: And do they have the right to call in other officers who may have been bystanders and present at the time in question them, or does the officer or the police department had an ability to withhold their appearance.

THOMPSON: Provided that the officer, any officer they're trying to question does not have a reasonable belief that they would be subject to some sort of loss, then they can call those officers in.

FOWLER: The reasonable being of being subjected to some loss -- very interesting language. Yes, thank you, Nancy.

PITZER: So your opinion is that our bill 259 is in compliance with the civilian review board statute, correct?

THOMPSON: Yes

PITZER: Is it -- are our police board regulations as expansive as they can be in compliance with Senate Bill 26 and with the civilian review board statute?

THOMPSON: Yes, at this point in time, without any kind of determination that would exclude out civilian oversight from SB 26, they are. We've gone as far as we can go using our model. Now, we could change the model at some time in the future but, given our existing model of civilian oversight, yes.

PITZER: And what's your -- your position on complaints before August 28 is what?

THOMPSON: Open

PITZER: Are they open or closed?

THOMPSON: Open.

PITZER: They're open. And any complaints between August 28 and today would have been in violation of Senate Bill 26?

THOMPSON: No, they'd be closed.

PITZER: What about any investigations that are conducted in that period?

THOMPSON: We would have to take a look at when the complaint came in, what part of the investigation occurred. I can't draw a bright line rule for you tonight, but we would take a look at that.

PITZER: And the civilian review board has not instigated any or had any complaints brought to them since August 28?

THOMPSON: I don't know the answer to that.

AMIN: We've received complaints through our office that we've forwarded on.

THOMPSON: Okay.

PITZER: So, what regulatory regimen would those be handled under?

THOMPSON: I'd have to look at - I would have to actually look at each one of those individually. I can't answer that for you this evening.

PITZER: Okay.

THOMPSON: Mayor, I do have one small typographical error that we would need to correct if you choose to adopt amendment sheet. There is a typographical error on page 11 -- at the very top of page 11 where a -- the words prior to need to be struck. It has to do with the August 28 date. We say that -- provision subsection b says, "for any complaint filed against a police officer on or after prior to August 28" -- so that prior to just didn't get struck when we did it.

TREECE: What does everyone think about the August 28 open and closed dilemma?

FOWLER: As far as honoring that is a prior practice that is still valid?

TREECE: What's your interpretation of that?

FOWLER: Well, I am a lawyer. I hold an inactive license to practice law in three jurisdictions and I do take continuing legal education. So, I would be in agreement that complaints filed before August 28 are subject to the earlier rules and practices.

TREECE: We haven't released them.

FOWLER: I don't -- I think it's about the filing date. It's not about our internal

processes of how we move things along. It's about when the complaint is filed.

TREECE: You have concerns -- since this is a matter under advisement at the court -- do you have any concern about changing the ordinance in the middle of that?

FOWLER: I have different -- I have concerns about changing the ordinance until we have clear guidance from the courts, not only about that. I understand that could go a different way, although I think that the counsel's interpretation is accurate of that. But I have hesitation about the fact that I don't think we've done as careful a look at the statute that enables the Citizens Police Review Board process to go forward, and I'd be interested on when and if a court of competent jurisdiction in Missouri is going to undertake to look at Senate Bill 26 as it's now been codified against the Citizens Police Review Board statute as it's been codified, and look at the conflicts inherent there and determine whether or not -- which ones will be valid and which ones will be struck down.

TREECE: Yeah, but that could take years if you're looking at --

FOWLER: I understand, but I look at it from the perspective of -- our community would very much like to have a process in place that brings accountability to the actions of our police department so we can build trust among ourselves. There is a great willingness to heal that divide, and one of the tools we have is the Citizens Police Review Board process.

PITZER: So, Ms. Thompson's, I think, point is that we're at risk, if we -- without passing this ordinance, right? And you're -- are you concerned about that risk?

FOWLER: I'm concerned about a lot of risks, but I'm also concerned about the bigger picture as well. And so if the city is comfortable that they -- in taking that position and it is now gone to circuit -- Boone County Circuit Court -- and I don't know what the timetable is for that decision, but I think that how well that goes may or may not put some wind under people's wings at looking at the bigger picture, whether it's our jurisdiction or another jurisdiction. So, I am struggling with that. I'm not sure how I'm going to vote on this, but I'm comfortable with the fact that we are pursuing that matter. We've been brought into Boone County Circuit Court on that matter, and that we're pursuing it.

PITZER: That's just on this specific point about the August 28 date.

FOWLER: Yes, it is, yeah. Well you know, when you think you have a statute that runs afoul of what's important to what you believe in, part of the legal process is chipping away at that one bite at a time. That's just the way our judicial system operates.

TREECE: I think failing to pass this tonight puts the City at risk of fines and attorneys' fees for future complainants. I think it prohibits the CPRB from anything until we get to the solution. But more importantly, it puts staff in the position of having to determine -- do they violate the state law or do they violate the city ordinance? And that's not fair.

FOWLER: I think there's two state laws Mayor.

TREECE: Yeah, and enabling legislation is not -- doesn't provide any time limits or anything like that that our local ordinance did.

SKALA: Just a comment. I just see this as another one of those issues, a very difficult issue, because it involves the courts as well -- as it involves the relationship between the state and our municipalities. This is another one of those dilemmas on the horns of pre-emption. It's kind of what it amounts to, and that that theme keeps popping up, and we have to react to it. But I mean, at this point, I

think I'm inclined to agree that --as much as I don't like the idea, I don't think -- I think we need to mitigate some of this risk and then go back and adjust so that the original protections of the Police Review Board -- I was around when it was first proposed -- are significant for the population, for our residents and our constituents.

PETERS: Having watched this and not being a lawyer, I mean, we're at risk no matter what we do. I mean you can get sued no matter what, so I think, in good faith, our city attorney and maybe CPOA have worked to try and address this issue in relationship to the state statute. I think it would be reasonable to go forward and pass this. Having said that, and listening to Representative Smith's comment that, you know, there is a citizens police review board acknowledgment in this bill, then we probably need to -- after this is passed -- look at that and see how we can make sure that our review board is as robust as it can be and make sure that it does protect the citizens' rights. This is all just very murky.

Mayor Treece made a motion to amend B259-21 per the amendment sheet including removing "prior to" on page 11, which would correct the typographical error pointed out by City Counselor Nancy Thompson. The motion was seconded by Council Member Skala and approved unanimously by voice vote.

B259-21, as amended, was given fifth reading by the City Clerk with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

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 third reading by City Clerk Sheela Amin.

Community Development Director Tim Teddy provided a staff report, and the Council asked questions.

TEDDY: Good evening, Tim Teddy, Community Development Director, and this item returns to Council's agenda. October 4, it was removed from consent, and Council will recall that there was a group of concerned residents of the Edgewater community to the south of this location. Especially concerned about the joining of a new public street that would be built as part of Forest Hills that would join North Waterfront, which is a street in in that community, which is part of the unincorporated Boone County. This is -- this tract, just to recap, is 11.4 acres. There's 37 lots contained within the plat. It's the second phase of Forest Hills. And once again, it was tabled. Highlighted there at the lower right -- this would be the southeast region on the plat -- is where the concern is. The staff of both the City and County have required this developer to actually physically join what's called Sugar Maple Street with North Waterfront, an existing public street, but of course, that that North Waterfront/Edgewater community has not had any connections to its street system, probably since its inception, about 40 years ago. And just getting right to the matter -- what the developer has proposed to do is place these blocks. And you can see they've already been placed. These are normally part of retaining wall systems, but they would be used as a physical barrier, a temporary barrier until such time as the infrastructure of this Forest Hills Plat 2 is completed. Our view of

temporary barriers was that there was in the original preliminary plat of subdivision a requirement that a temporary barrier be placed to traffic to and from these two subdivisions until such time as Geyser Boulevard then known as Rice Road was completed to Lake of the Woods, and that's been done so we think the developer's obligation has been met. However, recognizing that there was also some involvement back when the preliminary plat was being considered -- there's some involvement of the Boone County Commission that made a statement that they would support having a temporary gate till 75 percent of this subdivision was built out or Rice Road, as it was called then, was completed to the Lake of the Woods, whichever is the last to occur. So, recognizing that, I think this developer is willing to leave those blocks in place. However, there will come a time when, at least according to the plans that we've approved, where that would be opened -- that connection there. And this has been noted on -- these are construction drawings so these are not part of the council materials typically -- but this is showing the physical joining of Sugar Maple to East Waterfront, at that curve there. It's the first bend of that road as it sweeps along the north property line that's shared between these two tracts. And they've added a note that that barrier would remain in place until the infrastructure is complete. And that's all I have on this matter. I understand there are some residents that want to present material to you as well.

SKALA: Just a question, Mr. Teddy. Has there been any -- are you aware of any discussions or has there been any further discussion about the potential in the future for some sort of keyed gate entry?

TEDDY: I know that's what residents of the Edgewater community have requested now, and I understand that would be as a permanent measure to just simply have it -- what we call emergency access only, so a Knox-box would be in place and that would be a locking system that would be accessible just to those emergency services if and when needed.

SKALA: Right, that's their position?

TEDDY: That's the discussion, yeah. Now the County order that I referred to -- of course, that's an old county commission -- that's back in 2006. I don't think it's been considered by either County staff or the County Commission -- that I'm aware.

SKALA: Thank you.

PETERS: Can I just ask why they need to be connected.

TEDDY: Well, it's the principle that, you know, they are public streets. We do intend public streets to be used, and one of the advantages of joining public streets is you get circulation between places. To the argument that there'd be an excess of traffic, I would not see an advantage to everyone that lives off of Geyser or lives off of this subdivision's streets to really make regular use of that connection because it is longer in terms of distance with the turns, even if they're going southeast. I think those lots and there's about a half dozen -- eight lots if you count the corners on Sugar Maple. There might be some advantage for residents of those lots to travel south on North Waterford Drive to exit onto Lake of the Woods if they're headed in a south direction on Lake of the Woods, but otherwise Geyser go straight east. You know, it's meant to collect the traffic from both north and south in that subdivision. So that's why. Deliveries, emergency services -- they can avail themselves to the connections.

PETERS: So is it emergency services? See, I'm still at a loss as to why those need to be connected. Is it for emergency services or as is it --

TEDDY: Well, it's planning principle. We do it. It's not often that you have phases that are 40 years apart, but that's what we have here. We have an old settled community that has had open space around it, hasn't had development off this north side. It's had developments of the northwest, but not connecting to it. So normally, it's a more timely process, but you know that -- this was first discussed in 2006, and for a variety of reasons -- it was a different developer originally. They got their preliminary plan approved, they got the Phase 1 approved almost seven years later, and then that didn't move forward immediately. The present developer came in, and now they're actively pursuing development of the whole tract.

PETERS: And Waterford -- is that a narrow street or areasonably wide street? I couldn't find it when I was there.

TEDDY: Twenty-six feet was the figure that has been stated in the comments that we've received. Ours is 28 feet for a residential street.

PETERS: Okay, and they're the county?

TEDDY: Yes.

PETERS: All right, thanks.

PITZER: A couple of questions, Mr. Teddy. So those temporary barriers that you showed, are they on the City side or the County side of that line?

TEDDY: I believe that's on the County side, sir.

PITZER: The proposed, you know, temporary gate that was on the plans from 2006 or whenever -- that was on the City side or the County side?

TEDDY: That would have been on the County side, although it was noted as a requirement on the City's approval. So it was on the City's approved plan. There's a note indicating a gate to be installed, again, if Rice Road is not extended to Lake of the Woods. Yeah, if I may, we had a similar situation with that same tract. There was an earlier attempt to build it out partway to the east, and we had folks from a City neighborhood to the north - Kelsey, I believe, Redwing -- those streets. They were concerned that traffic heading east on Rice was going to use their streets as an outlet to Lake of the Woods. So, the Council expressed that, kind of that same concern, about the neighborhoods that Forest Hills is interconnected with to the north, and building the street all the way to Lake of the Woods resolved that because, again, it's a straight shot to that road and then Lake of the Woods itself is straight too, so it's fairly direct travel.

PITZER: And what is the final plat say about this temporary gate?

TEDDY: The final plat does not say anything about it. They're proposing to amend the construction drawings. Again, the way the staff reviewed the record of subdivision approvals, they didn't feel that there was any more obligation to put a gate in so there was no date on final plans.

PITZER: Right, I'm just trying to figure out what our role is versus what a County role would be in deciding whether that gate stays or goes.

SKALA: Just one other question, and that is -- this kind of reminds me -- maybe you can refresh my memory or perhaps you may not remember this either -- but I know when the Links development was established, if you will, there was initially supposed to have been a connection between Lillian and Clark Lane, actually, and there was some discussion, a neighborhood discussion and so on -- so, it's my neighborhood actually -- about a gate or a temporary gate. In fact, that's what happened there -- was to close off some of that supposed traffic, but is that in any way -- I mean, is that the kind of thing that we're talking about here with this

discussion with --

TEDDY: Yeah, and I think that's on the north side of Clark Lane, is that correct?

SKALA: Yes, that's correct.

TEDDY: It was done, kind of on the west side of the development?

SKALA: Yeah.

TEDDY: Yeah, and there's that, and, of course, there's a difference in land use intensity there between the multi-family and the single family that's on that street leading into it. So that's an example within our jurisdiction, and then maybe a more on point example is -- it's called -- Raccoon Ridge is the street, but there's a long street coming off of New Haven, and near the new Cedar Ridge school, there's actually a gate, and that was actually requested by the County that that remain emergency access only, so folks couldn't use the Woodlands, I think, might be the name of the subdivision, unincorporated Boone County. They couldn't use their street as a main route to school, which, admittedly, is a big traffic generator so that would have drawn a lot of trips, probably both from within and outside the neighborhood.

SKALA: In your opinion, that one between Lillian and Clark was really driven by a discussion about multi-family versus single family?

TEDDY: Yeah, I think so. That's where we've had them. The Timberhill gate would be another example, where it's multi-family and low density residential. You know, again, we've -- we're always in the position of recommending that the streets extend, but residents, sometimes, have other ideas, and if there are concerns managing traffic, you know --

SKALA: Yeah, there was an extension, for example, of Cass when Indian Hills was connected to the Meadowlands, and that is Rice Road, well now it's Geyser Boulevard, but there was that connector as well, and quite a bit of controversy about it.

Karen Turner, David Strumpf, Susie Barr, Penny Thiel, and Don Cameron spoke.

TREECE: I did have an email [inaudible] from Karen Turner, and I think Karen's here tonight as well.

TURNER: [Karen Turner] Thank you for hearing us tonight. Edgewater has four associations that are around the lake. It's a county road that's beautiful. It has many curves and goes around two private lakes, and it's not meant to have arterial traffic on there. Due to the affordability in this area, there are a lot of 55-plus residents that live out there, and most of these people think this is their forever home. So, we're looking at a new approach on this. As you can tell on this road, there -- it's curved and there's a bus coming. You see the sun shining in the driver's eyes, and you see a walker standing next to the bus and you see one that is way up ahead where the proposed connection is. And in the second picture, you see a walker standing right where the proposed connection is, and a car that is banked into the other lane where the bus would be coming. This is a huge safety concern. It happens all the time due to people trying to go around walkers, other cars that are parked on the road, etc. And there's five of these curves that people have to negotiate. And this is what happens -- this is right where the proposed road connection is supposed to be going in, and by doing that, it also blocks people from

being able to get in and out, by doing that. And where Sugar Maple is, if somebody was to be flying through there, they would be in and up in that person's front yard there. Here's another curve where people have taken out an electrical box, and it's right next to somebody's house. Again, it's dangerous for people that aren't used to this road. And people that park on this - this -- it just shows how narrow these roads are. Geyser has bike lanes, it has sidewalks, it's wider. Waterfront is not. Besides road safety concerns, there's a personal concerns of criminal activity. Rice Road was changed because of the perception of the road, and just in the last two months, there's been 37 police calls to Geyser Boulevard, two of which were shootings in that area. The Edgewater pays monthly dues -- it's unlike other neighborhoods -- they pay monthly dues for these amenities, the pool, the lakes, everything. And when you have traffic coming in from Geyser Boulevard, these people think that they can use the lake, the pools, and when they're confronted -- I mean - these -- this lake is around people's backyard, so people are actually fishing in people's backyards. And, you know, how would you feel if somebody was in your backyard, you know, just standing there? It's not safe. They become more confrontational when you tell them to leave. This person was actually fishing in my backyard, and they ended up cutting through the proposed area for the -- to Geyser Boulevard. This road construction is also doing a number on both of our lakes. It's hard for us to treat our lakes because of the algae, and, you know, the water runoff. And, this picture shows that four years ago, this is what our lake looked like, and this is what it looks like today. It's more than just combining two neighborhoods like he had mentioned. Like with Kelsey, Kelsey is also part of going straight on to Sugar Maple. So that street connects to Sugar Maple, which then connects here. So, it's not like another neighborhood. We pay our association dues, and quite a lot. I mean, some of these are -- these people are on retirement and things like that, and there's -- at least for the condos and townhouses, that's \$240 a month that you're paying for these amenities that other people can just then come and use, and be in your backyard, and you have to confront them every time. It's not easy. So there have been many factors that have changed over the years from when this agreement was first made that just do not work today. They need to be reconsidered for the good and safety of the residents, not just the developers. We've come together as multiple homeowners associations to ask that you take a step back, reevaluate that we have the right -- that we hope that you do the right thing and not complete this road, and put in the Knox-box and gate permanently instead of temporarily -- of which was already supposed to be there at this stage of development. I'm speaking for a lot of members in our association that are here and also listening on our live feed. So, I'm -- appreciate the little extra time so that I can save time for you. There may be one or two people that may want to say something, but we appreciate your time and your consideration in this. It's very important to our residents that are 55-plus.

TREECE: Ms. Turner, how would you -- so what do you want us to do tonight? I mean, I tend to agree with you. Do you want us to defeat the plat, I mean, table it again? I don't know what our options are.

TURNER: We just definitely do not want the road to come through there. It's a dangerous curve. It's very dangerous curve. And, you know, even at night, there's no lights on that street. So it ends up where people can't see what's coming in inclement weather -- all the curves, there are six curves on that road. So, basically,

what we're trying to do is just to keep that from coming through to the neighborhood to keep for road safety, for personal safety for people that live there. There's a lot of criminal activity that goes on in that northeast side of town, and this has just been one nice area that has been able to -- it has one way in and one way out, and, therefore, it deters a lot of criminal activity because it's not an easy out. Having this extra street that people can get onto really quick increases that activity.

STRUMPF: I'm David Strumpf. I was here at the last meeting, and I want to make it pretty quick. The safety issue is the ultimate concern. It's not about people's amenities, it's not about lifestyle, and living. The points that have been made that I've heard twice now about it's not going to be a problem, it won't increase traffic, I totally disagree with that. I think people will line up on Geysler, not see a way to get onto Lake of the Woods. They will take this little shortcut and they'll bottleneck through this tiny street. I also, personally believe, having listened to this twice, that there is an intentional misrepresentation of the differences of these streets and the safety, and Karen's picture showed that very clearly. You take into account the 26 versus 28 foot reference, the point that these streets don't have bike lanes, they don't have sidewalks, there is no safety, there is no lighting. It's not being represented clearly what the difference in the impact of having that street cut through. So, I just think you guys may want to think about why that might be.

