



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, November 15, 2021  
7:00 PM

Regular

Council Chamber  
Columbia City Hall  
701 E. Broadway

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#### I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at approximately 7:08 p.m. on Monday, November 15, 2021, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Member IAN THOMAS, Council Member MATT PITZER, Council Member BETSY PETERS, Mayor BRIAN TREECE, Council Member PAT FOWLER, Council Member ANDREA WANER, and Council Member KARL SKALA 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, August 16, September 7, September 20, October 4, October 18, and the November 1 regular meetings.

Council Member Fowler asked that B361-21 be moved from the consent agenda to old business.

The agenda, including the consent agenda with B361-21 being moved to old 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

BC11-21 Board and Commission Applicants.

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

##### AIRPORT ADVISORY BOARD

Hunter, BJ, 4310 Montpelier Place, Ward 5, Term to expire December 1, 2024

Poses, Jon, 224 E. Parkway Drive, Ward 4, Term to expire December 1, 2024

CITIZENS POLICE REVIEW BOARD

Hamilton, Jordan, 1314 White Oak Lane, Apt. 103, Ward 4, Term to expire November 1, 2022

CLIMATE AND ENVIRONMENT COMMISSION

Becherer, Roni, 103 N. Stadium Boulevard, Apt. 114, Ward 1, Term to expire November 30, 2024

Kaufmann, Ryan, 1908 Park DeVille Place, Ward 1, Term to expire November 30, 2024

Ludden, Matthew, 1905 Newton Drive, Ward 2, Term to expire November 30, 2024

Navarrete-Tindell, Nadia, 2116 Grant Lane, Ward 4, Term to expire November 30, 2024

Norris, Jessica, 2413 Cimarron Drive, Ward 5, Term to expire November 30, 2024

COLUMBIA SPORTS COMMISSION

Kunz, Kristopher, 417 Hillsdale Road, Ward 3, Term to expire December 31, 2022

COMMUNITY LAND TRUST ORGANIZATION BOARD

Rhoades, Shirley, 104 Lynn Street, Ward 1, Term to expire December 1, 2025

Trotter, Jeremy, 1108 Rear Coats Street, Ward 1, Term to expire December 1, 2025

FOWLER: I think we need to confirm my continuation as the liaison member. We could do this -- I don't know when the right time is but I was advised by the Clerk.

TREECE: It's timely.

FOWLER: Okay.

TREECE: Does anybody else desire to serve as the liaison?

PETERS: I'd be interested in it.

TREECE: You would be? How would you all like to settle this?

PETERS: Rock, paper, scissors.

TREECE: I would like to have more liaison. I'm not sure who -- I don't care who it is. I just -- I would like for Council to take a more active role in the Land Trust or at least know what's going on there or at least have our liaison there have the consensus of council for -- I'd just -- I'd like for that communication to be a little more bilateral as we continue to address what is, by all means, a housing crisis. We've got a lot of HOME CDBG monies coming in. Do you all want to work it out and come back to us?

PETERS: Well, I'll work on something else this year, and leave it to Ms. Fowler if she wants to keeps doing that, and maybe I'll come back to it next year if she's ready to [inaudible].

TREECE: Is everyone okay with that?

[Everyone seemed agreeable.]

It was determined Council Member Fowler would continue to be the staff liaison to the Community Land Trust Organization Board.

CONVENTION AND VISITORS ADVISORY BOARD

Walls, Richard, 4705 Valhala Court, Ward 5, Term to expire September 30, 2023

HUMAN SERVICES COMMISSION

Teagarden-Monk, Alexandria, 2208 Bluff Pointe Drive, Ward 6, Term to expire December 31, 2023

MAYOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH

Hawf, Christopher, 1104 Hulen Drive, Ward 4, Term to expire November 30, 2024

Miller, Susan, 412 Maplewood Drive, Ward 4, Term to expire November 30, 2024

PERSONNEL ADVISORY BOARD

Barth, Jennifer, 2803 Pine Tree Lane, Ward 5, Term to expire November 30, 2024

**IV. SCHEDULED PUBLIC COMMENT**

SPC65-21 Bill and Judy Weitkemper - Master Meters or Individual Meters.

Judy Weitkemper spoke.

WEITKEMPER: Mayor and Council, my name is Judy Weitkemper. My husband Bill and I live at 4007 Day Flower Court in Columbia, and I will be presenting this important matter on behalf of my husband Bill who has difficulty speaking due to Parkinson's. Bill has devoted a good portion of the past 16 years to this matter. Master metering should be prohibited. Master metering of residential dwelling units for electric service was prohibited by section 27-111 of the City Code for 52 years, from 1964 until December 7, 2015. Section 27-111 stated, "each residential dwelling unit must have a separate meter through which the electricity supplied the residential dwelling unit shall be measured for billing by the department. Metering of electricity supplying more than one residential dwelling unit through a single meter for billing by the department (master metering) is prohibited." On December 7, 2015, Section 27-111 was amended by adding the following text, "except in plan zoning districts where in the sole discretion of the director, master metering is in the best interest of the city due to the utilization of the planned development of alternative power sources which are incompatible with single metering." On January 16, 2016, Jim Windsor, Assistant Director of Columbia Utilities, wrote -- buildings can have three-phase electrical service which would support residential units. These have been allowed for commercially zoned areas for over 40 years. A residential dwelling unit is defined by Section 27-36 of the City Code as a building or portion thereof with kitchen facilities designated or used for residential occupancy, including but not limited to such units when [inaudible] or a part of one-family, two-family, and multi-family dwellings, boarding and lodging

houses, apartment houses and apartment hotels, but not hotels or motels except where the units are occupied by the same individual or group of individuals for 30 days or more. Bill has not been able to find the definition of a commercial dwelling unit in the City Code. The electric utility was wrong to conclude that a residential dwelling unit constructed on property zoned commercial becomes a commercial dwelling unit. On August 8, 2017, Section 27-111 was amended yet again by replacing the text that was added in 2015 with the following text, "except where in the sole discretion of the director, master metering is in the best interest of the city due to the utilization of alternative power sources which are incompatible with single metering." Ordinance 27-111 should not have been amended in 2015 or 2017. Master metering is not in the best interest of the City. In addition to the increase in electric, water, and sewer revenue that individual meters would bring the City, it has long been established that by replacing master meters with individual or submeters, a building utilities usage can be reduced by 15-25 percent. This is just one example of many where the City ordinances have been manipulated, changed, or simply ignored to make someone wealthier through the inequitable treatment of many. Every customer of the City should be treated fairly. Every customer should have an equal opportunity to take advantage of the savings that could result if they were individually metered. Who will step up to address this inequity? My husband will leave a few copies of the final draft of his document titled Master Meters or Individual Meters that explains in detail why master meters should be prohibited on the table in the back by the room, or contact him and he will send you a copy. Thank you.

SPC66-21 Julie Ryan, COMO Safe Water Coalition - Columbia's Water Treatment Plant: A study in complacent and ineffective leadership.

Julie Ryan spoke.

RYAN: Julie Ryan, COMO Safe Water Coalition, 5301 Regal Way. I want to speak a little bit from the heart tonight. I want to tell you a little bit of a story. In 2008, the City incurred its first violation from the Missouri Department of Natural Resources for our water treatment plant for disinfection byproducts, and experts were engaged to determine what we should do. And a short-term solution was provided, and that's what we pursued. But long-term recommendations were given. That's where we were. Fast forward to now, and we are about to spend \$23 million on the same short-term solution. And that really gets at us, as people who have, for the last five plus years, advocated for the members of our community who cannot afford filtered water, who cannot afford to do something different. Because while we may say that we have safe water, it is not as safe as it can be and as it should be for our community. The regulations that are in place are not what we know they should be. There have been no updates in decades. We know that we have people within the City who are willing to admit that we finally do have influence of surface water, and that is where the plans for the design for the new treatment plant facility will guide us. However, because we know that we are not a true groundwater facility, the changes that are going to be made -- all of the new treatment units that will come into place -- will not allow us to resume free chlorine disinfection. What that tells us, at a very bottom, granular level, is that we will still have dirt in our water after spending \$23 million to fix the plant as it should have been fixed many, many years ago. We will not be able to resume chlorine

disinfection. We have asked for granular activated carbon to be included in the filters of the new treatment facility as it is repaired, and that has not been included. We have included our expert in discussions with staff and the consultant, and we are not given clear indication of why this is the case. And so we beg of you, council members, to ask those questions. Why is this not important to our citizens, to our community, to the health of our citizens? The decision-making process seems to be bouncing very clearly. We are often told, "ask staff." We are told, "ask Council." We are told, "ask consultants." We are never -- we are told, "ask the Water and Light Advisory Board." We really aren't given a clear indication. But, recently when we've been having these conversations, we've been told Council has the wherewithal to make these things happen, and so we come to you tonight saying, "please make these things happen for our community." It isn't just our economy. It isn't just the business development of our community. It is our health. These things are options and somebody or somewhere these decisions are being made, and we can't get a clear answer as to why those decisions are being made -- as to why we can't get these things included in this iteration of our water treatment facility. We are paying for repairs that should have been done over a decade ago, and we're not getting the true water quality accomplishments that we should because we are told it is either too expensive or it is just not part of the solution right now, and that is not okay. And so we ask you, "what do you want for your family?" What do you want for the people you care about in this community? And it shouldn't be just the status quo and it shouldn't be just to avoid violation. It should be the best that we can offer, and it should be what we owned our citizens a decade ago. Thank you.

SPC67-21 Walter Minner - Concerns on Blackfoot Road.

Walter Minner spoke.

MINNER: Biggest main concern is safety on Blackfoot Road. Does everybody know where this is? You know it's off of Route E. It's like going to LA Nichols Golf Course, on your right, and the road going to your left -- it starts Blackfoot. Now that road is a narrow road. I was almost run off the road because of those wide big trucks, the dump trucks and the concrete trucks, 18-wheelers. They go over the yellow line and I'm afraid someone is going to get hurt or killed. And doing -- we need to do something about the safety on this road. They also tear up the road, them big trucks. They just paved a new pavement around that really bad corner last week. So, who pays for all that? The public, I guess. You know on taxes. Well to avoid that, I have a solution, possible solution, of taking care of the maintenance part when no trucks go down that road. My purpose here is to see if we could stop those trucks from going up and down Blackfoot. They do have their own entrance and their own exit. And why they may not use it is because there's speedbumps, and I don't know if that's the reason, but they got speed bumps going out their own road that they have built for themselves. So why don't they use theirs instead of Blackfoot? It's a nice wide road and everything, going in and out. A solution may be, if that would be the problem, remove the speed bumps so they would be happy to go up and down their own road. Did you have a comment? No, okay. As I know several people -- that's -- have close encounters with these trucks and almost had to go off the road. One sides a big bank and one side is just a big drop off where there's trees and brush and all that. We get run off, someone's going to get hurt. To avoid a big

lawsuit, we need to do something about it now, before somebody does get hurt. And I've got a possible solution -- is to put a sign down close -- there's entrance and exit there at close to the bottom of that big hill. And the beginning is to have a sign put up saying who could go down and who can't, like dump trucks, concrete trucks, 18-wheelers, the big trucks that are too big for that road. I know it would be pretty costly to put a whole new road in and widen it up, but -- and then have it patrolled now and then by the city police. Give out the tickets, and that revenue from the tickets can help maintain that road -- that's one solution. There was a couple of them here. But if you need a petition, I will go door to door getting signatures from voters, registered voters, who are concerned of Blackfoot -- traveling that. I have to travel that every day. I know I can go down Wilcox Road, but Wilcox Road don't have guardrails around that creek that's down there, so I don't go that way. I go down Blackfoot.

TREECE: Got it. Thank you very much for being here tonight.

MINNER: And so, I just need some help in trying to get that place safe so that we don't have to get hurt, and I have a gentleman here that had a close call if you want to hear him testify on what happened to him. And his name is Clifton Smith. And I just need help in trying to make that place safe.

TREECE: Thank you bringing in our attention. We'll follow up with staff.

MINNER: So, if I can get help from the City Council -- helping me and finding out what we need to do. What is the next step? See I don't know how this is all done, but --

TREECE: We'll make sure someone follows up with you. I want to make sure I'm fair to everyone that has a chance to speak tonight. Thank you, Mr. Minner.

SPC68-21

**Traci Wilson-Kleekamp, Race Matters, Friends -Transparency: 2022  
Mayoral Candidates and City Manager Finalists -- Who gets to know about  
the city manager finalists when the information is considered confidential?**

Traci Wilson-Kleekamp spoke.

WILSON-KLEEKAMP: Good evening, Mayor Treece and Council. I will try very hard not to swear. I can't promise you I won't. Tonight I'm discussing transparency and cultivating discomfort. I want to begin by thanking mayoral candidate, David Seamon, for saying, today, to KOMU, about the tragedy we had over the weekend, that understanding community violence means you have to consider all factors -- poverty, low wages, inadequate housing, and systemic racism. I also want to add most white Americans, admitted or not -- they consider Black people both to be deserving victims and the dangerous vectors of violence, who bear the burden and the blame for much of the nation's exceptional record of death and destruction. I was happy to see that the chief of police did say today -- with the community's help detectives were able to quickly identify the suspect and take them into custody. This is -- I'm glad he came to senses overnight because yesterday he accused the community of not being cooperative. The ability to understand and work effectively with others across cultural differences is a critical skill. Lacking it ought to be seen as an under-qualification for anyone tasked with leading a racially and otherwise diverse workforce. It is a result of white supremacy that has not always been understood this way. And finally, I want to say the concept of peace over truth versus truth over peace affirms that culturally many white people tend to avoid

conflict, to agree to disagree, as a way of keeping peace. Conversely, many Black people tend to surface and address conflict directly, even if it's uncomfortable. I want to ask that the Mayor and Council consider, very soon, developing a process for the public to be made aware of what is going on in the City Manager's search process. We did it last time. I think you can do it again. I don't understand, like, the absolute no update on what's going on. But I also wanted to comment on transparency in terms of how we engage the public on difficult issues. So I was unhappy with the press conference yesterday. I thought it was sanctimonious. I thought it was paternalistic, that was lecturing. I thought it was inappropriate to blame somebody when someone had died and there was a trauma, and it became a spat with a Black business owner. That wasn't the time for that. I didn't like it that we threw one of the council members under the bus because she wasn't in town and that wasn't stopped. I also didn't like it that I heard that we have money set aside to do community violence intervention, but we're not doing anything yet, but we have a fire. So, it appears that this body has made a decision not to spend the money that's set aside to put out fires. But we've given [unaudible] fires. The hypocrisy really stuck with me yesterday because at the last council meeting, you all voted to basically gut the Citizens Police Review Board and you voted for the Police Bill of Rights. But at the same time, the chief and the Mayor were complaining yesterday about the public not being cooperative, not helping them out. It seems to me you can't have it both ways. At some point, you have to remember that we don't have community policing not because of the public, but because the police department's leadership shot its own self in the foot. They were the ones who were against it. They are the ones who drag their feet. They are the ones who struggle with the idea of being guardians. As the chief said, we have a lot of guns on the street. You can get 100 more cops, and that's not going to detour all the people that have guns. We have people have more guns than we have children in this country, practically. So the question is -- is the council willing to invest resources in community violence interventions that ameliorate asking the police to do things that they have zero skills to do with. The City does have the money to interrupt structural barriers, inequities, but they have chosen not to spend that money. I want to note that in a document I got a few months ago, it says -- it's an update to the Mayor's Task Force on Community Violence, which we haven't talked about publicly -- it says city social services funding is at its lowest level since 2008. No additional city social services funding has been made available since it was decreased by five percent in 2008. So, it seems to me that this body is making a political decision, number one not to invest meaningfully in marginalized communities, and when there is violence, you're mad and blaming the very community that is being subjected to the violence. I think that has to change. And I want to close briefly -- and I know I'm a little bit over -- I want to say something about discomfort because I feel like this anxiety that white people have about dealing with difficult issues makes them shut down. To feel uncomfortable is precisely to be affected by that which persist in shaping the bodies and lives. Discomfort is hence not about assimilation or resistance, but about inhabiting norms differently. The inhabitants is generative or productive and so far as it does not end with a failure of norms to be secured but with possibilities of living that do not follow these norms through. It is not so much that discomfort becomes radically transformative by breaking away from norms completely, but rather, discomfort

shows us how to abide differently within these norms. Because discomfort is also a passage through which we are moved by a lack of ease with the available scripts for living and loving toward others. Perhaps no less discomforting, possibilities for a collective life. So, I hope that you'll think about that -- with violence that you have to invest in it. You just can't keep blaming the people who are affected by violence. You're going to have to do something different. Thanks.

## V. PUBLIC HEARINGS

PH44-21 Proposed reconstruction of the pavement, curb, gutter, sidewalk and driveway approaches along Walnut Street between College Avenue and Old Highway 63 North.

PH44-21 was read by the City Clerk.

Acting Public Works Director Shane Creech provided a staff report.

CREECH: Shane Creech, I'm the Interim Director of Public Works. This is a major maintenance project along Walnut Street, between College Avenue and Old Highway 63. The project includes reconstruction of pavement, curb and gutter, sidewalk, curb ramps, and drive approaches in various locations. The project also includes an asphalt overlay and new pavement markings along the entire length of the project. An online interested parties meeting was held in June of this year and an in-person IP meeting was held on September 29. Three residents attended the in-person IP meeting, and no written comments were received as part of that process. Easements are not anticipated to be necessary, and construction is currently scheduled for completion in the summer of 2022. Total project cost is estimated at \$388,000, and funding will come from the quarter cent capital improvement program sales tax. Allison Anderson and Elizabeth Farr, two of the city's engineers on this project, are with me tonight, and we are happy to answer any questions you may have.

Mayor Treece opened the public hearing.  
Peter Norgard spoke.

NORGARD: I drove on that section of the road to get here tonight, and I can tell you it's in great shape. That's sarcastic. It's in pretty bad shape so I would agree with this project. One thing that I would say -- most of the ADA improvements are going on the south side, which has an appearance of favoring Stephens College. There are no ADA improvements planned for the northern side, and that seems a little odd to me because Freedom House is on the north side. So -- I know that there was a certain amount of money allocated to this project back in 2015, and I would ask that you consider taking some of the surplus and using it to make some ADA improvements on the north side because those sidewalks are very narrow, and, I would say, difficult for people in chairs to navigate if there's oncoming pedestrians, and there's a lot of pedestrian traffic on that street. I don't have much more to say. If you have any questions --

TREECE: I appreciate your personal experience.

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



The Council asked questions and made comments.

SKALA: This is a Third Ward project. But I just want to ask a question of staff now that it was brought up by Mr. Norgard -- is there a reason why the ADA improvements were primarily featured on the south side and there was no -- not to the extent -- that there were not as many improvements on the north side?

CREECH: It was purely done by survey information. We did survey, and the locations that were in need of repair -- the ramps and such. Those were the locations

SKALA: So, survey in terms of the topographical aspects of the ground, but not necessarily in terms of any kind of pedestrian traffic -- or there was no -- there's no sense of that.

CREECH: No, it was based solely on the needs based on land survey.

SKALA: Thank you.

**Mayor Treece made a motion directing staff to proceed forward with the final construction plan specifications for the Walnut Street resurfacing project. The motion was seconded by Council Member Waner and approved unanimously by voice vote.**

PH45-21

Proposed construction of a sidewalk on the west side of Audubon Drive between Azalea Drive and Shepard Boulevard.

PH45-21 was read by the City Clerk.

