



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, July 19, 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 7:00 p.m. on Monday, July 19, 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 PAT FOWLER, Council Member ANDREA WANER, Council Member KARL SKALA, Council Member IAN THOMAS, Council Member MATT PITZER, Council Member BETSY PETERS, and Mayor BRIAN TREECE were present. City Manager John Glascock, City Counselor Nancy Thompson, Deputy City Clerk Donna Whatley, and various Department Heads and Staff Members were also present.

The minutes of the regular meeting of June 7, 2021 were approved unanimously by voice vote on a motion by Skala and a second by Waner.

The minutes of the regular meeting of June 21, 2021 were approved unanimously by voice vote on a motion by Skala and a second by Waner.

Treece explained the minutes were not yet complete for the July 6, 2021 regular meeting.

Fowler asked that R123-21 be moved from the consent agenda to new business as she had a process question.

Thomas asked that R127-21 be moved from the consent agenda to new business.

The agenda, including the consent agenda with R123-21 and R127-21 being moved to new business, was approved unanimously by voice vote on a motion by Treece and a second by Skala.

#### II. SPECIAL ITEMS

None.

#### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC7-21 Board and Commission Applicants.

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

##### BICYCLE/PEDESTRIAN COMMISSION

Boyd, Elke, 2004 N. Parklawn Court, Ward 2, Term to expire July 31, 2024

Elliott, Carol, 2502 Spanish Bay Drive, Ward 2, Term to expire July 31, 2024

Hotaling, Jackson, 214 St. Joseph Street, Apt. 202, Ward 1, Term to expire July 31, 2024

Schmidt, Frank, 505 Silver Thorne Drive, Ward 4, Term to expire July 31, 2024

##### BUILDING CONSTRUCTION CODES COMMISSION

Carlson, Kas, 204 Peach Way, Suite E (Business), Ward 5, Term to expire August 1, 2024

Kaisher, Ray, 15011 Larry Lane, Boone County, Term to expire August 1, 2024  
Muzzy, Doug, 2202 Potomac Drive, Ward 4, Term to expire August 1, 2024  
Neyens, John, 6406 Shallow River Drive, Ward 6, Term to expire August 1, 2024  
Page, John, 8391 Forest Creek Drive, Boone County, Term to expire August 1, 2024  
Wallace, Andrew, 302 Campusview Drive, Suite 209 (Business), Ward 6, Term to expire August 1, 2024

Treece explained he was not yet ready to make an appointment to the Columbia Housing Authority Board because he had not had the opportunity to interview one of the applicants. Whatley asked if the vacancy should be readvertised. Treece replied no.

COMMISSION ON CULTURAL AFFAIRS STANDING COMMITTEE ON PUBLIC ART

Spear, David, 2607 Burrwood Drive, Ward 5, Term to expire July 1, 2024

COMMISSION ON HUMAN RIGHTS

Villamil, Astrid, 1020 Lakeside Drive, Ward 4, Term to expire March 1, 2023

COMMUNITY LAND TRUST ORGANIZATION BOARD

Trotter, Jeremy, 1108 Rear Coats Street, Ward 1, Term to expire December 1, 2021

HUMAN SERVICES COMMISSION

Tomlinson, Stephan, 1711 Kassem Drive, Ward 3, Term to expire December 31, 2023

PUBLIC TRANSIT ADVISORY COMMISSION

Hamilton, Shaunda, 120 N. Keene Street, Apt. D, Ward 3, Term to expire March 1, 2024

RAILROAD ADVISORY BOARD

Moak, Steven, 4199 State Road H, Calloway County, Term to expire July 15, 2025

YOUTH ADVISORY COUNCIL

Nistala, Savy, Ward 5, Term to expire June 1, 2022

Sample, Charles, Ward 3, Term to expire June 1, 2022

#### IV. SCHEDULED PUBLIC COMMENT

SPC37-21 William Easley - The law and the garbage.

William Easley explained he was asked to take a dog with a defective leash and had been cited for it when someone had called the Humane Society. Easley stated he had pleaded not guilty because it had been a faulty dog leash, and planned to take it to the Supreme Court if necessary. Easley noted the City did not stop fast cars, fireworks, etc. Easley pointed out the person that had hit a student recently had been bailed out, and did not think that would have happened if that person had been black. Easley felt that if the police officer that had run over the four-year old had been black or if it had been him, they would have been on death row. Easley stated he only wanted a fair hearing. Easley noted the garbage situation was bad and there was trash in the streets, and that they planned to get new people elected. Easley commented that he felt he should have never been cited, and suggested the focus be on fast drivers and fireworks.

SPC38-21 Traci Wilson-Kleekamp - What is equity and inclusion and why does it matter now?

Traci Wilson-Kleekamp explained she planned to tell a story in honor Derrick Bell, the founder of critical race theories and the author of *Faces at the Bottom of the Well*, and theologian Marcus Borg, who wrote *Meeting Jesus Again for the First Time*, which

referred to the politics of compassion. Wilson-Kleekamp read from *Building a House for Diversity*, a fable about a giraffe and an elephant by R. Roosevelt Thomas, Jr., that offered new strategies for today's workforce. Wilson-Kleekamp referred to the Council as the giraffes and the public as the elephants for the purposes of this conversation. Wilson-Kleekamp explained a giraffe had built a new home that had met the specification of his family, which included soaring ceilings, tall doorways, and narrow hallways. The home had been built so well that it had won the National Giraffe Home of the Year Award. One day, when working in his state of the art woodshop in the basement, the giraffe saw the elephant he had worked with in the past that was also good woodworker and invited him to his home to see his shop. When the elephant tried to enter the basement, he could only get his head in the door. Luckily, the door was expandable to accommodate the woodshop equipment, and the elephant was able to enter. Later, the giraffe had to take a call upstairs, and when the elephant tried to join him, the stairs started to crack causing him to jump back and fall against a wall, which then began to crumble. The giraffe felt the solution to the problem was to make the elephant slimmer and less heavy by taking aerobic and other classes to lose weight, but the elephant was not convinced as he was not sure a house designed for a giraffe would ever really work for an elephant. Wilson-Kleekamp noted the giraffe and the elephant formed a diversity mixture of animals and were similar in important ways. They lived in the same neighborhood, shared a woodworking interest, and had a congenial attitude toward each other. They were however different in several critical ways, to include their size and weight. Wilson-Kleekamp commented that the experiences of the giraffe and elephant illustrated the essential ways business organizations chose to deal with diversity, such as affirmative action, understanding differences, and diversity management. When the giraffe invited the elephant to visit, he had made a special effort to help by widening the door. Wilson-Kleekamp noted that was affirmative action as it focused on inclusion and called for special action to correct historical imbalances. The giraffe invited the elephant because he enjoyed his company and wanted to know him better, and the elephant had accepted the invitation for the same reasons. Wilson-Kleekamp stated that involved understanding differences, which focused on relationships. When the visit proved disastrous, the giraffe had proposed several corrective actions for the elephant to take, but the elephant resisted taking on the full burden of making the necessary changes since the house could also be modified. This two-way perspective was referred to as diversity management, and sought to seek an environment that accessed the talents of all participants. Wilson-Kleekamp commented that the members of the dominant component, the giraffes, were the people in control. They or their ancestors built the house, and they had decided the policies and procedures along with the underlying assumptions for success and the established systems to reflect those assumptions. They knew the unwritten rules for success because they had created them. They knew how to play the game so they could win. They also had a major voice in who was allowed to enter the organization and whether they would succeed or be merely tolerated. Subordinate component members, the elephants, had little or no power. They were the newcomers or outsiders. They lacked insider knowledge. Thus, they had to figure out the unwritten rules for success and make the necessary adaptations. Their own intrinsic needs were not incorporated into the organization's environment and they felt pressure to ignore them or set them aside. Wilson-Kleekamp noted the moral of the story was that equity was the ability to manage tension and differences. It was not just about racial numbers in populations. It was about being able to tackle the hard questions while keeping everyone at the table, and asking themselves who they had not invited historically to help solve these problems. They were tough issues that required an equity lens of whether their house big enough for everyone.

SPC39-21

Rebecca Shaw - American Rescue Funds and City Budget.

Rebecca Shaw explained she was speaking for herself as well as for COMO for Progress. Shaw commented that her daughter had collected cash through her birthday and other

events over the past year, and was finally ready to spend her money. Shaw had asked her daughter to hurry and choose an item after about 20 minutes at Once Upon a Child, and her daughter had chosen a bag with a Barbie and a car. As they walked to the cash register, Shaw noticed the energy her daughter had previously had fallen away so she asked her daughter if that was really what she had wanted, and her daughter indicated it was not and asked if they could go back and look again. They started looking again, and Shaw noticed a familiar box on the top shelf that had been out of her daughter's reach and eyesight that had an OMG doll in it. Shaw showed it to her daughter who then grabbed it and ran for the cash register. Shaw explained she shared this story as a way to emphasize the good that could come from exercising a little patience on her part and a little restraint on the part of her daughter.

Shaw urged the Council to plan for an authentic community engagement process with regard to the American Rescue Plan Act (ARPA) funds the City had received. Shaw understood the urgency to move funds quickly to those in need as the money appropriated in the second round of funds had only recently reached the agencies that had applied for it and the third round would take time to get through the bureaucracy. Shaw asked the Council look broadly and purposefully at getting ARPA funds to those with the most needs. Shaw felt this was an historic opportunity to undo the persistent racial and economic inequities which were both exposed and worsened by the pandemic. A boost in income, supports, and programs would help households pay for rent, food, and childcare, reduce the number of unsheltered people, and assist those facing severe hardships. By investing in mental health services, the City could improve support for those with substance abuse challenges and reduce contact with police and the criminal justice system, which would increase the safety of black and brown people. The shifting of public resources toward helping people rather than punishing them would lay the groundwork for more productive, permanent policy approaches in communities. Shaw provided helping children catch up on unfinished learning to boost their long-term employment opportunities and productivity and eliminating base fines for City services based on financial ability to allow families and individuals to pay for actual use and not just disconnect and reconnect fees as examples. Shaw suggested seeking input from residents, especially from the communities most harmed, as committing to a robust community engagement process could maximize the benefits of the aid. Shaw also suggested the establishment and empowerment of oversight committees with members from the communities that had been the most harmed. Shaw noted plans for outreach and education around application assistance were critical, and believed the City should take particular care to design outreach efforts focused on people with unique challenges, such as those with disabilities or immigrants and their family members who might face language or other barriers or misplaced concerns that receiving help could affect their immigration status or ability to stay in the country. Shaw urged the City to reach out to groups like Central Latino, City of Refuge, and Missouri Disability Empowerment, send teams to laundromats, childcare centers, and pharmacies to educate people on where assistance can be found, and create or expand emergency assistance programs to help families with needs not met by other relief measures. Shaw noted those programs could help families pay for car repairs, insurance, or unmet medical or dental needs that kept individuals from looking for work. Shaw suggested they increase support for school-based social services as the COVID crisis showed the need to make investments in broadband. Internet access was also essential for adults seeking jobs, healthcare, government service, and civic opportunities. Shaw stated they supported the use of some rescue plans to help the City provide fiber access to the wider community even though she did not see people on the side of the road with a sign asking for help because they had no internet. Shaw believed they needed to prioritize the basic needs, i.e., food, shelter, and clothing, and be certain the majority of these funds were used to meet the needs of vulnerable residents.

SPC40-21      Peggy Placier - Robust civic engagement process relating to ARP spending and capital improvement projects.