BARR: My name is Susie Barr and I have lived out there for 28 years. I do walk that road almost every day, and with the road being so narrow, whenever a car is meeting me, I will step completely off the road for my safety. And when we first moved out there 28 years ago, we were also told that nobody can build a road across the dam that was down in the end of Waterfront Drive and nobody could come in from the south or the west, and I guess now that has changed. But anyway, from my safety and a lot of other people's, I do not want to see more traffic on that road.

TREECE: Karen, is Waterfront the dam? Do you know if that dam is permitted by DNR?

TURNER: I am not positive since they're both private lakes. That'd probably be a question for Dan Hagen. But there are two dams, one for the small lake and one for the larger lake.

TREECE: And Waterfront is on top of that dam, is that correct?

TURNER: It comes up to that dam. So, where the last cul-de-sac is on the road is where the dam starts. Which then, that dam connects the north and south Waterfront or Waters Edge and Waterfront.

TREECE: Alright, thank you.

SKALA: You know, it is in the Third Ward. I've lived in the Meadowlands for 25 years. My son used to fish in that lake actually, and the lake is dammed because of Hominy Branch. I mean that's -- it was the damming of that river that made those lakes possible. I guess, you know, this is a -- I've always been an advocate for connectivity to the extent that we can. That kind of coincides with some of the philosophy that the Planning and Zoning had and the department has. On the other hand, I think this is a perfect opportunity or a perfect case for an argument -- that you could make the argument that -- I would prefer to see some sort of lock and key temporary system that would allow emergency vehicles, if they needed to do that, but at the same time would mitigate the problems that may be associated with the

potential for cut-through traffic. I mean, obviously, crime is an issue on this -- in this in this area. It's always been -- I mean that was one of the reasons for changing the name of Clark Lane -- was so that the developer could sell some of the homes, and I think they've been pretty successful at that despite the fact that there's still a good deal of traffic from outside the City at Demerit Drive area, through, now Geyser Boulevard, and then all the way to Rice Road, all the way into town. So, I'm torn between that philosophy that makes a lot of sense, but there have been some exceptions, and I think those exceptions also make some sense. So that is -- it is been very persuasive to me to try and want to see something that would allow the kind of emergency exits that's necessary and yet protect some of the neighborhoods so that's just my two cents for right now.

TURNER: Having the 55 -- I mean it's really been a growing community, and it's a close knit community in the fact that, you know, people use this as their main source of exercise out there. You know, it -- additional traffic would be very hard. Like Susie was saying, I mean, she does this -- she walks this every day multiple times a day so.

THIEL: My name is Penny Thiel and I live at 5920 Waterfront Drive North. And, I really thank you very much in listening. It is the most important thing to me. I've been there for 16 years, and now I will not go out and walk by myself. Traffic on that road. Thank you for your consideration.

CAMERON: Good evening folks. My name is Don Cameron. I live at the Waterfront Drive area. I've lived there since June. Now if you all recall, we had a big flood in June, and my house flooded. I do believe contributory to that flooding process was the additional four drains from up of the north area that drain into our lake, plus the one on the east side of us across Lake of the Woods Road that drain into our lake. We all -- well not all of us, but -- I live in the lower land, lower levels there, and it just inundated us. Homeowner Association is kind of lukewarm about remedies as it pertains to pursuing any type of construction or reconstruction of that area. I understand that the cost factor is negating that, but when I -- I moved here in 2001 to Columbia, and I settled out there at Zinnia Drive on the northwest side of town when it was a new addition, and there was an old fellow over on Westwind Drive. He put up a berm as soon as that addition started going in, and it effectively shut off the traffic to his Westwind side of the road. I do not believe that the berm is still in place as his legal tenure ran out there, but it was effective at doing that for a while. And so I don't see that the emergency vehicle issue is an issue at all, be as how we all have the same road service. I mean, is it a shortcut to come from Boone Hospital down Rice Road and then turn south of the lake, you know, before you get to the Lake of the Woods? I don't know. I don't think it cuts any time off, or any more convenience for any of the emergency vehicles, police vehicles, fire vehicles, ambulances that we see, and we see a constant flow of traffic down Waterfront Drive anyway. It doesn't matter if it's day, night. We have that that huge apartment complex that sits at west end of the lake, and those kids are in and out of there all day and all night. It's just -- I don't see what the benefit would be to put in that road from Geyser down to Waterfront. Thank you'll folks very much for your time.

The Council asked further questions and made comments.

TREECE: I don't know how we can amend their plat, but I'd like to see Sugar Maple truncated either as a hammerhead or a cul-de-sac, maybe even get another lot out of there, and just leave the two separate neighborhoods. They've all got unique characteristics. It doesn't look like Waterfront would comply with city street standards anyway -- would be my thought.

THOMAS: Yeah, well, it's a sad irony that everybody hates traffic, and yet it seems to be really hard to build an entire community consensus that we should be redesigning our community to be really accessible by walking and biking and public transit, which would just resolve most of the issues people have with traffic. But we have set a few precedents recently. I think one was just at the last council meeting of acknowledging, recognizing that planning professions, you know, well-intentioned and valuable desire for connectivity, but without inducing additional traffic because there's no question -- as you build more road capacity, more road connections, people are going to drive more. VMT per capita is going to go up. So, what I would probably like to see here would be a bicycle/pedestrian connection between the two neighborhoods as well as the emergency vehicle access connection. And there are now -- I think just in the last several years, we've probably approved half a dozen of those at least.

PETERS: I would somewhat agree with Mr. Thomas. I would put in one of the, whatever they call these, the knox-box gates that would allow emergency access if need be, have wings probably from the -- which you already see out there now -- those blocks. What we've found at other places -- if you've got a road and you've got a gate, unless you've got a lot of big trees on either side of that, people are going to go around that gate. So you need to have some kind of -- something that only allows pedestrians or bicycles, something that's only a few feet wide versus big enough for a small car. But I would think that we should just do that to separate these two. I'm not sure how to do that, as you point out Mayor, but that's what I would do.

SKALA: Yeah, that too is kind of the dilemma. I mean, I concur with my two colleagues here that some sort of separation to allow emergency vehicles and yet cut down on some of the cut-through traffic and all the rest, and even allow bicycle connectivity -- that kind of thing. I think in this particular -- I live about two blocks away from here, two or three blocks, and like I mentioned, my son used to occasionally go out there and go fishing but --

TREECE: You owe them some monthly fees.

SKALA: Maybe I do. We pay monthly fees, by the way too, in the homeowners association -- in our Meadowland Homeowners Association. But nonetheless -- and I'm not sure -- it's -- you can't really tell people exactly what to do with their development, but I think they probably get a sense of the Council in terms of what some of the folks have offered. So, I hope that message gets out there and something akin to a solution to that problem gets accomplished.

PITZER: So I'll go back to what I said last time, when we talked about this, and that's the fact that 15 years ago there were -- three homeowners associations unanimously supported the gate and knox-box temporarily restricting access until the development was built out, until Rice Road was extended. And, I don't like the idea of going back on a 15 year old precedent, a 15 year old agreement that was unanimously agreed to, and then undoing that because when the reality hits, there's disagreement about it. So, it's easier -- because -- for me to say. It's not in

my ward or near my ward. But also the idea that we're going to restrict and divide neighborhoods because we don't like, you know, what's on one side of the neighborhood or on one side of development from the other side, is also, I think, not a good precedent in terms of building connection, building neighborhoods, building community.

TREECE: So, what would you like to do? Defeat it? Table it?

PETERS: What are our options, Ms. Thompson?

SKALA: I guess, it might make some sense to table this to a date certain to give an opportunity for some feedback to see if we can come to some potential solution that might accommodate folks. I think there might be a reasonable thing to do.

TREECE: Is someone from the applicant here?

GLASCOCK: Don't see anyone.

TREECE: Open to a motion.

PETERS: Do we want to make a motion to postpone this for a month?

Council Member Skala made a motion to table B284-21 to the December 6, 2021 Council Meeting.

GLASCOCK: Question, what am I supposed to accomplish in the month that we're tabling this?

TREECE: You're not supposed to do anything. I'm hoping -- this plat is going to be defeated in its current form.

GLASCOCK: Yes. I understand that, but I want -- is there something that we need to do?

TREECE: I hoping someone is listening to divine the will of Council to come back with a plat that can be passed.

GLASCOCK: Okay.

The motion made by Council Member Skala to table B284-21 to the December 6, 2021 Council Meeting was seconded by Council Member Peters, and approved by voice vote with only Council Member Pitzer voting no.

B333-21

Rezoning property located on the south side of Southampton Drive and west of Executive Drive from District M-OF (Mixed-use Office) to District M-N (Mixed-use Neighborhood) (Case No. 256-2021).

The bill was given second reading by City Clerk Sheela Amin.

Community Development Director Tim Teddy provided a staff report, and the Council asked questions.

TEDDY: This is a rezoning on one of several tracts that the Planning and Zoning Commission considered and made recommendations on to you, and there were 11 locations in the Corporate Lake altogether. Ten of the 11 were approved -- were recommended for approval unanimously by our Planning and Zoning Commission, however, this one was known as tract 11 did not get the Commission's majority recommendation. In fact, it was -- in its original form defeated unanimously by the Commission, or recommend for defeat unanimously, and we now had an amended application on this piece. And, located at the southwest corner of Southampton Drive and Executive Drive. About two-thirds of the property is zoned M-N, mixed-use neighborhood. That's considered a transitional commercial district. It

allows retail and personal services as well as office, housing. And then just slightly less than a half-acre is zoned M-OF, mixed-use office. It's really just kind of a remnant piece there on the west side of it. So, the request has been amended down by the applicant. Originally, they wanted what's called mixed-use corridor for this parcel with the announced intention of doing a gas station/convenience store on that. And you can see the location is directly south of the high school ballfield and track, Rock Bridge High School, there. This is the overall zoning map showing what was presented by this applicant. They're mainly resolving split zonings. That was the main objective. They have individual development sites that have two zoning classifications, so they made each of those one or the other, and so you can see on the color-coded map what those categories were. There were a couple of examples, within Corporate Lake, that were recommended for approval of the M-C designation, where the split zoning was already showing a fairly substantial amount of those lots M-C. And this is an overview from the air, and again, the big blog just kind of shows you that sort of master zoning, rezoning application. So, I'm going to go back to this tract 11. So it's the shaded one that you see there, and it's adjacent to a large pond that's an amenity for this development. And it does have those two zoning categories, M-N and M-OF. Originally, the application was to convert all that to a more intense use, M-C zoning. M-C would have allowed the gas station/convenience store use as of right. So it'd just be a building process if that zoning -- building permit process -- if that zoning was granted. In M-N, that same use can only be considered as a conditional use, which means it really repeats the process. It repeats those steps that the rezoning goes through. And the specific use has to be examined for it's appropriate for the specific site. There would be a Planning and Zoning hearing on it if it came back, and then an opportunity for persons to be notified and speak their mind about that planned use. So, the M-C recommended with no votes for denial. The Commission also made a motion on an alternative recommendation to make to Council, and that would this idea of taking that 0.47 acres that's zoned office and just unify with the rest of this tract 11, which by the way is known as lot 10, but I'm going to go with tract 11. We just use the tract numbers for purposes of organizing the zoning, but all of that lot would then be unified as an M-N, so you'd have about an acre and a half in that M-N category. That motion, however, was inconclusive 4 in favor, 4 against. I'm happy to answer any questions the Council might have.

PITZER: Yeah, Mr. Teddy, so there was some reference in the comments in the minutes to a traffic study that would need to be performed when and if that lot is developed. So, what's the trigger for a traffic study in this case?

TEDDY: Well, I've said it before. In our code, we actually have a threshold spelled out, and so the city traffic engineer would look at the proposed use and may determine that because of the trip generation -- if it's 100 trips at peak hour, which could mean a morning hour or it could be an afternoon hour depending on the use - - that automatically triggers the need for a traffic analysis. Now, in some cases, the traffic engineer will ask for one shy of that threshold if there are known issues with traffic circulation in an area. So, I don't if that would apply here. It is a very busy intersection. There's a lot going on with the high school, with the frontage roads. Corporate Lake is still building out so there'd probably be some requests for some background data projection of what some of these other uses would contribute, planned uses would contribute, as they come online. And, I'm speaking of zonings

where the zoning's already in place for office development or multi-family development, what have you. So, they'd go through that exercise, and then they'd look at the traffic study and that would determine access locations, whether or not some kind of mitigating measures like turn lanes in the street are needed, that kind of thing.

PITZER: So there's, you know, often some backups and congestion there because you've got -- because that has been one of the main entrances into Rock Bridge High School there on the other side of Southampton, almost directly across from Executive. So in mornings and afternoons, you've got backups and you've got people trying to turn left, you've got teenagers trying to make awkward turning movements, and it's generally inefficient. So, would that be included in the scope of any traffic study for this area?

TEDDY: Yeah, I think existing conditions -- I mean, they usually baseline what the existing traffic movements are. They diagram it. They look at where the vehicles are coming from and when, you know. So, and then they overlay on the existing conditions what the generated traffic would be, and then they look at it -- you know, kind of a post build scenario. What are you going to get?

PITZER: Right, and in the minutes, Mr. Zenner had a reference to this traffic study, and he said that it likely would result in some type of traffic management improvements needing to be made at Executive and Southampton. So, that would involve the turn lanes, some sort of -- what else might it include?

TEDDY: Well, and I'm just speaking hypothetically, because I haven't conferred the traffic engineer about what's going on here and what the thoughts are about would a roundabout or something like be needed -- would channelization of turn lanes be needed, you know, so someone could make an easier right turn out of there. Is there -- are there safety measures, crossings -- I think that might have been mentioned. Folks crossing on foot - Southampton -- so maybe something in there too.

PITZER: Alright, and I'm not sure if there's anybody from Public Works here, but a couple years ago, I asked them to kind of mock up what it would look like if the high school, you know, squared that exit off to align with Executive Drive. Right, so you have essentially a 4-way intersection there, and you would have some sort of traffic management stop sign, improved pedestrian crossings, etc. And, you know, the City would participate in the City's part, but the rest of it's on the CPS property. So, at the time, I was told that CPS wasn't interested in funding that. Do you know if there have been any other discussions about, you know, squaring that off, Tim?

TEDDY: No, but I know what you're talking about. The concept would be a four points intersection instead of a jog there. I mean it's not a street, but it is a busy access island of their front parking lot there. So, yeah, I think the idea is that drivers making turns can see one another across the road and that makes it a little more orderly.

PITZER: Again, is that something that could be looked at in this traffic study for that?

TEDDY: Well again, yeah, I'd think as a possible conflict point, and then if folks are being creative, they could approach the school again.

PITZER: And that traffic study would have to be done before a building permit was issued? Is that right -- if the zoning is approved?

TEDDY: If the zoning is approved and they come in with something that requires a conditional use, yeah, they may do it as part of that. Or they may if they do

something that doesn't require a conditional use. The statement was that they wanted to do a convenience store/gas station so I'm just repeating what's been said in the record, but things can happen. I mean, time can go by and plans can change so, either of those scenarios, I think we'd look at what the traffic generation behavior of the use is.

PITZER: So something could happen without a traffic study being done? I'm not clear on your answer.

TEDDY: Oh, okay. Well, yeah, if you did something that's very low trip generation, it may not require that.

PITZER: Okay, that's what I've got.

PETERS: So, they're asking to go -- to have this whole tract be M-N for mixed-use neighborhood. Is that correct?

TEDDY: Yeah.

PETERS: And that would require -- I think you've already said this, but I'm a little confused -- and that would require them to come back if they actually wanted to put a gas station and convenience store in there?

TEDDY: That's right, anything automotive, a car wash is in the same category, so. These are things that are listed under the district that are noted as not permitted as of right. They're a category called conditional use, and that means it's going to really be at the discretion of the Council. And, you would get a report on whether or not it's considered appropriate for that site. Traffic would be part of the analysis I'm sure with something of high turnover, like a gas station.

PETERS: Thank you.

Jay Gebhardt spoke.

GEBHARDT: Good evening. My name is Jay Gebhardt, offices at 3401 Broadway Business Park Court. I'm really here to answer questions. I do want to state that Mr. Lewis has abandon his idea of a c-store here, and yes, that's way we've changed our request to M-N. And, he is fully aware of -- we would have to hire a traffic engineer to -- just about for any development he would want to propose on this. I like your idea about aligning the driveways with Executive Drive, and the way I understand it works is -- if the traffic study comes back and suggests that as an improvement, then the developer would have to pay for it with permission from CPS to be on their property and change their property. So, we're fully prepared to address those issues. I got Julie Nolfo with Lockmueller Group out of St. Louis engaged in this so that we can move forward with it. But if any other questions -- the request has been changed to M-N to match the rest of the -- or the bulk of the lot there -- and the lots to the west are proposed to M-N and on the consent agenda further on.

TREECE: Why did Planning and Zoning tie vote on the motion for M-N?

GEBHARDT: They were concerned about the ability of having like a c-store there, just the store without the gas sales. I think their concerns were cigarettes and liquor and things like that across from the school. So, some of the commissioners really wanted to downzone the whole thing to M-LF so that that can't occur, but it can occur next door to us. It can occur south of this. So, it's -- we feel like that wasn't a valid concern, and so we've asked for the M-N.

The Council made comments.

PTIZER: Yeah, I think I'm generally okay with the M-N designation here. I mean, it's kind of consistent with what else is going on all around it, you know, but I do think that it's important to look at this idea of what to do with the traffic there because it is just bad turn access in and out of the high school there. So, I think that there is a possibility for some improvement. You know, collaboration between us and the schools and the developer. If they -- if the zoning were approved and if they move forward with it, there's an opportunity, you know, really iron out, you know, traffic flow in that particular section.

B333-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER. 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 City Clerk Sheela Amin.

- B329-21 Voluntary annexation of property located on the south side of I-70 Drive Southeast and west of St. Charles Road; establishing permanent District M-C (Mixed-use Corridor) zoning (Case No. 271-2021).
- B330-21 Rezoning property located on the west side of John Garry Drive and north of Cedar Lake Drive from District M-OF (Mixed-use Office) to District R-MF (Multi-family Residential) (Case No. 256-2021).
- B331-21 Rezoning property located on the west side of Commercial Drive and property located on the south side of Cedar Lake Drive from District M-N (Mixed-use Neighborhood) to District M-C (Mixed-use Corridor) (Case No. 256-2021).
- B332-21 Rezoning property located on the east and west sides of Executive Drive, the east side of John Garry Drive, and the south side of Southampton Drive from District M-OF (Mixed-use Office) and District PD (Planned District) to District M-N (Mixed-use Neighborhood) (Case No. 256-2021).
- B334-21 Granting design adjustments relating to the proposed Arbor Falls PD Plan No. 4 located on the south side of Pergola Drive and west of Talco Drive to allow a longer cul-de-sac length, a longer block distance, and private residential streets to deviate from required design specifications, right-of-way dedication and street widths (Case No. 140-2021).
- B335-21 Approving "Arbor Falls PD Plan No. 4" located on the south side of Pergola Drive and west of Talco Drive; approving a revised statement of intent (Case No. 140-2021).
- B336-21 Granting the issuance of a conditional use permit to White Oak Investment Properties, LLC to allow a "bar" use on property located at 504 Fay Street in an IG (Industrial) zoning district (Case No. 274-2021).
- B337-21 Authorizing construction of Fire Station #11 to be located north of the intersection of Scott Boulevard and State Route K; calling for bids through the Purchasing Division.