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

CREECH: This sidewalk project has been on the City's sidewalk master plan since 2007 and is considered a priority sidewalk due to its proximity to Shepard Elementary School and Shepard Park. The project includes the construction over 1,200 feet of sidewalk along the west side of Audubon Drive to fill in the sidewalk gap between Azalea Drive and Shepard Boulevard. The preliminary design includes a five-foot sidewalk and three-foot green space between Azalea Drive and Mallard Court, and a six-foot sidewalk at the back of curb between Mallard Court and Shepard Boulevard. This work also includes the reconstruction of eight drive approaches to accommodate the new sidewalk and the replacement of an existing curb inlet. An interested parties meeting was held on September 28. Two residents attended the meeting and four written comments were received, three against the project and one supporting the project. Temporary construction easements will be necessary to complete the project which is scheduled for completion in the summer of 2022. The estimated total project cost is \$300,000. And funding will come from the quarter cent capital improvement program sales tax. Happy to answer any questions you may have.

PETERS: Yeah, I have a couple of questions. Has anyone done a -- like a traffic study -- or looked to see how many people would be using the sidewalk?

CREECH: Not to my knowledge. There is a traffic calming project in the works. For probably next year -- you'll probably see that come across, but as far as use of the sidewalk -- not to my knowledge.

PETERS: Because this has been like -- what fourteen years ago? So that seems like that hasn't been a problem -- or has it been a problem to not have a sidewalk on the west side -- because the schools on the east side, right?

CREECH: Correct. It's a neighborhood collector. We strive to have sidewalks on both sides of the road. It will allow them to get up to Shepard Boulevard. That's another location in the future we're looking at, you know, adding sidewalks to both sides there. It has been in the works for a while and it takes us a while to get to them.

PETERS: And this just wasn't put in when the road was put in? I guess not. Okay, thanks.

TREECE: So, there is a sidewalk on the other side. Can you back up closer to -- I seem to recall we had some public comment, either at the beginning or an end of the meeting from a mom who had kids that lived in kind of the new development on the front end that is on Mallard Court, and is -- so there's no sidewalk on the west side. Is that right?

CREECH: Correct.

TREECE: Up until you get to the first --

CREECH: This fills in a gap from Azalea to Shepard so there is up to Azalea.

TREECE: Is there a crosswalk across?

CREECH: There's a crosswalk on each end of the block the school is on.

TREECE: Is there a crosswalk from that -- is it Mallard Court that I'm thinking of or is it --

PETERS: It could be Mallard Court. I know someone had commented that there was no place for the school kids to cross the road safely.

TREECE: Okay. Alright.

PITZER: It looks like on your plans there, you're -- so you're removing several trees along that side. Is that right?

CREECH: Correct.

PITZER: Are those like larger mature trees or what are you talking about?

CREECH: It's an older neighborhood, so yes, there are some large, mature trees. There's one in particular that we're working with the property owner on to attempt to save. That's one of the reasons we brought the sidewalk in up against the back of curb for a portion of it. But there's some that are close enough that either way to put in sidewalk, you're --

PITZER: Like six -- am I counting that right? And then you replace those?

PITZER: It's not typically in in the budget. We could definitely look at that if it's something we're directed to do.

PITZER: Okay, thanks.

**Mayor Treece opened the public hearing.**

**Paul Huesgen, Tim Rich, Roger Caffrey, and Lauri Rich spoke.**

HUESGEN: Thank you for your skepticism and thank you for the appreciation for the trees.

TREECE: Would you mind to state your name?

HUESGEN: My name is Paul Huesgen. I lived right on the corner of Audubon and Shepard, or sorry, Meadow Lark. And, here's the thing, I would gladly to devote a corner of my yard if the crosswalk made it safer. Now, if any of ya'll have ever worked at a job where something was designed that wasn't quite what the people who lived or worked there use, you'll get what I'm saying. This sidewalk will make things much more dangerous. And I know every study you will see will say that Shepard -- or that putting sidewalks near schools will make things safer. Shepard is

one of the places that I did my student teaching at. I love the neighborhood. If I ever decide to not run Flat Branch Pub and Brewing anymore, I will go back to elementary school teaching and this is the school of my choice.

TREECE: Which do you like better?

HUESGEN: I appreciate that. So, here's how it's going to make things unsafe. Now when, when students let out, even though, there's a no parking on one side, where there's a sidewalk -- this is where all the parents line up to pick up and drop off their kids, whether it's in the morning or in the nighttime. It's fine, but it's on one side. There's a no parking on this side -- sign, but it's kind of a gifted -- this is where we'll park, this is where the students come out. That's fine. If you do that on the other side, that's where they're going to park. It's going to narrow it down to less than a lane or maybe a half a lane where people are going to be letting off their kids, and they're going to be going in and out of traffic. Right now, there is no spot on the other side of the road for people to drop off their kids, nor would anybody expect their kids to be picked up in somebody's yard. So, it'll make it much more dangerous for people dropping off and picking up their children along that road because people will drop off their kids and pick up their kids where there's a sidewalk. Dangerous point number two, you're backing out of your driveway -- if there's kids getting dropped off there and picked up there, there's going to be kids running back and forth. There is absolutely not a jaywalking issue at all because there aren't kids walking in our driveways or walking in our front yards. If you put a sidewalk there kids are going to jaywalk. If you really want to make this area safer, I suggest speed bumps. The map kind of doesn't quite tell you how it's a completely straight street, and even though there is a, you know, blinking sign up that says you're driving over 20 miles an hour -- I've seen in the three years that I've lived on the corner that small crosswalk sign get taken out 2-3 times by somebody going 40-50 miles an hour. If you really want to make this safe, you got to put up some stop signs. And actually, you'll note that catty corner from where my place is, there's a largely misunderstood kind of triangle where people don't know what's going on. Turn it into a roundabout, put a stop sign up there, put a crosswalk up there, do something, but the sidewalk doesn't make things safer. It makes things much more dangerous and that's just the kids. The whole idea is that the only thing that this is going to do is make things safer for the community, but it doesn't. It does the exact opposite. It makes things very unsafe for anybody in the neighborhood. If you go down Meadow Lark, right there, you'll notice that there are no stop signs in that entire neighborhood. We have a very friendly family community and everyone takes their kids out walking constantly. My fear is that if you put a sidewalk right there, that's just going to encourage people to jaywalk left and right, whereas, that's not a problem right now. Put a stop sign up one way, put a speed bump, put another crosswalk --those are much more budget friendly. And I think Peters and Pitzer brought up that -- 2007 was the idea that this is going to connect us up to the park. This doesn't connect us up to the park. There's still no sidewalk that goes down to the park. down where Shepard is. This is also the church, the Presbyterian or Unitarian. There is a church at the end of the road. There's no sidewalk that goes up to it. That's where we all vote. So, it increases jaywalking. You put a no parking sign up there, but there's already a parking sign on the other side of the street. Backing out of the driveway is going to make it really, really unsafe for anybody walking up and down the street.

TREECE: I appreciate -- I'm going to ask you a couple of questions, just to kind of wrap it up. So, I seem to recall now -- I started looking at the overhead map. We had a mom from Stratford Chase Parkway express concern that there's no way -- there's a little dead-end sidewalk that that developer put in when they -- probably because they're required to -- when they built that, and it doesn't connect to anything. And then there's no crosswalk to actually get on the other side of the street where there is a sidewalk. And so, the hearing notice says on the west side of Audubon Drive between Azelea Drive and Shepard Boulevard. Well Azalea is not even on the west side. It's Stratford Chase there.

HUESGEN: There's sidewalk right there. There's no way to build an entire sidewalk.

TREECE: Wouldn't some crosswalks that connect the neighborhood over to where the sidewalk is --

HUESGEN: -- or stop signs or roundabouts -- anything that stops the speeding. The speeding is the main danger of that road. It's not people crossing the street. And then on the aesthetics, the removal of the trees - it's a really, really pretty neighborhood.

TREECE: Actually, makes people go faster. Yeah.

RICH: My name is Tim Rich. I'm a resident 2516 Meadow Lark Lane, right on the corner of Meadow Lark and Audubon. And, I rise also to support what Paul had to say, my neighbor. We've been in that house for nearly 22 years now and have not seen a problem at all in terms of the sidewalks. I would suggest, and my recommendation would be, instead of spending the nearly \$400,000 or more to put a sidewalk in, that we install a crosswalk up at Stratford Chase to get on the side of the street where the school is, where there's already a sidewalk that is accessible all the way to the school. I also am concerned that taking out a large tree, which is right outside my house, and putting in a six foot sidewalk from the curb -- right banked up against the curb -- is going to put that sidewalk directly under my bathroom window and probably not more than 15 feet away. That seems too close for me and for my comfort, and I don't understand why that has to be done with these old trees that have been in this neighborhood forever. This is one of the younger ones, but it's still a very mature tree, and we would hate to lose that. Also, I am concerned about the speed at which vehicles travel through this community and through our neighborhood. It is a problem day and night, 24 hours a day. We have motorcycles that pop wheelies and speed down through the neighborhood at night. And when we have teenage kids in the neighborhood who are crossing back and forth going over to the park at the school, going up to the park, at the pocket park at Shepard Boulevard, across from the school -- we have garbage trucks -- and I've complained to a previous city manager about this -- garbage trucks that come flying through there in the morning at 40-50 miles an hour trying to get the garbage picked up at the school. And I think this is absolutely irresponsible that we would have garbage trucks anywhere in the City who are speeding, and so, what I would like to see you do with those funds, which are our tax funds, is to cut down the expense -- to put in the crosswalk at Stratford Chase, to put in speed bumps, perhaps even a stop sign at the corner of Meadow Lark and Audubon -- something that would slow these people down that go through our neighborhood. Many of them are visitors. They do not live in the neighborhood. And this has become the most important safety issue of my family and has been for the 20 years that we've been there, and still nothing has been done. And now we're being told it might be

done next year. They were out there a couple of months ago, drilling holes in the concrete, and I expected they were putting something in, and then they came back and took them all out. So, I hope that you would hear the concerns of the neighborhood, and that you would put the children's safety first and slow down the traffic and allow a crosswalk to go in, which will save the taxpayers money as well. Thank you for letting me speak this evening.

CAFFREY: My name is Roger Caffrey. I live in 1005 Audubon Drive, on the west side, directly across from the school. What's already been said, I completely agree with. I've also done the written comments. And I will add that there are four written comments now in opposition, not three. That was done by Mr. Harrison back here. Of our block, there are six houses on that block. Four of us have written comments in opposition to this for all the various reasons. I have talked to two people who did not -- they are also opposed. That makes all six houses and residents along that block opposed to doing this. I might also add there's another safety concern -- because I live right where the buses come in and leave. If you start allowing -- causing people to start parking on my side of the street, you're putting that bus into a very sharp -- because they're parking on the east side already. And what you're going to do is create a hazard that way. This is not needed. I have lived there since 1991. I have lived in the area since 1981. You know, I don't know why this was actually proposed because there is no need for that sidewalk whatsoever. The other side has a perfectly good sidewalk. If you put in a few crossings up at Chase where they said, you'll take care of the problem, and it's not certainly going to cost you \$300,000. And put in maybe a stop sign and the speed bumps, and you will take care of those problems. I see this is not needed, at least in my block -- not wanted, and basically, a waste of \$300,000. And what I have heard here tonight, there seems to be other places where you can spend that \$300,000 and do more for the public than you would by putting in this sidewalk.

RICH: My name is Lauri Rich and I live at 2516 Meadow Lark Lane. And, we've lived there for 23 years. I am concerned like the rest of them, but I -- you have to understand -- I had a daycare there for ten years. And, our biggest concern is the speed. So however you can do it, that is the main problem -- is getting those people to slow down. Even the buses are flying down those roads. You have to remember, this community is all about riding a bicycle, okay, and we have a lot of neighbors that want to ride bikes, and they're not going to ride a bike on a sidewalk. So we need to slow the traffic down so that these people and these young families - we have these families -- our families are turning over. We're getting a whole -- people are dying and so we have a lot of young families. I'm sorry -- I don't know how else to say it -- but they're turning over, and so we have a lot of young families, a lot of young kids, and we want it to be a really vibrant community, but I can't let my kids - - I can't let my grandkids who ride their bike -- I'm lucky enough to have my grandkids lived two blocks away from me, and if they ride their bikes, I'm, like, don't go this way because you might get hit by a car. You know, so I think -- I get what Stratford Chase is saying, and they definitely need some type of crossing, and they need -- a four way stop is what they need up there. But don't put one of those stupid green signs up because they're just going to knock it down, you know. So those things are just a waste of money. But I think that if you really want to save some cash, what you need to do is put in some stop signs and put in some bumps of some kind. But thank you -- if you could slow the traffic down, you're a winner.

There being no further comment, Mayor Treece closed the public hearing. The Council asked further questions and made comments.

PETERS: I'll start since it's in my ward. I would think after fourteen years of no sidewalk on the west side -- I know that neighborhood. Although I know we like to have complete streets, and we like to have sidewalks on both sides. After fourteen years, I'm not really sure that that's necessary. There is a good sidewalk on the east side. I do agree that we need to do something about the speed that's a -- it goes downhill. From Stadium, it comes down hill and hits to Meadow Lark, and then it goes back up hill to the school, and I would agree -- and we've talked about this before -- putting some kind of speed bumps in. I think of the ones over on Stewart Road. Those work really well because you really can't hit those things too fast or you don't do it more than once. You know, and perhaps asking our street engineers to look at side or crosswalks or other ways to slow traffic versus the money for this expanse of sidewalk -- I don't think it's needed.

TREECE: I'm going to defer to the representative of this ward, but I would tend to agree. And I know that -- I used to live south of there as well. And I think what she was really -- what the public comment was really asking for was just a way to get her kids across the street safely. And I think there's a couple ways to do that.

PETERS: I think our engineers can do that. I mean, that's -- we've got good engineers.

TREECE: Mr. Thomas.

THOMAS: Well, I think every street should have sidewalks on both sides, and they should have been designed in in the first place. Having said that, speeding is a serious problem and adding a sidewalk is not going to address that car speed on Audubon because the road's too wide and it's dead straight and there's no visual interruption looking ahead. So, since the residents in the area don't want a sidewalk, it probably doesn't make sense to build it there and spend all that money, at least at the present time. If we don't do this, though, I think that the speeding issue should be addressed. At the very least this should be graded for the Neighborhood Traffic Management Program to see how, you know, where it ranks, and either speed bumps or -- my strong preference to speed bumps is what's called horizontal deflection, using bump outs that narrow the road, and those work very well in combination with a pedestrian crosswalk. Narrow it down to about 20 feet. That's enough room for two cars to pass, but quite slowly because it's quite narrow. And then those pedestrian bump outs are waiting areas for the vehicles to stop, and then there are marked crosswalks or central islands and medians. And I will say, I've just seen a plan for, I think it's Smith Drive, which shows a combination of those kinds of narrowings from the edge and central medians. And I -- the research I've seen suggests those are quite effective at slowing traffic.

TREECE: I'll just chime in on that, and suggest that removing the trees -- we've seen

THOMAS: I agree with you.

TREECE: We've seen every that shows --

THOMAS: We want that visual deflection --

TREECE: -- canopy slows people down. It shades the street. You naturally go slower. I'm going to make a suggestion that we direct staff to redo the interested parties meeting without the sidewalk on the west side -- that it includes a series of

crosswalks. You can do the bump outs. I'll defer to the neighborhood on that. But re-engage that neighborhood with respect to speed tables, like what we did on Stewart Road and see if we can't come in under budget on this and actually give them what they want, which is slower traffic and a safe way to get to a sidewalk.

SKALA: Just a comment. I was persuaded by the testimony of the folks -- they kind of know what they want and they've lived here for a long period of time. What they want is some sort of speed mitigation strategy and crosswalks, and we know that, but I think it's a good idea to have an interested parties meeting to get a whole report essentially back for some of the best strategies to accomplish those goals.

TREECE: Ms. Peters, are you okay with that?

PETERS: I think that would be lovely.

PITZER: So, they did send out the email just before we came in here about the interested parties meeting on December 13 for traffic calming Audubon Drive and Shepard Boulevard.

TREECE: Great, so let's use that one.

PETERS: They're so efficient. Okay, let's do that.

TREECE: Okay, that completes the public hearing.

PH46-21

Proposed replacement of a sanitary sewer under U.S. Highway 63 and south of I-70.

PH46-21 was read by the City Clerk.

Utilities Director David Sorrell provided a staff report, and the Council asked questions to which staff responded.

SORRELL: David Sorrell, Director of Utilities. This project consists of installing approximately 720 feet of new sewer pipe and three access structures. The purpose is to replace failing sewer underneath the Highway 63 connector. That sewer's failed, it's settled. It accumulates solids and grease, and we have to clean it often. This accumulation increases the potential for us to have sanitary sewer overflows in the area. Replacement of this sewer, while eliminating the need to do all the additional cleaning and -- it also aligns with the goals in our strategic plan related to infrastructure replacement and goals included in the stormwater and wastewater integrated management plan. We held a virtual interested parties meeting between May 25 and 28, 2021. No negative comments were received as part of that meeting. Since then, we've talked to one property owner that's generally supportive of the project. The majority of it's located within MoDOT right-of-way, and we've talked with MoDOT staff, and they're not objecting to us completing this project. It's estimated to cost approximately \$625,000 and will be paid for with sewer utility funds. With that, I'd be happy to try to answer questions, and I realized - but that's where we're talking about.

TREECE: What's your timetable?

SORRELL: We don't actually have a timetable. If you tell us to proceed, we'll go ahead and do the plans and then come back with authority to construct.

TREECE: Would you be interested to know that MoDOT is engineering that right now -- to redo the 63-70 interchange?

SORRELL: We'll talk with them and see if this will have to be relocated. If it would have to be relocated, we'll postpone.

TREECE: Could you coordinate with them. They want to have those done in early 22,

spring of 22.

SORRELL: Yeah, we'll coordinate that with them because I definitely don't want to have to do it twice.

Mayor Treece opened the public hearing.

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

**Mayor Treece made a motion directing staff to proceed with the sewer replacement project located at the US 63 connector, south of Interstate 70. The motion was seconded by Council Member Skala and approved unanimously by voice vote.**

PH47-21

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).

PH47-21 was read by the City Clerk.

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

TEDDY: Tim Teddy, Community Development Director, and this a request for annexation and also permanent zoning brought by Central Missouri Subcontracting Enterprises. They are the owner of 4000 South Bearfield Road, and have submitted a petition. This is about two-thirds of an acre. As you can see, the location is across Bearfield Road from Bearfield Meadows Subdivision, which is in the city limits. To the west is other facilities owned by this owner, Central Missouri Subcontracting Enterprises, and it's their desire to add this to their property. Along with that, they've requested mixed-use office zoning to facilitate the possible future addition of offices and classrooms, according to their testimony. And this zoning graphic is color-coded. Generally speaking, the colors are city jurisdiction, so you can see this property does sit contiguous to city boundary on three sides. The heavy gray is actually also a city zoning district, the industrial -- it is an industrial nonprofit enterprise behind it. And this is property that was formerly owned by the water district. It's currently in an agriculture district. Being a utility function, that was the only zoning that was needed. City roadway jurisdiction, city utilities, and again contiguous on three sides -- all council needs to do tonight is convene the public hearing on the annexation. There is a bill that is on your agenda for first -- introduction and first reading that will rezone the property, and as it's annexed -- and that is scheduled for consent at your next meeting and that's because this received a strong recommendation of approval from the Planning and Zoning Commission as to the zoning. Try to answer any questions you might have.