Peggy Placier commented that when she had last spoken to the Council it had been in support of the comments of Shaw in terms of public engagement in the ARPA process, as the needs were many. Placier felt they needed to come up with a process for identifying, locating, and hearing from their most affected citizens. Placier believed another plan that could benefit from public engagement was the Capital Improvement Project (CIP) list from the City departments. As a member of the Planning and Zoning Commission (PZC), she had been able to see a summary of what the departments were proposing, but the PZC work session had not been televised or recorded for the public, many of whom would be affected by those projects in good or bad ways. Placier stated the CIP approval process was coming up so quickly that public input seemed unlikely without Council action as it was likely to crash up against the budget process. Placier noted the redrawing of ward boundaries was another example. Placier commented that Columbia had a pattern of creating a hodge-podge of processes for public engagement, a different process for every issue. For community policing, there had been a listening tour, ward-based meetings, a series of meetings at Second Baptist Church, and a couple of reports. They had sometimes hired consultants or had established task forces whose reports languished on the shelves. Now, they had bulleted lists from a public information officer. Placier proposed they get out of the cycle of issue-by-issue and process-by-process decision-making and move to something more democratic by developing a robust process for decentralized public engagement that could be triggered whenever a decision warranted more than an email to a council member, attending a meeting, or signing up for a scheduled public comment. Placier noted other cities had done this and that she would send the Council links. Placier explained the City could develop a structure and culture for public engagement that avoided ad-hoc decisions. One possible structural change could be to create a group adopted by the Council that would create a grassroots process that included budgeting and staffing. Placier pointed out some cities had created commissions on public engagement. Placier stated staff and Council could scan each ward for neighborhood meeting places, organizations, and community leaders via accessible forms of technology that could facilitate an inclusive process. Placier believed this should entail a lot of footwork and outreach. Placier commented that neighborhoods with associations were ahead of the game, and wondered if more could be added. If a process were invoked, enough time should be allowed for it to work well, but there should also be a deadline. Placier felt that over time, decentralized citizen involvement could become a thing that did not happen only at the City's behest when some big issue was looming as it could involve long-term visioning for each neighborhood. Placier explained the cultural changes required were for each department to be imbued with an ethic that public engagement was crucial to their effectiveness. It should not be optional nor symbolic. Plans should be transparent and feedback should be welcomed. Placier quoted the *Public Engagement Guide* from Fort Collins, Colorado, which said "never underestimate the level of public interest in your project," and stated she would add, "never resent the level of public interest in your project. The city belongs to all of us."

SPC41-21      Kyle Rieman - Citizen concerns on pay and equity issues and ordinance 19-84.

Kyle Rieman withdrew his request to speak.

**V. PUBLIC HEARINGS**

PH28-21      Proposed design and construction of an additional electrical generation unit at the Landfill Gas Electric Generation Plant; providing for construction of the proposed improvement using a design/build contract.

PH28-21 was read by the Deputy City Clerk.

Utilities Director Dave Sorrell provided a staff report.

Treece opened the public hearing.

Thomas Jensen, Chair of the Water and Light Advisory Board (WLAB), commented that approximately two years ago, when the Council had unanimously opposed a renewable natural gas proposal, a member of the WLAB had come to the meeting to explain that they had endorsed moving forward with the study by a vote of three to one. That member had been opposed to it and had shared the reasons he had been opposed, but had not shared the reasons the WLAB had been in favor of it. Jensen noted that when he had read through the minutes, he had learned three members of the Mayor's Task Force on Climate Action and Adaptation Planning (MTFCAAP) had spoken against it as well claiming it was not the best thing for the environment. Jensen explained what the WLAB had discussed was that it was precisely the best move for the environment. Jensen explained the entire plan was to create a natural gas plant that would produce natural gas that could be used in vehicles to replace much dirtier emissions. It had a displacement effect that was not neutral, and was the right way to go if the primary concern was the environment. Jensen understood a lot of the concern that day had been due to a market that depended on subsidies from some states, so it was sound reasoning to not proceed with the study, but since then, the markets for wind, which was a revenue source, had doubled, and the market for low carbon fuel sources had stabilized, at least in California. Jensen pointed out that if they had built the plant back then, it would have generated \$2.6 million more per year. They would have been just short of \$8 million instead of being at \$5.4 million. Jensen noted they were not reliant on California any more, although they were still in the market along with Oregon, Washington, and the entire nation of Canada. In addition, New Mexico, Minnesota, and New York were on the verge. Jensen stated he hoped this would come back around for discussion because they could pay for two and one-half of the generating units in just one year. Jensen hoped they would tap the brakes and reconsider the study, and pointed out it had not been an endorsement of the construction itself, but an endorsement to look into it further.

Treece asked Jensen if he was wanted the Council to pause this item. Jensen replied his impression was that they had never intended to retire the landfill gas plant itself as it could be held in abeyance to generate revenue for capacity if nothing else. Jensen stated he did not want to miss the potential to bring in money that the utility could use.

Thomas asked Jensen if he knew of any research as to how much methane escaped into the atmosphere as he understood methane was a much more damaging greenhouse gas than carbon dioxide. Jensen stated that was correct. It was 23 to 24 times worse in its impact, but if it was refined and burned, as the key was combustion, a broad scale of fossil fuels would be displaced. Jensen explained he could not comment on what was not being captured as he would have to leave that to the experts, but thought they could learn from those experts from further studies, which was what he was advocating.

Thomas asked for Jensen's thoughts on an alternative approach of keeping all organic matter out of the landfill by composting it so that the carbon was converted to carbon dioxide instead of methane. Jensen replied he understood that was the stance of the Sierra Club and he was all for less pollution.

Thomas understood Jensen thought the gas capture system at the landfill was worthy. Jensen replied he could not speak to the gas capture system, but preferred the burning to be done in California and for Columbia to be paid if that was the route taken. Jensen pointed out it could result in a lot of money since the market participants were fleet

vehicle operators, such as Amazon, FedEx, and UPS. Jensen stated he did not have a problem with the City generating revenue from private businesses in far-flung places that needed what we had. Thomas felt they were talking about two different things. Jensen agreed and stated he did not have the answers, which was why he was suggesting it be studied.

Skala understood there was always the capacity to expand since they had four cells and only three had capture vehicles. Skala thought it was better to capture some of this with the capture processes they had and even expand some of the capture processes so as not to release this aggressive methane into the atmosphere without doing anything about it. Skala felt it would also allow the opportunity to collect money to fuel the process for renewable responsibility. Jensen stated he agreed, and pointed out the projected plan and its associated finances, which were very preliminary, relied on the future expansion of the landfill. As they pursued a cleaner environment, there were very few things they would encounter that would pay for themselves very quickly and could generate revenue. Jensen explained he was not opposed to landfill gas, but wanted the Council to know the WLAB had not lost their minds the day they had endorsed taking the next step.

Treece asked if the WLAB concurred with the comments of Jensen. Treece wondered if Jensen was speaking for himself or was explaining a conversation he had with the WLAB. Jensen replied the last time this was discussed was when the WLAB had been asked to endorse the idea of a public hearing, and he had indicated he was in favor of the public hearing so they could discuss what they had not had the chance to discuss previously so the WLAB knew he had planned to mention this to the Council.

Christine Gardener, 112 Anderson Avenue, commented this was a sore point for her as she felt the process was a boondoggle since it did not follow the natural order in principles, which were to reduce, reuse, and recycle to keep things out of the landfill. Gardener understood this process encouraged placing usable materials, such as top soil and other organics, in the landfill. Gardener thought it would be better to keep those things out and to instead build a cell for construction and demolition of items that did not need to be in a sealed landfill cell, such as concrete and wood. Gardener believed that would save money and keep resources out of a very expensive process. Gardener noted she had composted for 50 years and explained it was common knowledge that one did not compost in a hole in the ground as it caused all sorts of problems to compost in windrows on the surface. Gardener stated she was curious as to how many biodynamic landfills had been created since it did not seem like it was a booming new process. Gardener thought they were on the outlier of a dead end and felt they should get out.

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

**Pitzer made a motion directing staff to proceed with the design and construction of Unit #4 at the Landfill Gas Electric Generation Plant. The motion was seconded by Skala and approved unanimously by voice vote.**

PH29-21 Proposed development of the MKT Wetlands project located southeast of the Scott Boulevard Trailhead and the MKT Trail to include construction of two (2) wetland cells, wooden boardwalk with a lookout deck and bench seating, and a gravel trail and grass trails.

Discussion shown with B217-21.

B217-21 Authorizing development of the MKT Wetlands project located southeast of the Scott Boulevard Trailhead and the MKT Trail to include construction of two (2) wetland cells, wooden boardwalk with a lookout deck and bench seating, and a gravel trail and grass trails; calling for bids for a portion of the project through the Purchasing Division.

PH29-21 was read by the Deputy City Clerk, and B217-21 was given second reading by the Deputy City Clerk.

Parks and Recreation Director Mike Griggs provided a staff report.

Pitzer asked if this would help with some of the flooding in the area during heavy rains. Griggs replied it would help control stormwater because the water would be collected in the pools and then slowly released downstream. Griggs noted it was mainly for water quality. Pitzer understood the area by Jay Dix Station would still flood. Griggs agreed it probably would.

Skala explained he was the Council liaison for the Hinkson Creek CAM Stakeholder group and asked if there had been any contact with that group on any of these projects in terms of how they might mitigate problems associated Hinkson Creek. Griggs replied he did not know. Skala suggested they talk to that group since they were interested in mitigating these issues. Griggs stated they would if they had not already.

Treece opened the public hearing.

Treece noted written comment had been received from Barney Combs, 2902 Trailside Drive, asking the City to consider naming this wetland project after Henry Kirklin, a man of color that had worked with the University of Missouri School of Agriculture. Treece noted Griggs had responded by explaining a name had already been selected as a result of a contribution, but that there could be other opportunities in the future, specifically related to agriculture, whereby this request might be considered. Treece stated he thought that was an appropriate request of recognition.

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

**B217-21 was given third reading by the Deputy City Clerk with the vote recorded as follows: VOTING YES: FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS, TREECE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

## **VI. OLD BUSINESS**

B205-21

Amending Ordinance No. 024284 to extend the administrative delay in the enforcement of land use and business regulations related to short-term rentals to January 31, 2022.

The bill was given second reading by the Deputy City Clerk.

Community Development Director Teddy provided a staff report.

Treece asked for the time frame by which an ordinance that was prepared from ideas from the Planning and Zoning Commission (PZC) would come forward. Teddy replied he expected the PZC would start on it now and have a report to Council before this delay expired in six months. Treece wondered why they were starting now since Council had referred it to the PZC previously. Teddy explained they did not have a concrete product to present at this point.

Fowler stated there were two statements in the ordinance that appeared to be the opinions of staff. In the third whereas statement after "the City Council finds that," Fowler wanted to strike the segment, "although significant progress has been made," as she felt it was the opinion of staff. In the fifth whereas statement, Fowler thought the phrase "is necessary and will not cause irreparable harm" was a statement in and of itself. Fowler took issue with the phrase "in the best interest of the citizens...to promote and protect the public health, safety and general welfare" as it was also an opinion statement. Fowler understood they were trying to give their processes more time to work and felt those phrases confused the legislative history going forward. Fowler suggested removing the language in the middle so they went from "is necessary" immediately to "and will not cause irreparable harm." Treece asked for clarification. Fowler replied she wanted the fifth whereas to read "is necessary and will not cause irreparable harm." Treece understood Fowler wanted to delete "and in the best interest of the citizens of the City of Columbia to promote and protect the public health, safety and general welfare of the city." Fowler agreed and noted that seemed like a specific finding they were not making. They were extending an administrative delay in order to deal with the very challenging, substantive issues involved in the drafting of the short-term rental ordinance.



Fowler made a motion to amend B205-21 by rewording the third and fifth whereas statements as previously indicated. The motion died for the lack of a second.

Skala felt the first deletion described by Fowler was reasonable, but did not agree with the second deletion because he thought they always tried to proceed in the best interest of the public even if they did not always succeed. Skala thought that was more of a goal statement than an opinion.

**Fowler made a motion to amend B205-21 by removing “although significant progress has been made” from the third whereas statement. The motion was seconded by Skala and approved unanimously by voice vote.**

**B205-21, as amended, was given third reading by the Deputy City Clerk with the vote recorded as follows: VOTING YES: FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS, TREECE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

B206-21 Granting a design adjustment relating to the proposed Final Plat of Cherry Street Hotel located on the northwest corner of the intersection of Cherry Street and Hitt Street (1005 Cherry Street) to allow reduced utility easement dedications (Case No. 157-2021).

Discussion shown with B209-21.

B207-21 Approving the Final Plat of “Cherry Street Hotel” located on the northwest corner of the intersection of Cherry Street and Hitt Street (1005 Cherry Street); authorizing a performance contract (Case No. 157-2021).

Discussion shown with B209-21.

B208-21 Authorizing a development agreement with Cherry Street Hotel, LLC to establish public infrastructure obligations associated with construction of a new hotel on property located on the northwest corner of the intersection of Cherry Street and Hitt Street (1005 Cherry Street).