- B338-21 Authorizing Amendment No. 1 to the agreement for professional engineering services with Allstate Consultants, LLC for additional materials testing services during construction of the Discovery Parkway extension project.
- B339-21 Authorizing 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; calling for bids through the Purchasing Division.
- B340-21 Authorizing the acquisition of an easement for construction of the Lakeshore Drive and Edgewood Avenue PCCE #23 sanitary sewer improvement project.
- B341-21 Authorizing an agreement with SuperSonic Transportation, LLC for the reimbursement of eligible project costs under the Missouri Department of Natural Resources Air Pollution Control Program Volkswagen Trust Electric Vehicle Charging Infrastructure Program for the construction of a Direct Current Fast Charging (DCFC) station on Creekwood Parkway.
- B342-21 Accepting conveyances for temporary construction and sewer purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B343-21 Accepting conveyances for electric utility and underground electric utility purposes.
- B344-21 Authorizing a first amendment to tower co-location agreement and memorandum of first amendment to tower co-location agreement with Cellco Partnership, d/b/a Verizon Wireless, for the lease of City-owned property located at 1808 Parkside Drive (Solid Waste Utility - Storage and Mulch Site).
- B345-21 Authorizing a program services contract with the Missouri Department of Health and Senior Services for WIC local agency nutrition services.
- B346-21 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for the COVID-19 and Adult Vaccination Supplemental project.
- B347-21 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for public health emergency preparedness services.
- B348-21 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for HIV prevention services.
- B349-21 Authorizing an agreement with Columbia School District No. 93 for teen outreach program services.
- B350-21 Amending Chapter 27 of the City Code to establish an electric standby and supplemental service rate for industrial customers.
- R168-21 Setting a public hearing: proposed replacement of a sanitary sewer under

- U.S. Highway 63 and south of I-70.
- R169-21 Setting a public hearing: voluntary annexation of property located on the east side of Bearfield Road and north of Woodhaven Road (4000 S. Bearfield Road) (Case No. 7-2022).
- R173-21 Authorizing an agreement with Green Valley Rifle & Pistol Club, Inc. to provide the Columbia Police Department access and use of a range facility for training purposes.

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

VIII. NEW BUSINESS

- R174-21 Accepting the performance of VidWest under contract dated October 11, 2019 and relieving VidWest of any further contract obligations.
- The resolution was read by City Clerk Sheela Amin.
Cultural Affairs Manager Sarah Dresser provided a staff report, and the Council asked questions.

THOMAS: This is really my resolution, but I'd welcome for Sarah to say a few words.

DRESSER: Hello, Sarah Dresser, Manager for the Office of Cultural Affairs. There are -- this is the first resolution under new business for the contract with VidWest, a nonprofit. Basically, from the agreement that was entered into in October of 2019, and after everything that has occurred over the last two years, this would accept the performance that they were able to complete under that contract for services fulfilled, and we would not require them to fulfill any other additional items under that original contract that was entered into. I'm happy to answer questions about this particular item.

THOMAS: Yeah, so, there's a pair of resolutions here. As Sarah said, the first one, which had been read in R174-21 would relieve -- would accept the performance and relieve VidWest of any further expectations. A number -- a fair amount of language that I put in this was omitted so I'd like to read that aloud. At the top of this resolution, R174-21, "Whereas, in response to an RFP for community media services issued by the City, the City and VidWest executed a contract for the provision of services, which included operating a public access channel and community media center on October 11, 2019; and whereas VidWest asked Mediacom to install a fiber connection to 1600 Business Loop 70 East immediately after taking occupancy in January 2020 and paid a fee of \$7,670 to Mediacom immediately after receiving a quote in June 2021, and yet fiber has still not been installed, thereby making it impossible for VidWest to have a public access cable channel; and whereas, the City of Columbia declared a state of emergency on March 16, 2020, finding that proactive and extraordinary measures were necessary to prevent community spread of the COVID 19 virus and issued a stay at home order on March 25 2020, requiring all residents to stay at home, except for special allowances; and whereas VidWest continued to fulfill many aspects of scope of services, including operating a Community Media Center, providing video equipment rental and training and relevant skills, and pioneering new technology by developing livestream rigs with

which VidWest has provided public access programming via the internet; and whereas VidWest has been unable to fulfill all of the terms of the contract for services, specifically operating a public access cable channel, because of Mediacom's failure to install the fiber connection; now therefore, be it resolved by the City Council that we will accept their performance and relieve them of further obligations." So, I would also like to just thank John for quite recently reaching out to Mediacom and asking them why they have not yet installed the fiber connection to 1600 Business Loop East and applying a little pressure to them. John, can you give us an update on that situation?

GLASCOCK: Well, I haven't heard back. We got something back from Mediacom saying that, you know, the City submitted their plans or whatever, and I got responded back from our staff saying we're waiting on them to pay for their permit. So that's where we're at. I haven't heard back from them since then.

PITZER: I have a question for Mr. Glascock. Do you often reach out to private companies and ask them if they've installed service to individual properties?

GLASCOCK: No, I have not.

TREECE: Mr. Glascock, have we ever voided an agreement and continued to pay a contractor for the City for services they did not provide, in your 17 years with the City?

GLASCOCK: Not to my knowledge.

PETERS: Can I just ask -- so VidWest gave or had a contract with Mediacom for \$7,00 to put this in and Mediacom has not fulfilled their requirement, their obligation? Is that correct?

THOMAS: That's my understanding. Matt's here. Matt can talk to that.

Matt Schacht, Jordan Lundy, Aaron Phillips, Jonathan Asher, Chris Mooney, Richard Harris, Chelsea Myers, Megan Casady, and Tyree Byndom spoke.

SCHACHT: Hi there. My name is Matt Schacht, 1617 Windsor Street, the VidWest President of the Board. I've spoken to you a few times. Like Ian Thomas said, there's actually two bills here, or two resolutions that are connected. One is to dissolve the 2019 contract because of impossibility of performance. That's a legal doctrine that says there's a contract and there's an element of the contract that cannot be performed. It is a legal defense to say that you do not require that person to fulfill the contract. It's just good business because you can't hold somebody to do something they can't do. The second resolution is to then enter into a new contract with VidWest. I respect and recognize that this is a really unusual situation. It's not one that we thought we would be in either when we signed the contract and 2019. We had a plan for opening a community media center in the summer of 2020, and I think we all had a lot of plans for 2020 that didn't work out. I think to VidWest's credit, we have stayed in communication with the City every step of the way. One point, I just counted my inbox emails to and from the City, and I was sending an average of two and a half emails per week for 109 weeks to City staff. And it was everything from how we're managing the contract, how we're redistributing funds, the things we're trying to do to be COVID safe, attempted -- attempts at reopening a media center, and then being shut down, and then trying to reopen again, how we were going to do classes with school children, what would livestreams rigs mean, a new technology that people weren't super familiar with, and this was the

early days of Zoom for a lot of folks. At this point, I think you're all pretty familiar with it. So we have tried to be on the forefront. We've taken our responsibilities as a community media center very seriously, and we've done everything within our power to be responsible stewards of that power. As far as I know, there are no other organizations at this time that can fill the gap that VidWest does, so if you choose not to renew a contract with us, there's a very good chance that what you're deciding is to not have community media, at least in terms of a community media center, anymore in Columbia. Thank you.

LUNDY: Hello councilmembers. Thank you for your time. My name is Jordan Lundy. I live at 5651 Tyler Drive, 65202. I moved to Columbia in 2005, and I started my career as a freelance video guy. I do cameras, I do tech work, I do all that stuff. I plug all the wires in so that things can work and things can be seen. I've recently -- I've had opportunities to move somewhere else. I love Columbia. I love Columbia and what it does and what it is. Recently I started working with VidWest, and I was brought on to fulfill that community space, to build out the studio so we could get back to what CAT-TV was doing. I worked with Matt on this. He pulled me in because he knows my brain works different than a lot of people and I can get that stuff working, but COVID hit and as with everywhere else, things got weird, things got different, and we've all been shoved into that Zoom world. So what we built out was a livestream rack, a bunch of gear that we can plug in in different places, and we can show what's going on. We've already helped Access Arts. We've already helped the Columbia Center for Urban Agriculture. We've helped the State Historical Society livestream the bicentennial. We are filling a space of education and of supporting Missouri in telling the stories that are Missouri stories. I love it here in Columbia. My kids are in school here. Everything's great. With my line of work, this is what I do. I help share stories, and so your support for helping VidWest keep the doors open and the lights on means a lot. Thank you.

PHILLIPS: Hello, My name is Aaron Phillips. I spoke, I believe, in August at the August city council meeting about the things that I've been involved in with VidWest and CAT and building out the new space. I've worked with Jordan Lundy and Matt on numerous things. I don't think Jordan said, but he's been like a projectionist with True False. He was very humble in his, like, skill level and, like, what he's involved in in the community. He's pretty on up there. Anyways, I -- there's many things I've been involved in with VidWest and many reasons why I feel like the doors should be open and kept open with this, and also just the idea of what a community center -- media center is. Like, how that can affect the community in terms of stories from the community being told. A friend of mine, Jordan Smith -- he sent me this. He's been suffering from laryngitis the last few days, so he was not able to be here tonight, and he said you can use my name if you happen to read it. He sent me a statement, "tell them I'm a teacher at Battle High and focus on serving underrepresented students. VidWest helped us serve this population." He says "VidWest studios has had an impact on me in multiple ways, but I'd like to speak on a particular example that occurred only a few short weeks ago." I believe this was about three or four weeks ago. "I help run a free after school program, a recording studio, out of CPS schools called Dark Room Records. We record young artists trying to learn the expensive and often unattainable experience of recording in a professional studio environment. We had a band interested in recording some original music, but simply put, we currently don't

have the space to record larger groups of artists like those in our CPS school buildings. We also host student interns to learn the trade of audio engineering. Within hours of reaching out to the VidWest team, we had a full weekend arranged to record this band at their roomy studio space. Not only that, we were provided professional equipment and resources to make our music sound as professional as possible. The space is welcoming and, as I quickly learned, vital to those who want to explore media arts and simply cannot afford the costs of a typical professional environment. This particular band walked away with four recorded songs and a renewed sense of artistic inspiration, all for minimal cost, and our student interns clocked hours of vital learning that they simply wouldn't get as quickly in our typical building studios. While I love what Dark Room Records does with CPS, I found this resource in the VidWest studios to be a valuable asset to bring art, creativity, and even career paths to young people we work with. Please consider supporting this venture because we need more of this the world today. Please consider supporting VidWest. I believe it will vary greatly and enrich our community. Thank you."

ASHER: Hi, my name is Jonathan Asher. I live at 313 North William Street. I've spoken with you guys before. Columbia is fantastic. It's got all the things we want. It's got the Center for Urban Agriculture, who I have volunteered for their Harvest Hootenanny for many years now. I've volunteered for Roots and Blues, volunteered for Peddlers Jamboree, and the True False Film Fest, of course, because we all love that, I assume. Anyway, so this most recent year at True False, I was also -- I was on the photo team, which I normally am, but I was also on the Build Team, and that was -- they asked me, hey, do you want to help on the Build Team? And I'm like, yeah, and I'm like, this will be convenient because in this very building I've already got -- I brought my own circular saw and a band saw and a table saw and a lot of other tools. They're already in there because I was helping work on getting the photo studio for VidWest up and running. And I was like, yeah, that's super convenient. I've already got my tools here. So build team was fantastic. So having the camaraderie of that spirit of people getting together and actually making something that you get while volunteering at these very special events is there at VidWest all the time as long as there's someone there because, you know, there's no paid staff so they can't be there all the time. But I volunteer there as the photo studio manager, and I've had a lot of great exchanges with people just wanting to know how to use the equipment that they just got, that they have promised to photograph a wedding with the next weekend or some other, you know, some other situation that they're like how does this even -- how does this all work together? And it's fun. And then, the thing I've been putting off forever is learning to edit video, but I'm in the right spot because these are all -- they're all too humble. There's a lot of really fantastic filmmakers. So before I run out of time, I'm going to say having a space where people make these digital things for the digital entertainment economy is valuable. I make and sell digital files for a living. Sure we go to physical places and we bring physical props and we make art and we take pictures, but also, at the end of the day, I'm selling a digital version of it. Short films -- how many kids want to be stars on YouTube? How many -- when I was in at MU studying mechanical engineering ten years ago, how many other young engineers wanted to be -- like they grow up watching Mythbusters and see -- hear stories about doing special effects for industrial light and magic, and be like that is what engineering is going to be, or the things that they do at Disney. How many people

who are currently students at Stephens College studying fashion design are watching Bridgerton or Drunk History, which I also hear is very popular, and being like, I will do wardrobe I will do period specific wardrobe for those shows or films? And they're learning these skills in school right now, and they feel like it might just have to be a foregone conclusion that they have to move away as soon as they graduate because there's not even a single studio to do a small, you know, a small production in. This -- earlier today, I spoke with a professor at the University of Missouri -- so I spoke with a professor at the University of Missouri who told me that they had to double the size of their -- let me see -- I jotted it this down so I wouldn't get the words wrong, and now, I haven't got it here. Give me just one second. So, here it is, film studies program. They doubled the amount of film production courses this past year because there is a lot of interest in film production. One of the professors pointing out that there is only three cameras for every 40 students in their program is, like, oh well, if you want access to a cinema camera, just go to VidWest. One of the people who's setting up a show for CAT-TV at VidWest is both employed by MU and is a film studies student at MU, and they have their friends who are volunteers, helping them make their show, borrowing the saws I have, as a volunteer, in the studio, because that's how committed we are. Because the people who make short films -- it's incredibly hard to do. I don't know how it gets pulled together. I've gotten to do behind the scenes photos for two short films recently. One of them is -- both of them had maybe 15-20 people on the set. All of them -- there's hair and makeup, there's wardrobe, there's the script assistant, there's a slate -- they're all doing things. It's hard work and it's long, long, grueling days. One of them -- everyone on the staff was paid money. The other one -- no people were paid money -- long days. The two directors got to speak to each other about which hotels they were putting up their actors and actresses. Yeah, so to wrap it up, you know, the need is there. So, I guess that's all I've got.

TREECE: How many of you -- raise your hand if you agree with what this person said. [About nine people raised their hand.]

MOONEY: [Chris Mooney] I'm going to bring up socio economics. Two terms, barrier to entry and equity. So, I want to be very clear, barrier to entry to film without a community is near impossible. If it was not for VidWest, I would not only not be in film, I would not believe it would be possible for me to be in film. I want to make that very clear. And also equity -- if you can't afford to be in film because the [inaudible] are too expensive or we don't fund this, we are telling the community that we do not believe in equity -- that we want a high barrier to entry thing to be available only to people who can afford that. That is what we're saying at the city council, if you do not support community media. Also, we're going to talk about Mediacom barrier to entry and equity. VidWest cannot get another ISP because the infrastructure in that area only supports Mediacom fiber. So I'm going to be very clear, there's no other options except Mediacom. Also it's not public access because in order to get a public access channel through Mediacom you have to purchase their cable package. So, I'm going to be very clear about this -- not only does VidWest not another option to get fiber except Mediacom, but the community would have to purchase a package from Mediacom -- again equity. If you can't afford to purchase the package from Mediacom -- they get the public channel, you don't get it. So we're not supporting community access by holding this up. We're only enabling Mediacom to promote dis-equity and still keep barrier to entry.

TREECE: Thanks, could I have your name again for the record.

MOONEY: My name is Chris.

TREECE: Chris, your last name please.

MOONEY: Mooney and 1708 Sun Court, Columbia, Missouri is my address. And I want to tell you what I'm doing at VidWest, what I've done at VidWest. First of all, there was a bride and a groom who could not afford a videographer for their wedding. Let me -- equity and barrier to entry -- they could not afford a videographer for the wedding, which should be the best day of their life. I told them I will do this for you for free because I had the resources of VidWest to do it. We shoot for the Law School. We shoot for the State Historical Society. They need to get their budgets every year, you know, money is tight. VidWest comes in and provides affordable ways to get their livestream out. I recently had a camera operating at the Veterans Advocacy Symposium at the Law School. I'm going to be camera operating at the State Historical Society. Again, the rates that they're getting, because VidWest offers the lower rates, is affordable to get these livestreams out for these important things. I'm producing a show -- Jonathan Asher actually mentioned me specifically. I'm a film production student at the University of Missouri. I got -- I brought in fifteen people to start a show VidWest. All these people working together -- building a set, shooting the cameras. I got a whole bunch of actors -- that's 15 people. People don't realize there's a team required about a film. Someone can't just go get a camera and produce good work. They need a team. They need connections, and if they don't have access to community media, how are they going to get those connections? Again, I want to get back -- equity, barrier to entry. If you don't have the connections and the money, you cannot get into film. I want to be very clear about that. And so if we do not support this, I believe that we are not supporting equity and we are not supporting barrier to entry. Thank you.

HARRIS: Thank you for the opportunity. Hi, my name is Richard Harris. I live at 5803 Red Wing Drive. I'm a recent transplant from Los Angeles, California. My wife is originally from here she retired. I did not. I am a recording engineer. I got my degree in Dallas, Texas, where I'm originally from, and I worked in Los Angeles at Real Songs Music, which is a Diane Warren company. She's a songwriter. I found VidWest. Oh, well, they found me, and what I found from these youngsters was this -- that they are a diverse and great group of kids who are on the verge of doing something wonderful for this community. I want to be a part of it. So I'm here speaking in their behalf. Give them the opportunity to make Columbia great in this medium because they will.

MYERS: Hello, my name is Chelsea Myers. I'm going to speak to a different element of what VidWest does for this community than what you've heard before, even though all of the comments made thus far. I run a company called Tiny Attic Productions. I was told in college that I could not start a media company here in Missouri, especially being a woman. I did it, and we've been going ten years strong. I get over five emails a week about new commissions that they need for film gigs locally. People looking for films to either tell the story of their lives, the story of a loved one's life, the story of their business, how they got started, what they're doing here, why Missouri is important, and I cannot take all of those messages. I send those on to the VidWest. Vidwest take takes care of those people. I cannot take care of them. If I didn't have VidWest, I'd just have to tell these people, no,

you don't have the money to get your story told. You're not going to get your film made. So please allow VidWest to continue in supporting this community where people like me who run a company that should be able to support this community, but we can't take all of the asks from our friends, or family, or neighbors. Allow VidWest to do that. Thank you.

CASADY: Yes, my name is Megan Casady, 1641 Highridge Circle. First of all, thank you for hearing from all of my colleagues and community members on the subject. I have a brief summary of what I'd like to say. Creative expression is the ultimate form of healing and brings people together, from good times and bad times, which we've all experienced recently, I would venture to say. I've been involved with VidWest since, really, its inception 2016. And since then, it's been focused on cultivating an inclusive environment for future leaders, serving as the link to Columbia, Missouri and surrounding areas, indie the film industry. If the Columbia City Council decides not to continue funding this program, it would be a loud and clear signal to our community that this Council does not care about the arts community, plainly put. It would strip away necessary resources for creative expression and deeper community connection to a diverse collection of students, filmmakers, Missourians, artists, what have you. That's all, thank you.

