



## Columbia City Council Meeting Recap

Council Chamber, Columbia City Hall

7:00 PM

Monday, February 19, 2018

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### INTRODUCTORY ITEMS

Pledge of Allegiance

(Recited as indicated.)

Roll Call

(Present: Treece, Trapp, Pitzer, Skala, Peters, Ruffin, Thomas)

(Absent: None.)

Approval of Minutes

(Minutes from January 16, 2018 meeting approved.)

Adjustment of Agenda

(B34-18 removed from Consent Agenda to Old Business. R21-18 moved from Consent Agenda to New Business.)

### APPOINTMENTS TO BOARDS AND COMMISSIONS

**BC2-18** Board and Commission Applicants.

**Columbia Community Development Commission** – Carly Dibben

**Commission on Cultural Affairs** - Wendy Moore

**Commission on Human Rights** – Brian Jones, Randall Kilgore

**Personnel Advisory Board** – Jason Magill

**Public Transit Advisory Commission** – Ann Anderson, Heather Marriott, Cheryl Price

### SCHEDULED PUBLIC COMMENT

**SPC7-18** Thomas Devlin - Municipal Power Plant.

(Action: Speaker appeared as indicated. He indicated that current price of electricity is 2.5 cents per kilowatt. Believes that we should not try to produce electricity at a cost higher than it can be purchased. He has requested records but indicated that maybe the city does not track cost and wants more documentation. It seems that we are spending a lot of money, millions, on upgrading facilities that are not in our best interest. This is a money pit and enough is enough.)

**SPC8-18** Jennifer Caldwell - Tenant rights and harassment.

(Action: Did not appear as scheduled.)

**SPC9-18** Peggy Placier - A documentary on the establishment of Eagle Bluffs as a waste water management system suggests that community activists, evidence, and national examples can eventually prevail.

(Action: Speaker indicated that a documentary about Eagle Bluffs is educational and instructive. She indicated that the old pipeline solution was not a good solution and that this film exposes how citizen activism can change the course of decision-making and achieve better decisions. Eagle Bluffs was a good

solution. However, Race Matters, Friends needs this same type of activism. Let's see what happens and if it really ends in positive change. Suggested that the idea of activism can help on multiple levels and on many different issues.

**SPC10-18** Sutu Forte - Ode to February 5th.

(Action: Speaker greeted the council. Promised not to sing but indicated that she would be rhyming her remarks. She recounted the actions regarding the trail system that were made at the previous council meetings. She questioned the last decision and wondered if public input was really taken into account, or if it was just for show. She believes that this issue requires more vigilance. She believes that we are an independent community and we continue to need citizen input.

**PUBLIC HEARINGS**

**(These two projects are being considered jointly. The vote on these items is reported under the second item.)**

**PH6-18** Proposed upgrade of the water distribution infrastructure along Bryant Street between Ash Street and Switzler Street, and along Switzler Street between Garth Avenue and Lasalle Place.

[See B41-18/Mayor Memo]

(Action: Staff reported that they Staff have identified the need to upgrade water distribution infrastructure along Bryant Street from Ash Street to Switzler Street and along Switzler Street from Garth Avenue to Lasalle Place. The existing water mains within the project corridor consist of 4-inch and 6-inch cast iron that was installed in the early 1960's. These aging water mains are nearing the end of their useful service life and are requiring increased levels of maintenance. The new water mains will be constructed of 6-inch PVC piping meeting current standards. Existing fire hydrants will be replaced along with an additional new fire hydrant being installed to meet current fire code. Customer's water services will be transferred to the new water main at no cost to them. Funding of \$420,000 has been appropriated for this project under project number W0281 of the Capital Improvement Program.

Discussion ensued. Staff indicated that this project could be accomplished within 4 to 6 months. The public hearing was opened. No public comment was received.

**(See vote recorded on next item.)**

**B41-18** Authorizing the upgrade of the water distribution infrastructure along Bryant Street between Ash Street and Switzler Street, and along Switzler Street between Garth Avenue and Lasalle Place; determining that the work shall be done by City employees or authorizing the Purchasing Division to issue a contract for the project.

**(Action: Motion to approve was unanimously accepted.)**

**OLD BUSINESS**

**B2-18** Voluntary annexation of property located on the northwest and southwest corners of the Brushwood Lake Road and Scott Boulevard intersection; establishing permanent M-N (Mixed-Use Neighborhood District) zoning (Case No. 17-238).

(Tabled at the January 2, 2018 Council Meeting.)