Discussion shown with B209-21.

B209-21 Authorizing a memorandum and agreement of lease of parking rights with Cherry Street Hotel, LLC to establish terms and conditions for the provision of parking spaces in the Tenth and Cherry Municipal Parking Garage.

The bills were given second reading by the Deputy City Clerk.

Teddy provided a staff report.

Treece asked if the City’s ordinances required any parking requirement as a condition of approving the final plat. Teddy replied no, and explained they were separate issues so the plat could stand on its own. Teddy commented that although it had been presented to them as something to facilitate the development as a hotel, it would meet their standards in any case. Treece understood the Unified Development Code (UDC) did not require on-site parking for that location. Teddy stated on-site parking was not required for a hotel or any kind of commercial use. The only exception was a one-half space per bedroom for new residential structures that had more than 20 bedrooms.

Thomas understood there would be a 66-foot right-of-way for Hitt Street. Teddy clarified they would provide a half-width section that would be equivalent to 33 feet from the centerline and would enable the 66 feet. Teddy pointed out that was the right-of-way dimensions on both Cherry Street and Tenth Street. Thomas asked how the 66 feet was allocated when a street was fully built. Teddy replied it consisted of two moving lanes, parking lanes, and a sidewalk for the downtown area. Thomas understood that included

the tree wells as well. Teddy stated that was correct. Thomas thought building-to-building on Hitt Street was about 40 feet or less as it felt crowded when walking along that sidewalk. Thomas understood enacting 66 feet for the whole street would require the building north of the subject site to be demolished, and if that happened, the right-of-way would be required when the site was redeveloped. Teddy agreed. Thomas commented that he did not always support the long-term visions for right-of-way width, but was okay with it in this case.

Thomas asked what boundary was marked by the 30-foot radius circle truncation in the corner. Teddy replied it was the property line. Teddy noted it was not necessarily indicative of how the roadway intersection would be configured. Thomas understood a curve would not necessarily be built on that corner. Teddy explained it enabled corner improvements whether on the pedestrian side or the street and movement side. Thomas asked for the intent of that rule. Teddy replied it was to allow an appropriate maneuvering space around corners. Teddy explained large vehicles sometimes needed a little more turn radius. A 66-foot right-of-way might include two 12-foot moving lanes and two eight-foot parking lanes, which totaled 40 feet, and if there were also two 10-foot sidewalks, it would only leave a small amount of space to spare. Teddy believed 66 feet was a good standard to have in the downtown. Thomas understood this action would not define how the curve would be built on that corner. Teddy stated it would not, and pointed out that would be a function of site planning and street work. Teddy explained the concept attached to the development agreement had what was known as a bulb-out to allow maneuvering for people to exit and unload vehicles. It was basically a loading zone. The curb line then flared back toward the center of the street to make a wider sidewalk on either side. Thomas commented that the problem with a larger radius curve was that vehicles could take the corner at higher speeds making it difficult for pedestrians to cross.

Thomas understood, currently, there were no available permits or reserved spaces for the garage. Teddy stated it was at capacity. Thomas asked if they were going to go on a waiting list for the 99 spaces behind those who were already on the list. Public Works Director David Nichols replied they would go to the front of the list. Thomas felt that seemed harsh to those who were already on the list and might have been on it for a while. Thomas understood 31 spaces would be off-limits to anyone, even permit holders. Nichols stated that was correct as those spaces would be reserved specifically for the hotel.

Pitzer asked who would be removed for the 31 spaces that would be reserved just for the hotel. Nichols replied those would be taken from the hourly parking as it was proposed now. Pitzer asked for clarification regarding the permits. Nichols replied the agreement required the purchase of permits that were turned in by others until the garage was built, and upon the 90-day notification of final occupancy, the City would be required to make arrangements for the rest of the parking spaces. Pitzer asked how that would be done. Nichols replied they would probably not renew permits. Pitzer asked how they would decide who would not be renewed. Nichols replied it would probably be based on those with shortest terms. Pitzer asked if that had ever been done before. Nichols replied not to his knowledge.

Pitzer asked for the background on how the two existing downtown hotels had arrived at their parking solutions and for the number of spaces they used in the City garages. Nichols replied the parking for the Broadway Hotel had been a part of the Tax Increment Financing (TIF) agreement whereby it was arranged as the project progressed. Pitzer understood they had arranged for the leasing of certain spaces in a City garage. Nichols stated that was correct. Pitzer asked for the number of spaces involved. Nichols replied the Broadway Hotel currently had 107 permits, 36 reserved for valet, and 10 service lots on the street around the structure. Pitzer asked how many spaces the Tiger Hotel had. Nichols replied he thought they had 49 that were used for valet.

Peters asked how many parking spaces were in the Cherry Street garage. Nichols replied

276. Peters asked how many of the 276 were for permit parking. Nichols replied 164. Peters understood that left a little over 100 hourly spaces. Nichols stated there were 112 hourly spaces. Peters understood 99 of the 164 permitted parking spots would roll over to the hotel. Nichols clarified 68 permit spaces and 31 hourly spaces would roll over to the hotel. Peters asked if the hourly parking spaces were being used. Nichols replied yes. Peters asked what would be the recommendation to those who used the hourly spaces to visit the nearby businesses if the spaces were no longer available. Nichols replied the remaining hourly spaces would be available on a first come, first serve basis. Peters asked if the permit spaces were mainly taken by the Brookside apartments. Nichols replied the 10th and Locust, LLC, which was Brookside, had 67 spots, BMT of Columbia, LLC, had 37 spots, Cherry Street had 12 spots, The Rise had 17 spots, Hitt and Broadway, LLC, had three spots, Grove Construction had two spots, and Greenwood Development had seven spots.

Fowler understood the circumstances for which the permits were extended to the Broadway Hotel had to do with who initially owned the land under the Short Street garage. Fowler asked if the City had purchased or swapped for that land with the developer. Treece replied the developer had owned the land where the Short Street garage was now. The City purchased that land and then used taxpayer debt to build a parking garage, and leased 107 plus another 36 spots to the Broadway Hotel. Treece commented that the Broadway Hotel had the City's cash, debt, and parking spots, and also charged their residents \$19 per night to park in those spots. Fowler asked if that was a part of the agreement when selling the land to the City. Treece replied that was before his time. Fowler thought it had something to do with the terms under which the land was purchased by the City. Treece agreed it was clearly part of the global package to subsidize the project.

Fowler stated she was concerned with the idea that current permits would not be renewed as part of this agreement.

Jack Cardetti explained he was representing the developer, Cherry Street, LLC, and the property manager, Real Equity Management. Cardetti commented that this would be an AC Marriott Hotel, and they were designed for downtown urban settings where restaurants and shopping were right outside the front door. Cardetti noted the only one in Missouri was in the Westport area of Kansas City, and pointed out they were popular in Europe. Cardetti stated they were not asking for a subsidy from taxpayers, which was unlike the other two downtown hotels that had \$7 million in TIF subsidies plus arrangements with the City to access parking in adjacent City garages. Cardetti noted the parking agreement with the Broadway Hotel had involved 139 parking spots for 114 rooms. Cardetti stated they were only asking for 99 parking spots for their 140 rooms, which was 70 percent. Cardetti pointed out the hotel-only parking for the Broadway Hotel was at ground level. The hotel-only spaces they were requesting would be at the top of the garage in the open air. Cardetti stated this would be Columbia's first downtown hotel that was not publicly subsidized. Cardetti commented that even though they thought this project would be eligible for a \$2-\$3 million TIF, they did not think that was a good idea for Columbia long term. They did, however, need a parking arrangement with the City, and had worked with staff for about a year to determine how to get there. Cardetti explained their timeline was such that they would start construction next spring, and it would take about 18 months to build. This would allow for more than two years to accumulate the parking spots as they became available. Cardetti was not sure the scenario of someone having to give up a pass would exist since there would be plenty of time to accrue those spots. Cardetti commented that they felt it would be really good for Columbia to have a third hotel downtown for family and business travelers, and it would be a good deal for the taxpayers to have a privately financed hotel of a really high quality that allowed travelers to shop and eat in the downtown area.

Thomas asked if the project would move forward if the parking agreement was not approved. Cardetti replied no because the parking was key. Cardetti reiterated the

Broadway Hotel had 139 spots for 114 rooms, and this would involve 99 spots for 140 rooms. In addition, they were not asking for a subsidy. Cardetti stated the lack of parking would cause them to pull this project back and look for another use.

Peters asked why they thought a third hotel was needed in the downtown. Cardetti replied they thought downtown Columbia was the jewel of mid-Missouri. It was one of the best entertainment districts with great shopping and some of the best restaurants anywhere in Missouri. In addition, the hotels were packed for all types of weekends, such as during graduation and the Show-Me State games. Cardetti noted people booked hotels in Jefferson City for the Mizzou football games. Cardetti reiterated they felt there was a need, and explained that although the last 15 months had not been great for hotels, this would be built for the long term.

Pitzer asked if they had considered parking options other than this City garage. Cardetti replied they had looked at engineering it within the site, but it just would not work. Cardetti pointed out the other two hotels were not only subsidized, but were analogous with a parking garage just across the street. Cardetti understood they were leaving \$2-\$3 million dollars on the table through a TIF, and reiterated the parking was a key to the project. Pitzer asked if on-site parking could not physically be done or if it was due to the cost. Cardetti replied there were problems with both. Cardetti explained it was not a huge tract of land, and parking just did not work as a part of this project. Pitzer asked if they had estimated the cost to build a garage if it were possible. Cardetti replied it would have eliminated too many rooms and was not financially viable. Pitzer asked if they had considered building the garage underground. Cardetti replied building an underground garage in Columbia was not financially viable. Pitzer asked if they had estimated a cost for it. Cardetti replied he did not have those figures. Pitzer asked if there was a rule of thumb for how much a parking spot was worth or would cost. Pitzer explained parking spots were often bought and sold in cities with privately owned garages. Cardetti stated there was not really a market for that in Columbia. It was seen in St. Louis and Kansas City, but not Columbia so he did not have those figures. Cardetti pointed out the parking spots would be leased immediately under this arrangement, even during the building phase, and the payments to the City would be about \$110,000 per year.

Pitzer understood Cardetti had made comparisons to the other hotels and noted the Broadway Hotel had leased spaces that had not existed prior to the hotel being there. Pitzer asked if the Tiger Hotel had utilized parking spaces during construction. Cardetti replied he did not know.

Pitzer understood this project was being proposed by the same developer that had built the Brookside complex, which had 67 spaces. Cardetti stated that was correct. Pitzer asked if Brookside intended to renew those 67 permits. Cardetti replied some of the Brookside complex had been sold recently so he was not sure. Pitzer asked Cardetti if it would be a problem if Brookside lost some of those 67 spaces. Cardetti replied not necessarily as long as they still met the parking requirements under the UDC, which he thought was one space for every two beds. Teddy commented that if the 10th and Locust, LLC, was in reference to the Locust Street apartments, he thought they had been built prior to the UDC. He also thought a small parking lot had been built across the street. Nichols replied research by his staff had not shown there was a parking mandate for the 10th and Locust, LLC, and he was not familiar with how those 67 spaces were acquired.

Pitzer understood permit holders would be randomly crossed off the list and asked if the City would set aside people that were required to have parking in order to have their downtown apartments. Nichols replied they would not want to break a previous agreement with those who were required to have parking, but they would look at those that did not have that requirement. Pitzer understood there was a smaller subset of people that would lose their permits. Nichols agreed and stated he was not sure how many on the list were required to have parking in the garage as part of their developments. Cardetti stated that if the parking spaces were not required for the Brookside complex and they had reached the two-year mark whereby the City had to provide parking, they would work with the City

to accomplish that.

Fowler recalled a surface parking lot being converted to a three-story parking garage when the Brookside apartments on College Avenue were built, and asked if that was a fair characterization. Cardetti replied he had not represented the developer at that time, but did not have any reason to dispute that. Fowler asked if the Brookside Downtown apartments were built before the Brookside apartments on College Avenue. Cardetti replied yes. Fowler asked if the Brookside development team, regardless of what limited liability company they were under, had approached Missouri United Methodist Church with an arrangement to buy the land the church used for parking and for the church to rent spaces in the Cherry Street garage. Cardetti replied he did not know. Fowler thought that had been the case because she had been at the meeting when it had been discussed. Fowler asked if Brookside had arranged to lease parking on a City-owned surface parking lot to accommodate the residential structures that fronted on Tenth Street. Cardetti replied yes.