BYNDOM: My name is Tyree Byndom. I live in a Second Ward. I don't give my address because I've had death threats before. I've been in Columbia for about 40 years. I worked with KOPN for about 20. During that whole time, I always supported CAT-TV. I think I came up here and spoke one time and sacrificed myself in front of the City when I asked for \$4 million for social equity in all. So I asked for \$50,000 for CAT-TV. I think that was back November in 2015. After that I left to go to Dallas because I had death threats. But the reason that I'm here is just to share a brief story. I've been serving for the last two years on a DLC in a capacity of really trying to help get a budget for that board, but also to push to have a focus with minority business. You know there are six downtown. Out of 15,000 businesses, we got about 300. But one of the things that I found was, as I transition as an individual who's been doing news -- I got over 10 million reach on my social media every month. I'm constantly contacting and communicating with people, but the next medium that -- on TikTok and Reels with the metaverse -- all of them are really looking for visual experience. Even right now, as you type a lot of words and stories, and I share this every day, it's not the same as video. It's having a visual representation, being able to illustrate and show it in a form of multimedia. But one of the things that I found is that, when it comes to black and indigenous people of color in this industry, there are few. I've been having a good relationship with RagTag, with a True False. For the last couple years, we've been really bonding, making some deep connections. We did the Summer of Soul, we did the True False Film Festival, and we have some good connections between the community and some of these entities. Listening to their advice, after meeting with them, I went and looked at VidWest. I looked at the website. I looked at the offerings. I decided to apply for the board, decided to submit and really try to help them, but also be transparent with at I saw for this industry. I think that most of the videographers I know are only shooting videos, but I keep telling them you can make \$30 to \$50 to \$60,000 a year in this industry easy. We have nothing other than this that is working to help these individuals, and it needs to not only be \$35 it needs to be \$300,000 in order to make it robust so that you can grow this industry and have 100 people go

through this process to learn filmmaking so that they can actually serve the local community. So, it's not a lack of being able to have this representation. There's not a lot of connections with MU. I talked to Dean Kurpius, told him about this, challenged him, not much happened. So hopefully this is up to you guys to make this choice, but not just give what they what they asked for, but give above and beyond. Thank you.

The Council asked further questions and made comments.

PETERS: So, I'm not sure if it should be for this one or something else, but we seem to be hung up that they need cable access. So maybe this is a question for Matt. Do we -- is there some reason why you even need to be dealing with Mediacom? I mean, it sounds like you guys have fairly robust presence, I presume, on the computer, some other internet form. So why did you pay Mediacom \$7,000, and can you get it back since they're not providing the service -- the same issue that we're having, where, you know, the contract we have with you all, or the City as has, it's hard for you guys to do. So what's the reason that Mediacom is in this mix at all anymore?

SCHACHT: So, I came into this knowing very little about how community media worked and how the planning process worked for it, and I think you're asking a question that actually goes to the heart of maybe what is wrong with community media right now in Columbia and why every year we have to bring like ten people here, and, you know, you've got a lot of important issues, and why this has to take up so much of your time. And I think the problem is that we have a contract that was created probably around 2009. That contract has been recycled for the last 13 years and the services that community media have changed. The contract has not changed. And, what I learned engaging with Mr. Glascock and City staff is that City staff don't want to be in a position of having to make policy for community media. They want a contract, and they want to be just be able enforce it and administer it, and make sure it's clear. But City staff, I think, have been put into the position of having to update a contract and invent community media policy. And I think it may be time for the Council and maybe a committee to ask what is our long term commitment to community media. What do we want this service to do for our community? And then we can make a contract that makes sense, that staff would be happy to administer. And whether Mediacom was part of that contract or not could be decided. Right now, I think staff is doing their best to administer a contract. We're doing our best to perform that contract.

PETERS: Okay, thank you.

WANER: Can you talk a little bit about how this has been impossible and what you guys have done to try and remedy the impossibility of the Mediacom situation?

SCHACHT: Sure, so, I started - I never had started a channel before. So, Sean Brown, the last director of CAT -- I called Sean Brown. I was like, how do you do this Sean? And he said, okay, you email these guys that Mediacom and they'll get you started, right. So I emailed them in January of 2020, and Mediacom was very, maybe, we'll wait and see. Their maps about where they provide services is proprietary so I was like trying to figure out, okay, what location do we need the channel at. Do we need it downtown? Do we need it Stephen's College? Do we need it at Ragtag? Do we need it in some office space we have access to? And Mediacom could never say

where we needed to put the channel. So, eventually, we just said well, here's our studio, let's put it there, that makes a lot of sense. And Mediacom said, well, we don't know if we can get you fiber there. And I said, well, what do you have to do? How do you figure that out? How do you answer that question? And they said, well, we have to cross railroad tracks and they made that sound like it was impossible. So I said, okay, well, before you go down that rabbit hole, let me see if I can find some other options. So, there's been a lot of new technology in the broadcast world in the last few years, and there's a gentleman named Charles Paige, who's a sales rep at TelVue in Boston, and somehow I reached out to him or he reached out to me and he kind of guided me through -- okay, here are your options. If you're not going to use this Mediacom fiber, here are the other tools available to you to get the signal out so that you can complete your contract for the City. And, we looked at each of those options, and it was either too expensive or just not reliable. So we came back to Mediacom, and I said Mediacom, we have to go with you, what can you do for us? And at this point, I think Mediacom realized we weren't going away. So, they, you know, thought about some more. We had some Zoom meetings. I tried to loop in Sarah Dresser to those conversations because I wanted Mediacom to know that the City was part of the conversation. I felt like, if Mediacom knew that the City was interested in this, they wouldn't just blow us off. And I think it took-- it was really helpful that Mr. Glasscock wrote that letter because I think that really showed Mediacom that the City was serious about defending its interest in its cable channel. And now we know why Mediacom was delayed. They're waiting on this permit, and they have some steps they need to take on the permit. And now we're hoping that in November, they might put a shovel on the ground. We'll see.

WANER: Perfect, I just wanted you to get at the impossibility defense that you mentioned earlier.

SCHACHT: Sure, thanks.

THOMAS: Talk about the relative community value in terms of public access media of the media center as well as the broadcast channel and whether cable or internet broadcast is preferable, but particularly, talk about the community media center.

SCHACHT: Sure. So, I'll be honest, we're a very small nonprofit. We don't have any full paid, any paid staff. So our metrics aren't good, and I've been told this. My board knows this. So what I've been able to do is really collect stories of people and how those stories of the media center have valued them. One of the first stories I got was when I was at Salvation Army store, I think on Walnut Street, and I was buying a rug for the media center. It was a giant rug, like 20 feet by 20 feet. It was the biggest rug they had. And I bought this rug and while I'm waiting for like the clerk in the back room, because it's such a big rug I can't carry it out myself, this African-American gentleman comes up to me and he asked me why I'm buying such a big rug. And I said, well, we're starting a community media center. And he says you mean like CAT? And I was like, yeah, exactly like CAT. And the gentleman says - he tells me his story, which was he was -- he's a minister at a local church, and some years ago, they didn't have a way of filming their congregations. So if you were sick, or if you had family or work obligations, you couldn't participate in their religious services. So they sent a group over to CAT and CAT trained those people on cameras, taught them how to edit the videos, and then gave them the equipment to then film their congregations. And so those individuals became their AV staff at that church. And, then those individuals actually then moved to another

state -- to another -- and then became part of another church that also didn't have any AV staff, and they became the AV staff there and train that people there. So what you're really talking about here is -- you're teaching people how to fish, right? And if you do that they will teach other people how to fish. And if we live in a community where people can tell their stories, a lot of the problems we're talking about, a lot of the frustration and a lot of the anger, will find solutions, and people will generally have more hope because they feel like they've been heard, and we just want to give them the tools to do that.

THOMAS: Right. Thank you, Matt.

FOWLER: So, I have a couple of comments, and I'm going to reference a story. In 2006, when I was a city -- I was the chairperson of the committee. Actually, I wasn't the chairperson. I was the volunteer coordinator for a large undertaking known as Let's Salvage the James. Matt contacted me because he wanted to tell our story. And I didn't want to create controversy. There were a lot of things that happened, including some fraternity students who are damaged -- did some extensive damage in the building on their way out the door. so there was a lot of sensitive things. We wanted to do this in a proper and a constructive way, and he didn't stop asking me if he could tell the story of what we were trying to accomplish. And I recall at some point after that, he met me at the salvage barn and he asked me about why is it important to save the inside of buildings? And at the time, you know, we generated a lot of excitement about that salvage. We were using power tools, which gets a lot of people excited. But we didn't have any way as a legacy to carry that story forward, and so that was my first introduction to Matt. He is a storyteller, and the fact that he's undertaken to continue CAT-TV after the previous organization folded -- Sean Brown and other nice people -- is really a testament to the fact that, as a storyteller, he sees the potential. Now I'm going to switch over to contract conversations -- is what I've observed as a city councilperson now -- all these years later. We have -- when we're engaged in a contract with a provider, consultant, or otherwise, and they discover that they don't have enough money in the contract to complete the work we ask of them, they come back to us and they ask us for an addendum. We have done that with the Integrated Electric Resource Management Planning process. I believe that we added at least \$80,000, it might have been \$89,000, to the scope of work and the compensation for that work in order to get that project finished. When WasteZero, which bid on our trash bags for the pay-as-you-throw system, was unable to get enough retail establishments to carry those bags to further the ability of community members to go exchange their vouchers and buy extra bags, they came back and asked for money in order to pay the retail establishments a fee in order to deliver those bags, and we made that contract addendum with them, and we voted and approved that. I see this as a very similar thing to the way the City and the City Council already does business. When we have a contract that doesn't work, for whatever reason, and someone comes back to us in good faith and explains why it doesn't work, we then -- whether we are comfortable with the fact, like darn it, we wished we'd known that at the beginning -- and I'm sure all of us wish we'd known at the beginning that Mediacom was going to be so reluctant and exhibit so many difficulties. And in fact, I wish I had known at the beginning that the pandemic was going to slow down almost every aspect of our lives in one way or another. We could have made, perhaps, made other plans. But we have a group and a community of people here who are

storytellers and who have a heart for doing volunteer work for those among us who don't yet have that ability, and we are going to shut them down over an impossibility that was outside of their control. And now knowing what we know about supply chain issues and whether or not they had the fiber to lay or they didn't have the staff to lay it, whatever Mediacom's issue is, it's not unforeseeable given every other experience we've had with COVID that there would be something that would prevent an important supplier from fulfilling what we needed them to fulfill as part of that contract. So, I'm in favor of revising this -- of declaring this one contract -- accepting the performance of the contract dated October 11, 2019 and relieving VidWest of any further contract obligations because the obligation that was left undone was the connecting of fiber so that they could bring that channel, that public access channel, back up on Mediacom, and moving forward with an agreement so that they can continue the good work they've already started.

THOMAS: Well, I'll just add one final point. It's very debatable that VidWest did satisfy all of the conditions of the contract because if you all take a look at R146-19, which was the original contract, which is attached to this resolution, the scope of services says operate public access channel. Contractor will operate the channel dedicated by video service providers operating in Columbia, will operate a channeling in accordance with federal, state and local laws. It does not say a cable channel, and I think it's very arguable that they did operate a public access channel using the technology that was available to them.

SKALA: I just had a -- part of this discussion -- I get - I'm very sympathetic to the idea of the difficulties that VidWest ran into with Mediacom and COVID and some of the rest, and I don't want to get too far ahead [inaudible], but it's my understanding that the very next bill when it deals with -- there was some admission that -- Although this bill was just to forgive that, those contract terms, if you will, the next bill was to involve restoring the very same contract without some of the -- with the changes. I mean things had moved on a bit, even in terms of VidWest's business plan, if you will, I think, and what they have to offer. So I'm having a little bit of difficulty with this idea of -- not so much the difficulty of forgoing some of the previous contract because of the real difficulties that they ran into -- but the idea that they're going to replace it with another contract that's virtually identical is giving me a little bit of an issue.

THOMAS: Well, I can tell you, Karl, I don't think it should be identical. I think it should be negotiated with the big picture goals of the Council in mind, and with current technology considerations. I think that that's been a big part of the problem. So, maybe we need to amend the second resolution if this one passes.

PETERS: Let's just do, one at a time.

TREECE: Just do one at a time. And, that goes to my concerns about both of these, and that is the process by which we're doing this. And, we just don't -- we've -- this is not, as Matt said, this is not the first discussion that we've had on their inability to meet the terms of the 2020 agreement. We've had close sessions, staff has gone back and forth, and I don't like we are going to retro actively say, you've -- we're accepting your performance as meeting the terms of it - and -- when they haven't. And we don't do that with any other contract, and we don't have a single council member bringing -- driving this process. It's done with an RFP. It's done with staff input, with council consensus, and we're not even at 175 yet, and that's why I did it separately because they are two separate things. And if they can't do what we

asked them to do last year, I'm not sure why we're asking them to do the exact same thing next year. And I just wanted those to be two separate conversations.

R174-21 was read by the City Clerk, and the vote recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, FOWLER, WANER. VOTING NO: PITZER, TREECE. Resolution declared adopted, reading as follows:

R175-21 Directing the City Manager to execute a new contract with VidWest to provide public access channel programming and community media services.

The resolution was read by City Clerk Sheela Amin.
Council discussed the issue and asked questions.

THOMAS: I did not draft this resolution intending that the exact same contract should be reapproved. I think the problem was a lack of communication, and probably a lack -- I think Matt would admit to this -- a lack of legal expertise and knowledge at the time that the City and VidWest signed the first contract in 2019. I think that they have grown a lot and they now understand a lot better, you know, what all of the, you know, details of the contract entail, and I think that the goals from the Council for what we want a community center and community media center and public access channel to look like are pretty clear, and that we should ask the staff and VidWest to negotiate that. We don't need to do another RFP. We already did an RFP. They wrote a very good proposal, and they were awarded the contract. So I just think it's -- we need to get beyond a contract that was drafted probably over a decade ago, and put something together. We've heard all of the value that this operation is adding to our community, addressing many of our priorities, community priorities. So, let's - I'm not sure exactly whether this-- it says such agreement shall be in substantially the form -- and that's not my language, by the way, it was Nancy -- as set forth in Exhibit B. Now whether we should change that language, Karl, to something a little, you know -- directing staff to negotiate, you know, terms and conditions that achieve the overall scope, then I'd be very open to that amendment.

SKALA: I don't -- this is kind of unusual.

TREECE: Yes, the whole thing is very unusual.

SKALA: It does give me pause that what we're about to vote on -- the language that we're about to vote on is not the language some of us really want to see. That even -- by the admission that the -- some of the things have changed and there are going to be different aspects of this, potentially, this new contract that have not -- are not the same thing that happened with the last vote that we just took to forgive the old contract. I don't know exactly how to proceed with that. Whether that's to vote no on this, and then have the staff come back with the language that's sufficient to make that clear, with some of our input. I'm just needing a little bit of help on that, in terms of -- what -- how we are proceed.

THOMAS: We don't normally pass a -- we've already put this money in the budget for a community media center and public access channel. We voted on it. It stayed in the budget. There was a motion to take it out, but it didn't pass. So, we don't normally have to direct staff, but I wanted to bring this forward because this thing has just been stalled for nearly two years. And, meanwhile this small nonprofit with all volunteer staff is doing tremendous work with virtually no revenues to

work with, and that isn't going to be sustainable. So, whatever you all want to do, but let's just honor what we put in the budget and get the -- let them continue the work.

SKALA: Just a question of staff -- I'm not sure who to ask here, legal or the city manager. What -- do you have a recommendation? I mean, what would be the best way to deal with this? Would it be to give you the understanding that other things need to be included in this, or the best way to deal with this would be to turn this over to you so that we can have something in front of us that reflect those changes?

GLASCOCK: The reason the original scope is in there is Mr. Thomas asked to not go through an RFP process. And if you don't want to go through an RFP process, you need to keep the original scope. If you want something different, we need to go through an RFP process so everybody has a chance to bid on it. That's the way government works. I'm sorry that we didn't make this happen, but we would love to do it. We started out -- the history was franchise fees from cable. This is how this started. That's how we got a cable channel. And so we've kept the same contract. We still have a cable company that pays these franchise fees. And so, yes, it goes into general fund, I get that. But we've always - history -- we've always used cable as the mechanism for it. So if we're not going to do that, I think we ought to do an RFP.

THOMAS: And John, I told you at the time I think that they're fine doing an RFP, and I'm fine with that. I don't think anybody else would bid on it, but if they do, great competition is a good thing. The problem was that you said that all of that fragile and valuable equipment that belonged to CAT really belong to the City was going to have to be removed -- brought back to City Hall.

GLASCOCK: I said it would if they didn't get the RFP. It would have to be given to the next person.

THOMAS: Well, I thought you said -

GLASCOCK: That is not what I said, Mr. Thomas.

THOMAS: All right, great. Well, I'm -- I don't know. Matt are you good with --

TREECE: We do not spend taxpayer monies negotiating this in an open session of City Council, okay. I will open the public hearing where we can ask if someone from the public would like to be heard. But just because we have money in the budget, doesn't mean we can hand it out to every well intentioned not-for-profit that exists in our community. That's why we have a contract. And if it's not this contract, then we need to write an RFP to create a new contract based on a scope of services that this council agrees on.

THOMAS: As I said, I think everybody's fine with doing an RFP, just as long as we don't have to transport a large amount of fragile equipment across town and back.

PETERS: Probably store it there until we get the RFP.

THOMAS: Exactly.

PETERS: But, we do need to have a contract that actually reflects what it is that people presently are doing to communicate and tell stories, and beating our heads against cable TV does not appear to be appropriate, and we should be getting that money back from Mediacom since they have not gotten around to putting cable in. But I think an RFP would be fine. We can have a public hearing if we need to do that on this.

Matt Schacht and Traci Wilson-Kleekamp spoke.

SCHACHT: [Matt Schact] I just want to say I understand the stewardship you need to do over taxpayer funds, and that you need to show no favoritism. I would like to point out that cable franchise fees -- the spirit of those fees -- is to support your PEG channels. Public media is one of those channels, and this funding was created through the Federal Communications Act of 1984. So this is not just any nonprofit. This is this is a nonprofit that was created, at least this role was created, to provide public media, and these funds were created to support that cause. And I think the real question is -- is that you are a key partner, the City, and as the legislative branch, you have control over those funds and you also have control over the City's right to the channel. If you don't exercise those rights, then the whole community loses this resource, and then it's gone. And I'm sure all of the artists here will find other ways of doing their work. This, I mean, this is not a group that just lays down and dies. But I think it would be sad to basically start over again from zero when this community's already invested hundreds of thousands of dollars, hundreds, thousands of man hours. There are people who are no longer alive who started CAT, and their legacies are what is partly at stake here. So I think you should not just treat this as any other nonprofit. It's not just a handout. There's more at stake. Thank you.

WILSON-KLEEKAMP: [Traci Wilson-Kleekamp] It's not a handout. Before we got a chance to get talking about what to do with the American Rescue Funds, I remember somebody made a wish list of how we should spend it and already decided who the money should go to, before it came to the public for us to talk about it. Not naming names. It's seems like we have a hard time really investing what does it mean to be a stakeholder -- I saw you have that Granicus thing agenda tonight -- and maybe you passed it already. So to me, it seems like we're struggling to really understand what it means to serve stakeholders in a transformative way., and it keeps coming up over and over again. And it's like we just can't dig into the weeds with it. And I heard someone yelling tonight who always talks about decorum. I'm not saying anyone's name.

**R175-21 was read by the City Clerk, and the vote recorded as follows: VOTING
YES: THOMAS, FOWLER, WANER. VOTING NO: SKALA, PITZER, PETERS, TREECE.
Resolution declared defeated.**

R176-21

Establishing a ward reapportionment committee.

The resolution was read by City Clerk Sheela Amin.

City Counselor Nancy Thompson provided a staff report, and the Council asked questions.