THOMAS: So, Tim, just -- I see the black line. I guess that's city limits -- the black dashed line on that.

TEDDY: Yeah, there's a rectangular piece on the west side that not within the city, but otherwise, you have Bearfield Meadows, which is a fairly large neighborhood and then a newer subdivision, Villages of Bearfield -- is to the south there. And then you have the old -- I think it's the old Woodhaven property that's now privately owned outside the city limits.

THOMAS: The area that is outside the city limits is the rectangle? Oh, okay. It's the rectangle that's zoned A-2. The subject property, which is A-1, and that area that is



C-GP and R-MP -- and that's like a couple of islands right there inside the city.

TEDDY: This will even out the city's boundary on the south side, and again, it's the same owner that already has their main facility within the city limits. They had acquired this quite recently from the water district. It was surplus property.

THOMAS: Okay, thank you.

PETERS: Can I just ask -- is this -- the Giving Gardens is just east of that, correct? So, this is what you see as you pull into that area. And is this the same owner?

TEDDY: Yes. EMSE, for short.

PITZER: And then further to the east there, that lighter blue, larger parcel. Is there a -- where's the access to that? Is there a city street or --

TEDDY: Yeah, I think it comes off of Nifong there. There's an old road. I don't have a good aerial so I apologize for that.

GLASCOCK: It's the old Woodhaven driveway.

PITZER: Okay.

Mayor Treece opened the public hearing.  
Dee Dokken spoke.

DOKKEN: Dee Dokken, 804 Again Street. And, I just noticed reading in the staff report about this that something that was in the P and Z staff report was missing, and that was that this site and the surrounding areas per the future land use map are all located within a sensitive area. This overlay designation identifies the recharge area for Devil's Icebox. Preservation and protection of these areas should be encouraged to mitigate negative impacts on community resources. I think that's good information to have. And, originally, I was just going to maybe say protection of these areas should be required, not just encouraged. So, I'm just bringing that point up. But in general, you know, this seems like a good project, but it's good to keep in mind that this is the area that we're trying to protect by plan. Hopefully, getting some planning in the area. Thank you.

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

## VI. OLD BUSINESS

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).

Discussion shown with B358-21.

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).

Discussion shown with B358-21.

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).

The bills were given second reading by the City Clerk.

Community Development Director Tim Teddy provided a staff report, and

the Council asked questions to which staff responded.

TEDDY: These are three properties. It'll be familiar to the City Council. We've had two prior applications involving this same area. And, what I've shown here is the three -- the site of the three lots that are under review tonight. In one rectangle form there, it's about 200 feet wide and not quite 230 feet in depth, zoned multi-family. This is on the north side of University Avenue. There's three assigned addresses tied to this, 1617 East University, 1615 and 1611 East University. In the aerial photo, there's a house shown on the east edge of the site. That's no longer there. That's been torn down. We do have a more recent aerial photo that'll show that. This is just a general aerial, just showing some of the addresses in the vicinity. Again, the 1617 University address and the 1611, and the property in between are the area to be platted -- so, north side of University, between William and Ann. This is a topographic exhibit and that does show that the house had 1617 had been torn down, so it's been removed from the base map there -- just to give a general indication of how the topography runs in this area, and one of the purposes in showing this is to indicate that there's a fairly deep ravine at the east end of the platted alley. It's not improved anywhere near to that point, but there have been questions about use of alley, so Council should know that it'd be very difficult to carry that alley all the way to Ann Street considering that typography. Also you get a sense of the general drainage across these lots. It's sloping to the east, to the northeast or southeast, depending on where you're at on the property. We had remarked in a previous staff report that the stormwater ordinance would not apply because of size of this site, and I just want to state that we would apply the stormwater manual and the City stormwater ordinance to this tract. Overall, it's over one acre in size, 1.05. So, we did get comment that expressed objection to that and our last session on this, so I just want to make that clear. And then this is a zoning exhibit that shows that north side of University. This block, generally speaking, zoned R-MF, which is a multi-family residential district, and there is a lighter shade of yellow that indicates R-2 that is directly east of this property. And then there's one lot that is R-1, which is one-family. First plat, called Plat 2, is on the east side there, so this would be the 1617. These are approximately equal in size, all three lots at about just shy of 67 feet width, and again that depth is nearly 230 feet. So, that's called Plat 2. And each of these plats references the other two lots so there are placeholders showing that two other lots are being created out of this 1.05 acres. This is the one in the middle. There was a house that existed there that was demolished some years ago. That's the plat. So again, the one the middle -- similar dimensions. And then, the one on the west side -- there is a house occupying that lot, and this is called Plat 4. And this would be 1611 University Avenue -- plat. And, it's a requirement of our ordinance that any existing buildings be shown -- the principal buildings that is. You don't see other types of improvements, like driveways and such, but this will be an indication that at the time of recording there was a house on the property. So, these are classified as replats. As we've mentioned in the past, there's a subdivision of this block that goes all the way back to 1910 called Fyfer's Subdivision of Fyfer's Addition, and these plats are, basically, creating sites for -- to become real estate or building sites. Basically, it's a requirement of our ordinance that before any permits are issued that there be legal lots of record there, and since these are all -- all three

sites are portions of the old Fyfer's Subdivision of Fyfer's Addition -- it is a required step in the development process. And staff has reviewed these plats, They do comply with our ordinances as far as the required content of re-subdivision plats. We're highlighting a section here that's been a discussion piece for Council and the public in the past, and that's that there are some criteria that indicate that a plat is subject to finding at Council that they are not removing any condition to the existing plat that may have been relied upon by the City and neighboring property owners, that the replat is served by adequate infrastructure to meet the increased demand generated by the resubdivision, and the replat is not detrimental to other properties in the neighborhood, or if alleged to be detrimental, the public benefit would outweigh the alleged detriment to the property. So, I'll leave you with that, and try to answer any questions.

TREECE: Just a quick procedural question -- Is there no jeopardy to administrative replats? I mean, it seems like this Council has already rejected this twice. And here they're coming back -- the third time in six months with yet another iteration of this. I seem to recall on a recent, I guess it was an annexation and zoning, there was jeopardy that if the Council rejected it, they couldn't come back for a year. Staff pushed back when they tried to come back and say have you worked with the neighborhood on this? I mean, I keep getting emails in opposition to this. Is there no barrier to them attempting this again, and again, and again?

TEDDY: No, there's not Mayor. We do have that provision for zoning changes. So, if they're changing the -- proposing to change the zoning map, and they brought the same request back to you three times in the same year, that would not be allowed. For a plat, I mean, clearly Council spoke on the first version of this, which was a consolidation plat. So that was one lot with the site that you see there. Then they came back with two 100-foot lots. That was denied. So now it's three lots. So, I do see those as different requests. Recognize that there's a controversy associated with them.

THOMAS: So if passed, these ordinances would create three legal lots on which development can be permitted to take place. What is there right now? Are there any legal lots within this 1.05 acres on which development can take place -- can be permitted and take place?

TEDDY: No, within this site -- these are -- been modified by some old deed transfers, so the lots have been modified. The original Fyfer's lots were approximately 70 feet width. There are four lots on the east end of this block, actually two of them are together in that ravine area, but there are four lots that preserve that 70 foot dimension. And then also on the north end of this block, across the alley on Anthony there, you find, I think, -- there's four lots that are pretty much intact from when it was Fyfer's Subdivision, but -- we require this now, in a multi-family district, when we see lots have been adjusted by just deeds, transferring pieces of property.

THOMAS: Okay.

TEDDY: And, the reason is you try to avoid either creating a superlot through some kind of transfers or something that's substandard.

THOMAS: Basically land has transferred in ownership through private deals that have not been recorded by the City.

TEDDY: Right. It's a way to modernize the description of the property. There'll be an easement across the front of the property. There's a small alley dedication, 2 1/2

feet -- that's in keeping with our new standard, which is to have residential alleys just a bit wider than 15 feet. And then, standards for the description of the property are much better on a modern plat.

THOMAS: So, at the present time, it is not possible -- without doing a replat like this, it is not possible for the owner of this land to get a permit to build anything on any of this land.

TEDDY: Yes, that's a prerequisite to building.

THOMAS: Okay. So this would create three lots about 67 feet wide. What are the widths of the other lots along the north side of University?

TEDDY: The other widths -- I think it varies. The ones that are 70 are to the east, but I'd have to look at the -- they're similar in width. I know one consolidation that resulted in 100 feet. That's there, but again, that's to consolidate, and that's part of this request.

THOMAS: And, I think I saw in the notes somewhere that there's a minimum lot width of 60 feet.

TEDDY: Yeah, that's right. Lots that are newly created, 60 feet in width.

THOMAS: That's part of the zoning district, R-MF requires that.

TEDDY: Right. That's actually our single-family width standard. Now, there is a provision that if lots are legally created prior to the effective date of the ordinance, and they happen to be smaller -- you know, in other words there's an old subdivision -- those lots are considered legal and legal lots of record. There are some examples of this in East Campus on Rosemary, for example, there's some 50 or close to 50 foot lots. Farther west on University block or two --

THOMAS: But at this time in order --

TEDDY: So, a few examples of lots that are intact from an old subdivision.

THOMAS: Because this has zoning district R-MF, in order for this to be developable, then the lots have to be at least 60 feet wide.

TEDDY: That's what our code says

THOMAS: And then, what are the setback requirements for buildings on these lots?

TEDDY: Well, it's -- in this particular case, there's going to be a deep front lawn. I was going to say, normally, it's 25 feet minimum in a multi-family district. It will be 50, close to 55 feet, to match the existing fronts of the houses. That's an averaging of neighboring -- you can see it's pretty uniform on that north side of the block. You do have kind of the opposite condition on the south side of University but -- so there would be a similar averaging there.

THOMAS: What about the side setbacks.

TEDDY: Sides are 10 for multi-family, and then 25 in the rear.

THOMAS: 25 in the rear, and the owner -- if this is passed, the owner wouldn't be able to build a single building across these new lot lines.

TEDDY: No, we don't permit that anymore. So, what you're going to get are buildings separated by side yards.

THOMAS: Now, are there any form requirements on the buildings that are built in terms of architecture, windows, building materials, height --

TEDDY: There are some things -- there's what's called use specific standards for multiple-family. Use specific standards for multiple-family -- so there are some requirements for some articulation of the building. Entrances facing the street, a certain amount of modest embellishment of the front door, so it stands out a little bit. If it's a longer building, there's requirements for some articulation of the

facade. In East Campus, there has to be a pitch roof, 4/12 pitch roof, so not a terribly steep roof, but a flat roof would not be permitted.

THOMAS: In general terms, how do the foam requirements compare with the form requirements in M-DT downtown.

TEDDY: It's not a form district so not as detailed as all that.

THOMAS: Would it be theoretically possible to create an overlay that required form standards that matched in some way that historic nature of the buildings already on the street?

TEDDY: Yeah, I wanted to continue that there are a couple other parts of the ordinance besides the so called use specific standards. There's the design guidelines, again, it's similar -- required features on facades basically is what the Code is saying so that there is some interest. There's not a flat and featureless side of a building facing a street, you know, or a neighbor that kind of thing. So we have those, but, yeah, I think, an overlay to work in the same way the downtown form base district does -- I think you'd want to involve the entire block if not the entire neighborhood in that.

THOMAS: But, theoretically --

TEDDY: Because you don't really do that on a on a street segment basis.

THOMAS: No, I understand that. But that is something that could theoretically happen. Okay, I think that's all my questions for now.

SKALA: I just had a question. It occurs to me that in this R-MF setting, there have been some circumstances in another neighborhood, in Benton Stephens neighborhood, whereby -- and we've talked about not being able to cross lot lines and so on with the building footprints and the setbacks -- but there have been some occurrences in that neighborhood where there was two buildings built on the same lot, just one in front of the other. And in this case -- is that is that permissive in this circumstance -- where there could be two buildings built on each of these three lots?

TEDDY: Yeah, I don't think there's anything -- if it's owned by the same party, I don't think there's an issue with that. If it were to be subdivided, you would have issues because of --

SKALA: Right, as long as the setbacks are appropriate, there could be more than one building on these lots.

TEDDY: Yeah, parking has to be accommodated here too. I mean, there's not just the building envelope depending on how many bedrooms are put into the residential dwelling units, there'll be onsite parking required.

SKALA: Thank you.

PITZER: So a couple of questions. So right now, there is -- looks like approximately like 100 foot wide lot and then two 50 foot lots -- is that roughly right?

TEDDY: Yeah, that's if you look at how the parcels have been rearranged. Yes, sir.

PITZER: So on the 100-foot lot, which meets the minimum width requirement -- that would -- so just that one lot -- would that -- that would still have to go through the platting process?

TEDDY: It would, yes,

PITZER: And would that be -- since that isn't changing in size or nature or anything -- would that be an administrative process or would it come to the Council?

TEDDY: We had sent something very similar back to the Council on that.

PITZER: It was just the one.

TEDDY: -- the 100 foot.

PITZER: But not the combining of lots. It's just the one as is.

TEDDY: Yeah, that was one of the two 100 foot lots that the Council last saw was doing just that. So yeah, I would think I'd bring it back to the Council.

PITZER: Okay, and then my other question is probably for Nancy. On this -- the clause in the regulations that Mr. Teddy referenced -- that third one about the approval of a replat is to subject to Council finding that the replat is not detrimental to other properties in the neighborhood. Could you just tell me or explain where that language comes from -- what the origin of it is? Is that common for, you know, any replatting ordinance, like in Missouri -- and just kind of the legal basis for that?

THOMPSON: So, I don't know that it's uncommon. I don't know that I can give you really an analysis of how often you would see that kind of language. And I think the focus of that language, because it's in the platting -- it deals with a plat -- is -- when it says it's not detrimental to the neighborhood, it's the layout of the lot that's not detrimental. It's not the underlying use. It's not -- this isn't a zoning decision. And you'll often see that similar language in zoning decisions so it can kind of be confusing or kind of turning into a diversion of the conversation. So, I would say just focus on that on the layout of the lot.

PITZER: Have there been any court cases that you're aware of that defines more precisely the use of the word detrimental in this case?

THOMPSON: Not in this kind of case. I'm not familiar with that. There are cases out there that talk about factors for consideration of various land use actions. And I think you all have been provided with some documents from kind of attorneys on both sides of this issue, but none of them are specifically related to platting actions. The Guffy case that is cited is a special use permit where there is much more -- there are many more discretionary factors for the Council to consider.

PITZER: And then -- so Mr. Teddy was saying that some of the other lots in the area are sort of that 70 foot width or maybe a bit less. So, and we're talking about 66-67 foot width lots. So if a lot was substantially similar to the other lots all around it, could that be -- could it still be considered detrimental, or what would we have to figure to find that it was detrimental if it was similar to everything around it?

THOMPSON: I'm going to leave that up to you to determine tonight after you've listened to all of the testimony that you hear from various parties. That is that is part of the decision-making process based on the facts.

PITZER: Okay, that's all I have right now.

PETERS: Mr. Teddy. My question is just -- for 50 foot lot, which there is one right next door to what they're trying to replat and there two or three across the street, I mean, directly across the street -- some of the others might be 70 feet, but I know of at least three lots that are 50 feet. If it's only 50 feet then R-MF does not apply and they cannot develop that property as an R-MF property?

TEDDY: Yeah, it has substandard width as well as it was never part of a plat as a 50 foot lot, other than, there were transfers away from the original 70 foot lot to create that site.

PETERS: So, a 50 foot wide lot can only be single-family or a duplex?

TEDDY: They would have to -- well, they'd have to get a variance to reduce the width. We used to have it in our ordinance that any lot that had been created prior to the effective date of the zoning ordinance could be recognized as a legal lot so long as it wasn't modified during the period that the time the zoning ordinance was

effective. It could be built on with a single-family home. Right now we have a provision that if it's recognized as a legal lot and it's less than 60 foot, it can be used for any purpose that's allowed by the district so long as it fits. So it'd be subject to all of the, you know, basically the site and structure provisions. But in this particular case, it's not a lot of record so they would have to go through a platting process, and if they wanted, for example, to do two 50 foot lots and one 100, those two 50s would be subject to requested zoning variances.

PETERS: Okay, thank you.

THOMAS: So if they were to get a legal lot of 50 foot wide -- the zoning districts is currently R-MF. Does R-MF allow single-family by right?

TEDDY: Yeah, it's allowed. It's an allowed. One could voluntarily build a single-family home.

THOMAS: To build a single-family home wouldn't require any further action other than just making that 50 foot lot a legal lot.

TEDDY: Right, through the appropriate process.

THOMAS: -- which is basically the same as this, but with just different dimensions.

TEDDY: You'd have to get a lot width variance. Recognize that [inaudible].

THOMAS: And then how many dwelling units allowed in a single building in R-MF?

TEDDY: With the dimensions that are proposed here, each lot could have up to six units dividing the lot area by 2,500 square feet -- that's lot area per dwelling unit.

THOMAS: So, six dwelling units. I'm trying to translate that to number of people.

TEDDY: And, that's going to depend on what the capacity is in bedrooms. And then that will, in turn, require a certain amount of parking spaces. We require more for three and four bedroom apartments than we do for one and two.

THOMAS: So, there could possibly be six, three or four bedroom apartments in a single building on a 70 or 67 foot wide lot.

TEDDY: Yeah, if they can get it all to work. I mean, these are -- I would just point out these are deep lots. A lot of the residential lots we see are well less than 200 feet, and here you have over 220 feet in depth.

THOMAS: And, what's the height limit in R-MF?

TEDDY: It's 35 feet -- that's measured to the median point from what they call a grade plain. And then, we do have a provision that because there's an R-2 zoned house that sits east of it -- unless a building was backed 20 feet off of that shared lot line -- that house would have to be 24 feet in height, so two-story basically.

THOMAS: Okay, because it's against another zoning district even though it's a single lot zoning district.

TEDDY: Yeah.

THOMAS: Alright, thanks, Tim.

Robert Hollis, David Butcher, Ann Mehn, Marvin Tofle, Ron Haffey, Cindy Neagle, Janet Hammen, Ruth Tofle, Clark Odor, Cecile Bentley, Clyde Bentley, Peter Norgard, and Rick Shanker spoke. Robert Hollis and Ann Mehr provided handouts as well.