Fowler stated the development team appeared to be highly sophisticated in acquiring parking when it was needed, and thus, it felt awkward to put citizens and current permit holders at a disadvantage in order to enable a highly sophisticated organization to take those spots. Cardetti pointed out the other two hotels had not been able to figure out parking either as both had agreements with the City for their spots while also being publically subsidized.

Fowler commented that if they estimated the cost of each parking spot at \$20,000, which she believed was low, the cost for 99 spots would be about \$1.9 million, and that felt like a subsidy. In addition, they would disadvantage current permit holders and the downtown businesses that relied on available hourly parking to keep a steady stream of people coming into their businesses. Fowler pointed out the congregations of the historic downtown churches also relied upon an open number of parking spaces to attract and keep congregants. Cardetti explained that from a business perspective they had looked at the market for downtown hotels along with the parking arrangements of their two competitors. The Broadway Hotel arrangement was very good for that developer. It involved far more spots than rooms as well as the best spots in that garage, and they were receiving \$5.2 million in public subsidies. Cardetti thought this project was carrying its load since it would be privately financed. They would bring more people to downtown establishments. Cardetti felt this was a better deal for the citizens of Columbia than the two existing downtown hotels.

Peter Norgard, 1602 Hinkson Avenue, stated he was concerned about the 100 cars that would have to go somewhere else as they would not stay in the downtown or go into the 20-story garage. Norgard felt they would likely go into the Benton Stephens, North Central Arts District, and other neighborhoods where they were not wanted. Norgard commented that after listening to Cardetti, it appeared that the corporations were running the town, and the Council was in the unenviable position of deciding whether they wanted money and prestige for Columbia or if they wanted the citizens to have a community in which they could live. Norgard thought the small businesses that surrounded the parking garage in question and the neighborhoods that surrounded the downtown district would be up in arms if this moved forward. Norgard felt this would only benefit those from out of town that were visiting Columbia. Norgard agreed this would be good for Columbia's economy and downtown businesses, but it would not be good for the average Columbian. Norgard stated he did not have a problem with the development, but hoped the Council would deny the parking agreement as it was unreasonable.

Jackson Hotaling, 214 St. Joseph Street, commented that he was excited to hear other people were up in arms with regard to the parking issue as there was way too much of it. Hotaling referred to an image of the parking garage along with an image utilizing Google Maps and noted he did not see many cars utilizing it. Hotaling felt there were too many wasted open parking spaces. Hotaling stated he was fine with the development if more parking did not need to be built to accommodate the hotel as he did not believe parking

garages and hundreds of parking spots lining the street were attractive. Hotaling explained he had moved to Columbia in order to walk and bike, and reiterated he believed there was already too much parking.

Laura Wacker, 1617 Paris Road, stated she was sorry these rich people had bought such a small space that they could not build a garage on it or would not be able to make money without taking from the citizens. Wacker explained the garage was built with the money of Columbia citizens and believed it should be used by those citizens. Wacker noted it was hard to find parking in that garage, and did not feel it was reasonable to give them hourly spaces since those were well used. Wacker assumed the City made more money renting hourly spaces than the monthly spaces, and if not, she thought they should reconsider the way things were done. Wacker commented that providing the hotel a cheaper way to get those parking spaces rather than buying them hourly like everyone else was not what the citizens wanted. Wacker reiterated they were working with the citizens' dollars, and hoped the Council would preserve what they had built for the citizens.

Jeff Stack, Sexton Avenue, commented that Cardetti had indicated this proposal was alluring because no public money was being requested, but he wondered how much time City staff had spent trying to accommodate the Marriott. Stack stated he felt this was the squandering of public resources when they had other urgent needs like the homeless or helping those that were mentally ill. Stack understood the Council could not put the time into a public input process for the ARPA funds because they had to deal with the City budget, which he agreed was important, and suggested they permanently dump this old business item in order to provide time to at least address the \$12 million in ARPA funding as there were urgent needs in the community, especially with winter coming. Stack believed people were cynical about this process because the interests of the corporate elite were driving the business of the Council. Stack stated he supported small capitalism, but did not support this. Stack felt there were plenty of hotel rooms in the downtown and suggested this hotel rent some parking spaces from the Broadway Hotel or have valet service to drive to other City parking locations, such as the garage across from the post office. Stack reiterated he was not in favor of the City putting any more energy into this effort.

Mary Samuelson, Wilson Avenue, stated she did not feel it was good practice to call out the flaws of other companies, and that it was weak to make comparisons as it made it sound like they were admitting to doing something bad and just saying it was not as bad as others. Samuelson thought there were alternatives that were not being explored, such as utilizing parking spots outside of the downtown via shuttle services. Samuelson felt that if Disney World could do it, they could as well. Samuelson noted those who visited Columbia and stayed downtown did not need their cars since everything was within walking distance, and because they would not need their cars often, it would not be that terrible to have shuttle service to a garage that was ten minutes away. Samuelson also suggested providing shuttle services to University of Missouri basketball and football games.

Traci Wilson-Kleekamp referred to her earlier analogy about the giraffe and the elephant, and stated the difficulty for head giraffes who desired to encourage change was that the corporate culture in established business organizations was so pervasive it was hard to identify what needed to change. Wilson-Kleekamp believed it was problematic to build for people that might come when there was so much need involving those that already lived here. Wilson-Kleekamp stated it did not make sense and felt as though they had emptied out their souls for money. If the Council really wanted to have an equity lens, Wilson-Kleekamp believed this project was a great opportunity to assess how they were keeping the elephants out of the house.

Rita Fleischmann, 1602 Hinkson Avenue, commented that the Benton Stephens neighborhood had been inundated by development and cars, to include cars that were parked for a long time. Fleischmann wanted the Council to take this situation seriously

because people were going to park where they wanted and for as long as they wanted. Fleischmann noted she and Norgard, the neighborhood association president, were always calling the police to ticket those cars that had not been moved, to include some that had not been moved for as long as a month. Fleischmann stated the Council needed to think about this because they, as citizens, would do the same when they voted. Fleischmann explained they expected the Council to make communities better versus making development better as there were more important things in life than money.

Nickie Davis, 11 S. Tenth Street, explained she was the Executive Director of the Downtown Community Improvement District (CID) and noted she had sent the Council a letter. Davis commented that the focus of the CID was with regard to parking, and not necessarily the hotel. The garage in question was very well utilized and this issue had not been reviewed by the Parking Advisory Commission (PAC). Davis stated the CID wanted more information from the PAC on this subject as well as information relating to the gate arms in the garage before they could say whether they supported this.

Glyn Laverick, 23 S. Eighth Street, stated he was the owner and developer of the Tiger Hotel and noted the parking spaces that would be rented for this proposed development were at least 15 percent cheaper than the ones currently being rented by the Tiger Hotel. Laverick understood the developer had almost simultaneously purchased this lot and two others lots on Locust Street with houses on them, which had since been leveled and turned into a parking lot. Laverick felt a multi-level structure could be placed at that location. Laverick commented that the ability for the developer to go to the top of the list was significant to him because he had to lease spaces one at a time as they became available from the bottom of the list, and even during the construction period when they were not needed so they would be available by the time the hotel opened. Laverick stated he had not seen research in the reports about the impact on the downtown business if hourly and reserved spaces were taken away in terms of not only the consumers and guests, but also the employees, who they were trying to push into parking garages as opposed to on-street parking. Laverick thought this issue was significant for some of the businesses this particular developer indicated he was looking to help as they would also simultaneously be taking that opportunity away. Laverick commented that the Tiger Hotel property had now been open for many years and they had seen a principal reduction on their TIF. It was now less than 10 percent of the total value, i.e. less than \$150,000 in terms of principal pay down on the TIF. It was not quite the millions of dollars the developer had suggested had come their way.

Laverick understood Treece had received approximately \$20,000 during his last campaign from companies related to the Odle's, and asked if he would recuse himself from the vote this evening. Treece replied no.

Treece suggested they address each ordinance one at a time and that they start with the ordinance involving the design adjustments.

Skala noted he did not have any problem with the building itself or the design adjustments, but had significant problems with the parking issue.

**B206-21 was given third reading by the Deputy City Clerk with the vote recorded as follows: VOTING YES: FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS, TREECE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

Fowler understood the PZC voted 5-4 against the plat due to the parking issue, and stated she was also concerned that approving the plat would committed them to certain aspects pertaining to parking. Fowler asked for clarification as to whether approval of the plat was related to or disconnected from the parking issue. Fowler understood Teddy had indicated it was disconnected in response to a prior question. Treece noted he had asked if there was a requirement within the UDC or their ordinances that parking be included in the final plat, and understood there was no requirement. It was disconnected.

**B207-21 was given third reading by the Deputy City Clerk with the vote recorded as follows: VOTING YES: FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS, TREECE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

Thomas asked for a refresher from staff as to the main terms of the development agreement. Teddy replied they had requested permission to build a drop-off lane or loading zone within the additional street right-of-way. It would be the place where customers would initially leave their vehicles in front of the hotel and would include a valet stand. If the Council approved the plat with the additional right-of-way and disapproved the development agreement, it would just result excess right-of-way. Teddy explained that was the main purpose of the development agreement, and a secondary purpose was to state there would be improvements in the alley in the form of additional paving to widen it, which could be beneficial for service vehicles.

Fowler understood the development agreement did not have any attachment or linkage to the request for parking. Teddy stated that was correct.

**B208-21 was given third reading by the Deputy City Clerk with the vote recorded as follows: VOTING YES: FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS, TREECE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

Thomas commented that there were several issues involving the parking proposal. Thomas noted concern in terms of fairness for those who already owned a parking permit but might lose it, those on the waiting list to obtain a parking permit who would be relegated down the list to accommodate parking spaces for the hotel, and those who used the hourly parking spots. Thomas thought they would be better off with more hourly parking and less permit and reserve parking as the spaces would then be used more efficiently. Thomas thought another fairness issue involved the hotel developers since two had received TIF funding and the proposed developer was not requesting it.

Thomas reiterated he felt there was also an efficiency issue as he believed permit spaces, especially reserved spaces, were inefficiently used creating a lot of empty parking spaces. Thomas stated he would love to see everything be converted to hourly parking, and for residential parking permit programs for the neighborhoods around the downtown.

Thomas commented that there was a sustainability issue as well. Thomas felt they needed to transition away from using cars for all of their journeys as quickly as possible, which meant they needed better transit and more facilities for walking and biking. Thomas believed the overarching goal was not to build any additional parking garages in the downtown area.

Skala stated he thought they had done the best they could with the Tiger Hotel and the Broadway Hotel. Skala understood many people agreed and disagreed with the utilization of TIF funding. Skala explained he had supported the Tiger Hotel TIF and one of the Broadway Hotel TIFs, and the City had negotiated some of the parking. Skala pointed out parking had always been an issue in the downtown, and referred to other proposed TIF developments, i.e., student housing and a grocery store, that had been withdrawn due to parking and other issues. Skala commented that he was getting to a point where enough was enough. In order to provide a balance between the interests of the developers and the interests of the community in terms of parking and overflow, they needed to encourage those that wanted to develop large projects to build their own parking facilities within the context of the footprint of the subject property or on adjacent properties in order to supply the necessary parking for their facilities. Skala stated he could support some of the ideas suggested by Cardetti, but he could not support the parking issue, and noted he would vote against it.

Waner commented that this had been a good opportunity to review the question presented in the strategic plan of how decisions would impact marginalized communities. Waner explained the points Thomas had made with regard to fairness had particularly



resonated with her in terms of how it would impact small businesses and workers in the service industry, i.e., what would be the effect on their lives as marginalized people in the community. Waner stated she was appreciative of the commitment to the UDC as she did not want to create moveable goal posts when talking about developments, but believed this pointed out the fact these concerns could not be ignored at the beginning stages of development in the designing the processes. Waner thought they should perhaps be required as part of the consideration at the beginning rather than having the discussion so far down the road as it sort of broke her heart to hear that not going forward with the parking piece would affect the whole project. Waner felt there should have been discussion before they had gotten to this point.