THOMPSON: I can give you a really quick overview. This is in essence the ward reapportionment committee structure that has been adopted previously by councils at the time of the census. As Council asked last time, at your last - at your prior meeting -- you did request that the committee be charged to make its final report and recommendation to the Council no later than February 15 of 2022 so that it can be in place by April of 2022. I just wanted to call that to your attention. I don't think there's anything else that has changed to any substantial events since last time you saw this.

SKALA: I just wanted to ask a question with respect to -- what you just indicated is

absolutely correct with this deadline, more or less this deadline, of February 15 means that this group has to get together relatively quickly and has a considerable amount of work to do in order to produce this report by that date. And I've inquired, as I suspect some of the other council members have, as to potential nominees for candidacy for this for this commission. But, it would be nice to know what some of their, in anticipation of some of their responsibilities for the amount of work that's necessary to accomplish that -- so are we really talking about the potential of more than -- certainly more than one meeting once a month, maybe every couple of weeks or even more? So, I'd just like to have a sense of how much work we're talking about to be able to bring back to potential candidates so that they know what it is that they're in for.

GLASCOCK: I would think it would be up to Council, and what you're --

TREECE: My sense that's the direction of the chair and the members of this commission, and I think you need at least one meet I don't want to presuppose what their public hearing processes is or how much community interest there is. I think there's one meeting in November to get organized. I think there's at least two in December and January. There maybe -- I don't know if they want to have hearings in every ward or listening posts or -- but for them to get it back, it's going to be pretty compressed. FOWLER: I looked at the resolution and then I looked at some of the materials that City staff provided us at our work session last time, and as far as the descriptions and paragraphs A, B, and C -- and I just wanted to read those seven qualities that were in the materials that the City staff gave us which i: population equality, which I think is covered by A, B, or C, compact districts of contiguous territory, I believe that is also covered, retention of existing neighborhood boundaries, covered, doesn't mention retention of precinct boundaries and perhaps that's contemplated that our county clerk would then have to realign precincts, I don't know, cohesion of other existing communities of interest, I believe that that's covered, desire to retain historic boundaries, I believe, I don't know that that is specifically covered, and then consideration of incumbency as in where the current council members currently reside. I do remember from 10 years ago that the committee made a decision not to reapportion a sitting council member out of their ward, and I wanted to just double check in asking, before we pass this resolution, that the resulting committee, once they begin their work, will be free to make those additional recommendations should they think that's appropriate as they did 10 years ago. Is that something contemplated by the resolution, City Counselor, for them to be able to make those additional, again, there were seven qualities? That's my question.

THOMPSON: Sure.

FOWLER: Yes, they they're free to make those additional qualities in the maps they present to us when they bring those back.

THOMPSON: Yes, they can do that. What you're doing is identifying the emphasis that you find to be important in there. Those are really the legal standards that are listed, but I think they can make whatever recommendation as an appointed board or commission to this Council as -- based on that criteria.

FOWLER: Will they be given that same material that City staff brought to us at our work session?

THOMPSON: Assuming so. I am -- I won't staff that board or commission, but I believe so.

FOWLER: And that they'll be free under this resolution to meet as many times as they, as a group, decide to meet. Yes, they're going to work fast. I get it. So, thank you. Those are my questions.

PITZER: Yeah, just two questions. So if we wanted to give any additional guidance, it would be pertinent to or relevant to include that in the resolution. Is that right, on any of those things? And then my second question is -- Section 4, the city manager shall provide staff to assist the committee -- so would the, you know -- I know that there was somebody from the GIS department here last time -- so they'll be available to draw maps or assist however the committee wants? I mean, I know that, you know, everybody's busy, but --

GLASCOCK: Yeah, I would say the GIS and planning -- Tim Teddy, Community Development would be assisting as well.

PITZER: But you -- they have the resources to be able to assist this process throughout however many meetings there are over the next couple of months.

GLASCOCK: Yes

PITZER: Alright, thanks.

Jeanne Mihail and Traci Wilson-Kleekamp spoke.

MIHAIL: Hello, my name is Jeanne Mihail, and I live at 3101 Crawford Street, and I've already spoken with Mr. Pitzer about my interest in serving on this committee. I am hoping that the staff available will be able to create scenario maps for us aligning the census tracts with, or the census blocks with precincts and with current ward boundaries so that we can ask census related questions as we, as whoever is on this committee, develops the proposed maps for City Council's recommendation. I think it's wonderful that you're going to go through this process and have citizen representation and citizen outreach and input into it. Thank you.

WILSON-KLEEKAMP: [Traci Wilson-Kleekamp] Thank you for doing this process. It's important. Getting good maps is really important. I hope you saw what Aída showed you tonight. That's great stuff. Those resources are great. We live in a great time to visualize data and change. Let's take advantage of it. I think she gave some good tips on maps. There was a work session a couple weeks ago, and there were some maps that didn't have street names and things like that on it, and I think the maps with the more data came later, and I don't know if those have been put back online or not, but I didn't get them yet. So, I'm hoping that we put maps up there that are interactive and helpful, and I'm looking forward to this process. I think there's a lot for us to learn. The only other thing I want to add about it is, how do we embed equity in the conversation about reapportionment. We say it a lot, we equality, but we don't say equity, and they're really different terms. There's been a lot of change in the past 10 years, and there's actually some stuff to learn about equity looking at what the last task force did, the last reapportionment committee, around equity. They kind of kicked the can a bit, so I'm hoping that there's some direction or some instructions. And I'm not sure you're ready for that, having to know how to articulate that, but thinking about equity and these boundaries. Not equality -- equity, which means you have to ask some different questions about what you're doing. Good luck. Thanks.

TREECE: Quick question.

WILSON-KLEEKAMP: Yes.

TREECE: So I've been following the State Senate and State House redistricting process, and how would you incorporate equity into maps because I come at this with a different preconceived notion? One would argue that -- so and I'm not sure if we're talking about a majority/minority district or if we're talking about making sure that there are multiple districts or wards -- and we this is just hypothetical, not necessarily Columbia City Council. But I was struck by Mayor Ella Jones. She's the mayor of Ferguson. They have four state reps and two state senators that represent the city, the small city of Ferguson. And on its surface, the Senate Commissioners thought, oh, but look, you have two votes in the Senate and four House members -- yes, but I can't get any of them to return my phone call because no one is responsible for just Ferguson, and Ferguson wants its own senator, Ferguson wants its own house district, so that we are represented -- so that there's one person responsible for us. So how do you apply that, just philosophically, with equity and representation, and is that sprinkled throughout all of the wards or is there one ward that, or one district that, is responsible for that ethos?

WILSON-KLEEKAMP: So you're piling layers of political conflict into one question. So, what they do at the state level to get that outcome is on purpose. That's just political segregation on purpose so that they don't have to give Ferguson the representation they want. That's a political problem at the state level, not a city problem. In terms of representation here, my read or understanding of how the map is changing -- we will get some more representation for Columbia. So what we have in our situation is not the same as theirs, and our population is not the same. They have a much totally different population than we do, so it's not apples and oranges. But they have a political situation like we have with the Police Officers Association and the rules that they put in with SB26.

TREECE: Well, take race out of it. What if it was the city of Springfield?

WILSON-KLEEKAMP: Can't take race out of it.

TREECE: OK, but take that out of the example I used. What if it was the city of Springfield, that wanted more clout in Jeff City. Do they want one senator or do they want two senators.

WILSON-KLEEKAMP: It's still state politics. It's still power at the state level. It's not local. Local is everything.

The Council asked further questions and made comments.

SKALA: Just kind of a comment as sparked by this mini conversation here. But this whole idea -- I can remember the last redistricting go around 10 years ago when there was a good bit of controversy because there were some attempts at some gerrymandering to make a safe but very diverse First Ward and relatively more conservative wards to surround them. And there was also discussions about the number of council members, which would be Charter change and all of those kinds of things beyond even, I mean -- with the City Council. But, I also remember quite a bit of intense conversation in the redistricting process with the commission about homogeneity and heterogeneity, or within the wards and that -- I'm not sure that was ever fully exploited or satisfied, but it was beyond just equalizing numbers. It really did get to the, or it attempted to get to some of the discussion about equity in terms of those characteristics. I don't know what this group is going to return to us. I'd be very interested in to find out because I think there's more than just the

numbers. I mean, there is -- but there is also the reality of what the census returned and the changes in some parts of the City that are significantly larger than the changes in other parts of the City.

PITZER: Yeah, I wanted to kind of maybe synthesize a couple things that we've talked about tonight, and also previously, and that is, you know, Ms. Fowler, some of the things that you mentioned in terms of the guidance from the earlier work session. There are several things that were not included in the resolution. One of them, desire to retain historic boundaries. We talked about the amount of time that's going to be, you know, available to work through this process. And then, you know, also we talked to the last time -- at the last meeting, when we had the discussion about whether or not to go forward with this, you know, full blown committee approach -- was the reality that the population shifts since the last census were not that dramatic and that there are a couple of areas that we could, you know, shift things to equalize those populations. So I would propose a new paragraph D under Section 3, suggesting that in consideration of the modest population shifts since the prior drawing of ward boundaries, the plan should prioritize equalizing wards with minimal change to existing boundaries.

Council Member Pitzer made a motion to amend R176-21 by adding a new paragraph D under Section 3 stating, "in consideration of the modest population shifts since the previous drawing of ward boundaries, the plans should prioritize equalizing wards with minimal change to existing boundaries." The motion was seconded by Council Member Peters.

SKALA: Just a question I guess. I mean, it seem to me, and maybe it's not sufficient to just suggest that seems to be implied with the redistricting action -- that you don't move things unless you have to do, but it's necessary to move things to equalize the populations with some of these other considerations as well - am I wrong in making that assumption that that's implied so it's sufficient or, obviously -

PETERS: Apparently, it wasn't 10 years ago when they're talking about making pies out of the City or whatever.

SKALA: Well, I mean, it's always -- it did come up that there was -- someone brought up the issue that in order to make this really a pie shape chart, you would eliminate the first ward and there would be there would be six wards that were actually pie shaped to do that, but it never got anywhere.

PETERS: I guess the question is --

SKALA: Is that what you're trying --

PITZER: Well you might think it's implied, but, I mean, but that - this our charge to the committee.

SKALA: Yeah, yeah, I understand.

FOWLER: So, I understand that you're trying to simplify the process, Mr. Pitzer, for the committee, but I think I'm going to vote against your amendment. I don't have enough information about the kinds of things they will discover when they go down to -- I did ask somebody who's knowledgeable about the census data to spend, actually I think they spent two hours with me, showing me how you dig in down to the block level, and I realized there's an enormous amount of data there that is interesting that I personally will not have time to spend time with in the

window we have. So, I don't want to predetermine the outcome for this group who is going to pour themselves into this over three months and come up with their best work product, so I'm going to vote against your motion, and let them -- let the process and the data guide them to what they think is best to bring back to us.

TREECE: I think you have a good amendment. I just don't, you know -- I think this summer when I suggested this and, you know, we hit the pause button a couple of times. I think we were anticipating dramatic changes. The reality is there's 1000 votes here and 800 votes there that need to be moved, and we've gone from, you know, 10 percent deviation to less than two percent deviation. And, I think more than anything, I mean -- we're not going to get this done before the April 22 election, and for those one or two people that are elected in this April, to have those districts -- for them not to know -- at least Fourth Ward is one of those that is going to gain 1,000 seats or needs to add seats -- to dramatically change that ward, and you know, in April of 23 or the day after the 22 election, you have 1,000 new constituents and they may be in your neighborhood or they may be right next door. I don't know. I think that's a big -- that's a dramatic change at a time when you probably need a little more predictability or stability in the process, but the ward reapportionment committee may disagree. I just think that's a -- good language.

PITZER: I'll just clarify. It's not 1,000 votes that need to be moved, it's 1,000 people, residents.

TREECE: People, sorry, correct.

FOWLER: Children included.

SKALA: Duly noted.

TREECE: Thank you. One thousand people, including children.

The motion made by Council Member Pitzer and seconded by Council Member Peters to amend R176-21 by adding a new paragraph D under Section 3 stating, "in consideration of the modest population shifts since the previous drawing of ward boundaries, the plans should prioritize equalizing wards with minimal change to existing boundaries" was approved by voice vote with only Council Member Thomas, Council Member Fowler, and Council Member Waner voting no.

TREECE: Assuming this passes, could -- so, the resolutions says individual council members appoint a representative from their ward, Mayor appoints a member at-large. Would everyone be willing and ready to communicate their appointees to the City Clerk by the end of this week?

FOWLER: I may need the weekend because I work full time and I work the phones on the weekends, but I could by Monday morning have, by next Monday morning, I could have my work done.

TREECE: Could you try and do it by Friday?

FOWLER: It's hard for me, Brian, when I have a full time job.

TREECE: I have more than a full time job.

FOWLER: I get it, but I have physical requirements of being in the office at a certain time, but I will do my best, but I can't make that promise because I rely on Saturdays and Sundays to get my council work done.

TREECE: And here's why, would there be any reluctance, if when we communicate these to the Clerk that we notify -- I assume everyone is -- no -- everyone has

permission from the people they're appointing that they're willing to serve -- this is not going to be a surprise to anybody -- that we notify them of -- and I appoint the chair -- that we notify them who that commission is and let them get organized next week, and then at our meeting on November 15 we read those into the record when we do regular boards and commissions. Everyone comfortable with that?

THOMAS: Yeah, and is there a problem with us making Monday morning the time we notify the Clerk, rather than Friday evening.

TREECE: No.

THOMAS: It doesn't seem to make any difference to me and it gives -- it's helpful for Pat.

TREECE: Alright.

THOMAS: Let's do it Monday morning.

TREECE: Alright. Is that all right with everyone?

SKALA: Sure.

R176-21, as amended, was read by the City Clerk, and the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R170-21

Authorizing FY 2022 agreements with various arts and cultural organizations; authorizing agreements of up to \$500 per agreement for arts programming or services for cultural organizations.

The resolution was read by City Clerk Sheela Amin.

Cultural Affairs Manager Sarah Dresser provided a staff report, and the Council asked questions.

DRESSER: Sarah Dresser, again, with the Office of Cultural Affairs. This is the culmination of our annual arts funding process that occurs every year where we receive applications from eligible agencies in Columbia which are 501(c)(3) nonprofit arts agencies who are applying for funding for various programs and services in the community. Our Commission on Cultural Affairs reviews all of those. We have a rubric for evaluation. I believe my chair spoke with you during the budget process in August, and now that the budget has passed, we are doing the formal contract agreements with these agencies for their art services that they will be providing this coming year. And then also, as you see in the memo, it is also authorizing the City Manager to execute any additional small request funding applications that are rolling that come in throughout the year as well. So, if other kind of unique one-time opportunities pop up, agencies can apply for smaller requested funding, and then we are able to do those in house.

FOWLER: So the language in the header to the Resolution 170-21 talks about -- so the \$500 is separate from the list of, approximately \$5,000 for about 20 organizations that was on the list as the Attachment A?

DRESSER: Correct. So that \$108,100 is going to those 24 local organizations, and then we also have in our budget \$3,000 that then can be used for small requests, and agencies can apply for up to \$500, so some might have a smaller need than that. So that is a separate amount.

FOWLER: And so they, in order to access that smaller amount, they come back to through your office, and then you take that to the City Manager based on -- I mean, is that a process that involves you -- the selection?

DRESSER: Right, so it still will be reviewed by our Commission on Cultural Affairs, so they still make that recommendation to fund that project, but then the contract agreement is handled then with the City Manager's approval.

FOWLER: So, we're giving you, in addition to that list of the 24 organizations, the ability to disburse those \$3,000 as part of this resolution?

DRESSER: Correct, that was also in our budget.

FOWLER: So there was another question I had on it which is why I pulled it. Because, in your agreement, you talk about pre-paying 90 percent of the funds to the organization ahead of time, and that struck as a good thing because small organizations don't have cash flow. And I just wondered about -- when we're giving out money in small doses like this -- I'm thinking back to the conversation we had about the supplier diversity program we had at the time of the report from the consultant who's doing our audit, and the conversation that we had subsequent to that is that while we have a supplier diversity program that Mr. Whitt administers and lists out who they are, we don't really bring that forward in how we distribute money within the City. And I wondered if, in giving out these grants, it's not an opportunity for us to look at the supplier diversity program because these organizations are spending that money on something, whether they're buying services or products out there. Is there any way to connect that?

DRESSER: That's a good question. Our Commission on Cultural Affairs does an annual review process of the full application and evaluation, and the particular questions that were asked the particular evaluation tools, so one of our areas is community involvement in who these programs are reaching with their presentation or education. So, you know, I think you bring up a really good point in tying that into how maybe it relates to our strategic plan and if that fits.

FOWLER: So, it's not so much who they're serving, but let's take Ragtag because everybody's familiar with Ragtag. So Ragtag's getting, I think, \$5,200 or something. So, they're probably -- what if they were planning to spend that on media promotion, and would they be encouraged to spend that with a minority owned business that does media promotion? It's kind of getting it to that -- is there a policy or is there part of that process that could highlight that we do this supplier diversity program, but it sits out there as something that's informational, and we'd like to see it actually in practice.

DRESSER: Well, that's something I could definitely bring up to my Commission on a possibility to include something like --

FOWLER: And it ties in with the Chamber too because the Chamber is helping to grow or plant or seed -- I'm going to use all the wrong language -- the Columbia Association of African American Business Owners, which is part of their initiative. I see Lily's in the audience, hello, Lily. So that was my point in asking that. And particularly where a small minority owned business being able to have money upfront is an important process in ability to be able to do the work. So that's why I pulled that from the consent agenda. Thank you. Those are my questions.

TREECE: So most of these, Sarah, are -- they're all not-for-profits, right?

DRESSER: Yes, that's part of our eligibility guidelines is to be a nonprofit arts agency.

TREECE: So not-for-profit wouldn't -- could not be black-owned or women-owned or disability or veteran status. Do you ever go back and look at the board of directors of the not-for-profits to see if they have representation that reflects our community?

DRESSER: Right. That is one of our -- part of the application is to attach their list of Board of Directors, so we -- the Commission has that information on kind of who's representing, not just with the staff profiles, but also on their board as decision makers for the organization. We see that in the review.

TREECE: You do ask for that?

DRESSER: Yeah, we do ask for that.

TREECE: And I noticed these are kind of random amounts, \$5,005, \$4,822, I mean, is that a percentage of what they asked for? Is it a match? Tell me about that.

DRESSER: Right, so it is determined by a mathematical formula -- so, hence the very different very specific dollar amounts -- based on the total average score from all Commissioners, their request amount, and then we have an adjusting percentage, which is based on the total amount requested versus the total amount available. So, when you kind of mathematically do all of that, you get all these varying award amounts, and then they also request different amounts as well, with the threshold \$7,500.

No one from the public spoke.

R170-21 was read by the City Clerk, and the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R171-21

Authorizing a first amendment to the service agreement with Granicus, LLC for implementation of a digital citizen engagement platform.

The resolution was read by City Clerk Sheela Amin.

Communications and Creative Services Manager Brian Adkisson provided a staff report, and the Council asked questions.