HOLLIS: [Handout provided to the Council by Robert Hollis.] Good evening, Robert Hollis, the Van Matre Law Firm, 1103 East Broadway. Here on behalf of the applicant. Also, here is David Butcher from Crockett Engineering, who's a surveyor, as well as Justin Naydyhor, a representative of the applicant. A quick overview --

and some of this you've already gone through -- this is required. We are here because we are required to be here. I'm not sure that I have time to get into the 50 foot lot questions that were asked, but I think the short answer is that no you -- they would not be legal lots without going to the process, the entire process, of obtaining variances. So they just would not be legal under any circumstances as 50 foot lots without variances. As I will show you, the lot widths are essentially -- that are being proposed -- are essentially the same as that currently exist. I've broken this down into lots that are -- 22 lots that were part of the original subdivision. Here you can see the plat from 1907. I've zoomed in to show you that most of the lots were about 70 feet. We're dealing with part of 15, part of 16, part of 17, and part of 18, to be three lots now. Here's an aerial of the subdivision showing the exact same view as you saw before. The next slide is the width of each and every lot of the 22 lots, which are actually more than 22 lots because some of them have been subdivided. Without getting into all of this for lack of time, the average lot width is 65.72 feet. That's for the 22 lots. We're proposing lots that are 66.82 feet -- almost identical to the lots remaining in the neighborhood. Here's one showing the rough depiction of what the existing lots look like. Next one is -- here's what it would look like with what was proposed. That's required. Next, this just is a depiction showing all of the lot widths followed by what the lot widths would be -- 100, 50, and 50 -- now 66.822, 66.82, and 66.82. The three criteria I'd like to focus on -- the third one -- and Mr. Butcher will focus on the next one. To apply the criteria, you are acting administratively, and let me be clear, you do have discretion. You have discretion to determine whether or not this plat meets the requirements. If you decide that, that's when you lose discretion, but you certainly have discretion in making that decision. That discretion -- the criteria under which you operate for establish -- or -- utilizing that discretion cannot be too general. It cannot effectively rezone the property by denying the plat. And here's a quote from the case that's on point, "the law does not permit administrative bodies to exercise arbitrary and subjective authority over the granting or denying of subdivision plats." I would submit this replat it is not detrimental, and I'm not sure how you could find it being detrimental, given the fact that if you focus only on the plat, and it meets all the other requirements of the plat, you're really left with looking at the size of the lot. And the size of the lot is the same as the size as all of the other lots, essentially. And, if that's the case, then all of the lots that exist are equally detrimental. If that's your finding, I'm not sure how that's anything but arbitrary. Finishing -- in summary, we have to be here. We can't get a building permit effectively. We cannot use the property without being here and going through the platting process. To replat an area that has three existing -- we'll call them lots, although they're not legal lots -- into three lots that are the same size as the remaining neighborhood lots, is the best we can do. I'm not sure what else you would have us do in order to utilize property within the City of Columbia. To not approve this would be to effectively condemn/rezone/call it what you will -- a taking of the property -- because it is not permitted to be used. Either way, in my opinion, such a decision is not permissible under Missouri law. David Butcher is here. In the meantime, I'd be happy to answer any questions you have.

BUTCHER: Council Members, David Butcher, Crockett Engineering, 1000 West Nifong. Thanks for giving me a few minutes here. I wanted to talk about the other two items that are important to meet the platting requirements through the



ordinance. Robert touched quite well on Section 3. I want to talk on the other two items, which is -- a resubdivision would not eliminate the restrictions. So, the two sections in gray are the sections that I would like to talk about. Resubdivision would not eliminate any restrictions that were previously relied upon, so the plat that was created in 1907 had some things, items, some material things that were granted the City of Columbia -- city rights-of-ways, alleyways, things of that nature. I'm here to tell you that by replating this, we would not be taking away any -- anything that the City already has granted to them or that -- what other people in the neighborhood relied on. In fact, we're going to grant more right away, and in fact, give easements to the City in exchange for platting. The second thing I need to talk about is utilities. We need to make sure that there's adequate utilities on the site in order to subdivide. Currently, it had three homes on it. It has houses up and down the block. It's a developed street -- it's fully developed. There are fire hydrants in place, there's water lines, there's electrical lines -- everything's in place to facilitate the development that is needed here. Whether it's a single-family home or it's 15-16 homes -- units -- whether it's 15-16 units, whatever the maximum development is possible -- the potential is, we have all the utilities in place. And here's a couple of notices to serve, I think from the utility providers that proves that the utilities are already in place to facilitate the development. Basically, we think we meet all three requirements needed to plat under the City's regulations.

MEHR: My name is Anne Mehr. I live at 714 Ingleside Drive in East Campus, and I'm speaking tonight on behalf of the East Campus Neighborhood Association. In that capacity, I've been delegated to offer records and testimony presented in connection with the first two applications to replat the Fyfer's Subdivision. These were heard by the Council on May 17 and August 2 of this year. We request that all such records and testimony be made part of the record in case B356, B357, and B358. [Handouts were provided.] Tonight I'm speaking on behalf of Kathy Love, who lives in the 1600 block, but was unable to be here. The East Campus Neighborhood Association Board has again voted unanimously to oppose the replat of the three lots on University Avenue for the purpose of constructing three apartment buildings to house up to 72 students. This is the third time the neighborhood association has addressed you about the request to build apartment buildings at this location, and I'll briefly summarize the two previous meetings. May 17, the developer requested to replat three parcels into one, to demolish the William C. Knight house, to construct one or possibly two apartment buildings of 14 to 18 units each to house 56 or more students. August 2, the developer requested to replat three parcels into two, to demolish the William C. Knight House, to construct two apartment buildings to house up to 48 students. Today, the developer requests to replat three parcels to create three equal parcels, to demolish the William C. Knight house, to construct three apartment buildings, three stories tall to house up to 72 students and 72 cars. In summary, this is the third time the City Council has had to hear the developer's request to construct apartments in the 1600 block of University Avenue. This is the third time the neighbors have come together to oppose it. More than 15 people have appeared before you to oppose, more than 20 letters have been sent in opposition. We're opposed to the requests because the proposed development is detrimental to the adjoining properties and the neighborhood for the following reasons, it lowers property values, it's not in keeping with historic architecture, it demolishes a home included in the East

Campus National Historic District, it adds to traffic congestion, creates danger for pedestrians and cyclists, sets precedent for Columbia and the neighborhood, creates more trash and noise problems, and adds to existing parking problems. It contributes to pollution of Moss and Hinkson Creeks, adds impervious surfaces that contribute to flooding, adds to police responsibility and incidents. The density detracts from the sense of community. It more than doubles the population of the north 1600 block, detracts from the livability of East Campus. The density increases instances of crime and the neighbors have no control over the design. The latter points out a frustration on the part the neighbors. After repeated meetings with the developer, we have yet to learn about the design of the proposed construction -- could look like this or this -- it could be anything. East Campus is a neighborhood of single family homes and house-like apartments such as these. We love East Campus with its history, the diversity, proximity to downtown and the University, and the sense of community. This sense of community depends on a balance between permanent and temporary residents. We view this continuing request to build yet more student housing on iconic University Avenue as a threat to this balance, the history, the character and the quality of life in our neighborhood. Thank you for once again considering the issue at hand. Please continue to support the character of Columbia neighborhoods by voting no on this request.

TREECE: Ms. Mehr, one question. Do the proposed plat would eliminate restrictions on the existing plat that you as a neighboring property owner have relied upon?

MEHR: I think we count on you guys to keep that balance. It's so important. I mean I can't imagine 72 more bodies and cars on University in that block.

TOFLE: Mr. Mayor, my name is Marvin Tofle. I reside at 1805 Cliff Drive with my wife. We've lived there since 1998. I just want to start by showing you this diagram. This is a diagram that Phebe La Mar showed us last time we were here, and, at that time, she told us that -- and I sent you all a letter where I went through the video over and over and over to get her exact words -- that time she told us that if they didn't get the -- what they were asking for last time, then they would come back again and ask for three similarly sized lots. That's the 60-something foot lots. And she had a diagram where you can see that Mr. Naydyhor has indicated that this proposal would have three separate lots consisting of 62 beds, 15-16 units, and they would be three story buildings. So, we know what is anticipated because this is exactly what Phebe told us would happen, and it is now happening. So Mr. Hollis came to our neighborhood meeting, and I asked him at that time -- since the developers had been denied twice already, why didn't they come back and substantially scale back their proposal? And he told me the reason was that the Council has no authority to deny a replat. It's ministerial and any issues such as density, infrastructure, what buildings look like, anything else, are irrelevant. And if you don't apply the three standards set out in Section 29.5, then those questions will never be asked. There is no procedure, no place where that would ever come up. As you'll see, here's 29.5(d)(4), which I've mentioned over and over, but as you'll see it says a replat shall only be approved by the Council if the Council determines these three things, is it in the public interest, is there adequate infrastructure, and is it detrimental? And it is the person that was requesting this -- they say they have to be here. Well, they filed this and they have to prove it. It's not up to us to prove it or you to prove it. It's up to them to prove it. Have they proved these things? I don't think so. And I would like to say that they -- they say

that they've tried every possible configuration. Well, I would say that they have submitted the same plan in different configurations, but at the end of the day, it's just the same plan, and they're trying to make this a choice between either allowing them to build a large apartment complex or saying that they have no use of their property, which is the last thing. They have -- there are already buildings on the property. They tore down a building on one of these lots. There's plenty there. And if they had a proposal, other than this 64 bed proposal, which could be up to 72 if you unleash this -- you know, we don't mind. We're happy. We're happy with what's there now. So, anyway, thank you for your consideration.

TREECE: So, Mr. Tofle, your legal opinion is the ministerial judgment of this Council only applies in the absence of a standard.

TOFLE: Exactly

TREECE: And 29.5(d)(4) is the three additional standards that courts rely upon in order for councils to exercise their discretion.

TOFLE: Yes. I couldn't disagree with Ms. Thompson more, in all due respect. This is not like a zoning case or this case or -- you could easily say it's a filling station case. It is a case about what power the Council has to promote the goals of its comprehensive zoning ordinance. And, if I may, the court said Section 13 -- that was the Webster Groves Section in 1957 -- so this is common. This is used all over.

TREECE: That's still good case law from 1957

TOFLE: It is the controlling case law. Mr. Hollis cited the Schaefer case. The Schaefer case says, this is consistent with the Guffey case. It's consistent because has to be consistent. The Guffey case is a Supreme Court case. All Missouri cases of lower courts, like the courts of appeals, like his case, have to be consistent with the Supreme Court. They cannot be otherwise. So, the Section 13 in Webster Grove said, we think the procedure prescribed by Section 13, reasonably interpreted, is sufficient to provide against the exercises of arbitrary and uncontrolled discretion by the city council. Section 13 prescribes the procedure for determining and requires the city council to determine whether the location and use of a filling station would or would not promote the health, safety, morals, or general welfare of the community by determining specifically whether such location or use would or would not adversely affect the character of the neighborhood, traffic conditions, public utility facilities, and other matters pertaining to the general welfare. It requires that such determination be made upon evidence and facts adduced before it. So, then they say we conclude, therefore and so hold, that the legislative discretion so delegated to the council is sufficiently circumscribed to require that discretion to be reasonably, not arbitrarily, exercised. So these are what they call the standards. There're just three more requirements.

TREECE: Do you think the replat is in the best interest of the public?

TOFLE: No, I don't.

TREECE: Do you think adding 64 to 72 new beds on each of the lots would have an adverse effect on infrastructure?

TOFLE: You know, what I think is that this Section 29.5 requires you to see, you know, the look on the ground and say, can this neighborhood absorb this? Can they support this? We can't support, you know, a big apartment complex of students like this. We don't have parking. You know, there's lots of calls to the police and the police are busy, you know, especially on the weekends. There's noise, there's other things, and it's not that we don't like getting along with students, you know. That's

not the problem. It's just the problem is when you have a complex that's going to be this big, it just increases the issues, you know, multiple times and so. You asked earlier, do we rely on this, and I think Mrs. Mehr said that we rely on you. I think you are -- you know, it's your job to enforce these, to look at the situation and say, can this neighborhood support this kind of thing? So, you can't just avoid scrutiny by saying, well, we're not proposing any particular number. We know the number from last time and we know even if there was no number that if you approve it, then you're authorizing up to 72 beds. I mean, there's no other way to look at it.

SKALA: Just one question, and that is -- would you agree that the exception to ministerial acts, such as this would include the potential for public safety?

TOFLE: Oh, yes. I mean, public safety is -- well, if I understand what you're saying -- I mean, there has to be an infrastructure, and so police, other things in the neighborhood. I mean, if I understand what you're saying, that is public safety. That is something that you have to decide that there is adequate public safety. You have to decide it from the evidence presented by the people that are bringing this forth. They're not just here. He said they just have to be here. They have to be here because they have to prove these things. You want to know what's detrimental or not. They have to prove, they don't have to prove -- we don't have to prove it's detrimental. They have to prove it's not detrimental. That's their job. So, yes.

SKALA: Yeah, it's just been my observation that this body or a body like this with a different cast of characters, if you will, has in fact voted against ministerial actions because of issues of public safety. That is egress and ingress, those kinds of issues, traffic.

TOFLE: And I think there are cases in the East Campus where the Council has refused a replat in the past.

HAFLEY: Hi, my name is Ron Haffey. I live at 1805 University Avenue. I've lived there for 35 years. I love this neighborhood. I don't consider this neighborhood to be restricted to 22 plots down on the 1600 block. That plot is nine houses or nine lots from my house. My yard is 275 feet deep, and my neighbors are staggered. So, we all have huge lots. We bought into this historic neighborhood because of the look and feel of the neighborhood, and I would say, will rely on the city ordinances and we rely on your judgment. We understand, I understand 29.5, and I don't think this plot request covers all of those. I don't think it should be approved because I don't think it meets all that criteria. We're permanent residents. We need you to regulate development. If you know anything about East Campus neighborhood, you know it's hugely developed, and I think it's way overdeveloped, and we got to have some sense of priority and common sense in this process. I don't think there's any public interest. I don't see a cry for more rental property in the East Campus neighborhood. It's just -- there's plenty of vacancies there. And if we have a housing shortage in East Campus neighborhood - it's for single-family houses. I know we've had people try to move into a neighborhood and there are very limited options there. As far as infrastructure, I'm not an engineer, and I appreciate what the engineer says, but if you want to drive down University Avenue, you'll see we do have physical structure problems -- curbs, streets, and especially sidewalks but, I think the main infrastructure problem, is the compliance structure as some have spoken to -- the trash collection, the noise, the increased police call outs for nuisance parties. But I think it's interesting -- in the staff report that said although there's no apparent immediate infrastructure concerns -- the statement is in there

that taxpayers could begin paying in two years to maintain and support any adverse effects on infrastructure. I think that's a pretty short timeline. But three, I think is a killer standard -- should not be detrimental to other properties. I know the Love's are right next door to this. I'm 9 plots away, and I can tell you it will be detrimental to our residential property. So, I would ask that Council, first and foremost, do no harm. I think this is the same request again and again by the developer. I think the aim is to maximize income, and I think there's great potential adverse outcomes, and I'd ask you to deny -- I would ask you to deny this request again. Thank you.

NEAGLE: Mayor, Members of Council, Cindy Neagle, 1836 Cliff Drive. I want to address this issue of lot use and restrictions, and I want to respectfully disagree with the contention that there is nothing that these applicants can do with the properties as they're currently configured. They have a number of options. They can certainly continue to use the house that exists on the property now. That would be my preference. I love Party House. I like to drive by and see what's going on there. But, they can build an addition behind that house, they could request variances as has been discussed, they could possibly build cottages with a variance on those properties. They could submit a planned development for the properties, but I think what's most instructive is that our East Campus overlay provides some insight into the type of development that's contemplated for lots that are smaller than 60 feet. When residents and landlords came together nearly 20 years ago to start working on the overlay, they contemplated that there were mixed sizes of lots within our neighborhood, some large, some small, but there are a number of these smaller 50 foot lots in our neighborhood. That process was long and contentious as you might expect from anything coming out of East Campus, but one thing that they did agree upon was that there should be a plan for these smaller lots, and that was included within our overlay -- how 50 foot lots could be developed. I'll say that the interpretation now in place of what constitutes a legal lot has essentially gutted that provision in our overlay and made it essentially worthless. So I'd like to know, you know, if I own just one of these 50 foot lots, are you saying -- or is somebody is saying -- staff saying that I wouldn't be able to do use them, or develop them, or to build a house on them, or even a small rental property? I disagree -- of course not. I've outlined a number of options that are available to this developer. They purchased these properties knowing the lot size, knowing what could be developed upon them, and the restrictions imposed by the zoning code on their lot size and what could be done. You know, the fact is they may not like those, they may not prefer those, but that's what's available to them given the size of the lots as they're now configured. That they want to develop them in a certain way does not entitle them to do so, and that's the very purpose of zoning and lot size restrictions for neighborhoods. We live in a neighborhood, and neighborhoods that have R-MF zoning within them have very few protections. This is one of those protections that they -- we're coming to you and asking you to please, you know, exercise your discretion and help protect our neighborhood by not approving this request. Thank you.

HAMMEN: Janet Hammen, 1844 Cliff Drive. And, I was going to talk about when I moved into the neighborhood in 1977, and don't worry, I wasn't going to go year by year, but talk about all the different things that we had accomplished and proposed and opposed and promoted. But after hearing some of this, I felt it was maybe important to talk about actually what our overlay zoning districts says, and Cindy

touched on it. But the preamble for the zoning overlay district say, in case of conflict between the provisions of the overlay zone district and an underlying base zoning district, the provisions of the overlay zoning district shall apply. And the purpose of these overlay districts are to maintain neighborhood character and integrity by focusing special attention on the maintenance of physical environment, the enhancement of physical, social, and economic resources, and the accommodation of desirable change. So what does the East Campus Conservation Overlay say? In one place, it says two, or new two or more story structures on small R-MF legal lots, excluding basement, duplex, and multiple family -- they can be excluding the basement -- multiple family structures built after the passage of the East Campus Urban Conservation District on legal lots established before January 1, 2002, less than 60 feet wide at the building line in district R-MF may be constructed either in accordance with the standards of Chapter 29 of the City Code or in accordance with the following standards. And the following standards say that they could put in four -- no more than four bedrooms or no more than four dwelling units, which means, four one-bedroom apartments or a studio apartments, and then it goes on and talks about parking in there. But I submit that this should take precedence over the zoning code, and later in our new UDC, there is a provision that states for undersize lots, which a 50 foot lot is, you can go to the Board, which is the Board of Adjustment, and ask for a variance. And I contend that both of those provisions make these absolutely lots that can be used, and that this developer does have opportunity for those lots, and as Cindy said, for the 100 foot lot to build on and so on. So thank you. I hope you've enjoyed the slideshow -- it's just 40 houses from within the East Campus neighborhood and it was taken from -- in 1995-- these are all black and white pictures from then -- from the Historic Register nomination form and indeed the actual nomination. So, I was going to talk about that a little more, but instead you get this other. Thank you.

TOFLE: Good evening, Mr. Mayor, City Council Members. My name is Ruth Tofle. I am a homeowner residing at 1805 Cliff Drive and landlord of 1801 Cliff Drive. I'm a retired professor and former chair of the Department of Architectural Studies and I am LEED accredited professional. I am here tonight to oppose the replat on the basis of ecological damage being detrimental to our neighborhood and public interest. It is a known fact that more vehicles, parking, and impervious surfaces leads to stormwater problems. The East Campus neighborhood already has a high number of vehicles belonging to renters according to the most recent census. Of about 2000 vehicles, 1700 belong to renters. This does not include street parking for others attending and working at the University. Even with a high vacancy rate of 18.6 percent as recorded at the census, there is a high parking demand. Simply stated, high density housing means more people and more cars and more parking. The formula of 2.4 cars per household clearly does not hold true among a student population wanting their wheels. Furthermore, a development leads to less greening and shade with tree removal. There is more urban heat. In the literature, even the popular literature of the National Geographic, we know a tree canopy reflects urban inequity. Desirable neighborhoods have a tree canopy and cooler temperatures. Less desirable neighborhoods have hotter temperatures. In this quote from the National Geographic, "a city's tree canopy can be considered infrastructure, much like a sewer system or street grid." In summary, vote no to this replat. Too many cars, high density housing, impervious surfaces, and the tree

removal leads to stormwater problems, urban heat, and overall detriment the East Campus neighborhood and public interest. Thank you.