Treece explained that like Thomas, he felt there were 2-3 points with respect to fairness. Treece noted they had two other two hotels that had entered into the same or greater agreements than this proposed agreement, and he was concerned of a precedent of allowing this for the first couple of hotels and then saying it was too much to a third hotel. Treece stated he was also concerned about the overflow into neighborhoods. In addition, to say it had not been a component of discussion was not completely accurate as it had been, and this was one of the solutions. Treece understood the Downtown Columbia Leadership Council had made a conscious decision to get rid of surface parking lots, and wondered if the unintended consequence of this might be something worse, such as the development of more surface parking lots or a parking structure on private property in an area where they did not want that. Treece stated he was also worried about displacing the barber, waitress, or those that wanted to see a movie at Ragtag in terms of the ability to have a parking space available to them.

Pitzer commented that it seemed clear they did not have the votes to approve this. Pitzer noted he was in favor of more economic development downtown, bringing more people downtown, and having a more vibrant, thriving downtown, and explained he had voted for the second TIF associated with the Broadway Hotel, which had been the only one during his time on Council. Pitzer noted this proposal created a lot of issues that many of them had already mentioned. Pitzer stated he differed from Thomas in that he felt there was quite a bit of hourly parking available in the entire downtown area. It was likely not utilized efficiently all of the time, but space was frequently available if one was willing to go a couple further blocks away. As a result, Pitzer explained he was more okay with setting aside a certain number of the hourly spots in that garage and then having the developer go to the bottom of the list. As spaces became available, a long term agreement could be potentially worked out, but he did not want to displace anyone who already had a permit there or for them to be moved ahead of anyone already in line. Pitzer wondered if they should set this aside for the moment to allow more work to be done to see if they could come to an agreement versus an outright no. Pitzer was not sure if that meant referring it to any commission or asking staff to do more work on it after hearing the concerns of Council.

Thomas stated he liked that idea, and thought it was what the Downtown CID had requested in terms of more data from the parking arms that counted the vehicles going in or out. Thomas noted it would allow them to keep the project alive. Thomas pointed out he felt it was a good project in many ways. In terms of efficiency, Thomas thought that if they looked at the number of hourly spaces that were occupied during a typical time of day divided by the total number available, it would be much higher than the number of permitted and reserved spaces that were occupied in terms of the amount of time. Thomas believed the spaces were poorly used when they were reserved or permitted. Thomas reiterated he liked the idea of delaying this for more discussion and more data.

Peters made a motion to table B209-21 to the August 16, 2021 Council Meeting. The motion was seconded by Waner.

Pitzer asked if that was enough time. Nichols replied the PAC met on the first Wednesday of the month so he thought they could make that work.

Fowler stated she did not think a month was sufficient nor was it sufficient to just send it

to the PAC as it was a complex issue due to the ripple effect it would have on surrounding neighborhoods. It was an interconnected problem that was larger than the neighborhoods, the downtown small businesses, or the University, which needed to be looked at in terms of the bigger picture. Fowler noted she was inclined to vote this plan down to give all of the parties the incentive to use their creative energies to find a solution that did not displace the small business people downtown or result in additional cars moving into short- or long-term car storage in the immediate neighborhoods that were already burdened. Fowler commented that she did not believe saying no to this plan was the end of this hotel. It would only make a clear statement in favor of existing residents, small businesses, employees, and worshipers in the downtown. Fowler stated she would vote no on the motion to table this and on the plan.

Pitzer noted he was okay with tabling this for month and pointed out he agreed it was more involved than just asking the PAC for their opinion. Pitzer stated he expected there to be a lot of discussion among the professional staff and the developer, and hoped to be provided an update in a month as to whether there was anything that could be done or if they needed more time. Pitzer noted he was open to hearing all of that a month for now.

Skala commented that he tended to agree with both of them as he felt it was a much bigger measure than what a month might yield and more complicated than only getting a report back from the PAC. Skala explained he had been prepared to vote this down, but was also prepared to support the tabling motion in hopes that something enlightening or some new information came out of it. Skala reiterated he would support the tabling motion.

**The motion made by Peters and seconded by Waner to table B209-21 to the August 16, 2021 Council Meeting was approved by voice vote with only Fowler voting no.**

B216-21

Amending Chapter 22 of the City Code to establish compensation to retailers for redeemed refuse and recycling bag vouchers.

The bill was given second reading by the Deputy City Clerk.

Sorrell provided a staff report.

Waner asked if the implementation of this created an incentive for the retailers that had previously dropped out of the program. Sorrell replied his hope was for the retailers that had previously dropped out to rejoin and for additional retailers to participate as that was better for customers since they could get the bags from stores they frequented instead of having to go to a separate store to just to get the bags.

Fowler asked if Waste Zero had been used for the previous bag voucher program. Sorrell replied he thought Waste Zero had changed names overtime, but the same individuals had been involved since 2008. Fowler understood the point of contact in facilitating the program was the same regardless of whether the company had been acquired or changed names. Sorrell stated that was his understanding.

Fowler asked if it had been the responsibility of Waste Zero under the previous contracts to work out the arrangements with the retailers. Sorrell replied that was prior to his time so he did not know what arrangements Waste Zero had with the retailers directly, but he understood Waste Zero had always been responsible for distributing the vouchers and getting the retailers to participate. Fowler asked if the retailers had previously received a payment for exchanging the vouchers for the bundled bags. Sorrell replied he understood there was some sort of a credit, but no payment because at that time the retailers could sell the bags or redeem the vouchers. Sorrell thought the retailers would get a credit of 10 cents per voucher, but he had not found any record of any payment being made. Fowler asked for clarification regarding how the credit worked. Sorrell replied he had not been able to figure it out completely. Sorrell noted he had two documents that referenced a 10-cent credit.

Fowler asked Glascock if he could provide any input since he had been around longer.

Glascocock replied he believed Waste Zero had always been the vendor regardless of what name they had utilized at the time because they were the only vendor that did it this way. Glascocock explained he had been told the City would not pay anything, and that stores were participating. Glascocock understood a prior solid waste manager that had started the program had initially worked with the stores, but Waste Zero had taken that aspect over.

Fowler stated she was concerned the City was accepting a financial responsibility that previously belonged to Waste Zero in whatever arrangements they made to get retailers to distribute the bags, and asked Glascocock if that was consistent with his understanding of the earlier arrangements. Glascocock replied no. Glascocock explained the stores had sold other bags along with distributing City bags. There was not a requirement to use the City issued bags. The stores were no longer selling as many commercial bags since consumers were utilizing the City issued bags, and this resulted in higher administrative costs. Fowler asked if that had not been contemplated when they had entered into the contract with Waste Zero to manage those relationships. Glascocock replied he thought it had been contemplated, but was not sure they had understood all of the complexities of the changes. Fowler asked if there was contract language to transfer this responsibility on to Waste Zero. Sorrell replied it did not exist in the current contract. Fowler asked Thompson if she had negotiated the contract with Waste Zero. Thompson replied she had not personally negotiated it, and explained contracts were normally negotiated by the department.

Pitzer asked how they had come up with 25 cents. Sorrell replied it was determined based on a discussion with one of the retailers that had indicated that amount would keep them from losing money. Sorrell pointed out no other retailer had provided a firm number. Pitzer asked if the vouchers were for 13- or 26-bag rolls. Sorrell replied the vouchers were for one roll of 26 bags or two rolls of 13 bags for refuse and one roll of 18 bags for recycling. Pitzer understood this was not for the extra \$2 per-bag rolls. Sorrell stated there was not any compensation for extra bags. It was only for the vouchers. Pitzer asked if the retailers kept a portion of the \$2 per-bag charge. Sorrell replied no. Sorrell explained the retailers had indicated to him that was not the problem, and that the problem was with the vouchers due to how they were distributed and additional staff and time being needed. Pitzer understood about 75,000 refuse vouchers were redeemed each year prior to 2020, and the forecast for the next 12 months was 136,000 refuse vouchers. Sorrell noted he had calculated that number based on the total number of vouchers to be mailed. Pitzer understood that was an increase of 61,000 vouchers per year, and at 26 bags per voucher, an extra 1.6 million plastic trash bags would be put into the landfill every year. Sorrell agreed those were City provided bags, but pointed out, previously, people had been purchasing other bags, and those bags had been going into the landfill as well.

Treece understood the tonnage going to the landfill was less, and asked if there would actually be more black bags going to the landfill if they did not have the logo bag program. Sorrell replied there would be more tonnage, but he was not sure about the number of bags. Sorrell thought there would be a larger number of smaller bags. Pitzer believed some people were placing plastic bags used inside their homes into the larger logo bags prior to placing them at the curb. Sorrell agreed some people were doing that.

Traci Wilson-Kleekamp commented that the trash bags were not any good so people were using other trash bags and placing them inside the City trash bag, which was not sustainable. Wilson-Kleekamp felt there was a lot of ad-hoc and piecemeal things happening because the City had not done their homework in advance. Wilson-Kleekamp wondered if they were getting tired of doing things backwards. The City had a great Climate Action and Adaptation Plan (CAAP), but things of this nature were not being integrated in it. Wilson-Kleekamp stated she was confused as to what they were doing and was concerned they did not know what had been done in the past. Wilson-Kleekamp believed they were failing on outreach in terms of meeting with the community to discuss why this was being done, and felt a public education component was needed to make it

really viable.

Rebecca Shaw, 2615 Vail Drive, understood this was estimated to cost \$59,500 per year, which was equivalent to 2,380 bulk item pickups, one worker at \$29.75 per hour, and 29,750 trash bags. Shaw wondered why they were using more taxpayer dollars to put more money into a private company. Shaw questioned why the City was not using its own outreach staff and why the drive-thru voucher exchange event had not been done again. Shaw believed this should be a part of the job of City employees. Shaw stated people were tired of these trash bags, and she continued to wonder why the City had not thought through the next steps. Shaw commented that she would be extremely disappointed to see more money from her pocket going to a grocery store to deal with a system that was not wanted.

Mary Samuelson, Wilson Avenue, understood some cities required their citizens to separate their own recyclables, but did not believe that was not an attainable goal for Columbia. Samuelson noted Columbia had a high population of college students and she could almost guarantee a house full of 10-12 college boys would not separate their own recyclables. Samuelson commented that she had found herself in a situation whereby the incorrect contents were placed in the blue bags, and they now had seven bags on the curb with a note indicating the bags did not contain the right recyclables. Samuelson did not feel most people would take the time to separate recyclables, and would do what her roommates were now suggesting, which was to put the blue bags inside the black bags and place those at the curb, which in turn took away from the goal of recycling. Samuelson understood some citizens cared enough to correctly recycle, but the average citizen did not, and wondered if the goal was for revenue or the environment. People were being forced to put their blue bags into black bags, which cost \$2. Samuelson suggested the City invest in a facility that sorted recyclables instead of putting that burden on the citizens and utilize the revenue from the black bags to support the cost of it. Samuelson understood several recycling drop-off locations had closed and thought that was also due to improper recycling.

Jim Simmons, Hy-Vee District Store Director, noted he did not disagree with anything that was said and was available to answer questions the Council had for retailers.

Fowler asked if Simmons was the retailer that had agreed the 25 cents would help defray costs. Simmons replied yes. Fowler asked how many Hy-Vee stores were in Columbia. Simmons replied three. Fowler asked if all three were in agreement. Simmons replied yes. Fowler asked Simmons if he had participated in conversations with other retailers, such as Gerbes or Schnucks. Simmons replied no, and explained they really did not communicate. Simmons stated the Hy-Vee stores were pretty efficient in terms of how they handled the bags and when he had done the math, 25 cents was what it would take to barely break even or just lose a little. Simmons commented that he did not have a problem being a partner with the City, and only had a problem with losing money. It was very expensive to double-stack customer service, and it was not for only a week.

Treece thanked Simmons for his patience. Treece understood the Hy-Vee staff had taken a lot of abuse, at least early on in the process, and he appreciated their desire to continue to partner.