ADKISSON: Good evening, Brian Adkisson, Communications and Creative Services Manager. So, Bang the Table is a digital engagement platform that will be used in addition to the City's other engagement efforts to help in soliciting feedback from our residents and various stakeholders. It uses a mix of online engagement tools to capture a variety of feedback. Think of the platform as a combination of a website, social media, and a survey service, with a lot of enhancements. Users create an account and answer a variety of demographic questions that we choose, and that feedback can then be collected and analyzed in a variety of ways. We can analyze the feedback on the core of what they provide, and we can dissect it based on the various demographic factors as well and go a lot deeper. One of the things we realized during the pandemic was that the digital communication increased a great deal, and this project -- or example I wanted to point out. When we had the airport terminal project, we had over 23, or nearly 2,300 responses to that, and that was used through Survey Monkey. This platform would provide that type of avenue for our residents to provide that feedback. It will not take the place of in person meetings and it will enhance our overall engagement efforts. Basically, when you think of this as an additional avenue for our residents and stakeholders to provide feedback.

FOWLER: So, yes, I have a couple of questions, and I actually reached out to members of the Disabilities Commission to ask them about the platform. They were -- the chairperson is familiar with it, and so she had a question. She wanted to

know who is going to use the software -- is it for City Council to put out questions to have them answered or will the commission's be able to push out information that way?

ADKISSON: I think there's lots of opportunities. We can look at departments, Council. It can be used for -- as an addition to an online IP meeting, which is a very formal type thing, or it can be a very open ended to something, just you know, what are the things we want to look at in the future -- very strategic thinking if you will, or very visionary thinking. Certainly, I think Council and the boards and commissioners could certainly use this tool for their benefit. It's very robust. It's very flexible. So it can be very structured content that we're getting. We can put in polls. It just has a lot of variety based on the topics that we can use it for, once we build that online community.

FOWLER: So when do you anticipate that you'll start building that online community.

ADKISSON: So, if approved tonight, we'll start working with the vendor to have the platform built. It is essentially a website, and we will brand it to look like the City of Columbia. We have been in various talks with various departments to look at maybe, Public Works in terms of an example for an additional IP online presence. It also could have opportunities for the ARPA funds as well.

FOWLER: And, do you anticipate that once you have this approval and that you've started to roll out and build this site, and that you would then take that to -- I would start with some crucial boards and commissions, like Disabilities, you know, where we have shown that there are obstacles to people participating at the City level? Do you have a plan to then visit them, to meet with them, bring that to their attention, ask for their input?

ADKISSON: Certainly. So we have had conversations with other municipalities to get -- what is the best practices, what were the things that worked, what didn't work -- and what they suggested was starting with something that was large that really -- you would grow that online presence because it does require you to create an account and log in and provide, you know, your information. So, having that online community built, and then you can go out to the smaller more specific topics. So the key is really finding that initial step into the program and to build it from there.

FOWLER: So, then I have another question about, hold on, that came from the -- this is another from the Disabilities Commission, and that is, let's see -- we need to make sure this is accessible and screen reader friendly if you want build the community. She'd like to see there ADA compliance and accessibility rating for the software.

ADKISSON: They're a AA

FOWLER; They're a AA. Okay, AAA being the best.

ADKISSON: As the City is currently AA as well.

FOWLER: Okay, and we will have to have our commissioners with low and no vision involved in setting up the platform.

ADKISSON: Certainly, and so, like we're doing with our other websites. We have an independent company now -- is now auditing our sites to give us feedback. So, we're continuously making modifications as we get that feedback, and we have the outside vendors looking at it to make our of sites better and more accessible for everyone.

FOWLER: Thank you. Those are my questions.

THOMAS: Has anybody done any research on how effective Bang the Table is at gathering input from communities that typically don't participate in these kind of public processes, low income communities, minority, racial, and ethnic groups, people with disabilities.

ADKISSON: I'm not aware of any specific research. I know when we looked out and did a lot of the peer conversations, they were all very supportive and that it did enhance their ability. It provides that extra avenue for individuals, and so again, I think it's just the more avenues we can provide people. It does provide that additional accessibility, and that's what we want to do to make sure we're hearing all of our voices in our community.

THOMAS: Great, thanks.

PITZER: Yeah, your memo says that it will replace the outdated SpeakUpCoMo.com. I've never even heard of that. What --

ADKISSON: And I can't speak to a lot of that, but, as I understand it, SpeakUpCoMo was a product of Granicus back in the day, and, I believe, it was launched prior to the last election for the ballot issue for Parks and Rec. And it was used at that point, and then it didn't get used is my understanding. I can't, I'm looking -- I just don't think there was anyone really to shepherd it and manage it and keep pushing it forward. But when we looked at this product, we looked at it in a very strategic way. So when we did the website and the app, we also looked at this product and a couple other social media products that we hope to use that will be helped manage by the new digital communications coordinator that you approved in this year's budget. So, this will have a person dedicated to managing it, keeping it up to date, ensuring that everyone -- the engagement is happening from the departments -- because it does allow individuals in various departments to be directly engaged with the public when they provide that feedback. And so, this is very much a different model, a different plan, at least than I think - understand that was used in the previous software package.

PITZER: So there's going to be one person monitoring and reviewing all of the posts?

ADKISSON: As a management level. So, there, we'd have, I believe, four administrators. Myself, Ms. Olson, and a couple of individuals in IT will have administrative access to look at all the projects, but then we designate an individual who has a project, and a project could be -- let's say it's the ARPA funds -- we designate someone in the Health Department. They would also be monitoring that content as well. So each project or an IP meeting, if you will, would have a specific subperson monitoring comments.

PITZER: And what would they be monitoring it for?

ADKISSON: If, depending on the type of questions we asked, if it's an open ended, where it's an open dialogue -- is the expectation that staff engage with that individual and answer their questions if they have any. The other monitoring would happen at the company's level. They monitor to check if they see duplicate IP addresses. So, if you're familiar with Survey Monkey when we did the airport terminal project, we had a - we put in that that you couldn't vote from the same IP address more than once. They looked for these kinds of things too when they monitor it, to make sure that someone isn't making 100 accounts, if you will, to skew the voting on a poll, if you had something like that.

PITZER: But as a government platform, so First Amendment protections would apply.

ADKISSON: Correct.

PITZER: So, you could have toxic hate speech that would be --

ADKISSON: Potentially, now they do filter through for -- they do flag content, and we would have to work with the Law Department in how we're approaching all of our social media channels right now, to ensure we're honoring First Amendment, but not having speech that would cross the line. And that one I would have Nancy speak to that.

PITZER: Is there's a line? My understanding is that in political speech, there's basically no line.

THOMPSON: There are some lines. You can't use profanity, and there's some lines, but you know the, I think, what was -- well, there was a comedian once that did the seven dirty words that I don't think -- I think that's probably expanded, like, or reduced itself to like three, but for the most part, I -- we do watch for that and we do watch for threats and things like that. There are some guidelines that we've received, but for the most part, free speech is out there.

PITZER: Racist, sexist --

THOMPSON: Correct.

PITZER: All of that would be okay.

THOMPSON: Right. No, we watch. If it's a racist -- if you get people that are arguing and attacking other posters, those can be monitored and removed. Individual attacks on people, or individual attacks on other posters can be removed.

ADKISSON: And they do that 24/7. That is a part of our service that the company monitors and would flag content that we would still be able to see internally and work with the Law Department, if necessary, and the vendor to whether or not that becomes public on the on the final platform. We know this is not intended to keep any content away. Certainly, it's not that. We want it to be an engaging, constructive conversation for the community members.

PITZER: Yeah, I guess. You know, one of the things -- I mean you mentioned that it's partially social media, and you know, one of the things that I think we've learned is that you don't want to -- you don't necessarily believe the things that you read on social media. You don't necessarily believe, you know -- even if a majority of voices on a particular social media outlet that may not be representative of any particular view of the majority of the community.

ADKISSON: That is a topic that we are all grappling with because that -- the online atmosphere has certainly changed for certain topics in the past 18 months, certainly.

THOMPSON: And I'll just point out the role of the staff member or the role of the administrators it is to make sure there is accurate information out there that gets posted over inaccurate information. A lot of times that has to happen because of free speech because we can't regulate based upon the content.

PITZER: Right, yeah, that's part of my concerns, you can't regulate it.

ADKISSON: And when we build a project online, we have different ways that we can, depending on what kind of content we're looking for, we can control if it's an open dialogue where the commenters can comment back to each other, or if it's just strictly that they can -- we call all see the comments, but only the City can comment back. So, there is some controls that wouldn't happen say on Facebook, as

an example. Facebook is an open -- you post it and it's open for anyone to go back and forth. In this platform, we can set different controls where that can't happen, if we choose that to be the mechanism that we're working on that project.

PTIZER: Okay, thanks.

SKALA: Just to, I mean, you've kind of answered the question to some degree. I mean, Facebook is open, and now meta, but -- and there are some controls whereby folks can complain about being mistreated and so on and so forth. I mean, I'm not necessarily anticipating that, but does this have the capacity for folks who feel they have been wronged by some comments to report that issue?

ADKISSON: I can't say with 100 percent it does, but I know with the monitoring service, they can -

SKALA: The oversight -

ADKISSON: The oversight -- in that regard, I think the flagging is really going to be key. And in terms of what we're seeing with the other communities, it hasn't been a problem. This tends to be a little more formal in terms of individuals having to register. It's not that public Facebook type thing where it -- Facebook does allow, in a way promote, that back and forth banter. This is really meant to be between ensuring that we, the staff, are engaging with our residents and answering their questions in a way that we haven't done so in the past. We know it's a lost opportunity for us. So, we want to make sure that we're taking advantage of all those opportunities as we go forward.

TREECE: So when you brand the product for the City of Columbia, will it be branded as Bang the Table, or will it -- is that just the backbone?

ADKISSON: No, that is -- we have not determined the name. Technically, we could use the SpeakUpCoMo or some other variation of that. That was not the actual term or the name of that program.

TREECE: I appreciate that. Despite comments to the contrary, I do try to encourage civil discourse. Thank you, and less Banging of the Table.

Traci Wilson-Kleekamp, Jonathan Asher, and Karen Sicheneder spoke.

WILSON-KLEEKAMP: [Traci Wilson-Kleekamp] I just did a little homework today, and thank you, Mr. Pitzer, for bringing up the questions. And, I'm reading this from the Change Management book, so before I mentioned anything from here, I want to know what the change management plan is before you spend money on this software application. You already have a customer service portal that people can do things. You haven't said anything about how you're going to expand access to council meetings. We've asked for meetings to be on Zoom and things like that, but that hasn't come up. It sounds like you're setting up a panopticon so that you can surveil comments and monitor them and all that other kind of stuff, and I'm not sure that's the best and highest use for your PR people and IT team. But I'm not hearing that there's a change management plan on the table -- and what are we supposed to get from it? We already have an issue with a lot of people in town who don't have access to the internet. And the big thing they talk about here is, are you looking for incremental change, the step at a time. And if you do the big bang approach, it applies all the changes all at once. So, if you have a change theory plan, you've thought about that. You've thought about what is it I'm trying to get out of

this, not just a bunch of comments from people, but what is it you're trying to get and how does that connect to your strategic plan, not just being strategic because we say strategic like we say diversity all the time. It means nothing. Strategic what? How does this connect meaningfully to the items that you have listed in your strategic plan? How does it increase accessibility? How does it increase inclusion? How does that make our constituents more informed? By doing this you're staying in house and you're not getting out in the community. You're at your computer monitoring people's comments -- complete waste of time if you ask me. But why can't we have access to council meetings via Zoom? No one's responded to that. We already have Facebook we don't need more of it. It's a pain in the neck, alright. So you need a change theory plan if you're going to do this. It's just not -- \$17 grand's a lot of money to not have a plan for what is it that you want to change and transform? What is it? Define it. Thanks

ASHER: [Jonathan Asher] Oh yeah, real quick, I'm super curious about the platforms for civic engagement because when I've heard about the strategic plan, it was about -- like a lot of it was about the City and, like, City staff, and City Council, and just general members of the public being able to communicate with each other. And, one thing that's worked really well for me was just over the past couple of years, the pop-up window to chat with someone at the City, just like, right on the website or through the phone to be, like, hey who do I even ask about this, and that's worked for me great several times. I assume the emails to specific departments, if I know which department to email, also works really well. What does this do beyond, like, those sorts of direct communications where someone knows they have a problem or a question, where it's like which department does blah, blah, blah, you know. So people can already ask those questions. I want to know more about how this will reach out to people who don't currently do things like email with questions. Just what I'm thinking.

SICHENER: Karen Sicheneder, 1817 Timber Creek. I also own 360 CoMo Digital Marketing here in town, so, I have a little bit of experience with some of this stuff. One of the comments that raised some concern with me was that we're only allowing comments from individual IP addresses. This starts to become a problem when you start to look at households that don't have dedicated internet access, which we have found during the pandemic is quite a large number of houses. So, in those cases, when we're reaching out to those individuals who don't have this at home, they're going to the library, they're going to a coffee shop, they're going to a place where they're going to have a shared IP address in order to be able to make those comments. So, we really have to kind of consider the equity that goes into using something like this. And then, on top of that, whenever we're introducing a new platform that is not already part of people's normal workflow of going to Facebook, of emailing -- how do we get the message out to -- hey, go to this thing and sign up with this thing if we're not focusing on throwing maybe some SEO behind it, in order to get it in front of as many people as we can. I think one of the barriers that we see to community involvement right now is people just don't know where to go. People don't even know that the City has Facebook pages dedicated to individual departments where they can get information on, like, changes in trash collection so, what are we going to do, what kind of plan are we going to have in place in order to get to people who are not already engaging? Thank you.

The Council asked further questions and made comments.

WANER: I am curious about how do we control for people go to the library and using the Internet there, and wanting to submit comments that way if the IP address is an issue. I'm outside of my wheelhouse with that.

ADKISSON: So, I didn't mean to cause a confusion. That was what happened with -- when we had a straight survey in Survey Monkey. What this service would do would flag, if it saw an unusual amount of activity. We could take a look at it with them, and see what that look like. If it was someone that looked like they were just spamming it, hitting it, repeatedly, that would be a cause for concern, right -- because we want validity with the data that we're getting. If it was a variety of comments, you know, that's a very different story. So, it's not like we're trying to control or stop comments, it's really looking for irregularities with that data coming in.

PITZER: There's, I guess, potential here. I think there's some pitfalls anytime, you get into the social media type world. So, I guess be willing to give it a try, but be careful.

TREECE: I'd prefer to keep it a staff tool and not a council tool in terms of what we're polling. If everything is a poll, nothing is important. If we just do it on hot button -- I just -- I think if we're trying it out as an addendum to interested party meetings, that's probably a good use for it and a good trial run. You know, because you've got a neighborhood of people that are looking at a fire station or a road improvement, or you know, non -- not that they're not polarizing, everything's polarizing, but you know what I mean -- I just think it's a way to maybe generate some additional comments and we take those with all the other comments we receive.

FOWLER: In your statement that you would like not to be a council tool but a staff tool, does that exclude the use by a board or commission coming forward to staff and saying we'd really like to put this information out and ask people to respond.

TREECE: I'm not opposed to that. Do you have a hypothetical?

FOWLER: The Disabilities Commission,

TREECE: Like what would they be asking?

FOWLER: You know, I reached out to them to ask them their thoughts on it, but when she raised up the issue that -- would it be available for boards and commissions. I would assume that we'd need to ask them. I'm not going to presuppose what they'd want to ask, but in trying to do more outreach and engage with more people who are limited in their ability to come to City Hall -- well, let me throw one out that people call me all the time about, paratransit, and they express their concerns about paratransit. And I try and connect them with the Disabilities Commission, who cares about paratransit because they are -- there are lots of people, knowledgeable people there. And so maybe they would bring something forward about how do we engage with the community around paratransit and meet their expectations.

TREECE: Maybe, and this may sound naïve on my part, but I guess I don't want it used for advocacy, and it'd be -- meaning, I don't want to be lobbied with it. If staff wants to use it to make a better fire station or take community input about what an intersection or road improvement looks like, and they incorporate that input into their plan, and that plan starts working through the public improvement process,

and they show us that we had 200 comments on Bang the Table and we listened to those comments and that -- made some changes that we added basketball courts instead of, you know, soccer fields and -- you know what I mean? I guess I just don't want -- I don't know.

FOWLER: Well, you've just described the department that does that the best of any department we have because Parks and Rec are so responsive. But I don't know that it's advocacy if you ask people to share their experiences with paratransit because you genuinely want to know.

TREECE: I agree, but I think there's a difference between boards and commissions using that and Public Works using that to change a route and bring us the results of those route changes based on that input, if that makes sense.

FOWLER: They're collecting data as well, yes.

TREECE: Not that staff doesn't manipulate us and lobby us and advocate for their point.

FOWLER: But the goal is to, again, engage with people who we are not currently engaging with, and it's another tool in the toolbox. I'm looking forward to seeing how it rolls out and seeing if it reaches those harder to reach folks who use the library or somebody's smartphone with their limited data plan or, you know, however they organize themselves around looking for information if they're able to do that.

ADKISSON: And that is key. This is really not meant to change or take the place of any other avenue that our residents have. It's to add another additional way for them to provide feedback.

TREECE: You know, and if you all sufficient concerns, you could always ask for a report in 12 months or do a pilot project and - you know, we used it on six different occasions, and, you know, we got 2000 users accounts set up or we got 10,000. I don't know.

THOMAS: Yeah, and I think you mentioned the possibility of using this as part of the community, you know, input gathering process for the American Rescue Plan Funds. I think that, you know, is exactly where we want to hear from people that we don't normally hear from. So I hope that Stephanie can have access to it too, if she chooses to incorporate it into her plan.

ADKISSON: We had some preliminary discussions and they were excited to see the abilities that they saw in the platform and thought there might be some ways that they could really use it to the benefit for their work.

THOMAS: And I don't think there's a line between that and advocacy. I think it's people expressing what they believe. I think it's all good.

PITZER: Yeah, I mean, I would like to see some sort of feedback on how this is used and how it's working. It looks like an annual contract so would you have to -- maybe when you come back for a renewal?

ADKISSON: Certainly.

TREECE: I don't think we need to add that to the resolution, but if everyone's comfortable with you bringing that back.

ADKISSON: Happy to.

TREECE: Good suggestion.

R171-21 was read by the City Clerk, and the vote recorded as follows: VOTING

YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER. VOTING NO:

NO ONE. Resolution declared adopted, reading as follows:

R172-21 Authorizing an agreement for professional services with Barlett & West, Inc. for design services relating to nonmotorized/pedestrian and intersection improvements along Ash Street, between Providence Road and Clinkscapes Road.

The resolution was read by City Clerk Sheela Amin.

Acting Public Works Director Shane Creech provided a staff report, and the Council asked questions.

CREECH: Shane Creech, Interim Public Works Director. This project will be completed in two separate phases. Phase 1 includes data collection, a corridor study, development of conceptual plans, and a consultant led public engagement process to determine the best improvement option for the corridor. This may include non-motorized improvements, intersection improvements, or a combination of both. The Phase 1 agreement is for a not to exceed amount of just over \$95,000 and will be funded by the quarter-percent capital improvement sales tax. Public engagement process will consist of two interested parties meetings, and up to two meetings with local property owners and stakeholders. The consultant will develop up to three alternative intersection improvements for the intersection of Clinkscapes, Pershing, West Boulevard, and Garth. The consultant will also develop non-motorized improvement plans for the corridor. All of these alternatives will be presented at the interested parties meetings, and the completion of the process -- at the completion of the process, the design consultant will also present their findings to Council at a public hearing. Intersection improvements could include roundabouts, stop controlled intersection, or other similar improvements. Corridor improvements could include shared use paths, bike lanes, etc. Cost estimates for each will be prepared along with pro and con lists, which cover areas such as safety, cost, construction phasing, and right-of-way impacts. Phase 2 of the process will include the completion of preliminary plans, right-of-way plans, and final plans and specifications for construction. Staff anticipates the completion of Phase 1 in the first half of 2022, and an agreement for Phase 2 engineering services to come forward to Council in the summer of 2022. Happy to answer any questions.