ODOR: Hello, my name is Clark Odor. I live at 1820 Cliff Drive. My family's lived in the neighborhood since 1929. The house that was torn down was where my mother lived as a teenager. Dr. See was our family physician, delivered my younger brother and sister. We have a lot of history in the neighborhood. And even though I left and worked as an urban planner in Memphis, Tennessee, for 35 years, it's still -- I feel like it's my neighborhood, and I came back to come home. My main concern about the neighborhood is the tearing down of the single-family homes and turning them into apartments, and what that will do to the infrastructure. I'm really not a subdivision, zoning guy. I'm a road guy. I worry about traffic. I worry about parking. Parking goes all the way to Rockhill Road, and if you add a lot more traffic and more apartments, you're going to have -- even further up the road and be by Jessie Wren's house there at the previous speaker so that's not good. As far as safety's concerned, the intersection, the key intersection of Ann Street and University is somewhat blind intersection, and you put more cars in there, people don't go through rolling stops and the traffic that comes westbound on University over the little hill sometimes have -- has a little excitement when someone's pulling out from Ann Street. So more cars that this proposed development will cause just will make a situation worse. The other infrastructure problems I'm concerned about that I -- was in my letter -- there's a east-west box culvert that runs parallel to Anthony, just on the north side of this proposed development, and back in 70's an apartment building was built over the top of that. They had flash flood. Someone almost died in an apartment because of water coming in, and caused quite a bit of damage that night. I hope that that situation has been fixed in the previous, but it's been a long time since I crawled through that pipe as a child. But it definitely needs to be addressed. More runoff from this area would not make that situation any better. It's my understanding that the big parking lot built at the hospital does not have stormwater retention -- that probably should have -- but it's not. So that's a lot of surface that wasn't there back when this was my paper route back in 60s. The really solution for this in the short term is planned unit development. They could come in today and build something on that property. There's nothing stopping them doing that. What's stopping is, they don't want to put in the small number of units that would allow under the existing situation. The - this is classic place that should be a planned unit development where you come in and you have all the setbacks, all the design, all the units, all architecture, so everybody knows exactly what's going to happen. The unknown is the scariest thing, and right now, there's a lot of unknowns, and the high side is very scary. So really -- what really needs to be done is infrastructure study of -- you've got zoning and the most arbitrary thing that's been done in the last 100 years was this blanket zoning to multi-family. And I think what -- in my opinion what it was done was there was a lot of retired professors and widows that wanted to rent out their rooms to students, and under single-family, they really couldn't do it. No one envisioned that their house was going to be torn down and a little apartment building was going to take its place. That was not the feeling -- that why the City Council changed it, in my opinion, you know, 50 years ago. So I'm recommending that this be declined and really be sent back to Planning and Zoning as a planned development so everybody knows what's going to go on and exactly, legally, what can be done. And other cases that come

forward, probably needs to be the same way -- not this administrative process of just coming to City Council because it doesn't pass the smell test. It may be legal, but doesn't smell right, so any questions? And before I leave, I just want to thank everybody for their service, especially the ones that are not going to run again and those that are retiring, and I appreciate your service.

BENTLEY: My name is Cecile Bentley. I live on Cliff Drive in the East Campus. I had a number of -- I'm not going to do the slides. I think we've been here long enough talking a lot about the details of what happens when it's a dense -- when there's increased density to this extent within a neighborhood. The only thing I will point out to you is that in 1917, or 2017 I mean, there was a parking survey conducted in East Campus. And I don't know if you remember the results are that, but there was a three day study and they looked at the number of cars that were parked in East Campus. And they decided -- determined that at any -- on any one day at any one time, there was negative additional capacity for parking. At that time, there were only probably 11 people who were tenants in the three properties that we're talking about right now. Now we're talking about potentially seventy-two. So you know that if in 2017 there wasn't enough parking -- there was negative parking -- you can tell what's going to happen now. So, I do want to say one other thing and that is -- I'd like to thank so many neighbors and others for attending tonight, and I'd like just to have those people who are here on behalf of the opposition for -- to this replat to stand. [About 15 people stood.]

BENTLEY: My name is Clyde Bentley and I'm -- I live at Cliff Drive, with her, in East Campus. I'm a retired journalism professor from the University of Missouri, which makes it kind of odd because I'm the one person without a PowerPoint. I'm opposed to the replat though because I think it diminishes the character of East Campus, and that in turn, I think, is a monetary threat to the City of Columbia. We just spent thousands of dollars to erect a gateway sign to welcome visitors to Columbia.

I'd argue, however, that the East Campus neighborhood is just as important to welcome people, not only visiting, but those who are considering the merits of living here. I served on a several national search committees at Mizzou and repeatedly ran into the same problem, while the reputation of the University of Missouri is attractive to academics, its location is much less attractive to the spouses and families. Their resistance to move into the middle of nowhere was a formidable barrier. Luckily our ace in the hole is the family-friendly, middle America hometown appeal of Columbia. Our beautiful campus and the surrounding neighborhoods are almost a postcard of what Americans dream a university town should be. That's a tenuous brand statement however, and can easily be damaged by poor planning and development. We've already seen the unintended consequences of modern planning and zoning. An attempt to streamline the modest development of downtown resulted in monstrous high-rise apartments that still shock residents and visitors alike. Make no mistake, I'm not against multi-family housing, but the vision many Americans have ahead of -- is not a dense conglomeration of rent by the room dormitories, but smaller and kinder apartments that fit well into a neighborhood. Think of perhaps the most famous neighborhood apartment building in the United States, 122 Sesame Street -- 123 Sesame Street. Bert and Ernie share two-story apartment building with just three other families and literally sing the praises of their neighborhood. This replat,



however, would allow the developer to plop down 72 student bedrooms and their accompanying tangle of cars, parties, and noise. That's a far cry from classic Americana. But I -- denying the replat would put a pause to this type of development -- allow the developer to build only smaller, less dense apartments in the place. But I'm going to ask you to go further. You've already authorized a citizen committee to review the Unified Development Code, which clearly does not provide adequate protections for Columbia's historical neighborhoods. Let's take a deep breath and let that committee do its work. We can wait for further development in those neighborhoods until we have the guidance from them to keep them for -- to what they are. They're money in the pocket for Columbia. Thank you.

NORGARD: Peter Norgard. I just have a couple of quick points. I saw in the staff report the following statement, while redevelopment of the proposed parcel will be impacted by the existing zoning entitlements, there are controls in place that are designed to protect adjoining developments. I take a little bit of an exception to that. Those of us who were around for the UDC know that the neighborhood protection standards were much stronger initially than they currently are, and a lot of the impetus to water them down was from pressure from East Campus landlords and developers. So, I strongly disagree that this replat will be beneficial for East Campus or the City in general. And I would just point out there -- our experience in Benton Stephens with housing of this type, this size and scale, has not necessarily been beneficial for the neighborhood. We do have increased parking. Even though they're required to provide off-street parking, it's possible and common that their tenants don't use it. There are parties, there are nuisances, solid waste violations. We've even had a shooting. But a point that I would like to make is if the western most lot, the 100 foot lot is subdivided or replated to 67 feet, how close will the eastern extent of the structure be to the side lot line? Will you be creating a legal, or nonconformity, by replating that particular lot? I don't have the answer to that right now because I don't have a map in front of me, but I think it's a question worth asking and looking into. That's all I have.

SHANKER: Rick Shanker, 1829 Clift Drive. I want you to be aware -- I've said this before -- that our neighborhood is represented by the East Campus and also the Traditionalist. In case I'm wrong, I haven't seen anyone from the Traditionalists come before you to say yes or no about this project. Thank you.

The Council asked further questions and made comments.

SKALA: Let me just go on the record here. I'm convinced that there are a number of reasons why -- that there can be an exception to this replating process, two of which are listed in those -- in that graphic that came up as a slide. The first, in terms of the best interests of the public, and the third section had to do with detriment to the public benefit. There are two additional factors. One is -- I think in terms of ministerial acts -- there are exceptions for public safety, and I see some of the issues here in terms of traffic and concomitant issues with respect to police protection and so on and so forth are one of those exceptions that the Council can exercise its discretion on. And the other, frankly, is an interesting one -- I hadn't really considered it but it's important -- and that is the overlay, and some of the intent of some of the folks that put a lot of time in here. There are only a couple of

overlays in this town. One is a rather relatively successful one in Benton Stephens, and the other is in East Campus. And I understand that some of the legal folks here will take exception to that, but nonetheless, I'll hang my hat on the exception to public safety and vote no to deny this replat.

PITZER: Yeah, so, you know, I voted against the first request, voted against the second request. Voted against the first one - is combining the three lots -- you know, it seemed out of scale with the neighborhood and those lot sizes. Voted against the two -- you know, again, seeming like it was out of scale. You know, we turn down the replat of the existing lot. So, there was existing 100 foot. There was no change to the dimensions or anything, and we voted down the replat of that. So, I, you know -- I'm a little bit concerned about what we're saying by voting this down because there are three existing lots going to three lots. They will be legal lots. You know, most of the testimony that we heard against this was related to the use of the land. You know, the discussion about not being able to support apartment complexes -- you know, the area already being heavily developed, the occupancy and the density of the proposal -- I mean those are all land use objections rather than platting objections. So, you know, I hear and I understand the concerns of the neighborhood, and I understand, you know, where everybody's coming from. Dr. Mehr probably has more goodwill with me than anybody in the City, but I think that we're going down a dangerous path by not allowing something that is completely consistent with all the other lots -- with most of the other lots on that same block and in that neighborhood. And I'm just -- you know, I'm worried about where we're going. It's seems fairly arbitrary. There could be a similar replat request, and you know -- for instance, in a neighborhood that isn't as well organized, as well mobilized to come out to city council meetings, and, you know, we may not even think twice about that. So it does feel a little bit arbitrary to deny this -- this replating action. And, you know, I would expect that we'll probably wind up in court if we vote against it, you know, not unreasonably in my opinion either. So again, you know, I hear the concerns, but I just feel like we're going from three lots to three lots. It's entirely consistent with the other size lots in the -- on the block and in the neighborhood. And, you know, it just feels like the -- we've got the UDC, we've got the overlay district, you know, and the concerns and the objections are with that, you know, rather than the lot size and the platting action.

THOMAS: Yeah, I have some questions for staff in just trying to understand what the owner can do with the property right now. I seem to have heard conflicting opinion. There was reference by a number of speakers to a planned unit development. Could you, Tim, just describe that process? Would that require a platting action first or not?

TEDDY: No, planned development is a zoning classification. So typically it's requested by an individual that has a particular plan in mind.

THOMAS: But would it require a platting action first?

TEDDY: But yeah, it's a possibility for this property, but that's not really something that's in our toolkit to impose on somebody. We could say that -- if a zoning classification that they are proposing isn't working, we could say, perhaps planned district would get a better outcome on this.

THOMAS: Would it require a platting action first?

TEDDY: No, it -- zoning's independent of platting. It's a prerequisite to building and also sale of real estate -- is platting.

THOMAS: Would it require a creation of a legal lot or three legal lots?

TEDDY: Not to file a planned district. They could file a plan district based on the legal description of the property that they own and then it's understood that a plat process would follow that.

THOMAS: Oh, the other way around.

TEDDY: Rewriting the rules in the context of a particular site and trying address certain challenges that have been expressed.

THOMAS: So you're saying that the two things will take place in the opposite order in that case. The zoning would be changed to a planned district and then the platting would take place.

TEDDY: Yeah, we don't require that property be platted as a prerequisite to zoning - - imposing an alternate zoning application.

THOMAS: Okay. Well, I'll just make a few comments. I generally like to encourage higher densities, especially in the center of town. It creates much more efficient use of space and infrastructure, more of a community experience for people. The big problem with it though, of course, is cars. And I think, you know, it's less about the number of people than it is about the number of cars, which occupy a tremendous amount of space and create real problems. I don't know -- that's a massive, you know, public health problem to deal with some kind of big picture changes in, you know, big policy and culture and so on, and something I think we all ought to be working hard on, but we are stuck with that. So, therefore, I think, you know, we should certainly moderate the densities. I do think that there's probably a good outcome here somewhere. I love the pictures that Janet showed of the existing buildings there. It reminded me of a presentation that probably many of you went to a couple of years ago called Missing Middle Housing -- showing a lot of pretty large, sometimes attractive looking buildings, that often were apartment buildings with housing 8 or 10 or 12 people -- maybe not 72 on three lots. So that would be a good final outcome. One of the challenges with that is that we don't have very strong form standards to require the architecture to, you know, be attractive and fit in, but maybe that's somewhere we could get to with a planned development -- that it would have to meet the approval on those sort of aesthetic grounds. So, it does seem to me that the owner has some other options now. It's very clear that the best outcome would be an agreement between the owner, developer, and the neighborhood, and I think I used to think that that would just never happen, but I've actually seen it happen over the last several years in quite a few cases. So, I'm going to vote against the replat and encourage the owner to really try to work collaboratively on coming to some kind of agreement. I don't know how that would be codified, but at the moment, there's no proper communication between the parties.

FOWLER: I'm also going to vote against this replat and I want to give my comments specifically to -- it's not paragraph two, it's paragraph ii and paragraph iii -- about storm drainage issues and whether or not the replat would be detrimental to the other property in the neighborhood. I live in North Central and when there was an intense amount of development in the North Village area, it caused the displacement of many people. And I want to read a portion of what one of my former neighbors, who then later moved to East Campus, wrote regarding her experiences, which were also my experiences. She writes, "My reasons for opposing this development in East Campus along University Ave are based on my

personnel experiences in an all too similar situation. I previously lived on Hubbell Drive downtown in the Orr Street area. I bought my first home there, loved the area, and was happy there for almost 20 years. That is, I was happy until the Brookside Apartments were built. The construction of Brookside Apartments caused me to leave my beloved home due to storm water and trash issues." Let me set aside the trash issues because we all seem to have way too many of those right now. "After Brookside was built, stormwater had no place to go and there were terrible problems. My basement and the basements of many of my neighbors were flooded because of the stormwater runoff. It caused a great deal of damage to my house and many of my neighbors' houses. In addition, the development caused a tremendous parking problem in the neighborhood. There was not enough parking to serve the Brookside residents. Our neighborhood was frequently overrun with people searching for on-street parking and longtime residents were frequently left searching for parking spots away from their homes." Here's the part that's the real kicker. "In response to the parking shortages, the landlords in the Orr Street neighborhood, including one of the developers of the University Avenue case, began paving over lots to create additional parking for their many tenants. The unintended consequence of this was, of course, the creation of more stormwater runoff that made the problem worse." I can't divorce my understanding of how that works and how that has impacted not only the neighborhood that I live in, over in the North Village area, but also other neighborhoods in town where I've watched this happen. And so, then when I take that experience, which I know is true and real, not only where this neighbor lived, but in other places, and apply that to subparagraph ii and subparagraph iii, I come to the only conclusion I can, which is to vote no on this replat.

**B356-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: PITZER. VOTING NO: THOMAS, PETERS, TREECE, FOWLER, WANER, SKALA. Bill declared defeated.**

**B357-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: PITZER. VOTING NO: THOMAS, PETERS, TREECE, FOWLER, WANER, SKALA. Bill declared defeated.**

**B358-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: PITZER. VOTING NO: THOMAS, PETERS, TREECE, FOWLER, WANER, SKALA. Bill declared defeated.**

B371-21

Authorizing a trial program for virtual meetings and virtual public participation for certain designated advisory boards and commissions.

The bill was given second reading by the City Clerk.

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

THOMPSON: This is the ordinance that you requested come back to you on virtual meetings on a trial basis. I believe all the issues have been worked out. This has been taken to the Disabilities Commission and I understand that they approve of the draft as written, but if there's anybody here from Disabilities Commission, you can hear from them as well.

TREECE: Do you know what other boards and commissions were asked to consider

this, or were they all asked or?

THOMPSON: They were not all asked. The Disabilities Commission identified boards and commissions to request, and I believe -- what do we have -- the Youth Advisory Council, the Broadband, and Disabilities.

SKALA: Correct.

THOMPSON: The -- I believe the Visioning Commission was requested, and they did not have a quorum to meet to determine whether or not they wanted to participate, so these are the ones that were selected for the trial.

TREECE: Were any other commissions asked?

THOMPSON: Not that I'm aware of. I don't know that answer.

FOWLER: Mayor, I do know the answer to that. So, I -- first of all, I was a proponent of having a much broader impact with this, and I think it was Councilperson Peters that suggested that we try a smaller number for a trial. But they did approach the Board of Health, and they were unable to have a quorum in order to respond to that. I'm pleased to see that they found other boards and commissions, but we gave them the direction to look for three as and trial, and so they ended up asking -- well they've got three now and they asked at least two more who were unable to meet because of a quorum -- that would mean five that they asked, including their own.

SKALA: An additional question -- the recommendation that came from the group that selected those three, or the three that were named here -- was there -- was just a request by those groups to do that or -- is that is that how the selection process -- the selection process for those three that eventually were wound up as the pilot -- how were they selected?

THOMPSON: I don't know the answer to that. I don't know if it was -- I believe it was -- the Disabilities Commission had selected several groups to invite. I think what they were trying to do was look at groups where they thought it would be advantageous and they were groups that could use the technology, embrace the technology, as part of their process. As a reminder, it's going to take a staff member, an additional staff member from either the IT or public relations -- not public relations -- the meetings, our meetings group, community relations, that will need to be present to assist as part of the process. And this particular ordinance will allow either a member of the public to attend any of these meetings or a -- the group itself to hold virtual meetings, which means a quorum is not present to be present in the room. Your current requirement is for there to be quorum present in the room, so this allows a quorum not to be present in the meeting room. It does require the chair and a staff member, at least one staff member, to be present in the room.

SKALA: And it does include public participation on a virtual basis.

THOMPSON: Correct.

PETERS: And it is a trial period for six months so then we should get a report back as to whether it works or not, or the issues that people have run into, or if people like it or if anybody uses it, really. I'm sure that YAC committee will.

THOMPSON: It does require a member of the public to give 24 hours notice in advance so that appropriate staff arrangements can be made. It allows for less than 24 hours notice and approval by the chair and liaison in the event that staffing can be provided, but if there are staffing obstacles then that request could be denied within that 24 hour window.

Susan Renee Carter, Traci Wilson-Kleekamp, and Rebecca Shaw spoke.

CARTER: Susan Renee Carter, 2105 Hillsborough Drive. I just wanted to make a couple of comments as I was reading through. So I noticed on one section it says, all members must keep their cameras on and have the ability to communicate, but then in e, which is right next to it -- the chat box comments will be disabled -- is understanding that if you're using this for accessibility that there are some people who cannot physically speak so you need to consider how they'll be able to communicate if they're allowed to do that in the meetings. Also, there's no provision for closed caption, which can be done on some of the virtual platforms, which is also another requirement, if you're going to make it accessible to people with disabilities. And thirdly, I want to point out, just from my own experience, is that not everyone's computer and not everyone's internet -- because we have poor internet in the City -- will allow you to have your camera on and also be on the platform. There's times when I'm in meetings where I have to turn my camera off or they can't hear what I'm saying when it's my time to talk, or I can't hear the other people because the connection is poor. So, before you approve that your saying is going to benefit the Disabilities Commission for people with disabilities -- is making sure that you've put together what you really need in order for it to be an accessible platform. Thank you.