Fowler asked Simmons if he had been a manager at any Hy-Vee during the earlier bag distribution program. Simmons replied yes. Fowler asked if they were compensated by either the City or the organization that provided the bags. Simmons replied no and explained it was a wash. With the prior program, they only had the two sets of bags. They did not have to deal with the small rolls of five bags for \$10. Previously, the bags were kept on the shelf for people to purchase or to utilize a voucher. They were now no longer for sale so they had to be kept behind the customer service counter. Simmons reiterated they had never been compensated and the cost associated with it had been a wash. Simmons noted there had been times they had to pay the company because they had sold a few rolls, but that had been rare with the prior voucher system. Simmons clarified the bags were sold at cost so no money was made by the store. Fowler asked if

Waste Zero managed the remittance process. Simmons replied yes. Simmons explained Waste Zero provided the bags and Hy-Vee managed the inventory in terms of what came in and what went out. Simmons noted they also paid for the \$10 rolls on a separate invoice. Fowler understood the roll of five bags were paid for in advance, and assumed there was not an issue whereby the store would be stuck with additional inventory. Simmons agreed there was not an issue in that regard. Fowler asked if he had sold out of the small \$10 rolls. Simmons replied no and explained they made sure they had them on hand. Simmons noted they had to be ordered by the pallet, which was not ideal. Simmons pointed out that when the vouchers were distributed, the store would have 10 to 15 pallets in their back room.

Treece asked if grocery stores charged their suppliers for premier placement on the shelves. Simmons replied not necessarily, and stated he did not charge anyone for their product to be on the shelf. Simmons explained he was more interested in having what the customer wanted. With regards to the bags, Simmons noted was not selling them as they were given out across the counter. Simmons commented that they tried to make it good for the customer, but they were now at a point of breaking.

Waner asked if this had become increasingly more problematic in the last year. Simmons replied it had become problematic since the new system was implemented. Waner understood this had been an unintended consequence of implementation of the system for them. Simmons stated that was correct. Simmons explained it was easier previously because they only had to deal black bags or blue bags, and the bags were kept on the shelves. Simmons noted he was not complaining about the new way, but pointed out he could not keep doing it. Simmons felt others agreed based on the scuttlebutt around town.

Eugene Elkin, 3406 Range Line Street, commented that he had been recycling for the last 40 years and had even separated the glass. Elkin learned the recycling bins were no longer at Home Depot or Moser's so he had traveled to the State Farm location, but due to the rain and the purple glass bin being elevated, he had not been able to access it. As a result, Elkin noted he had to place the glass in a regular recycling bin, which had been frustrating since he had taken the time to separate it. Elkin felt the City needed to address the recycling issues.

Jeff Stack, Sexton Avenue, commented that it was noble to try to limit the amount of waste that went to the landfill, and a way to do that was to make people pay for their trash. Stack stated he liked the idea of special pickups for large items and that was only fair to the workers, which he appreciated and considered heroes. Stack pointed out that early in the program, the logo bags had been hard to find or were not even available at the stores, and understood that issue had been resolved. Stack noted he appreciated people trying to recycle, but thought they should collectively admit that they messed up. Stack recalled seeing an engine in the recycling area within the Moser's property, and encouraged people to try to do better. Stack stated he was only aware of two recycling locations right now, and both were on the south side of Columbia. Stack thought the City needed to figure out a solution for the days when recycling was not picked up at the curb. Stack asked for clarification regarding the 25 cents as he wondered if retailers would charge the 25 cents per bag for profit. Stack stated he did not believe retailers should charge any extra because the people that came in for the bags were making other purchases as well.

Skala understood Moser's had discontinued the placement of recycling bins on their lot due to cleanliness and non-compliance issues, and that the bins at Home Depot would return after the parking lot was paved, but felt there were more than a couple of recycling sites. Skala thought there were about eight recycling locations to include a couple in the downtown area. Peters noted there were at least three in the downtown. Sorrell stated he thought there were about nine sites around town, but did not have the exact number. Skala understood the number of locations might not be sufficient, but noted there were more options. Sorrell agreed there more options than the two Moser's and the Home

Depot locations.

Skala understood the \$2 per bag cost included \$1.37 in landfill costs, 37 cents in personnel costs for pick up, and 30 cents for the bag itself, and asked if that was correct. Sorrell replied he did not recall the exact breakdown, but agreed it included the costs of the bag, labor, and landfill. Skala stated this trash issue was amazingly complicated, and felt that people that wanted to change the system without disenfranchising others needed to go through the initiative petition process to schedule a referendum. Skala commented that it was frustrating to hear people talk about the foibles of people in terms of whether they recycled or dumped improperly as he did not feel behavior could be legislated. Skala explained they were trying to do the best they could under the circumstances. Skala thought the pay-as-you-throw system made sense for the some of the investment they had in the landfill. In terms of this compensation, Skala believed they needed to do what was necessary to ensure those that were helping the City with the system were not being penalized for doing their work.

Thomas stated he would support the proposal as it seemed like a reasonable cost to him. Thomas commented that he appreciated the positive comments of Stack. The new system had been established mainly due to the conditions the workers had to deal with in terms of the amount of trash and heavy items left at the curb. Thomas thought it was a better system even though it had a lot of wrinkles. Thomas pointed out it was a pay-as-you-throw system, which he believed was a much fairer system even though it could create a hardship for low-income people, and felt that issue could be addressed in another way.

Glascocock asked the Council to support paying the retailers to do this for them. Prior to involving the retailers, staff would throw the bags into the yards of trash customers from a pickup truck, and now that the bags were worth money, he was concerned they would be stolen. Glascocock did not feel they could go back to that system. Skala understood that had involved some workers' compensation issues. Glascocock noted there had been some damage to items such as mailboxes or cars.

Treece stated he planned to support this even though he felt they were only addressing a symptom instead of looking at the root of the whole problem.

**B216-21 was given third reading by the Deputy City Clerk with the vote recorded as follows: VOTING YES: FOWLER, WANER, SKALA, THOMAS, PETERS, TREECE. VOTING NO: PITZER. Bill declared enacted, reading as follows:**

## VII. CONSENT AGENDA

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

- B210-21 Rezoning property located on the east side of Old Hawthorne Drive, approximately 650 feet north of Route WW, from District PD (Planned Development) to District O (Open Space) (Case No. 147-2021).
- B211-21 Granting the issuance of a conditional use permit to Boone Development, Inc. and Old Hawthorne Golf Club, LLC to allow "outdoor recreation or entertainment" uses on property located on the east side of Old Hawthorne Drive, approximately 650 feet north of Route WW (1900 W. Old Hawthorne Drive), in an O (Open Space) zoning district (Case No. 148-2021).
- B212-21 Authorizing an amendment to the agreement with Tyler Technologies, Inc., as part of the Columbia Financial Enterprise Resource System (COFERS) project, for implementation of the Executime, Quatred, and General Ledger Application Programming Interface (API) software modules, and hosting services for the MobileEyes and MyCivic software modules; amending the

- FY 2021 Annual Budget by appropriating funds.
- B213-21 Authorizing construction of a public improvement project for the Fifth Street and Walnut Street municipal parking structure; calling for bids through the Purchasing Division.
- B214-21 Authorizing a right of use license permit with Diggs Meat Packing, LLC for installation and maintenance of private landscaping within a portion of the Rogers Street right-of-way.
- B215-21 Authorizing a second amendment to the small generator interconnection agreement with Truman Solar, LLC.
- B218-21 Authorizing a participation agreement with the Missouri Department of Health and Senior Services for state investment in local public health services.
- B219-21 Authorizing an aviation project consultant agreement with Burns and McDonnell Engineering Co., Inc. for design of the Taxiway A reconstruction project located south of Runway 13-31 at the Columbia Regional Airport; amending the FY 2021 Annual Budget by appropriating funds.
- R124-21 Authorizing a tourism development sponsorship agreement with Friends of the Festival for the 2021 Roots N Blues Festival event.
- R125-21 Authorizing a contract with North East Community Action Corporation for the provision of Title X family planning services.
- R126-21 Authorizing an electric distribution line relocation agreement with Boone Electric Cooperative as part of the Lenoir Street improvement project.
- R128-21 Authorizing an agreement with TargetSolutions Learning, LLC for public sector software as a service to provide an online training platform for the Fire Department.
- R129-21 Authorizing the City of Columbia to participate as a member of the American Public Power Association's public power utility cybersecurity defense community team; authorizing the City Manager and City Counselor to execute additional documents, certifications and assurances related thereto; authorizing electronic filings.

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

## **VIII. NEW BUSINESS**

- R123-21 Setting a public hearing: consider the FY 2022 Capital Improvement Project Plan for the City of Columbia, Missouri.

The resolution was read by the Deputy City Clerk.

Fowler asked if a vote would be taken to accept or approve the list of capital improvement projects at the next meeting following the public hearing, or if the public hearing was an opportunity for them to talk about it in advance of the regular budget process. Glascock replied it would be a public hearing on the work plan of projects that would come before the Council next year and would be within the next budget cycle. The budget itself would include the money for the projects, and the Council would vote on the budget. It did not

include the details of the projects. It was solely the work plan for next year. Glascock pointed out the projects would come before the Council individually after any interested parties meetings, etc. as they would follow the public improvement process, which was set out in ordinance. Glascock noted it would come to the Council as a public hearing, an ordinance to acquire property, and an ordinance to bid the project. There would be numerous times for public comment on the individual projects after the budget was passed.

Fowler asked if they would vote on this particular item on August 2, 2021. Treece replied no. Fowler understood no action would be taken at the end of the public hearing. Glascock stated that was correct and explained that if the Council wanted to modify the work plan, they could do so during the public hearing. Treece asked if that would be done at the public hearing or as part of the budget. Glascock replied the Council would need to amend the budget to go with it. Treece understood that would occur during the budget process. Glascock stated that was correct, and explained the Council would not be appropriating any money at the next meeting when the public hearing was held.

Fowler noted she wanted to ensure they offered the neighborhoods, particularly those in the older parts of town, adequate time and understanding of exactly what was on the plan. Fowler stated she had participated in several conversations today that had given her a better understanding of how the capital improvement process worked within the City. Fowler explained it was fine if they held the public hearing and then further discussed it during to the budget process, and only wanted to know if they were offering an approval to that at the August 2, 2021 meeting. Glascock suggested looking at the Capital Improvement Project (CIP) Plan as it had many projects within it, to include 1-2 year projects and 3-5 year projects. Glascock pointed out there might be some slight modifications, but the projects for the following fiscal year were included for everyone to see in advance.

Fowler understood they would not be voting on this list at the August 2, 2021 meeting.

**R123-21 was read by the Deputy City Clerk, and the vote was recorded as follows:**

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

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

R127-21 Authorizing a memorandum and agreement with Greyhound Lines, Inc. for the use of one (1) parking space at the Wabash Station to drop-off and pick-up passengers on a twice-daily basis.

The resolution was read by the Deputy City Clerk.

Thomas asked when this would go into effect. Nichols replied he thought it was immediate. Thomas understood it was immediately available to Greyhound after this meeting. Nichols stated that was correct.

Thomas thanked staff for making this decision as he believed it would be an incredible improvement for people without cars who traveled to and from St. Louis and Kansas City to access this service at the Wabash Station where City buses already circulated. Thomas felt it was a good example of an integrated transportation system, and hoped they could do more of that. Nichols pointed out they had actually started working on this last year, but it had been delayed due to COVID.

Jackson Hotaling, St. Joseph Street, commented that he was excited about this as he had utilized Greyhound services several times since he had moved to Columbia in January. Hotaling noted it cost more money to take an Uber or Lyft to Midway than it did to get to Kansas City or St. Louis. Hotaling explained it was a poor-tax that would be gone, and he was thankful for that.

Jeff Stack, Sexton Avenue, stated he was grateful for this. Stack noted he had driven many homeless people to Midway and appreciated City staff working this out. Stack felt it was a win-win situation, a nice integration as mentioned by Thomas, and forward thinking. Stack thanked them.