THOMAS: Well, I asked for this because constituents contacted me and -- I've got a couple of questions, but I'd rather hold them until after we've had the public hearing.

FOWLER: I also have questions, but I think there's representatives of the neighborhood that would speak to it. I will tell you, generally, that when I became the First Ward Councilperson, one of my first meetings was with the West Ash Neighborhood Association, and they had done considerable research and had recommendations for how to improve the safety of their children crossing the street, whether they wanted to go to West Boulevard Elementary or West Boulevard Middle School or just wanted to cross Ash to get from one side of the neighborhood to the other. And they're -- what they reported back to me was -- they brought those things forward. It was at a time when there was to be a resurfacing of one of the streets -- I think it was West Boulevard -- and that their plans were -- there was no action taken by the City staff. And so I -- that was my immediate reaction when I jumped to do this, and so I wondered if you have that information that WANA brought to City staff before, and if there's any way to

incorporate those concerns into this project plan.

CREECH: There were staff members, clearly, that were involved in that meeting, and involved in other conversations. Our goal would be to get all of that information to the consultant to look at as part of this process.

FOWLER: Well, I'll do what I can to get you some of that information through the - I'll encourage the neighborhood association. But it's one of those things that we learned when Chuck Marone came to town -- about if you look for where people struggle and you provide them some immediate relief -- and so what the neighborhood -- we know how expensive a master sidewalk plan would cost for this neighborhood, but we have families that just want their kids to be able to ride their bikes and to safely cross the street and maybe walk to school because they're into active transportation. So, it would be important to incorporate that at the front end before you -- we started making assumptions about what would work best for this neighborhood.

Dee Dokken spoke.

DOKKEN: Okay, my name is Dee Dokken. I live at 804 Again Street in West Ash neighborhood area. I am a member of the West Ash Neighborhood Association. I'm not representing them because, though I've talked to several leaders, we did not have time to have a meeting and come to a conclusion since the first I heard of this was when I finally read the agenda on Saturday. So, the first thing I want to say is -- this will affect us. This goes right through the center of our neighborhood. It will affect us a lot. We would have liked to have been involved already in the same way and Local Motion was, and we want to be involved from the beginning, and not just have plans brought to us and say do you like this or do not like that. And, as Pat Fowler said, we had that big meeting with Public Works to discuss -- and had some suggestions. So, we want the West Ash Neighborhood Association and other residents of the Ash Street corridor to be included in planning from the start, not just give input on limited options. I, also, personally think the contract would have been better if it had asked for a more open-ended solutions for a stated goal, such as improving safe, environmentally-friendly, non-motorized transportation along Ash Street. Instead it proposes -- what I've been calling roundabouts -- when I just listened to it now, it's intersections. But, there's been a lot of roundabout talk, and to me, those seem -- they're great in the proper context. I really liked them, but on a neighborhood -- going through a neighborhood, we're afraid it would speed up traffic. It would make it even harder to get across and navigate. It's harder for pedestrians and bikes to navigate a roundabout it seems to me. I mean, I'm willing to learn, but we want to be involved in the process. We're glad to have attention and money go into our neighborhood, but we want to make sure it's used in the best way. And, that's it.

The Council asked further questions and made comments.

THOMAS: I'll go ahead and maybe ask my questions now, yeah, technical questions. So, pedways along one side of Ash Street is one of the specific possibilities that I think has been indicated to the consultant as something there to explore in the community engagement process. So how would those deal with the cross streets?

There's -- lots of north-south streets cross Ash. Would bicycle riders on the pedways be expected to stop at every cross street and walk their bikes across or would they be given priority to cross the cross street, and turning vehicles would have to yield to them in the pedway?

CREECH: I don't think I have any preconceived notions as to how that would work or whether it's pedway or a bike lane or something else.

THOMAS: It did say pedway, I think, in the contracts or in the summary.

CREECH: The intent, though, is to look at the entire corridor. What works best for pedestrians, bicyclists, and cars, both at the intersection and then just along the corridor in general.

THOMAS: Yeah, and roundabouts were mentioned in there as potential. Right now, am I right in thinking that every one of those intersections is a stop controlled intersection? And, is there enough right-of-way there to create roundabouts?

CREECH: I don't think there's enough currently.

THOMAS: So it would mean acquiring some corners.

CREECH: I think it varies by the intersection somewhat too. Some would be, probably a pretty major impact to put in a roundabout, and some would be less than that -- just kind of depends on the --

THOMAS: And Dee, to your concern, and I got your email earlier as well, I think roundabouts can be designed to work really well for pedestrians, at least. There's definitely some complications for bicyclists. But if -- they're -- the geometry is well designed to really slow the vehicles down at every intersection, then you can also design pedestrian crossings at those intersections to work really well and be very safe, so I wouldn't want to throw out roundabouts. Well, I think that's all my questions, but I'm glad -- I think this is a really important corridor. I'm glad you're focusing on it.

TREECE: I have a question. We are -- we're just hiring the engineer right? We're not designing the roadway or voting on the improvement, today. They're going to look at potential solutions. They may have their own engagement process, and then whatever they come back with, you'll have -- we'll follow the public improvement process. They'll have a interested parties meeting.

CREECH: That is correct.

TREECE: And put up a couple of different recommendations for neighbors or whoever, Bang the Table, to look at. Right? And then nine votes later, we'll get it in front of the Council and then talk about those potential solutions and what works and what doesn't. Is that right?

CREECH: Right.

TREECE: So, we're just hiring an engineer at this point.

CREECH: This is just an engineer to do the data collection, develop some concept plans and some alternatives, to be able to go and talk to the neighbors and --

TREECE: Got it, okay.

FOWLER: So, how do we incorporate the needs of persons with disabilities in this process because I see often, and probably not as often as everyone else, persons in chairs that have to navigate down the street, whether it Ash or Worley? So, how is it that that's incorporated in to protect them?

CREECH: I think we would, as part of those stakeholders that we'd reach out to, we can reach out to the Disabilities Commission, talk to them specifically about those locations. But also looking at how we're going to handle pedestrians, including

those with disabilities, at each one of those four intersections and on the corridor in general.

FOWLER: So, and I think that, to the Mayor's point, I think that in the past we've had public engagement process. I think about the College Ave process. I remember Betsy wasn't on Council. I remember she was there the same night I was. We were looking at it. And there was -- the process ended up with any number of recommendations, and afterwards the stakeholders immediately adjacent, came back to us and said we thought we were really going to have input, but instead it appeared as if the decisions had already been made, and I think that's what we're trying to protect against and that's why the neighborhood's here to speak to it, and that's why I've asked you specific questions about it. And, so, I don't think it's as easy as saying that it will come back and we'll get to talk about it. I think that we have had prior experiences that have not gone well and that's what we're trying to guard against.

CREECH: And I think with this process, that's what we're trying to address. Coming, you know, developing alternatives based on sound engineering principle, meeting with the neighborhoods, giving them those options. You know, obviously there's going to things they're going to favor and could be different than what the consultant favors, and that's part of the reason we bring that to you guys. But I think we, you know -- and I don't have any preconceived notions. It's more just to find out what makes sense in those locations.

FOWLER: Thank you.

PETERS: I guess I'll put my two cents in. I do think it helps to get some professional engineers to look at the street, When we ran into this on College, it was nice to have something to look at, even if -- I'm sure the engineers felt like, we spent most of our time, like, poking holes on it, you know, but it was nice to have them say that they've looked at this and based on, that, and whatever, these were the things they recommended. And so, I hope that we include the neighborhoods early in this, but it also helps sometimes to have some something to discuss besides just -- we want everyone to be safer, which we all want, but, you know, so. I'm going to vote for this.

SKALA: Just one brief comment. I just -- I'm reminded when I hear these conversations like this, early or late and involvement with the community -- I remember the fate of the widening of Broadway, West Broadway, and the amount of work that went into that in terms of the consultant and the neighborhoods and in the back and forth, and it all unraveled, if you will, it never really happened.

R172-21 was read by the City Clerk, and the vote recorded as follows: VOTING

YES: SKALA, THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER. VOTING NO:

NO ONE. Resolution declared adopted, reading as follows:

IX. INTRODUCTION AND FIRST READING

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

B351-21 Changing the uses allowed within the Chateau on St. Charles PUD Plan located on the west side of Dorado Drive and north of St. Charles Road (9 Dorado Drive); approving a revised statement of intent (Case No. 286-2021).

- B352-21 Granting a design adjustment relating to the construction of public roadway infrastructure in connection with the proposed Final Plat of Bach Subdivision located on the east side of Scott Boulevard and west of the terminus of Crabapple Lane (5170 S. Scott Boulevard); requiring execution of a right of use license permit (Case No. 283-2021).
- B353-21 Authorizing a right of use license permit with Christopher C. Bach and Tracy M. Bach for the construction, installation, maintenance and operation of a twelve (12) foot temporary access roadway and a five (5) foot sidewalk along a portion of the Crabapple Lane right-of-way.
- B354-21 Approving the Final Plat of "Bach Subdivision" located on the east side of Scott Boulevard and west of Persimmon Road (5170 S. Scott Boulevard); authorizing a performance contract (Case No. 283-2021).
- B355-21 Approving the Final Plat of "Overland Route 763 Subdivision" located on the southeast corner of Range Line Street (Missouri Route 763) and International Drive; authorizing a performance contract (Case No. 222-21).
- B356-21 Approving the Final Plat of "Fyfer's Subdivision, Plat No. 2" located on the north side of University Avenue and east of William Street (1617 University Avenue); authorizing a performance contract (Case No. 268-2021).
- B357-21 Approving the Final Plat of "Fyfer's Subdivision, Plat No. 3" located on the north side of University Avenue and east of William Street (1615 University Avenue); authorizing a performance contract (Case No. 269-2021).
- B358-21 Approving the Final Plat of "Fyfer's Subdivision, Plat No. 4" located on the north side of University Avenue and east of William Street (1611 University Avenue); authorizing a performance contract (Case No. 270-2021).
- B359-21 Approving the Final Plat of "A-1 Rental Plat 1" located on the southeast corner of Old Highway 63 and Stadium Boulevard; authorizing a performance contract (Case No. 257-2021).
- B360-21 Authorizing removal of a refuse container and relocation of the refuse compactor at the Wabash Bus Station property located on Orr Street; calling for bids through the Purchasing Division.
- B361-21 Authorizing a supplier agreement with the Missouri Department of Social Services Family Support Division for participation in the Low Income Household Water Assistance Program.
- B362-21 Authorizing an agreed amendment to the master terms and conditions and end user license agreement with Doble Engineering Company for the purchase of software for equipment testing at the City's electrical substation to meet operational, safety and regulatory requirements.
- B363-21 Accepting conveyances for drainage and utility purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B364-21 Authorizing the City of Columbia to participate in the Electricity Information Sharing and Analysis Center; authorizing the City Manager and City Counselor to execute additional documents, certifications and assurances related thereto; authorizing the City Manager to designate approving

- officials; authorizing electronic filings.
- B365-21 Amending Chapter 2 of the City Code as it relates to membership requirements for the Columbia Sports Commission.
- B366-21 Authorizing an agreement with The Curators of the University of Missouri, on behalf of its University Concert Series, for FY 2022 arts programming funds.
- B367-21 Authorizing a grant agreement with the State of Missouri - Missouri Arts Council for FY 2022 community arts programs administered by the Office of Cultural Affairs.
- B368-21 Amending the FY 2022 Annual Budget by appropriating funds from the 2021 Celebration of the Arts event.
- B369-21 Authorizing an agreement with the Missouri State Highway Patrol - Criminal Justice Information Services Division for access and use of Rap Back Program services for fingerprint and criminal background checks for licensing or employment purposes.
- B370-21 Repealing Ordinance No. 015992 which established procedures and guidelines for procurement of architectural, engineering and land surveying services and enacting new provisions related thereto.
- B371-21 Authorizing a trial program for virtual meetings and virtual public participation for certain designated advisory boards and commissions.
- B372-21 Authorizing the City Manager to execute an easement to Boone Electric Cooperative for the replacement and extension of electric distribution and communication lines due to the relocation of navigational aids as part of the Runway 2-20 extension project at the Columbia Regional Airport.

X. REPORTS

- REP85-21 Growth Impact Study Working Group attendance and progress.

The Council discussed this report.

TREECE: I don't know what to say. At least one of those members asked to be on the commission, and then went to the first meeting, hasn't gone to anymore. I don't know what to do.

THOMAS: I would suggest reducing the number, reduce the quorum to 50 percent of what's left. I think those two members are not interested and it's just slowing down the work.

TREECE: Any disagreement?

PETERS: They're both developers, but, I mean, construction people, but --

TREECE: I know. I mean, I assume staff has -- I mean I even emailed them a copy of the attendance report and asked for a response. I didn't hear back so I don't know what to do. I would not be unusual for me to call Council appointed members to ask them to reconsider their commitment, if you want me to do that, but, I mean, I'm fine with yours too.

PETERS: I like Mr. Thomas's suggestion.

TREECE: Okay. Do we need a resolution to do that then?

SKALA: Reduce the number then?

THOMPSON: We'll have to bring it back and -- with -- to amend it

THOMAS: Let me ask, how much -- how far through the scope of their task force or working group work are they?

TEDDY: I would foresee probably not more than three more months of work to get to a final report. And, just for what it's worth, I think we'll be able to quorum with the five that have been attending. It's just a matter of choosing the right evening or afternoon to do the meetings. And, they've been going well. And we did hear -- the chairperson, Mr. Ross, did hear from one of the two members that wasn't able to attend -- sent a note, was apologetic, said I completely understand he can't be on the committee but it was a combination of work and family commitments.

THOMAS: Okay, but basically seceded that position.

TEDDY: Right, they conceded.

THOMAS: In that case, let's just go ahead and reduce it.

TREECE: Fine.

REP86-21

Winter weather response for the 2021/2022 winter season.

Acting Public Works Director Shane Creech provided a staff report, and the Council asked questions and discussed the report.

CREECH: This is our annual winter weather response report. Due to overall staffing concerns within Public Works and in other divisions and departments that assist with winter weather response, staff recommends no changes be made to the current first, second, and third priority routes. Council did approve three additional positions for the street division with the Fiscal Year 2022 budget. Public Works is working to fill those currently, along with additional open positions within the division. There are currently a total of eight vacancies within the street department. That puts us on par with our total staff vacancies this time last year. Public Works also has an additional fleet option this year with three Class 5 trucks. Class 5 trucks are smaller than single axle dump trucks, but heavier duty than one-ton trucks, while not requiring a commercial driver's license. Staff believes this style of truck will be better suited for winter weather activity while still retaining some of the versatility of a one-ton. These additions will allow us to evaluate and determine how to best equip our fleet as we move forward. When fully staffed, crews typically range from 22 to 28 employees that report for 12-hour shifts. Public works also has access to additional resources from other departments and contractors during larger storms. The City currently maintains 1,418 lane miles with a little less than half, 691 miles, considered priority lane miles. Richard Stone, the Engineering and Operations Manager for Public Works, is with me tonight to help answer any questions you might have.

THOMAS: Is the steepness of a residential street considered in assigning second or third priority.

GLASCOCK: Yes, it is.

THOMAS: So, a constituent who feels they live on a steep street that is not currently rated even as a third priority -- are you open to looking at that and comparing it with other steep streets and seeing if it meets the standard?

CREECH: We're open to looking at anything. I would tell you that my typical answer would be -- what are we taking off when we add something?

THOMAS: Well, I mean, I would say if steepness is a metric then you would want to at least cover the steepest ones, and if this is not one of the steepest ones, then it

shouldn't be on. I don't know if it is or it isn't. It's quite steep. It's South Glenwood and it kind of goes up from its intersection with Rollins or something.

CREECH: Like I said, happy to analyze.

THOMAS: I will send a note to you separately from this, and you can send me a response. Thank you, Shane.

PITZER: What is a dedicated motor grader with a wing plow.

GLASCOCK: It's a motor grader. You know what a motor grader is? It's a big tractor looking thing. It's got six wheels on it, it's got a big cab on it. They use it to plow gravel stripped roads normally. And so it's road grader, and so, it has a large wing plow so you can clear two lanes at one time. So, we would take the grader down, let's say Scott Boulevard, which is very wide -- lots of lanes, and take it all out at once instead of having to send trucks down twice.

PITZER: And this is a new thing?

GLASCOCK: We've had it a while.

PITZER: Oh, okay.

PETERS: We've seen it in my neighborhood, which is sort of frightening.

PITZER: Sorry, I missed read it as saying it was new.

GLASCOCK: Well, it may be new. I mean, it could be two years old, I mean, but I know we've used it before.

PITZER: Okay.

GLASCOCK: I do have one thing to add to that. There is a new federal requirement, February 7 of 22, that's going to require Class A and Class B CDL drivers to have four week training requirements before they can take the test. So, that will throw a new wrench into our CDL testing. I just want you to be aware that. That will not only impact street division, but all CDL drivers.

REP87-21 Updates to the Hindman Junction kiosk.

Convention and Visitors Bureau Director Amy Schneider provided a staff report.

SCHNEIDER: Good evening, Amy Schneider Convention and Visitor's Bureau. This report is truly information only. We wanted to let you know that not only were updating the panels that are at the Hindman Junction, which we have kept -- I think it was actually before I came on board. They're informational panels. They show you where Columbia is, what to do. It's at that intersection at the MKT and the Katy, but we also, most importantly, are putting up two new panels that tell the story of former Mayor Hindman. This junction was named Hindman Junction in 1995, but there's never been any information about the former mayor, and Mr. Thomas had some constituents come and ask him if they could pay for some informational panels. And so, we've been working with him on the information and getting those panels up, and we will be doing a dedication of those panels on November 12.

TREECE: Any comments, Mr. Thomas.

THOMAS: No, nothing to add to that, except I hope you can make it out to the dedication on November the 12.

REP88-21 Amendment to the FY 2021 Annual Budget - Intra-Departmental Transfer of Funds.

City Manager John Glascock provided a staff report.

GLASCOCK: Natural gas prices are pretty volatile, and this is what we get when we try to trim down the historical spend and we get bit by gas prices going up. So, this is an FY 21 expense, and so we're trying to balance the books.

TREECE: Thanks, \$171,000.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Dee Dokken, Jonathan Asher, and Eugene Elkin spoke, and the Council discussed various topics.

DOKKEN: Dee Dokken, 804 Again Street. I'm sorry to belabor this, but it seemed like -- we were left with the impression that the Ash Street plan would gather data and come up with solutions. The scope of service has two options, intersections or pedway and sidewalk on the other side, or a combination, so they have narrowed down what they're asking the engineers at the beginning. I just wanted to clarify that.