WILSON-KLEEKAMP: Tracy Wilson-Kleekamp, Race Matters Friends. I just have a question, like, why can't we use Zoom? I don't understand. We use Zoom for our public meetings. People have to register and then we live stream. We also run closed captioning. We download the transcript. We make every effort to make sure that somebody that is visually impaired or whatever can access our meetings. So, you know -- and we pay for the service as an organization. So, I don't understand why we would be looking at something even as a trial that is exclusive in terms of its ability to be used by certain members of our community. So why would you -- why do you want to try something like that? I mean, the idea is, I thought, to have more people participate and for it to be accessible. That's why I thought we cared about equity and inclusion and all that stuff unless we're just talking about it out of ass. Thanks.

SHAW: Good evening, Rebecca Shaw, 2615 Vail Drive. I just want to say that I'm happy to see this on the agenda this evening. I'm happy to hear the conversation. I think it's something that is needed and has been asked for. Renee Powell just mentioned to me, out in the foyer, that they're having really big issues happening with paratransit right now, coming to the Transportation Commission. So, if we, as a City, cannot provide transportation for people who need to be at these meetings, then we need to have an alternative. Thanks.

The Council asked further questions and made comments.

SKALA: I guess I had a question for legal with respect some of the issues that were brought up. I mean, it was my understanding that part of the difficulty with doing these virtual meetings across the board had to do, not only with soft -- Zoom was not appropriate because it was inadequate to accomplish the kinds of goals, given the rules, that we -- that were established by state statute and so on in terms of legal meetings -- is that correct?

THOMPSON: So, Zoom webinar might be a product that's used. I don't know what the exact product is that the IT department has identified, but it's a webinar-type product where the participants in the meeting -- those who are the -- either board or commission members -- are pinned to the front page, and presentations can be on the front page. And you have attendees that are in the background. Those attendees are admitted into the meeting during the period of time in which they are speaking. And so, board or commission members who are actually attend them virtually -- their picture has to be -- and they have to be appearing -- as if in person so you see their face the entire time they're in the meeting. If they need to take a break and their camera goes off, they're presumed to have left the meeting. So it's a quorum issue for when someone's in the meeting or not. Persons who are members of the public who are attending the meeting don't have to have their camera on. As matter of fact, they don't really want their camera on except when for when they're giving public comment because it's not intended to distraction for the purposes of holding the meeting. And all the other accessible requirements will be met if they're able to be met, and if not, then we're going to have to find a different mechanism.

SKALA: And just one other question and that is -- that with respect to the comment period or -- the allowance of comments and whether or not they can -- we can take comment in the chat room, if you will -- is that a legitimate point that was made in terms of some folks may not be able to speak?

THOMPSON: Sure. So the purpose of disabling the chat box is much like how you maintain decorum during a meeting. What you don't want to have happen is comments flying across your screen which is what software allows these days -- is for people to post emojis and raise hands and do all those types of activities during your meeting. I mean, the purpose of this is to hold a meeting, which is for a board or commission. It's a business meeting.

SKALA: Right, but there is an opportunity to not use your voice and to type in a question.

THOMPSON: Sure. If somebody has a need for an accommodation to be able to type in their comments, then there would be need -- there would the ability to do that, but as a protocol, chat box is disabled for the meeting in general. Now, you know, depending upon what kind of meeting you're having -- if you're trying to get different kinds of feedback or public input, there might be a temporary enabling and then disabling, but as a standard protocol, they are -- chat boxes and emojis are disabled.

SKALA: Thank you.

PITZER: One question that I think I've asked you several times already. The see and be seen requirement -- that is specific to the City of Columbia?

THOMPSON: No. So that is specific to boards and commissions that have due process requirements. If you are holding a statutory public hearing, not public comment, but a statutory public hearing, much like you're going to do in a court of law.

PITZER: Okay. So, yeah, I mean, so I've seen like school board meetings and board of curator meetings where they are not all on screen at the same time.

THOMPSON: That's correct. So what we're trying to do is practice and get everybody, and see if we can get this technology. The best practice is to have everybody on the screen at the same time for a public meeting. That's best practice.

I would say not everyone is using best practice.

PITZER: Okay.

THOMPSON: That makes -- for lack of a better phrase.

FOWLER: Yes, I have a couple of comments here. So, this has been a difficult process going back to when Kate Graham first contacted me and sent a letter that she received from Troy Balthazor back in December of 2020, at a time when they realized that they were having difficulty reaching a quorum in the Disabilities Commission because of the significant health risks to their members. So here we are this many months later, after many iterations, and I clearly understand the concerns that were raised about what choice we're -- what software we're using, which I don't know the name of either, and some of the limitations of it. We have been struggling for months to get this up and running so we can figure out what works and what doesn't work, and it's not perfect yet. We were instructed by Nancy, the City Attorney, not to try and engage with the boards and commissions that have statutory requirements, like Planning and Zoning, Board of Adjustment, and so we instructed the Disabilities Commission to pick a small number -- I think we even told them to pick three -- to try this with. And they worked very intentionally to first find an organization that had a quorum, and again part of the problem and the reason why we brought this forward is because the difficulty of obtaining a quorum and that we wanted our boards and commissions to still be viable despite all the health restrictions that we are undertaking. I mean, we're still wearing masks, we're still sitting far apart, we still realize that we have a pandemic that jeopardizes people's health. So, this is not perfect by any means, but an enormous amount of work has gone into this by members of the Disabilities Committee. It has been a negotiation between the IT staff and the members of the Disabilities Commission on any number of issues, including the accessibility of our web site and the new website. And I would like us to forward, knowing that this is imperfect, so we can figure out where it is we need to make changes so we can be more open and available to members of our community who struggle to get here, whether it's paratransit or any number of other issues -- childcare, medical fragility, the fragile health of a family member -- any number of things that have been brought to our attention because of COVID. And so I'm going to vote to support this ordinance.

TREECE: What are the metrics by which pilot project will be evaluated in six months?

THOMPSON: We will provide you as much feedback as we can based upon the experiences and let Council decide if you want to expand it or continue the program or discontinue the program.

**B371-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: THOMAS, PITZER, PETERS, FOWLER, WANER, SKALA. VOTING NO: TREECE. Bill declared enacted, reading as follows:**

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.

The bill was given second reading by the City Clerk.

Utilities Director David Sorrell provided a staff report, and the Council asked questions to which staff responded.



SORRELL: David Sorrell, Director of Utilities. This is a proposed agreement with the Missouri Department of Social Services to be able for the City to accept funding for a low-income household water assistance program for families that are having problems paying their water or sewer bill. It's very similar to the LIHEAP agreements that we have with that department. This simply allows us to accept their funding. It would be administered by the Central Missouri Community Action, and the applicant would need to meet all the requirements to be eligible. And then if they're determined and eligible, they'll forward that money to us, and we would be able to accept it if we enter into this agreement.

FOWLER: Yes. I have a question. I don't know if Mr. Sorrell's the right person to answer that, but I see that Mr. Hollis is here and Director Browning is here. So, we received -- first of all, I'm delighted that we're facilitating this opportunity for our low income households. But we received a letter, a couple of letters -- one dated, January 6 2021 from the Human Rights Commission, then a subsequent letter dated January 12 from the Youth Advisory Council, and then a subsequent letter from May 12 of 2021 about some of the difficulties that our energy assistance, our electric assistance program, was causing to our residents because of water and sewer bills - - water, sewer, and trash, and I know we don't have trash accommodated for here. I'm wondering, if by asking Mr. Hollis and Director Browning -- does this alleviate that sort of -- people getting caught in the middle between -- they have -- they're being offered resources for their electric bill, but then because they have these other -- will these work? Have you looked at whether or not this is going to work well together because that was often preventing them from being able to accept electricity assistance?

BROWNING: Stephanie Browning, Director of Public Health and Human Services. We do believe that this will work well because that is a barrier if we can only accept the electric portion of the payment and they still have, you know, sewer or water. So, and we work closely with CMCA so I see this as being a win-win.

FOWLER: So, I think one of our difficulties before was that we wouldn't -- I'm not sure if it was we couldn't accept the money for electric if the other bills were still outstanding or CMCA couldn't transfer it on behalf of the individual household if the other bills were outstanding. And does that -- because we still have -- I mean, I'm not sure that if someone can qualify for electric, water, and sewer all under the same circumstances perhaps they can under the eligibility requirements -- but are we leaving another gap like we had before where people eligible would be eligible for one, but it still wouldn't clear their bill? Oh, somebody's here! Hi.

Stephanie White spoke.

WHITE: Stephanie White, Energy Program Manager with Central Missouri Community Action.

FOWLER: Thank you for being here.

WHITE: You're welcome. Thank you for the invite, first time. But yes, families would not be able -- we would not be able to make a pledge towards a family's utility bill until the water, trash, and sewer portion are paid. Now the LIHWAP program, unfortunately, won't start until February because there was a fire. So, I am still

accepting applications, but we are right now not doing anything with them because the system is not up and running so we can't do anything.

FOWLER: Oh dear.

WHITE: Right.

FOWLER: So now I'm going to add another layer to this and that is that the City has additional funding in its -- we had an additional \$300,000 left over from residual funds that we put into a different account as opposed to the HELP program that the City administered, and I wondered how well -- how does that fit into this picture, and that might be a Mr. Hollis question. Thank you for being here. I very much appreciate that.

HOLLIS: Steve Hollis, Human Services Manager, City/County Health and Human Services. So, we work closely with CMCA and we for years have been able to pay those other costs. So, in that case, typically a referral will be made. Now they need to be eligible for our program and there are some people that are not eligible for our programs that are eligible for CMCA. Generally, it's going to be single adults, non-disabled, non-elderly, so there are some people that fall in that gap. That's why this new program is going to be really handy. So, it will create kind of a seamless assistance for folks getting help from CMCA because they can get the entire bill paid. In the meantime, we'll just continue the relationship we have. Now, the additional monies -- just been really helpful because CASH and -- we're almost out of CASH actually. I just ran a report today, and those funds are dwindling. So, we basically run one utility assistance program with multiple funds sources so that the customers only see that we have a utility assistance program, but we do cover those electric, water, gas, sewer bill -- I'm sorry -- electric, sewer, water, and trash bills, not gas.

FOWLER: Yes, that's not a City --

HOLLIS: And so, that extra fund is blended seamlessly from the consumer perspective with the other funds under the utility assistance, kind of, banner. So, we'll just keep working with CMCA as we do now. So if they had somebody that had a big electric bill, and they needed the other portions paid, they could be referred to us, and hopefully they're eligible. And we're able to get folks processed very quickly. I think you had asked how much we'd spent of that \$300,000. It's just over \$100,000, which is pretty good because it's been three months. So, we've worked really hard to get those funds out there. And we've done a couple of things. It does let us get away from the 5-time lifetime limit on the HELP program, which is established in ordinance. It let us raise the income limit for 150 percent to 200 percent of poverty level, and it really just kind of gives us that money that we -- so, for example, it's possible we'd be running out of CASH next month. That is a distinct possibility, and so it'll let us keep helping households with older folks or folks with disabilities. So, it's been tremendous help.

FOWLER: Is it possible without being too burdensome on all the other things that you all are already doing to have an easy way of describing the interconnectedness of the these programs so people understand that they might be eligible for it, and not only that people understand, but the pastors understand and the other folks out there who are trying to help people who are struggling. Is that something that -- is it still too many words and too many, you know, layers to like well if it's this and then it's this and then it's this and then it's this and then maybe.

HOLLIS: Yeah, I think it's probably more complicated for us to talk about it than the

consumers. The consumers, generally -- we put out a Housing Assistance Guide that's quick and simple. I think from a consumer standpoint it's pretty generally understood that you go apply to CMCA in the winter and the summer, and that typically you're going to want to apply to our program once a year. It's fairly seamless. I think the folks that struggle are the folks that do get into a disconnect situation, and then it becomes kind of a crisis, and that's a challenge. So, that's why we did away with things like not requiring a disconnect because all those years we kind of forced people to be in crisis. So, now what we do is really work with the providers and customers to say hey, go apply for assistance before you get help. Now, the other thing that's happened is that they're greatly increasing LIHEAP so we're in -- I was telling Stephanie today, you know, -- relatively amazing shape when it comes to utility assistance based on my career. I mean we have exponentially more dollars available and that's only going to increase because of these increased federal dollars. So, I think it's pretty seamless. I think you'd also asked about the common eligibility system. We're going to pilot that internally, but we have an eye to expand that externally. And a great example would be -- one thing I spoken with Darren Pries about just recently. We've talked about over the years is -- if somebody went to CMCA and they had all their income information, couldn't they just make them eligible for our program? And those are the kinds of things we have in mind to make it easier for folks so that they can just simply help that person or even complete that application and send it over for us. We'd have every confidence that they're able to do to that. We can't do it in reverse because they need to keep documentation because it's federal dollars where as ours are local. And we feel there's an opportunity to partner with professional providers to actually do that eligibility for folks and then take one more step out of the way, so you could go to CMCA, turn in your stuff, and essentially apply for two programs at once.

FOWLER: And under this idea that we have common eligibility standards, which is something I'm keenly interested in, would that also then -- if we mirror our eligibility with CMCA's, would that also carry over to other programs within the City including paratransit eligibility? And I don't know all the other things that would reference, but the agreement that has to do with this particular assistance actually contemplates rate reduction, which I know, is not something we've talked about, but I circled it several times when I hit it in the agreement between the Missouri Department of Social Services Family Support Division and the City of Columbia. It talks about -- you don't need to be in disconnect or we will pay for reconnection expenses and it also contemplates rate reduction to existing and eligible households. Is that anything that's also part of those eligibility guidelines or criteria that we're working on?

HOLLIS: No, I don't think so. So, ours is just simply -- you could go to any of the programs in the City that require income based eligibility and show your information and get some sort of card. We're actually envisioning something pretty low tech because the tech immediately gets you into, you know, HIPPA issues and things like that. So, really, it's so, if you walk into WIC lets say, and showed your income, you might get a City eligibility card that shows your household size, check off which income level you're at, so that if you then went downtown to Parks and Rec and you wanted a scholarship for your child, you can show your card. When I started working on this before the pandemic, it was transit, Parks and Rec, and our

department. Transit's still free as far as I know so we would probably pull them back in if there's ever a fee and it's discounted in some way. For now, what we're generally looking at is generally Parks and Rec and our department. But even in our own department, we have a situation somebody could go to WIC, show their stuff, they've got to walk over to the clinic and show their stuff again. So we think there are some efficiency and some dignity be had for customer's there. And then, if we can work it out, we'd like to see if can do it with community partners.

FOWLER: Is it inconsistent to put paratransit into that mix?

TREECE: So, I want to keep this germane to 361 if I can.

FOWLER: Sure.

TREECE: Because I think we're getting really far off and I appreciate your questions. I think they're well intentioned. I think staff can come back to us on that, but I just for the sake of transparency and public hearing, I need to keep this focused on 361.

PITZER: So, on the utility assistance program, the email that you sent to us this afternoon -- so you mentioned you removed the 5-time limit on assistance, right? So --

HOLLIS: It still applies to HELP program cause it's an ordinance, but we're basically able to help people that have hit that limit because of the city utility assistance fund doesn't have that restriction. Does that make sense?

PITZER: So, under utility assistances, is there a 5-time limit or no?

HOLLIS: No

PITZER: No, okay.

HOLLIS: Under that specific fund.

PITZER: And then you said you raised the amount of annual assistance from 200 to 600? Is that correct?

HOLLIS: Correct.

PITZER: And what are the other the eligibilities guidelines under that program?

HOLLIS: It would -- still requires the basic requirement basically. Well for our program, Boone County, because we serve the entire County. So when we talk about our utilities assistance program, it's a suite of different funds.

PITZER: I'm talking about the -- so the program that we funded with the \$300,000.

HOLLIS: So it uses the same eligibility guidelines. In that case, they would need to be under 200 percent of poverty level. In that case, they would have to be a City utility customer, and they would either need to have children or be elderly or disabled or all three. Similar to the CASH and HELP general guidelines.

PITZER: Right. And then you said, you used an opt-out process and you went back and added \$400 to active accounts that had received an allocation in 2021 under the prior limit of \$200.

HOLLIS: Correct.

PITZER: What is the opt-out process?

HOLLIS: Basically, we just communicated with anybody got the assistance in writing and said if you do not want the additional assistance which is being made available to other people this year, then let us know and we won't apply that to your account. Obviously, it only went to active accounts and it went to folks who had already received assistance this year.

PITZER: Okay. Did you have many opt-outs?

HOLLIS: I don't think we had any.

PITZER: Okay, so I'm just wanting to make sure I understand. So that \$600 a year.

HOLLIS: Correct.

PITZER: Forever, until the money runs out.

HOLLIS: Well, we do -- have adjusted the amounts each year based just on -- there have been times where we were upwards over 600 -- I believe for the cash program in years past. We had so little money, we had gone down to \$200. From our perspective, it's something we'd want to maintain the ability to kind of adjust. We had the sense Council wanted to get the money out because it was a pandemic and due to the response so we did up that limit. I know Boone Electric -- we've been talking to Boone Electric about possibly upping their limit as well.

PITZER: Okay, thanks.

HOLLIS: You're welcome.

**B361-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: THOMAS, PITZER, PETERS, TREECE, FOWLER, WANER, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

## VII. CONSENT AGENDA

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

- 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).
- 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.
- 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.
- 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.
- R177-21 Setting a public hearing: proposed construction of Fire Station #10 to be located north of and west of St. Charles Road, at the bend with the intersection of E. Richland Road.
- R178-21 Declaring the results of the special election held on November 2, 2021 to extend the one-eighth of one percent local parks sales tax.
- R179-21 Accepting the donation of a gift card from Home Depot to be used by the Police Department for the purchase of outdoor tables and chairs.
- R180-21 Authorizing the City Manager to negotiate and execute a settlement agreement with SERC Reliability Corporation.
- R181-21 Authorizing a social services provider agreement with Columbia Interfaith Resource Center for emergency shelter services for homeless persons in isolation or quarantine; authorizing a business associate agreement for

social service providers.

- R182-21 Authorizing a tourism development sponsorship agreement with "We Always Swing," Inc. for the "We Always Swing"® Jazz Series: Season #27.
- R183-21 Amending Resolution No. 136-20 which established the Growth Impact Study Working Group to reduce membership and quorum requirements.
- R184-21 Authorizing a real estate contract with the J. Turner Jones Trust for the acquisition of property located at 11 N. Seventh Street.

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

### VIII. NEW BUSINESS

None.

### IX. INTRODUCTION AND FIRST READING

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

- B373-21 Reimposing a sales tax of one-eighth of one percent for the purpose of providing funding for local parks.
- B374-21 Voluntary annexation of property located on the east side of Bearfield Road and north of Woodhaven Road (4000 S. Bearfield Road); establishing permanent M-OF (Mixed-use Office) zoning (Case No. 304-2021).
- B375-21 Approving the PD Plan Major Revision for "Sonic of Columbia, Hyde Park" located on the east side of Buttonwood Drive and south of Nifong Boulevard (3700 Buttonwood Drive); approving a statement of intent (Case No. 214-2021).
- B376-21 Vacating a utility easement on Lot 1A within the Alpha Phi Subdivision Replat located on the east side of Providence Road (900 Providence Road) (Case No. 79-2021).
- B377-21 Vacating a utility easement on Lots 3 and 4 within Woodrail - Plat No. 6 located on the east side of Westcreek Circle (Case No. 297-2021).
- B378-21 Authorizing the acquisition of property for the proposed construction of Fire Station #10 to be located north of and west of St. Charles Road, at the bend with the intersection of E. Richland Road.
- B379-21 Authorizing a program services contract with the Missouri Department of Health and Senior Services for the overdose data to action program.
- B380-21 Authorizing an equitable sharing agreement and certification with the U.S. Department of Justice and U.S. Department of the Treasury detailing FY 2021 receipts and expenditures of shared funds by the Police Department.
- B381-21 Authorizing a memorandum of understanding with The Curators of the University of Missouri, on behalf of University of Missouri Healthcare, for medical support of law enforcement operations through the development of a Tactical EMS Program.