R127-21 was read by the Deputy City Clerk, and the vote was recorded as follows:  
VOTING YES: FOWLER, WANER, SKALA, THOMAS, PITZER, PETERS, TREECE.  
VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

## IX. INTRODUCTION AND FIRST READING

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

- B220-21 Rezoning property located on the northeast corner of the Nocona Parkway and Endeavor Avenue intersection from District M-C (Mixed Use-Corridor) to District PD (Planned Development); approving a statement of intent; repealing Ordinance No. 024506 that approved the PD Plan of Aria Boulevard Phase 2; approving the PD Planned Development of "Discovery Center"; granting a design exception to allow more than 200% of the permitted maximum number of parking spaces (Case No. 162-2021).
- B221-21 Approving PD Plan Major Amendment May 2021 for "Discovery Park Subdivision Plat 4" located on the northwest corner of the Nocona Parkway and Briarmont Avenue intersection (Case No. 182-2021).
- B222-21 Approving the Final Plat of "Fyfer's Subdivision, Plat No. 2" located on the north side of University Avenue and east of William Street (1615 and 1617 University Avenue); authorizing a performance contract (Case No. 187-2021).
- B223-21 Approving the Final Plat of "Fyfer's Subdivision, Plat No. 3" located on the north side of University Avenue and east of William Street (1611 University Avenue); authorizing a performance contract (Case No. 188-2021).
- B224-21 Approving the Final Plat of "The Crossing - EPC Plat 6" located on the west side of Southland Drive and south of Grindstone Parkway (3615 Southland Drive); authorizing a performance contract (Case No. 180-2021).
- B225-21 Amending the FY 2021 Annual Budget by appropriating funds for advertising expenses relating to cases considered by the Planning and Zoning Commission.
- B226-21 Authorizing construction of the Wabash Drive extension project; calling for bids through the Purchasing Division.
- B227-21 Amending the FY 2021 Annual Budget by appropriating Public Works Department funds to finalize and close out completed capital improvement projects and to provide funding for current and future capital improvement projects.
- B228-21 Amending the FY 2021 Annual Budget by appropriating funds for the installation of an ADA compliant dais in the Municipal Courtroom.
- B229-21 Amending the FY 2021 Annual Budget by appropriating funds for Public Works Department capital improvement projects.
- B230-21 Authorizing construction of a recycling drop-off center at the Parks Management Center located at 1501 W. Business Loop 70; calling for bids through the Purchasing Division or authorizing a contract for a portion of the

- work using a term and supply contract.
- B231-21 Accepting conveyances for utility purposes.
- B232-21 Accepting conveyances for sewer and drainage purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B233-21 Calling a special election in the City of Columbia, Missouri, to be held on Tuesday, November 2, 2021, on the question whether to extend the one-eighth of one percent local parks sales tax.
- B234-21 Authorizing a cooperative agreement with Boone County Family Resources to provide funding support for the Parks and Recreation Department's Career Awareness Related Experience (CARE) Program for youth employment placement and mentoring services.
- B235-21 Amending the FY 2021 Annual Budget by appropriating rebate funds and donated funds for various Parks and Recreation Department projects.
- B236-21 Authorizing a first amendment to the PCS antenna co-location agreement with Cellco Partnership, d/b/a Verizon Wireless, for the lease of City property located at 1400 Ballenger Lane (Fire Department Station No. 5).
- B237-21 Authorizing a program services contract with the Missouri Department of Health and Senior Services for the Show Me Healthy Women program.
- B238-21 Authorizing a program services contract with the Missouri Department of Health and Senior Services for the COVID-19 and Adult Vaccination Supplemental project.

## **X. REPORTS**

- REP59-21 Monthly Finance Report.
- Treece understood this report had been provided for informational purposes.
- REP60-21 Amendment to the FY 2021 Annual Budget - Intra-Departmental Transfer of Funds.
- Treece understood this report had been provided for informational purposes.

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

Emily Lessner, Fourth Avenue, explained she represented Columbia Car Camp, a non-profit organization that provided safe, monitored parking for those living in their cars as well as supplies and sanitation for unhoused and vulnerable members of the community. Lessner noted their previous site, which had been on Paris Road, was now closed because the property was no longer available for them to use for free. Lessner explained she was present to ask for help from the Council or anyone from the general public. Lessner understood the Council was working on measures and infrastructure to support the unhoused, but noted there were people in need now. Lessner pointed out Car Camp had been successful in 2020 in terms of providing safe parking, sanitation, and supplies, and preventing the spread of COVID from the homeless community to the public and within the homeless community. They had been looking for a 2021 site since February, but had met a lot of resistance. Landowners either felt this was not a good use of their property or were unwilling to lower their prices for a community service, and neighborhoods had a 'not in my back yard' attitude. They were willing to do things to help, but did not want to see the problem. Lessner understood some City land was vacant, but it was not available either. Lessner noted it was not just a place for people to

live as they had been able to get people out of their cars and into public housing, and some had gained employment. They had built a community of mutual aid that had put people on a trajectory to success. Lessner reiterated they were asking for the use of property from a local landowner or the City. They had a proven method that could handle the rest, and thus were only looking for land. Lessner commented that tackling this issue now was important because Columbia currently only had 200-300 unhoused people, which was manageable. Lesner pointed out there was a potential to have zero unhoused, not because they were not welcomed, but because they were included as part of the community and provided with what they needed to succeed.

Thomas asked if they were looking for property to open on a particular date or just as soon as possible. Lessner replied as soon as possible. Thomas thanked Lessner for her work.

Eugene Elkin, 3406 Range Line Street, stated he was thankful others were helping with the homeless situation. Elkin asked the Council to consider utilizing the funds they had to help the homeless. Elkin commented that he had met a man at Car Camp that had indicated he would return to Car Camp to volunteer. Elkin understood more and more women were becoming homeless and was bothered by no one stepping up to help.

Jeff Stack, Sexton Avenue, commented that he had come across a half-dozen road and sidewalk construction sites as he was driving around town today involving about 70-80 different people, and none had been African-American and only a couple had been women. Stack felt these were some of the best paying labor jobs, and believed certain standards should be set for the companies hired to do this work. Stack explained he had worked construction over the years and thought the industry was generally racist. Stack reiterated he believed there should be an expectation of diversity in hiring.

Stack appreciated the efforts of Lessner along with those at the soup kitchen. Stack believed people were stepping up and thought the government should step up as well. Stack asked the Council to make it a priority to put in place a means to gather public input for the use of the ARPA funds they would receive.

Stack understood Glascock had suggested hiring more police with the ARPA funds, and noted he believed that was a poor way spend the money. Stack thought they should find other ways to deal with the problems in the community. Stack pointed out more homeless people died in the summer due to heat exhaustion so the time to act was now. Stack encouraged everyone to do better.

Fowler asked if a report could be provided to Council regarding the City's naming practices, and explained this was in light of the request to name an area within the parks system after an important figure in Columbia's history and other recent requests to name places after deceased family members and/or neighborhood leaders. Glascock replied yes.

Fowler understood the PZC was working on the short-term rental (STR) issue, and recalled a disagreement as to which datasets would be utilized by that process. Fowler asked that they include the recommendations of their citizen board and commission members by examining more datasets. Fowler stated she wanted to ensure that examination of existing datasets was as thoughtful and appropriately ranging as possible.

Treece asked for clarification as to what that meant. Fowler replied she understood PZC members had come forward with the name of datasets they wanted to use in that process and had been previously told they could not use those datasets. Fowler suggested they ask the PZC members for the names of the datasets they had identified would be helpful in this process. Treece suggested a PZC member make a motion and for staff to provide that information if the motion passed, and reiterated he was not sure what was being requested. Fowler commented that her recollection was that the request

to include certain datasets had been previously denied. Treece suggested they try again. Glascock asked for further clarification as to the type of datasets. Fowler understood there were data consolidators that were tracking the STR industry from different perspectives and they had utilized one that the City staff used, but some PZC members had requested other datasets other municipalities were utilizing. Fowler stated the PZC members wanted the ability to retrieve that data and use it in the conversation regarding STRs in Columbia, but had been turned down by City staff. Glascock asked if these other datasets were free. Fowler replied she did not know. Glascock commented that if there was a cost, they might be fund limited.

Fowler asked that they look carefully at the recommendations of PZC members and not decline their request. Glascock suggested the PZC bring that request forward to the Council for a budget amendment. Fowler understood the PZC should make a motion for a recommendation, and if approved, it would come before the Council for funding. Glascock stated that was correct. Fowler asked if they could access existing funds or if they had to come to Council. Glascock replied that if it was not within the PZC budget, they would need to amend their budget. Fowler understood and stated she would carry that message back to her contacts.

Fowler explained she had spoken with a property manager regarding difficulties with bulky trash items, and understood downtown business owners were experiencing similar problems as students were leaving bulky items next to dumpsters when leaving downtown housing. As City staff planned the meeting with the property managers, Fowler asked that they extend the same to downtown business owners that were experiencing the same difficulty. Glascock replied the City worked directly with the Downtown Community Improvement District (CID) as an organization since it was a defined area so he would likely set up a separate meeting with them. Fowler asked how she could help that process along. Glascock replied he did not know. Fowler asked if she should follow up with an email to Glascock tomorrow as a reminder. Glascock replied yes, and explained he would ask Sorrell to set up a meeting with the property managers, and for the downtown businesses, they would work with Nickie Davis with the CID.

Fowler understood the staff report associated with the bill calling for a special election on the question of extending the parks sales tax indicated staff would have a companion resolution at the August 2, 2021 meeting for review and approval, and asked if that was enough time for citizens to comment since resolutions did not require an additional reading like ordinances. Fowler understood they were voting to call the election, and wondered if they were also voting on the list of projects that went along with that at the August 2, 2021 meeting. Glascock replied that had been the intent, but it could be pushed to the August 16 meeting. They could also discuss the list at a pre-council meeting. Glascock asked Fowler for her preference. Fowler replied she wanted the list to be out there in the same way it would be with a first reading. Glascock explained he had an aversion to putting things out prior to Council discussion. Fowler asked what Glascock recommended. Glascock replied he would suggest this be discussed at the pre-council meeting on August 2 and that the resolution be introduced on August 16. Treece pointed out there had been a pre-council meeting on these projects. Fowler asked if it was the same list as she did not think that list had been formed at that time. Treece replied there had been Tier 1 and Tier 2 lists. Fowler asked if the list included on the parks sales tax fact sheet was the same list that would be included in the resolution at the next meeting. Griggs replied the list with resolution would be more detailed. The fact sheet only included Tier 1 projects. Griggs pointed out they had participated in several meetings with the Parks and Recreation Commission and user groups in advance of developing the list. Griggs stated they could provide more detail at the August 2 pre-council meeting, and bring forward the resolution on August 16.

Treece reiterated they had already had a pre-council meeting on June 7, 2021, and the

list had been out there since then. Fowler understood the fact sheet included the priority one list. Griggs stated that was correct, and explained that was the standard fact sheet. The resolution would be different because it would include the secondary items to allow for other projects if the revenue came in higher than anticipated. Fowler commented that the fact they were talking about it now would draw enough public attention to it. Fowler explained she wanted to make sure people had the opportunity to see what they would discuss.

Treece stated he wanted to be able to amend the list, and asked at which meeting that could be done. Griggs replied the August 16, 2021 meeting.

Thomas understood the list staff would bring forward on August 2 was exactly the same as the list they had seen on June 7. Griggs stated that was correct. Thomas noted they had received quite a bit of public input since then and there had been quite a bit of discussion among the Council then. Thomas stated he also wanted the opportunity discuss modifications to that list. Griggs wondered if they could introduce it as a resolution on August 2 with the final decision on August 16. Thompson replied it could not be introduced on August 2, but it could be included as supplemental information, but that might be misleading if it was not passed in that form. Thompson noted it could be included on the August 2 meeting agenda as a resolution and then tabled to the August 16 meeting. Treece suggested it be attached with the ordinance calling for the election. Thompson suggested they make it clear that it was the draft list. Treece noted it would then be included as a resolution at the August 16 meeting expressing the intent of Council if the sales tax passed and the projects could be done at the prices estimated.

Fowler commented that she had already received ten letters asking them to amend the project list, and one of the letters discussed a bicycle/pedestrian trail alongside the COLT railroad. Fowler understood there were issues with the COLT railroad due to collisions into one or more of the bridges, and wondered if they could be provided a business plan for the railroad. Fowler also wondered if there were insurance proceeds from the vehicles that had stricken the bridges that might be available to assist in the repair of the bridges.

Treece asked for the input of Council with regard to the request of Fowler since the business plan could take staff time and money to complete. Fowler replied she thought the plan already existed. Treece asked if it existed. Glascock replied he was not sure if it was updated so they would look at it. Fowler clarified she was not asking for a huge undertaking and was only asking for a document she thought already existed. Treece understood.