ASHER: Jonathan Asher. So, when it comes to snow removal and the plan for that, I was wondering if there has been any discussion about instructing City staff to make the snow removal perhaps more -- well you know, okay, so the problem -- I'm having a hard time explaining it because I'm not good at this. So, the snowplows come through, they block the curb-cuts, they block the islands in the middle that are safe to be stood upon. Then, as it is related to me, what happens will be -- someone will be walking along, guided by their guide dog -- true story -- walks out to the island in the middle because they're going to work. They walk out to the island in the middle where there's the curb cut that they walk across every single day, but then they and their dog are suddenly confused because their path just ends because there's a mountain of snow in the middle where they used to stand. I was wondering -- so this is a thing that keeps coming up on the Disabilities Commission, like, year -- like, every, like all the time. Does it go further than just like within that one chamber? Like, I'm not sure if there's a -- because as it was told to me, the City has to have a plan to make the public right-of-way accessible, whether it be through fines for the property owners, or it be through having the City itself clear the public right-of-way, but it has to be a system that is believed to work reasonably well. Not perfect, but just reasonably well. So, I guess the thing I don't know is, how does the -- like, I'm not sure how a member of the public, speaking of the public like reaching out to people in the City -- how does one go about saying, hey, this is a thing that's important to me. We want to still be -- you know the people who don't drive still want to be, you know, use the public right-of-way when we go to work on a snowy afternoon. Am I way off base here or is this a reasonable thing for --

THOMAS: Great questions.

ASHER: Can you use Bang the Table?

THOMAS: Yeah, exactly. I mean, my answer is that not enough attention is paid to the needs of pedestrians and people in wheelchairs during snow events. I will say, and I campaigned for this, that the -- I don't know what department it is, I think it's Neighborhood Services -- that there is more enforcement of properties. Legally property owners are supposed to clear the sidewalks in front of their -- and that's a nightmare because a lot of them don't do it, and it's very hard to punish people for

not doing it, but then you just can't get through. But they have been doing more enforcement on heavily pedestrian and wheelchair trafficked sidewalks close to downtown, and then areas like downtown, they hire someone to do all the sidewalks and that's that works really well. But I think the City should be responsible for clearing the sidewalks, just as they are for the roads. It's kind of a classism of different types of transportation uses.

ELKIN: Eugene Elkin, 3406 Range Line. The radio talk show this morning, you made mention of a possible doublewide trailer setting on the property of the Amory. Are we talking about on the north side, east side? How do we solve water, how do we solve sewage?

GLASCOCK: We don't. We would use outside toilets.

ELKIN: The one thing I got to thinking about -- this was said to me years ago is -- maybe we could even have a fire truck sit there, and a good quick hose down of the facility, because it -- we'll just call it accidents and keep it simple for everybody -- that you do need to keep it cleaned up somehow. Thinking of electricity, you already have that solved in some matter. Okay. Can't read my own notes. Oh, tonight, earlier, it's happened before -- somewhere in the past, we used to have someone would announce once the vote has been done -- I thought it was the mayor -- who would say, like tonight, R175-21, the VidWest discussion, the vote was 10 to 12, we have passed that or we have failed, whatever subject matter do you understand? People can be standing here, setting here, and have no idea what just took place, and you move right on to the next. Someone used to speak it. I'll give it to you. Sorry, but I really -- I keep hearing this thing about non-trust. Maybe this is the bits and pieces -- hey, what took place at city council? I don't know, how come you don't know, you were there? Well, there were these quick votes that just go sliding on through. You're all working very hard, but the public ain't getting the information that need to be communicated. Thank you.

TREECE: Thanks, I appreciate it. I'll try to do better.

PETERS: I have two comments. One was about the snow and folks that are -- have disability. I would anticipate that we're going to have trouble doing that citywide, but if there was some way to find out where people with disabilities are walking, where they are going, you know, like what streets that they're going down or what crossings that they have -- I don't know if that would help or not, but I think -- thinking that we're going to be able to fix this citywide is a problem, but we ought to be able to fix it for our disabled citizens if we can say, you know, they always cross at Ash and Garth or something, and we need to make sure that that's clear. I don't know if that would work, but it would be something we could try. So, anyway that was just a thought.

PETERS: The other one is -- we got a report last week about leaves and yard waste, and there were a number of suggestions as to what to do. None of them involved the City at that time, although there was certainly also some discussion about not doing recycling for a couple of weeks before Thanksgiving and a couple of weeks before Christmas, and replacing those with yard waste pickup. There were, of course, were some people that thought that was a bad idea, and we've certainly gotten emails about that. I just wanted to make sure that we were not doing that,

or that we were. My impression was, since we didn't discuss it at all, that we were not doing that, and I should just tell my constituents.

THOMAS: I think no action was taken.

PETERS: Right, which is pretty much not doing anything then.

THOMAS: Right, leaving things as they are.

PETERS: And I just needed clarification on that.

FOWLER: On Mr. Elkin's point about bringing the matter the closure. So what's our plan, or however we do that -- that would be really helpful to me too, As a new council member, I was often confused, like, what happened -- I thought that was going to happen. And I think that's a point well taken that -- I'm not sure exactly what that format would look like. I remember in my board or commission, we always had language we closed with each time. We did it with demolition permits. We had a way of bringing that to closure so everybody understood where we were. And so maybe that's -- that would be a way to adopt -- so we know at the end of that discussion -- are we taking action, no. Put it on the record.

PETERS: Well that was just my question. I'm assuming we are not taking any action on that report.

TREECE: Seeing no action.

SKALA: Yeah, just a couple quick things. One is -- I'm assuming, and correct me if my assumption is mistaken, that Home Depot is not going to have a recycling center.

GLASCOCK: That's correct.

SKALA: And, I also understand, I think it was either in the newspaper or perhaps my spouse told me, that there is other recycling center in the downtown area that is also not going to be available. Is that correct or am I incorrect? Is there another one that is not --

GLASCOCK: We're moving a compactor. I haven't heard about any recycling.

SKALA: Okay. I'm just a little bit sensitiveness to this on the Third Ward side because we don't -- and I keep trying to explain to my spouse the difficulties with the -- that the City is having given that there were some non-compliance issues, and so on and so forth. Alright, so I just wanted to know that for sure.

SKALA: And then I just -- just the announcement. There's a very important election going on tomorrow so get out there and vote. It's important.

TREECE: On his questions about recycling, I was also asked about the status of the recycling center at Cosmo. Is that done?

GLASCOCK: Yeah, we have the concrete blocks. We're trying to top it of -- get the finished top on it, is what -- we reused some blocks we had at the Water Plant.

TREECE: Got it. Thank you.

FOWLER: Yes, I have three things. I appreciate that Bruce Alspaugh was here at the beginning of the meeting. He's still here at the end of the meeting. And, I wanted to ask about his request for having a member of the Broadband Task Force be a part of the review of the RFP process. That's part one of my question, and part two is that we -- I downloaded the list of the -- the City Manager project list by ward for everybody. And it includes that -- it was entered on 10/13 -- I think it was at the first meeting in October -- we talked about and formed consensus around hosting joint

work session with the Broadband Task Force, and I wanted to ask when that would be scheduled.

GLASCOCK: So you're looking to me to schedule that, I guess. I--

FOWLER: Is that the appropriate thing for me to do, given that we already reached consensus about having it.

TREECE: Did we do that?

FOWLER: We did. It was at the October 4th council meeting.

PETERS: We talked about it.

FOWLER: No, I think we reached consensus with four members of Council. There was a motion and a second.

TREECE: I was gone.

FOWLER: Yes, you were not here that night, Mayor.

PITZER: To have a work session right?

FOWLER: Yes, to have a work session, a joint work session with the --

PITZER: Is there a relevant time? I mean there's --

FOWLER: I think there's a lot of urgency around. There's an RFP that's coming back on the 9th of November. There's bigger issues than that. There are a lot of questions. I get a lot of questions from constituents about it. But, so my first question is, can we add a member of the Broadband Task Force to the review of the RFP's as Mr. Alspaugh asked?

GLASCOCK: I'm not ready to make that commitment yet.

FOWLER: Okay, and then the second part is, can we schedule that joint work session between the Broadband Task Force and Council?

GLASCOCK: How about Dec 6?

FOWLER: And how much time can we set aside for that?

GLASCOCK: That's up to you. How much do you need?

FOWLER: I would like an hour and a half.

TREECE: Oh, that seems a lot.

FOWLER: It's a big topic

SKALA: It is a big topic. Mr. Alspaugh and I have discussed this to some degree as well. I'm the co-chair of the Broadband Business Planning Task Force, although my role is largely as a non-voting liaison to the City Council. And although there are two -- and he explained some of this -- there are two RFPs out. One was a draft proposal that he did yeoman's work on with respect to hiring a consultant to take up the cause, if you would, from what Magellan had recommended, and to guide us through some of the future of some of the federal funding that's coming, not only perhaps in terms of ARPA, but also maybe in terms of the infrastructure bills that have yet to be resolved. So, that is, and there was \$40,000 in the budget that was set aside to at least start that process for the consultants, so that certainly is a topic of interest I think that, Mr. Alpaugh and the Commission would like to talk to the City Council about, in particular. The other RFP that was referred to here is the one that was released that is supposed to close, I think on the 9th of November. I thought that was a bit short, and I was gone when it was released. I knew it was -- something was coming. We had, we'd actually had chatted a little bit about it, but that's a separate issue, even though it's true that the Broadband Business Planning Task Force, I believe, should have some input, at least some comments, and take up that issue as well - on what the nature of that is, and whether or not that was a long enough period of time or -- those kinds of questions. So, I don't think an hour and a

half is necessary, but I would like to see that the -- see the presentation by the Commission in terms, particularly, in terms of the consultant-- the hiring of a consultant -- that RFP, but also some comments with respect to the RFP that was released by the City.

PETERS: Well, I would think maybe an hour would be enough. And just because we have an RFP that's coming back on the 9th of November, if people feel that hasn't been enough time or we don't get adequate response, I'm sure that this wouldn't be the first time we've had to send it out again. Okay, so, the 6th of December?

FOWLER: So, do I -- how do we move to where we get to having that scheduled for a definitive amount of time.

TREECE: Is there any objection to doing a broadband joint meeting with the Broadband -- inviting the Broadband Task Force to a one-hour work session of City Council on December 6? Is everyone comfortable with that?

FOWLER: Yes.

SKALA: Yes.

PITZER: Yeah, I mean, that's an appropriate time -- I mean we should do it when there's -- whenever there's something to discuss, so, I mean, is there something to discuss then?

SKALA: There is this other RFP in terms of the consultant, I mean, that has been the topic of interest for the Broadband Business Planning Task Force.

PITZER: I just want -- I mean, are we going to spend an hour talking about a \$40,000 RFP?

SKALA: The draft is published and we can take a look at it, but there is a good deal -- I think there's a good deal of conversation we can have with respect to those RFPs. Yes.

FOWLER: Yes, so that was my first one. The second one is -- I appreciate Councilperson Peters' comments that we approved the changes to Chapter 21 this evening, but then what's our next step with the CPRB, so I'm asking how are we going to proceed in order to make sure that we still have a viable civilian oversight process?

GLASCOCK: Are you looking at me or Ms. Peters.

FOWLER: I'm looking at Ms. Peters.

PETERS: Oh, I'm waiting for you to tell me what we're going to do. I don't know. Why don't we think about it for a couple of weeks and just come back, and get some -- I don't want a report, but let's think about what we need to do to go forward and let the Law Department recover from having to present this thing tonight. So, bring it back in a couple of weeks.

PITZER: The CPRB can think about it too.

PETERS: Oh, that would be good.

FOWLER: So, are we going to ask the CPRP to do that, given the fact that there is one statute that -- and then there's the other statute or, I mean, this is -- you and I talked about this this afternoon during finance office hours -- how we ask for something, but we never quite close the loop to know exactly what's going to happen next. So, what will happen next with that?

THOMPSON: So, from the CPRB's perspective, their going to begin using the new rules to determine whether or not those are going work for them. From a timing perspective, if they're getting the information in a timely fashion, if they're not, if

they need to make adjustments, you know, between -- now that this legislation as passed, we also know that the police department is also changing its internal rules and procedures, so it's going to take some time to make sure that all those things come together and mesh, and if they're not working, then they need to bring a report to you and say, we'd like to change this model, or you can check back with them as well, but it's going to take some time to determine whether or not it is going to be a viable option and still get the citizen -- provide the amount of citizen oversight that you want.

FOWLER: How do we communicate that with them?

THOMPSON: They have a staff liaison and they can -- I think you communicate with them on a regular basis as individuals. They'll -- I don't think it needs a formal communication at this point in time. We really need time to see if it's going to work. And then, and then go back. I believe you'll be hearing from them if it's not working. Now maybe I'm naïve in that regard, but I think you will be.

FOWLER: So, but you see how we have a gap in how we communicate with our boards and commissions. So, are you suggesting that I should contact the chair, who by the way just -- his term just expired and he didn't reapply. So they're going to have to come together and form a new chair. And who is it -- who will say to them, now we know it's going to take some time to settle in with these new requirements at the same time --

TREECE: Their staff liaison will.

FOWLER: Okay, so, and that will be communicated to their staff liaisons and we'll have another look at this in three months, or whatever.

THOMPSON: I don't think -- I think it's too premature, and I think that's what I'm hearing Ms. Peters say -- is it's too premature to set a finite time on that. We don't -- they have a couple of cases pending. We've got to see how many cases they get, what the -- you know, it takes 90 days just to get to them so these things don't just happened at single meeting.

FOWLER: Yeah, I understand.

THOMPSON: So, it's just going to take some time to see what that flow looks like.

PETERS: So, would sometime like next summer be a good time? I mean if it's 90 days, you would want maybe 2 or 3 cycles.

THOMPSON: I would tell you I don't know that I can give you a definite time. You might want to just informally check in with the chair in 90 days or six months and see if things are -- if things are going poorly, they'll be reporting back to you. I have that confidence in them that they have that -- they've come to you before when there's an issue. I think I have that confidence in them that will come to you if there's an issue.

PETERS: I can just stick it on my calendar in six months and ask.

THOMPSON: Yeah, and ask a question.

FOWLER: So, what I'm taking away from this is that when they appoint a new chair, and after a little time goes by, I should contact the chair and ask them how it's going.

PETERS: That would be good.

FOWLER: And then the last thing is -- reports from boards and commissions, we have -- I never -- because I'm relatively new and in the most recent example I'm thinking of -- it took them a year and a half to do the research and bring forward a

report, but it has bothered me since the Board of Health brought us a report about teen vaping and a request for regulation on that --that it ended up on the end of our council agenda and we did nothing with it. We didn't discuss it, we didn't -- it wasn't opened up as topic. It was the result of, I believe -- I read it ahead of time, and I believe it was the result of a year and a half's worth of work that the Board of Health did. And so, it's just a recent example of a board or commission doing a substantial piece of work, and then we never connect the dots with that. And so, I don't know specifically how all of Council wants to handle that, but I would like us to have a process that when we get a report we say, okay, you've made these recommendations -- and that there is some immediate feedback to them that we'll look at this and we'll take it up in a month and decide whether we're going to take any action or not. But to just leave it hanging, and it's been several months now since they made that report, and as far as I know there hasn't been any further council action. I've been here every time so.

TREECE: So, to be fair, I bring up those reports. I ask if there's any council discussion, and if there's no discussion, I go to the next report.

FOWLER: Yes.

TREECE: If there is council discussion, and four members want to do something, like bring back a resolution, we try to reach that consensus. My recollection for that was I brought it up, nobody said anything, I went to the next report.

FOWLER: Yes, so do you see that there's a problem when a group spends a year and a half on something and nothing happens.

TREECE: If a council member feels strongly about it, they should initiate that discussion, or say, it's late, maybe we should come back and talk about this in a month.

FOWLER: Well, it is late, and I'm wondering if we shouldn't have reports that come from boards and commissions earlier in the agenda, where --

TREECE: I'm not sure that the Charter allows that. It's pretty prescriptive of the order of business.

FOWLER: Really.

TREECE: Yeah.

FOWLER: Don't we have the ability -- we don't have the ability to reorder any part of our agenda. Could it be a special activity? We have some kind of special activity. When there is a report from a board or commission as a result of a substantial -- there's some kind of -- there's special language for it, but it's a special item -- and we move it up sooner so that those members of the boards and commissions could be here and they could tell us why it was important to them to spend a year and a half on a piece of research.

TREECE: Did we ask them to do that?

FOWLER: I don't know I wasn't in Council a year and a half before that report came back. I don't know the answer to that.

TREECE: I don't know the -- I don't know what a better way to do that is, other than we have a report section. I bring it up. If no one says anything, I move on.

FOWLER: I think I'll ask a couple of the chairs that do work and bring back reports to us, how would like to see --

TREECE: I mean, you and I have both been chairs, I get that. But I also talked to a council member who say, you know, and get them to say, let's do something on this thing. If nobody says anything, I'm going to move on for the interest of time and

fairness to everybody else.

FOWLER: It just disregards the work of our volunteers that we appoint and ask them to bring us information -- to be our eyes and ears out there. So anyway, I'll bring back something else. I mean, I'll talk to some of the chairpersons who have done reports, and ask them if they have any recommendations for us on how we could manage that. I want to be respectful of their time and attention.

TREECE: I do to.

THOMAS: On the same subject, I want to thank Bruce Alspaugh for his work leading that Broadband, and still going Task Force, and sympathize with his frustration that he didn't even know that that that RFP was going out -- something that really related to the work of the Task Force. I did have a conversation with John this afternoon about that, and John explained why it wasn't possible to consult them, and that's because you have private sector providers on your Task Force, and that they would not give the kind of input that we want. So, I feel like that is a little bit of a flag for us as we appoint these task forces. It's the same thing with the Growth Impact Study Working Group. It seems that sometimes, when we put people on who have a very focused business interest in the outcome of the task force, we don't necessarily get the kind of participation that we're looking for of more broadminded members of the community discussing the ins and outs of whatever it is, and coming up with recommendations thinking about the whole community. And, I think it would have probably been better with the Broadband Task Force to invite those representatives of the utility companies to be non-voting members who could provide information, participate in the discussion, but not vote. And so that when John wanted some feedback on the RFP, it would just go to those actual voting members to look at it and provide feedback. So that was the first thing.

THOMAS: And, then the second thing is -- what is the process to ask you to develop an RFP for running a community media center and public access broadcast channel.

GLASCOCK: Well, I'm going to have a meeting with the Sarah tomorrow to talk about what the scope actually looks like for what we want this to be like. And so, you know, it's something that the staff driven, not necessarily a contractor driven. What is it, do we want a streaming service, do we want this, you know, do we want PSAs and -- in the old contract, it had a PSA, it had 30 minute programming. So what is it that staff and the council wants out of this contract that we're going to produce. And so I'll be meeting with Sarah tomorrow.

THOMAS: Well as one seventh of the Council, I really want it to provide opportunities for people without a lot of money, without a lot of connections, to have their voices heard, to be able to produce programming that can be broadcast one way or another, learn those skills of communication and technical skills. I think that's really important. And I think that they're doing it magnificently, and that the City of Columbia should be supporting them. And I think that that is the will of the Council and why we put the money in the budget. Alright, so we'll hear in a couple of weeks what's happening with that?

GLASCOCK: Yeah, I'm not going to guarantee a time, Mr. Thomas.

THOMAS: Oh, and I just checked one other thing.

GLASCOCK: In the next couple of weeks, I've got to have the next budget entered -- the next council meeting in by Friday - so, you know, in a couple of weeks you know

it's not possible.

THOMAS: Alright, it will be somewhere in the pipeline. What I want verify is that you're not going to demand that all that equipment gets moved back City Hall until after the RFP process has run its course, somebody has been awarded the contract.

GLASCOCK: Yep.

THOMAS: Okay.

GLASCOCK: That's correct.

THOMAS: Thank you.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 12:02 a.m.