- B382-21 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant for a DWI traffic enforcement unit.
- B383-21 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant for DWI enforcement relating to sobriety checkpoints and saturation patrols.
- B384-21 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant for dedicated enforcement of hazardous moving violations.
- B385-21 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant to conduct special traffic enforcement of hazardous moving violations.
- B386-21 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a youth alcohol enforcement grant to conduct compliance checks.
- B387-21 Authorizing a first amendment to PCS antenna agreement and memorandum of first amendment to PCS antenna agreement with T-Mobile USA Tower LLC for the lease of City-owned property located at 1400 Ballenger Lane (Fire Station No. 5).

## X. REPORTS

- REP89-21 Go COMO Transit Alternative Fuel Follow-Up Report.

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

CREECH: Shane Creech, Interim Director of Public Works. Council authorized the execution of a cooperative agreement with the State of Washington for the purchase of city transit buses at the October 18 meeting with the understanding that staff would bring back a report before purchasing any additional compressed natural gas buses. The City previously leased nine early production BYD electric buses delivered in 2016 and 2017 that resulted in poor overall performance. The buses were returned to manufacturer in 2019. After extensive conversations with the vendor and improved training and maintenance support, the City purchased four BYD electric buses, currently in use, which we received in October of 2020. The data we've received today indicates they're performing well, but because of our history with previous BYD buses, we want to be confident that performance and reliability does not trend downward as the buses age. Therefore, staff requests an additional year of data gathering on the existing four BYD electric buses in order to determine their reliability and efficiency before we commit to adding more electric buses to our fleet. If all data confirms the current efficiency and reliability, all new buses will be electric going forward. Staff requests authorization to purchase three CNG buses and will prepare a comprehensive report of the electric buses performance and submit it to council prior to the purchase of any additional CNG buses going forward. Should Council still prefer the electric buses be purchased at this time, staff recommends authorization of the purchase of two BYD electric buses from the company directly due to the price point and staff comfort level. The



report also includes details regarding the cost of each type of bus. Happy to answer any questions you have.

TREECE: So I do want to point out to Council that prior to 4:00 p.m. today, we received some communication from the Sierra Club. You all should have had a chance to look at that, but they're basically asking for three things -- ask the City staff to complete the full lifecycle cost comparison for the CNG and electric bus options, specifically asked us to have a report on the future emissions impact of the buses alternatives, and three, ask the staff to conduct customer reference checks for electric buses that have been in service for more than one year, and provide it to us before we acquire any new buses. So I'll share that with you. Any discussion on where you think we should go. Staff is looking to move forward on this, but was waiting until they brought this back per our direction.

PETERS: I just have a question as to why three years versus four years of use? I mean if -- what makes four years -- you know, why do you want to look at these for four years versus three years? Do you see great -- well why?

CREECH: We only had the four electric buses for a total of one year, so we're asking for an additional year. So we've only had this new generation electric bus for a total of one year.

PETERS: Okay, you just had four buses for one year. So you want to look at them for two years?

GLASCOCK: Yep.

PETERS: Thanks.

GLASCOCK: So we had four buses, we had -- we sent back which were first generation buses. So, these are the new generations that we have. We want to see how they perform verses the first generation electric buses we had previously.

PETERS: And we have to replace these other buses this year?

CHREECH: We try to rotate through buses. They're -- you know, they're very expensive and so we try and replace two or three every year as funds allow. We wouldn't necessarily have to, but what we're wanting to replace are three diesel buses that are at the end of their usable life.

THOMAS: Yeah, you mentioned that the Sierra Club had requested three further pieces of information, and that those were the lifecycle costs, which would include the cost of energy to run the buses, which would show electric buses making considerable savings over the CNG buses, the emissions cost, which again would show the electric buses performing vastly better than the CNG buses, as well as recommendations or references for other customers with electric buses. The first two of those were supposed to be in this report. So, to my interpretation, this report isn't responsive. Whatever we decide to do in the purchase of buses, I was hoping to see those numbers based on your experience with electric buses, your research elsewhere. We need to start doing climate emissions analysis on everything that we do, so this would be a great way to get started. So I'm not really satisfied that the report responded to what Council asked for.

CREECH: And we can, you know, obviously, we can do more research and bring back more information. What's difficult is we had a brand new bus we've had for a year. There's a lot of moving parts in something like this -- topography in Columbia versus other places. So that bus -- the most we're going to have is one year of information. We can look at what electric buses -- we think they're going to do, but we don't know how much maintenance is in year 3, 4, 5 and 6. And so, really, we've

had great luck for one year. We want to see additional information before we spend money because we had such a bad experience the last time with same brand buses.

THOMAS: Yeah, I realize that there are always margins of error in any analyses and estimations, but I'd like to see those numbers with your estimated margin of error on those based on the limited access to data that you have.

GLASCOCK: So do you want us to use the old buses as well as data, and -- the ones we sent back?

THOMAS: Well, I think the goal is to project what you expect.

GLASCOCK: Well, I can project anything Mr. Thomas. I mean that's like a traffic study.

THOMAS: Using your engineering judgment and your professional experience.

WANER: My question was how quickly did the first buses that we received go bad, essentially?

GLASCOCK: I think they lasted three years.

WANER: Okay, so we're asking for -- we have a year's worth of data. Historically, we had a year's worth data before and it was still okay, but then it went downhill.

GLASCOCK: And I say three years in the fact that they didn't run for a whole year. I mean, some of them didn't run for a whole year.

CREECH: We broke a lease in 2019. So, the ones we had from 16 and 17 were so bad, we eventually broke a lease and that was a lot of out of service in time -- where we weren't using them. There weren't nine on the road all the time because there was always one on the shop. We had one burn up, you know.

WANER: Thank you.

PITZER: Yeah, I mean, I'm fine if we want to wait a year, another year, to do this. I mean it seems like that is fairly responsible and reasonable to make sure we have that data. The risk, of course, is that there are two buses with over 550,000 miles on them that you're looking to phase out and replace, and that you said it takes -- could take up to, I think, a year and a half to receive the buses after you order them. So, you know, waiting a year -- so that's two and a half years of potentially, you know, trying to run these 550,000 mile buses on them. So, you know, based on what we're hearing here, I wouldn't support going ahead with the electric busses now. You know, again, maybe in a year, but if we don't think it's worth the risk, then, you know, the CNG does meet a lower and no admission standards and it is consistent with the CAAP goals. So, you know, there's a lot of complications and moving parts as we progress toward a more electric fleet. There's probably going to be some stops and starts in there, and technology and vehicles and everything's going to develop rapidly here over the next several years. So, I'm not sure what the best answer is, but, certainly, I think waiting one year that's totally reasonable.

SKALA: I agree with that. And I also agree that with the diesel buses that we have -- those are emitters, heavy emitters, and CNG, although I got quite a bit of negative feedback about it in the days that we were anticipating having a CNG station and all the rest of it -- by suggesting that this was a bridge to renewables, which kind of irritated a lot of folks. Nonetheless I think that applies right now to in terms of this extra year and using this as a bridge to renewables and getting rid of the stink pots essentially.

TREECE: You know the other thing we could do is buy one CNG, one electric put them, both into service at the same time and have an apples to apples comparison

with number of days down and fuel costs, and an exhaust them both and just doing an endurance test on both.

THOMAS: It would be a perfect control. I'm surprised that -- it seems to me there should be a surplus of buses in the barn because before June 2019, we were running the black and gold routes, which each had two buses on them. Then we had about six of these circulators so we must have had ten buses or more in service just on the fixed routes, and now we only have six because we only have six fixed routes now with one bus on each so what happened to that surplus -- those extra buses that we had a few years ago? Have they all just kind of reached the end of their lives and --

TREECE: Did they cross over?

CREECH: I don't think so. I can tell you that I get a report every day of buses that are in for service and that runs from 8-10, you know, every day. Some of them go in and some go out. Some of them are the three that we're talking about replacing. But, you know, they're on the road all day, so they, you know, you can imagine -- and the electric buses, that's a new thing for everybody, you know. New for all the drivers, it's new for the mechanics, what they can do and what they can't do. You know, it's kind of like needing an electrician where used to just need a mechanic.

THOMAS: You've got three now that you've had for a couple of years -- over a year.

CREECH: One year.

THOMAS: I mean, it's not like it's going to be something new.

TREECE: What would council like to do?

PITZER: Well, I was just going to say, there's also -- in the infrastructure bill, there's also funding for electric vehicles and there's funding for public transit. And I don't know any of the details, but maybe six months from now, we'll know more details on it.

TREECE: Well, let's maybe wait.

PETERS: Well, the only thing I would be concerned about waiting on is that we seem to have a lot of trouble getting things now. I mean, you're talking a year or a year and a half so, -- and I think we have some obligation to try and make sure we have buses that actually run and it doesn't sound like we can replace them if all the sudden two of them break down. I mean, I realize --

CREECH: It's a year, a year and a half, and that's not taking into account supply chain issues that we talk about for a whole variety of things. So it could be longer. I've got no reason to believe that it will as we stand here today, but I didn't think we'd have issues with some of the stuff we're having issues with.

PETERS: So, I guess I would sort of think that maybe the mayor's recommendation of at least getting two buses in the pipeline, one electric and one CNG would be good. I mean waiting longer is okay, but we're not going to get the buses for a while. So, I think we need to have some obligation to the people that ride the buses, even if we have some marginal routes -- that we do have buses available.

THOMAS: I think we have pretty good ridership on the routes right now.

SKALA: The only flaw with a Mayor's suggestion -- a rather innovative suggestion I think is if you if you pitted a CNG bus with an electric bus for the first year, they probably both run pretty well. It's after the first year that the electric buses tend to fail and we have a record of how long the CNG buses last. So that -- I mean we have data for that one year pitted one against another, but not for the real data that we're after and that is the second year, the third year, or how many years.

PETERS: But, do we want to have -- do we want to order two CNG buses as opposed to three that -- I mean, we're trying to get away from this but we need buses.

SKALA: Right, and that -- I guess that I would tend to favor that approach -- that is to replace the really offending vehicles and the ones that are failing with some CNG until we have some data to support that electric buses will be reliable.

PETERS: Well, I would agree with that. You want to do two or three buses?

TREECE: Have we asked the drivers which they would prefer?

CREECH: Yes, we've talked to the drivers.

PETERS: And what do they say?

CREECH: What their -- it varies. Some don't like the way that the electric accelerate. They -- it's just a different -- if anyone's driven a Tesla or anything -- it's just a different feeling. So, I think that's mixed. You know, some really like -- I haven't heard too much complain about the CNG buses or the diesel buses. It's more about how the electric drive verses the other two -- is the thing in the limited time I've been in the role that I've been in.

Council Member Peters made a motion for the purchase of two CNG buses.

PETERS: And then see in a year how our current electric buses are working while trying to supply at least two new buses to keep the routes running.

The motion made Council Member Peters for the purchase of two CNG buses was seconded by Council Member Skala, and approved by voice vote with Council Member Thomas and Council Member Fowler voting no.

THOMAS: Just to clarify my no vote was wanted to see the analysis we asked for last time before we made a decision.

PETERS: Good point.

TREECE: I'd like to come back in six months too with -- and just see where we're at with incentives to purchase electric and as that technology changes -- yes, I know that -- and I wish you the best of luck on that decision.

REP90-21

Columbia Community Land Trust Administrative Services Agreement.

The Council asked questions and discussed the report.

TREECE: We did have a pre-council meeting about this. John, what direction do you need from us? Is this agreement?

GLASCOCK: Do we need anything? No, I think we've covered it at the work session. We're going to bring forward a year extension.

TREECE: And where are you - where is council on having some type of contribution up to and including the 25 percent service charge of approximately \$15,000 for staff? I doesn't -- we don't have to start it on the first month, but I just think that's part of the maturation of --

FOWLER: Is it per month?

TREECE: No.

FOWLER: Oh, thank God.

TREECE: I'm saying we don't have -- if we -- it doesn't have to be \$1,500 the very first

month. Maybe it's just something that they begin to budget for and get to that point, but if they can afford \$15,000 off the top. I mean, it's our money and their revenue, and I don't want to pinch them from the other things that they need to be doing, but I just think it's something they need to start incorporating into their budget.

FOWLER: It seems like they were amenable to that at the work session.

TREECE: I think that's right.

FOWLER: I think I heard that from Anthony, yes.

SKALA: The cost of independence.

TREECE: So, I'd just like -- that would be the only reflection of that ordinance and then to have an out or an assignability that if there's another partner that they want to pursue that there's some flexibility for us prior to the end of the 12 months. Are we good? Okay. Is there any objection?

SKALA: No.

## **XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Rick Shanker, Rebecca Shaw, Kristin Bowen, Traci Wilson-Kleekamp, James Gray, Mark Haim, Eugene Elkin, and December Harmon spoke, and the Council discussed various topics.

SHANKER: Hello, again, Rick Shanker, 1829 Cliff Drive. I spoke with Mike Griggs about this and also the Chief in regards to the neighborhood associations -- how important they are to our community. And the fact that during COVID, we haven't had a lot of neighborhoods that have facilities to have our association meetings in regards to social distancing and all the rest. And, I talked to Mike briefly about possibly opening up some of our facilities, for annual or biannual neighborhood association meetings, and I was curious to know if Council would consider talking to Mike about doing that. Obviously, we have to make sure that when we go in, they're clean -- when they leave, they are clean so we'd have to have trash bags -- if there would be a damage deposit required. Some neighborhood associations do have funds for that, some don't. Perhaps one of the council people that's involved with that neighborhood association could front that money out of their stipend and get it at the end. So that's what I would like the Council to consider obviously [inaudible] in terms of their money, but we want to protect the facility, and -- but at the same token, it would be a great thing for neighborhoods not to try and figure out places beside outside places to meet.

TREECE: I mean, I've been a lot of neighborhood association meetings and mine has met in this Chamber, mine has met in the Commission Chambers. I've been to some in, obviously in people's driveway and schools and churches. I mean, Shepard at Unity, Unitarian Church, and --

SHANKER: So are there -- some facilities charge. Are the council facilities open for the neighborhood associations?

TREECE: You know, I think it's a scheduling issue because there's something in this room almost every night of the week.

SHANKER: One of the problems we ran into.

TREECE: Yeah.

SHANKER: So, there's places like the pavilion over at Stephens that's really nice that could [inaudible] be used. And the neighborhood associations are one of the

reasons why some neighborhoods may or may not have more crime than the other. They may have more input into these meetings, God forbid.

TREECE: I'd rather have it be in a public building than a country club.

SHANKER: As long as drinks are served.

SKALA: Just kind of a question here. Don't we -- there are a couple of other rooms here. There's one around the corner. There use to be a room up in the mezzanine too, you know, in terms of public rooms that with -- depending on the volume of business and so on. It's another possibility.

SHANKER: Well, we couldn't ask the whole building to be open and have staff here to get us in and get us out. If we had something like the pavilion, we could get the key before the meeting, turn the key in 24 hours later. We don't expect the whole City to be open.

TREECE: Is Chief Jones here?

SHANKER: He was here, but with 4 hours of sleep in the last 24 hours, I hope he's going home.

TREECE: The Molly Bowden Neighborhood Policing Center has a community room that's available as well.

SHANKER: Who could we talk to uh --

TREECE: Chief Jones.

SHANKER: -- about different facilities. I mean, would Council consider talking to Parks.

TREECE: Yeah.

SHANKER: Thanks. The other thing I wanted to talk about next time is the public hearing signs that we see for different zoning and demolitions. Some of the signs indicate what the public hearing might be about, others don't. And I'd like to see consistency so we don't call the office and say, hey, what's this about? If it says demo, we know it's about. If it says rezoning? But, I'm going to get with Tim Teddy about that. So thank you.

TREECE: Chief, how does someone go about reserving the community room at Molly Bowden?

JONES: We don't have a process yet. We had a conversation about that last week and we're getting ready to open it up.

TREECE: Is there staff there 24 hours a day?

JONES: There's not, but we can make people available. We do have some technology to let people buzz in and out. Legal has the agreement made so that we can get it set up, so we'll be moving forward with that.

TREECE: I think we need to encourage, incentivize that in a public space. I mean, they're -- the City recognizes official neighborhood associations. They have to have bylaws. They have to have annual meetings and --

SKALA: Just like boards and commissions.

TREECE: It's good to strengthen them. It's an easy way to strengthen them.

SHAW: Rebecca Shaw, 2615 Vail Drive. So waking up Sunday morning to a text alert from MUPD about shots fired downtown again, and looking at the news to see that there was an officer involved shooting was not the way I thought my Sunday morning would go. And, I'll be honest, I first thought that it was really only a matter of time as many shots fired calls as our police have responded to in the last few months. Community members have been asking City leaders to do something

about community violence. Parents have spoken out about serious fighting and threats between students and local high schools at school board meetings. Advocate groups have come here to express frustration and have gone to Jefferson City and asked for our states gun laws to change. They've stressed that open carry laws are dangerous, especially mixed with alcohol at bars. We need the City Council and City leaders to do more than just go after low hanging fruit this time. Council Members, you can take away the liquor license from VibeZ, but that will not prevent the violence from moving down the street to a gas station or a liquor store, and the end result is only taking away an opportunity for a Black owned business. Chief Jones, you can say that people aren't cooperating and they want to look tough and not be snitches, or you can admit that some Black folks don't feel comfortable talking to the police because of the very real issue that they have felt targeted by and distrustful of the police. You all can keep going to the same stakeholders for input, or you can look at the resources already produced for you by the Mayor's Task Force on Community Violence and at programs other cities are successfully implementing like Cure Violence. Mayor Treece, you've joined the Mayors Against Illegal Guns group several years ago. Have you tapped into the resources that they have offered for cities that are customizable strategies to reduce gun violence? If the community and business owners are tired of the violence, then we need to do our part to make no guns allowed signs available to business owners and we need to empower those business owners to hang them and enforce them. We need to pressure our legislators to get rid of open carry and undo the Second Amendment Preservation Act. Anyone having ready access to a gun is more likely to use it -- that's statically known -- especially when mixed with the uninhibiting effects of alcohol. And our police need the ability to coordinate with federal agencies when gun violence is part of a case. We should ask our Health Department to declare gun violence a public health emergency and seek any available assistance this designation could bring. Finally, we have to look at the issue as a systemic one. No one solution is going to solve this, and this Council has the power and the resources to help and the community who is willing to do it with you.