Fowler explained she had attended the Finance Advisory and Audit Committee (FAAC) meeting earlier that morning whereby there had been a discussion on an article published in the *St. Louis Post Dispatch* regarding the Deferred Retirement Option Plan (DROP) program. Fowler understood this program existed in Columbia for a couple of classifications of employees, and wondered if they could learn about the DROP program as part of the budget process and budget work session.

Fowler commented that she was invited to talk to Regional Economic Development Inc. (REDI) about some of the questions she had asked earlier in the year when they had approved the Swift USA proposal, and an issue that had come from that subsequent meeting included the fact they did not have a transportation system to get people they were able to train for the well-paying jobs to those jobs in the manufacturing corridor. Fowler noted this had led to another meeting with representatives of the Chamber of Commerce, REDI, and Moberly Area Community College (MACC), and she had learned some employers used van pools in order to assist employees to get from one location to another for the start of their work day. Fowler stated she planned to make further inquiries, and wanted to bring it to the attention of the Council because this was beyond the scope of just the First Ward. Fowler noted she would update the City Manager as

she learned more, to include which employers were utilizing this service. Fowler explained she wanted to ensure the residents of Columbia were ready for those jobs when they arrived.

Fowler asked if the City still had pallets of the old trash bags. Glascock replied he assumed they did. Fowler commented that she was made aware of a resident of public housing that had not received vouchers because their unit was on a walkway versus the street and they put their trash in the dumpster. Fowler wondered if there could be an accommodation for low-income individuals that paid their trash bill and had received bags in the past by distributing the old bags without the logo that were still in storage through the Columbia Housing Authority. Glascock replied maybe. Glascock thought they would have to determine if others might also qualify as they had to be fair when distributing City assets. Glascock thought they would have to come up with a program. Fowler understood and thanked Glascock for considering it.

Fowler asked if there was any unimproved City-owned property that was not in use that could be made available for the Columbia Car Camp. Glascock replied he would need to discuss the issue with Risk Management first to determine if City property could even be used. Fowler suggested they obtain contact information from Lessner for follow up if needed.

Fowler commented that she felt there had been ambiguity at the end of the last meeting with regard to how they would proceed with a public input process on the ARPA funds, and asked for the next steps so she could share that with the constituents that had inquired of her. Peters replied she did not believe they had come up with anything specific, and agreed it was likely vague. Skala explained his recollection was that Glascock had indicated the staff was overwhelmed with the scope of budget process, which would take them to October, so they would probably not get into the real discussion of that issue until after the budget was settled.

Fowler asked if Council would be involved in participating in community input meetings with members of the community that were currently experiencing financial distress and/or were the steady stream of people that had come to them regarding the unsheltered homeless, untreated mental illnesses, etc. Fowler asked if they would wait until after the budget process before they began the process of meeting with and listening to people that had been adversely affected by COVID and structural inequality in the community.

Treece commented that his recollection was that there had been Council consensus during the work session to have the City Manager present areas where there was Council agreement as part of his budget package, and to use the public hearings during the budget process to discuss the buckets of ARPA funds in terms of how they would be used. When the appropriations were approved, there would be a public input process to further flush out the models for how those looked.

Fowler stated she appreciated the summary provided by Treece but felt that short-circuited what the steady stream of people that had been coming to the podium had been asking of them. Treece pointed out he was not expressing an opinion, and explained he was only pointing out his recollection of the consensus of Council during their last work session. Fowler stated that was not her recollection. Pitzer agreed with Treece in terms of where they were. Peters commented that she thought the same as well. Skala felt that had been an adequate description. Skala understood they would not take up the nuts and bolts of this until after the budget season, but there had been discussion as to how they could fit this conversation in the context of budget, which would go through the first of October.

Fowler commented that she was still at a place of ambiguity as to when they would listen to the people who were suffering under COVID. Skala noted there were multiple public hearings for the budget itself, and the public was welcome to address those issues during

that time. Fowler understood that even though they had an overwhelming number of people that had said they should not have that kind of discussion in an intimidating place, like City Hall, they would still make that budget allocation process a part of the budget process in this room. Skala replied yes. Skala explained that did not mean there could not be an additional structure on which they had not come to agreement yet. Skala stated they had talked about bringing some of these topics to folks where they lived, i.e., in their own neighborhoods, as well, and he was only describing what would happen in the context of the budget discussions whereby there would be opportunity for folks to provide input in terms of ARPA funding. The full elucidation of that process would not occur until after the budget process and the budget was agreed upon.

Fowler stated she would object to that process as it was contrary to the will of the people. The needs of those that had been suffering the most under COVID and whose very experiences were described in the early parts of the federal act would be short-circuited if they determined the categories they would allocate the \$12-\$25 million to as part of the budget process. In addition, they still would not have listened to the needs of those most affected by COVID, whether that was a small business person, a mom who lost hours at a job, etc. They would pre-determine an outcome before they had the input. Skala stated he disagreed. They would have a discussion about the ARPA funding in the context of the budget discussions, but there would not be decisions made with respect to ARPA funding until after the budget season was over. Fowler commented that she did not believe that was what Treece had said. Fowler thought Treece had said City staff would bring forward an array of buckets for the money, which would be a part of this budget process. Fowler reiterated she would object to the fact they were folding that into their budgeting process and excluding the very people that would be intimidated to come to City Hall.

Thomas agreed that they needed to hear from the people who were intended to benefit from these funds from the federal government, and that City staff had provided some ideas about locations and formats, but had indicated they could not do anything until after the budget because they were busy. Thomas asked if that was a fair summary. Glascock replied staff had put together a communication plan at the request of Council when he had been out of the office, but understood there was not consensus to move forward until after the budget. Thomas agreed the lack of consensus was the problem. Glascock stated he needed to finish the budget since it was required by Charter.

Thomas suggested the Council make it a priority to start the process in October, and they could start planning and choose some dates now. Thomas commented that he thought there was an opportunity to partner with non-profit organizations to assist so they could connect effectively with low-income, unhoused, or mentally ill people. The front-line caseworkers with organizations such as the Voluntary Action Center (VAC) or Central Missouri Community Action (CMCA) were connected with those people and could probably put together some really good events. Thomas stated he would like to see Council support for that by asking staff to make that overture to organizations such as the United Way, CMCA, and Rock the Community for a plan for community outreach in terms of how to spend the ARPA funds.

Waner suggested they reach out to the Public Health and Human Services Department as they had a blueprint for that process in terms of talking to community agencies and putting things in place for the community health improvement plan. Waner stated it should not be this difficult. Waner commented that at the last meeting they had talked about the need for childcare, transportation, and meeting people where they were and at different locations in the wards during the day and evening. Waner thought they needed dates and partnerships in order to move forward. Waner noted she also agreed it would be difficult until after the budget. Glascock pointed out these funds could go toward a variety of things, to include infrastructure, so he believed more than just the Public Health and Human Services Department should be involved. Waner clarified she was not suggesting the Public Health and Human Services Department do this, and explained she

was suggesting using the framework they had utilized for other engagement processes that had impacts countywide.

Thomas commented that he thought the Public Health and Human Services Department was the correct agency to lead this effort. It was about COVID relief, which was health, and economic relief for low-income people, which was human services. Thomas thought Stephanie Browning and Steve Hollis were the two best people to take the lead because they had a process and relationships with non-profits. They could bring the Human Services Commission and the Housing and Community Development Commission into it as well. Thomas reiterated he wanted to see the Public Health and Human Services Department take the lead. Thomas understood there were capacity issues, but felt this was a really important opportunity. Thomas thought they could wait until October but should begin planning so they could actually implement it in October versus waiting until then to create a plan.

Pitzer stated he thought Thomas was already going to Stage 2 by listing specific ideas for which he wanted to program funds. Thomas disagreed. Pitzer noted Thomas had mentioned shelters and mental health. Thomas explained he was listing categories of people, which was in the federal legislation. Pitzer commented that the public input process described was about how to operationalize that, i.e., reaching out to people and determining the specific needs. Pitzer believed that went back to the original discussion about allocating the funding into different buckets. If there was consensus of the Council to allocate something to a certain bucket, Pitzer suggested they do that. They could then proceed with the process described as it would likely take months. Pitzer pointed out they kept saying they were going to address the urgent needs so they needed to get started. Thomas stated he was not necessarily opposed to buckets as long as they were big buckets.

Treece commented that he did not sense the consensus of Council had changed, and understood there was disagreement. Fowler stated she thought that was his consensus. Treece pointed out Fowler could make a motion, and explained he had heard four council members say they should proceed with the plan discussed during the pre-council meeting two weeks ago.

Thomas asked if they could start developing a plan for community outreach in October and November. Skala replied yes. Skala stated he agreed they needed to start thinking about that, but noted they also needed to get through the budget process whereby there would be some discussion of ARPA funding. Skala pointed out there were resources other than non-profits, including information from his participation on the National League of Cities' Human Development Federal Advocacy Committee. Skala noted he did not think anyone was trying to prevent public input into the discussion. They were only trying to manage the work they had to get through the budget season. They could then establish a policy for better outreach that would work to serve some of the needs of the community when they talked about the progressive attitude towards the ARPA funding. Thomas agreed he did not feel anyone was opposed to it. The issue was that it would be hard to do and they would need to be unified and determined to make it happen.

Thomas understood City staff was organizing one or two meetings with apartment owners or business owners about the issues with their dumpsters and the illegal dumping of trash around them. Glascock stated he would not call it illegal dumping, and explained it was more of a situation of items being placed where the City did not pick them up. Glascock noted he had already asked Sorrell to look into a meeting with apartment managers. The issue Fowler mentioned today involving the Downtown CID was new, and he planned on setting up that meeting as well so there would be two meetings.

Thomas asked for clarification regarding the issue. Glascock replied the issue with at least one apartment complex was that the people living there were placing items beside the dumpster. The City did not pick up those items.

Thomas commented that he thought there was also an issue with illegal dumping, and



explained a couple of apartment owners had indicated to him that they were paying 2-3 times as much because they had to have their dumpsters emptied more often due to non-apartment residents disposing trash in those dumpsters. Thomas asked for that issue to be discussed at the meeting as well. Glascock was agreeable to that. Thomas noted he had spoken with Sorrell as to whether the Solid Waste Utility could do some enforcement and had been told no. Glascock commented that staff went through bags that were illegally dumped to identify where the trash had come from and charges were then filed by someone. Glascock pointed out the property owners could do the same thing on their private property. If it was on a public street in the downtown, it was on City property, and the CID was managed differently than private property. They were two separate issues. Thomas asked to be kept informed on the meeting involving private property as there were a couple of people he wanted included in that meeting. Glascock understood the meeting would take place with the Columbia Apartment Association.

Fowler clarified the complaint she had received involved bulky items. Glascock understood it involved items such as mattresses, but those items had come from people within the apartment complex and not necessarily from someone outside of the facility. Fowler explained it attracted other items once a bulky item was placed there. Glascock stated City staff would set up the meetings.

Waner asked when there would be another COVID update. Waner explained Missouri had been at the crux of discussion at several of her work meetings in terms of topics such as the evolutionary microbiology of the Delta variant. As a result, Waner felt it was something the Council should consider. Waner asked about the cadence of those conversations prior to her joining the Council and wondered when they needed to be started again. Treece agreed it was likely time for another update. There had been one at the first meeting in July and they could have another at the August 2, 2021 Council Meeting. Peters suggested an update at the first meeting of every month unless it got worse. Waner understood 130 new cases had been added today.

Skala understood a constituent with the League of Women Voters had asked to place leaflets in the lobby with respect to elected state and federal officials, but was told by the City Manager's Office there was policy against this. Skala asked if there was a written policy. Glascock replied Columbia was a non-partisan City, and the document in question had included some political parties within it but not all of the parties. It had included Democratic and Republican party information, but not any other party. Glascock noted it would not be an issue if it had listed only the elected officials. Glascock felt it was partisan to have some political parties listed but not all of them. Skala stated he was satisfied with that explanation, and asked if there was a written policy. Glascock replied he would have to look, but pointed out they did not normally allow political documents to be placed in the lobby.

## **XII. ADJOURNMENT**

Treece adjourned the meeting without objection at 11:02 p.m.