BOWEN: Hi, my name is Kristin Bowen and I'm here speaking on behalf of the local group of Moms Demand Action for Gun Sense in America. We all know that gun violence has been on the rise here in Columbia. It has been on the rise for the past ten years. There was some recent reporting you may have seen in the Kansas City Star just about a week ago. Boone County had the second highest spike in gun deaths in the State at 133 percent over a recent ten year period, and we know that the pandemic has only made this situation worse, exacerbating some of the root causes of gun violence. And as other speakers have mentioned, our State's lax gun laws have not helped, and so we know in Moms Demand Action as we just heard -- we go to the capitol and we talk about our gun laws with lawmakers. We have some of the weakest gun laws in the country. And so the last time I was here to speak with you all in March, we talked about -- we warned about some of those extremist gun laws, and sadly the Second Amendment Preservation Act did pass, went into effect this summer, and we are seeing the result, which is that our local law enforcement is unable to cooperate with federal law enforcement to prosecute gun crimes. So, we've heard tonight from Race Matters, Friends and others that the City does have a plan to address gun violence -- one that was outlined in 2014 with

the Mayor's Task Force on Community Violence. It includes a few things that I want to underscore again. First is the idea of treating gun violence as a public health issue rather than one that's addressed only by policing. We've heard multiple times from our Mayor and our Chief that we -- this is a problem that we cannot arrest our way out of. We need to think of this problem as a public health problem. We want to talk about implementing a violence interrupters program that was in the plan and promoting greater public involvement in the Police Department's vision and their goals. So I won't touch on the things that you've already heard about tonight. I want to talk about what can be done on the local level. Our group is reaching out to Stephanie Browning to have meetings with City leadership to talk about programs that we know can work. You've heard mention of the Cure Violence program. It's one in which trained violence interrupters and outreach workers, not the police, prevent shootings and retaliations by mediating conflicts, identifying and treating the highest risk individuals, and working to change culture. You may have also seen reporting from some of Missouri's other largest cities just this weekend. This program, Cure Violence, is in place in varying degrees in Kansas City and St. Louis. This is something that we know is working. There's data to prove it, and we come to you, Moms Demand Action, our group, to work with the City to advocate for things that we know work in other parts of our State and the Nation. We would love to partner to share this information with you and to highlight what we know can work and is working in other parts of the State. We have other materials available to mayors who have taken the pledge to be in the organization Mayors Against Illegal Guns. We're also part of a larger group called Every Town for Gun Safety. There are resources available to us as a City through Every Town, not just those of us on the ground, but in national positions working on policy on this issue. So, I welcome the opportunity to continue this conversation and to come back after we've had some time talking with other City leaders about what can be done to implement Cure Violence. Thanks.

WILSON-KLEEKAMP: Tracy Wilson-Kleekamp, Race Matters Friends. I came away -- I thought about that press conference all day yesterday, and one thing that really irks me is -- we keep talking about, like, we need more police officers. You know, you could get 100 more police officers and you cannot compete with the number of guns we have on the streets. It's just a fact. We haven't done the work of lobbying against guns. We've actually done the opposite. We support the police and so that they aren't held accountable, but when it comes to our community, we just really are dragging our feet. I don't understand it. We keep saying -- and they also said in the press conference, we did everything that's in the Mayor's Task Force on Community Violence -- like we're supposed to have meetings once a year. Last year, we had a stakeholders group meeting, and I guess you guys dropped the ball on that -- that you're uncomfortable, you didn't like what happened or I don't -- you just keep moving on in your processes each time. We're not very good. We have really bad outcomes. But, you have the money, and for some reason people can get speed bumps faster than we can get money to do something about crime interventions. It makes no sense to me. So, I was not happy with that meeting of finger pointing and scapegoating, and telling people that they don't communicate and support the police and all that other kind of stuff. That was ridiculous. And it sounded racist to me too. Because we're really not consistent about doing those



press briefings. We're not consistent about who we call out about crime in town, but for some reason, we're going to call out Mr. R'Velle. It's very paternalistic to tell people we all have to work together while you're not spending money on the problem. So, I guess at the end of the day you're going to have to decide -- are you going to can actually do something or you keep spending money on speed bumps and signs, and not people. Unless what you're really saying -- we really don't care if these Black people keep dying because it's their fault. We over police them, and we under police them. So let's keep having shootings, and if it messes with our property downtown, we're going to get upset about it. I just, you know -- I don't know why anybody would want trust the Police Department. If they talk to people the way that they talked to them yesterday, I would tell all my friends not to talk to them. I thought that was outrageous. Throwing a Council Member under the bus when they're not here and no one says anything. Besides we have, you know, othering and misogyny and all that going on over here too. So just think about it. We have a crime problem because you've made a political decision not to spend money on community violence. That's on you. It's always the Council's fault.

GRAY: Reverend James Gray. We got all of these groups here in the City of Columbia. The problem is that we got these groups, and these groups are getting money, but none of them wants to be out doing the work. And I don't mind biting my tongue and seeing it. I don't mind. I work with Mothers Demand Action against it. We meet and we talk and we figure stuff out. We want to do stuff in the community, and then we get out there and do it. But then you get a lot of these organizations that's coward, and they don't want to get out, and then they want to blame everybody else, but they don't want to look at themselves. Yesterday, nobody was -- I threw somebody under the bus because I had folks calling me saying where was our council people at. And it wasn't about just the First Ward. It was about all of our wards because we all live in this community. We all pay taxes. We all want to see something done great. We don't want to see roundabouts. We don't want to see all of this. We want to be able to come downtown, walk down Broadway, walk in Douglass Park, walk in Stephens College. We want to do be able to do that and know that we could be safe, but to do that -- and then watch this -- I heard tonight a racism, racism -- and we need to talk about Black on Black crime. We need to talk that there's one young man that's dead, one young African American man that's going to jail, five other are in the hospital. Nobody here's talking about that. Nobody wants to get out in these streets because they're scared. And at the end of the day, my prayer is that the County and the City start giving organization money that's out there on the front line. We had a meeting the other night, Saturday night -- hearts of a mother, two mothers who lost their child. They left Columbia, not because of people, but because how people was not responding of what they need and that's to keep their other kids safe. Because we don't want to be a snitch, we don't want to do this -- it ain't about snitching. It's about giving money that we could do the right things. It's about start reaching our kids in elementary school. It's about mental illness and depression. It's about doing what's right at the end of the day. So we could get up here and we could point the fingers at one another. But let's stop pointing the fingers and let's get out here and let's solve the issue -- and the issue is everywhere in the City of Columbia, not just First Ward. Fifth Ward, Sixth Ward -- we got shootings all over. We just had a young man

killed up in the County last week, and that didn't come out for a couple days. Guns, alcohol, drugs does not mix. And then the other thing is there's nothing out after midnight but trouble. But let's don't sit up here and pretend this is a black thing, this is a white thing -- this is a Columbia thing. And then for all those that gets up and make excuses, look in the mirror and say are you a part of the problem or are you a part of the solution? Bless you all.

HAIM: [Mark Haim] I'm here on behalf of Missouri Peaceworks. I came -- I was listening to the meeting earlier, but I came over in time for the reports and was very disappointed in your response to reports and the response to Carolyn's email. I also sent an email on behalf of Peaceworks, which some of you might have seen. I don't know. But basically, I don't want to deal with water under the bridge -- decisions have already been made there. I do want to say that if you've been paying at all attention to the news the last couple of weeks, what happened in Glasgow was a debacle, and we failed to do what we really needed to do to bit the bullet and say we're going to actually make happen what needs to be happening, which is cutting our greenhouse gas emissions in half this decade. And, I just would like to urge the Council to, as we move forward, make Columbia an example for the rest of State, and even the rest of the Country. We can be a model city, dealing with our carbon emissions, our greenhouse gas emissions, and really set a tone that others can emulate. It involves doing things that involve making decisions that are based on lifecycle costs, on looking at carbon and other greenhouse gas emissions as part of the equation, not just the money end. It involves trying to think through - - do we really need to do this and if we do, what's the most effective way to do it that will reduce our carbon footprint, reduce our greenhouse gas emission footprint? And I'm thinking as I've said in previous times I've come to speak to you all about my grandchildren -- about what's going to happen when they grew up and their kids and their grandkids -- after I'm gone and those of us around the room here are gone -- what are we leaving for those who come after us? And right now, it doesn't look very good, and I understand the importance of dealing with immediate issues that are Columbia issues other than greenhouse gas emissions, other than climate change. I'm not in any way saying those things aren't really important and don't matter, but I am saying that we've got to prioritize our climate situation as a very top priority or we're really doing a huge disservice to the future of the planet. Thanks for your time.

ELKIN: Eugene Elkin, 3406 Range Line. I hope to cover a lot of territory that -- when I was speaking of -- I sometimes run things so you can't understand me. Boone Electric -- this subject is year one of homelessness. We have a killing. The death is north of Boone Electric. It's after church. What happened? I never learned. But the next year, that was my uncle that got shot. I'm going, okay. This past week, we've had two deaths for sure, and possibility three in the homeless community. One lady was our oldest living person that would come to Wilkes and was out here on the streets apparently. She was walking south on 63 and was hit by an automobile. Our other gentleman chose a lifestyle that took his life, meaning he's been out here with us for quite a while and we knew someday he could no longer live, and his life came to an end. You know I've talked negative to the word, or the subject of hand sanitizer. I do not know where the programming has come from, why people

don't listen when I speak. I don't want to cause trouble. I want to save lives. Benzene has just been discovered. If not an old story in hand sanitizer, benzene is a carcinogen. When I told you I was fifteen years in a nursing home setting, I never once got sick nor did I use hand sanitizer. You have got to communicate with each other and come to some agreement that Eugene might know just few things, and the reason I was first worried is -- how about alcohol in your blood stream? Everything we touch, the body absorbs, and hand sanitizer has that drying agent which destroys my hands -- let alone now that I know it's got a carcinogen in it. KFRU had a city manager interview. John Glasscock, I thought what little I could hear of it, I was impressed because the last time I got up here and talked was communications. If they could run that or rerun it at a later time, more people might get to find out some things that are happening. You're the city manager. You know what's clicking and here's how it is. Giving you a PR there. Walmart, I hate to say this piece, but our city people need jobs. Everybody agrees? Why do I say you agree, because tax revenue comes off of a person that works. He pays in and he also spends. Friday night they had five works at Conley Walmart, and Saturday night they had four workers. That store was becoming an absolute mess, and I'm not sure what's ahead, but I'm trying to explain -- when you look at the amount you pay per hour, are you all in alignment with what the cost of living is because I know you've been good at handing out raises. You don't -- you're not going to be here much longer, but does something need to be in place on an ongoing -- hey we need this annual 1 percent or half percent -- something that people know -- if you stay with this job you will have a reaping of your future hours with that company. Thank you.

HARMON: My name is December Harmon. I'm a new member of the Commission of Cultural Affairs and the Citizens Police Review Board. Though today, I'm just me. I didn't plan to speak today so I'm going to do my best here. Moms Demand Action, thank you. I'm sorry we don't -- I don't have the answers, but I did want to propose three radical ideas that at least might be a starting point on how we can deal with crime. I think part of the problem is that when you have poor people, crime is going to go up. I mean, that's just kind of a reality here. When Black people feel alienated by the police, they're not going to want to cooperate, and many people have mentioned that today. One of the first ideas that I would like to mention is that I think we should try to get -- I think we should try to get the police out of dealing with traffic violations, minor traffic violations. Other cities have done this. The State of Virginia has done this. They shifted that responsibility to unarmed civilians. They made it the Department of Transportation's responsibility. I think that would fairly promote people to -- it would make people feel safer. Another idea is -- I think we should get rid of traffic violation fines. I got a ticket last year. I was wrong and I accepted that, but, I mean, it nearly broke me. I think it was about \$150, and for some people that's nothing, but the big problem with tickets and stuff like that is that -- when you're poor, you can't just pay it off. When you have more money, it doesn't actually affect you. It really doesn't affect your day to day life, but when I have to figure out if I'm going to eat or risk going to jail for not paying or getting a warrant, you know, I mean, that's -- that heavily impacts your life. [Inaudible] I also think that we should shift some services away, again away from the Police Department and to mental health. I worked at the Salvation Army Harbor House. I've had to call the police, not because someone did anything particularly wrong,

but because he was sleeping outside because we didn't have any space for him inside, and I felt terrible about that. But we had the call -- and nothing bad happened with the police, but the police showed up, and we basically had to ask them to find another location for this man, and the next day he was back, and the next day and the next day, and I just feel like we should have better people, not better people, but people who are properly trained and people who can probably figure out what best we can do so that his cycle doesn't continue to keep going the way it's going. I'm out of time. I'm sorry, but thank you.

FOWLER: I want to thank Kristin and Rose, in particular, for being here to talk to the issues of community violence and prevention, and for the other folks who have spoken. I was able to stream the community briefing yesterday, and I followed up today with as many people as I could who were either there or who were mentioned. And because, before I came here and made a suggestion and an ask to Council, I wanted to talk with them to see if that was the next right thing from their perspective that I would ask us to do. So I reached out to Reverend Gray, who -- I think he's still in the hallway out there, to Mrs. Ratliff -- I called Kristin Bowen and Rose and got an update that they had already reached out to Director Browning. Pastor Woods was, or Bishop Woods was mentioned by Mrs. Ratliff, and I know Bishop Wood so I called him today. And I also reached out to another pastor who has a program in town working with young offenders because I think that we are at a place, given everything else that was said yesterday, and I'm not going to repeat everything that everybody talked about, where we need to pick up that report of the 2014 Mayor's Task Force on Community Violence and sit in a room with people who have the ability to bring other people along in the conversation, and I'm thinking about the Black pastors and the NAACP and the people here and Moms Demand and all their research that they have available and their connection statewide about Cure Violence and Aim for Peace, and bring everyone together. And let's talk about what we can do now with that report and with the fact that we are able to act with funds because of the American Rescue Plan Act. There's a lot of details I don't have about that, but I wanted to reach out to these folks and ask them before I came to you to ask us to do that, and I've already asked Councilperson Waner if she would assist me in trying to find some shape to that and to bring people together, and that's my ask today.

TREECE: Council thoughts?

THOMAS: I support that. And we did -- I really appreciated Kristin's comments in particular. There is a growing field of research in violence interruption and effective ways to do that. We actually tried with a small program here several years ago under the previous city manager, and hired two community members to work, I think, partly hand in hand with the police and go door to door in those three identified neighborhoods, and it wasn't a highly structured program, but the anecdotal reports I heard were very good. And I think it was along the general lines that more evidence driven programs are conducted now in other cities. So I think that going through the recommendations of the Task Force and having staff research best practices in violence prevention on that public health model would really inform the work that Stephanie and Steve are doing in coming up with proposals for the American Rescue Plan Fund.

SKALA: Yeah, I mean this -- I think it's great idea. I mean I think we ought to get together and bring folks together. I'm currently involved with the National League

of Cities current summit of cities this week, and they have a virtual summit. They're meeting in many in Salt Lake City, if you will. And this is one of the very important topics that many of the 2000 cities that belong to this group, including this community, are -- is at the top of their agenda. They too have some resources, some of which have been offered by some of the folks that have testified here -- as an example, some of what's going on in St. Louis and Kansas City. But there's lots of other resources, and I think to add that voice as well as an national resource to this discussion along with what some of these folks have been talking about, very weighty issues in terms of community violence, would be a very useful exercise.

TREECE: Do we want to talk about this again, or is this council ready to release the funds for community violence and direct the city manager to do an RFP to have a robust proposal for us to look at?

FOWLER: I don't think that's the right approach, Mayor. I think that we should [inaudible] that report and sit with the people who are experiencing this because -- their pastors, their family members, their community members -- and talk about where we are, and ask the community what's the next right thing. Not suggesting we have a big process, but we have a report that all of us have read multiple times. I don't think -- I think it may be we get to a place with an RFP, but I think that the events of the last 48 hours, which had you here at a very early hour and have robbed our police chief of sleep substantially over the last two days, are significant enough that I don't want us to predetermine an outcome without giving people who care deeply about these issues, who have been involved in efforts in the past, the opportunity to come together and to talk with each other about what's the next right thing to do. And after that, what's the next right thing to do, and after what's the next right thing to do.

WANER: How do we balance the need to address things right now when we're being told by the public you're sitting on money and you need to do something with it, up against the decision to make evidence based decisions when there's a litany of resources out there that says, you know -- I'm looking at the CityGRIP website right now that Every Town for Gun Safety, which has a ridiculous amount of resources where you can apply these different jurisdictional filters to say these are evidence based programming that could work in our community -- how do we balance all of those things up against the need to get additional community input too? That's my question because I think it is fair to say that we are sitting on money and we do need to be doing something. How do we get that? How do we move past this continual process of saying, no, we need more community engagement, no, we need a RFP -- how do we move past that because it's clear we need to? There's a shooting every weekend. Our cops are tired, our people are tired. People are dying. We can't just sit here.

SKALA: We need to do both of those things.

WANER: Yeah.

SKALA: Simultaneously.

WANER: So, how do we do that?

PETERS: Could we see about convening, as Ms. Fowler says, you know, the group, the local group of people that -- we already have this report. I'm not sure how much more public engagement we need, but we do need to talk to the people that can help us determine how to move forward. Could we perhaps do like a half day conference or half day group or whatever, you know, convene this group for half a

day -- go through the Mayor's Task Force with people that are engaged, and try and identify what we can do locally with the money we have, what RFPs we might need to send out, what other information we need -- and try and do that like -- I hate to say in the next two weeks since we have Thanksgiving showing up around there, but in the next two weeks, you know, or three weeks, before the next city council meeting -- see if we can get a group together. We might get, not as much data as we want. We might get more done. I mean, we have a lot of resources. Why don't we get the local resources together with the Task Force that we have, the report we have, and spend an afternoon just hammering out what we can do, and what people think will work and, and see if we can come up with a plan -- and then if we need to do an RFP, you know -- I don't -- see what we get

FOWLER: And then report back, yes. I think that's a great idea. I think that's -- I think we have the capacity to do that with the folks that have already started that work before. And, speaking to Pastor Woods, he said, "do you remember Silence the Violence in 2012," and I had to think about it because I hadn't thought about it in so long. But those are folks within his congregation and within his network that had that experience in 2012, and they will come to this meeting. So, let's do exactly what you just said, Betsy.

WANER: Could we have somebody facilitate that?

PETERS: And say we need -- then we need the nuts and bolts. Do we need Public Health, do we need a facilitator.

FOWLER: So give us -- we can work it out. We can work it out, yeah.

PETERS: I think. We can try.

FOWLER: Andrea Waner has a lot of capacity. She can help me -- as far as ideas and network and people and insight, I think that we could figure this out and we could bring these people together with us. I'm not suggesting -- it's -- all of us have to be there, and then we'll see what the next right thing to do is.

TREECE: Scheduling issue.

PETERS: Well, Tuesday, the 30th of November or the 2nd of December, it's a Tuesday or a Thursday.

FOWLER: We got a lot of people to ask, and make sure it works for them. You know, I don't want to presuppose anything. I'm willing to do the work and to ask other people to help -- with their ideas and their connections and their phone numbers and their email addresses and everything else that has to happen.

PETERS: Maybe we should ask Public Health if they could -- I don't know if they're still here at this hour -- but if they could facilitate that. John, do you think that would be -- would they be the right people to?

GLASCOCK: I will ask.

PETERS: Maybe Public Health and our Chief, and then pick an afternoon before the next city council meeting -- preferably after Thanksgiving. I guess the nice thing is we have three weeks before the next city council meeting. See what we can get done.

TREECE: Do you have anything else?

TREECE: At our previous city council meeting, we adopted a resolution to create the ward reapportionment committee and council members made their appointments this week. I announced that on Friday, but we do need to take action at a public meeting and I'm pleased to announce that Erica Ascani, Melissa DeBartolomeo, Kip

Kendrick, Wiley Miller, Jeanne Mihail, Terry Smith will form the Ward Reapportionment Committee chaired by Dr. Tracy Greever-Rice, and so now that we can read that into the record -- and I appreciate Council's diligence in making those appointments.

## **XII. ADJOURNMENT**

Mayor Treece adjourned the meeting without objection at 11:26 p.m.