**(Applicant Request to Withdraw.)**

**(Action: Request to withdraw granted. Supporting documentation not available to applicant at this time.)**

**B34-18** Adopting the Rules of Procedure for the City of Columbia Board of Adjustment.

[\(Rule changes indicated here.\)](#)

**(This item was moved from Consent to Old Business for further consideration.)**

(Action: Staff indicated that rules for the Board of Adjustment needed to be approved by the City Council and that this was necessitated by the adoption of the new UDC. Specifically, the Board of Adjustment no longer hears cases for Conditional Use permits. Other changes included making the rules match the new UDC.

Skala asked if the council can change the rules in this regard and what state laws are pertinent. Legal staff indicated that they would address questions on a case-by-case basis. The Mayor asked if it was required that applicants had an attorney. Legal staff indicated that because BOA hearings are quasi-judicial that it is often in the best interest of the applicant to have legal representation, but that individuals may represent themselves.

First speaker indicated that the BOA recently acted inappropriately by granting a variance to the Rose Music Hall. He disputed that ruling. He believed that that decision did not protect the public and that it asked for forgiveness rather than permission up front. He further indicated that there should be more protections for citizens. Wants variance applications to go through an appeal process first; wants any project that is already underway to be eliminated from consideration; wants to eliminate financial hardship as a criterion; and wants procedure to match the UDC. He thinks this does not go far enough to protect citizens and believes that the decisions are not fair. He wants to make BOA members to go on record with an opinion on each item with an explanation for the basis of their individual vote.

Mayor indicated that he was also concerned about appointments to that board and that there was a patchwork of variances that have been allowed. He wanted more definition. The speaker indicated that one area was the issue of hardships. Speaker believes that financial hardship is not a legitimate reason for a variance. Skala asked if the speaker would be satisfied if the council asked for a report from the legal counsel, particularly in reference to the problems enumerated here. The speaker indicated that this would be alright, but he also wanted a second opinion from an attorney other than the city counselor. **The Mayor indicated that he did not want the staff to suggest how to get around the code, but that they should be required to uphold the code.**

The speaker contended that there is an imbalance of power and that his recommendations could address that problem.

The next speaker indicated that he was an attorney and that he agreed with the first speaker. He indicated that there are a variety of appeals, but that BOA does not hear appeals to their own decisions, but from appeals to administrative decisions. He cited the fact that financial hardship is not a criterion for decisions, but that such a factor was cited in earlier decisions. He asked that the city attorney explain the law to the board at the time of the hearing, then further asked that variances not be granted and that no ex-post facto variances be allowed to come forward. He further indicated that it should be explained where appeals go and who has standing to challenge any decision. He was not sure how this would work. Let's make all of this part of the rules. Earlier, I was in favor of this new code – but now I am not sure. I do want it to be clear about what jurisdictional forces are in play. Asked for rejection of the new changes.

Public hearing was closed.

Skala indicated that he felt that more information was needed. He wants to sort out the issue of granting variances after the problem has already occurred. He admitted that there were some adjustments in the transition to the new UDC and that it would be appropriate to table this and get a legal report. Trapp indicated that he thought these changes were recommended by the Board of Adjustment, and that further changes could be considered, but that for now, these proposed modifications should be adopted.

Thomas thought there should be further investigation and had no clear opinion about the action tonight.

The Mayor indicated that because they cannot edit the changes, he was reluctant to adopt these changes until they were examined further. He wants to table and come back with a report. Pitzer indicated that he agreed with Trapp and that these rules were adopted in accordance with the BOA and the state and city laws. If we want to amend the code, we can do that. This is more administrative, and we can have a separate discussion about the overall powers of the board.

Skala indicated that some of these are administrative changes and that they were indicated by adoption of the new UDC. However, if this is a problem and we don't understand what is happening here, then we should wait. Is this a problem? Legal staff indicated that they could just repeal the rules and they would default to prior rules or those prescribed by the state. Skala would prefer to handle this all at once. He suggested a motion to table this issue.

City legal staff indicated that the BOA is a quasi-legal board and that there are some things that we cannot change. Legal staff further indicated that regular city staff cannot block an item from going forward, that it is a right of the applicant and that it is up to the board to make the appropriate decision. If they grant a hardship to someone, it is the right of the board to do so and that is why the appeal is allowed and why this venue exists. There could be some modification to the rules of what is defined as a hardship, but that needs to be well-considered. Skala asked for more information and made a motion to table – seconded by Thomas.

Thomas indicated that a few years ago there was a fraternity house that was constructed, that it was allowed, and later it was granted a variance. Staff indicated that it was a mistake on the part of the city and the applicant. They ended up requesting a permanent grant rather than a temporary use. In the case of Rose Music Hall, it was a little different since the temporary structure was then asked to be extended, rather than an approved permanent structure being granted allowance. City staff was reluctant to agree to all conclusions put forward by members of the council.

Legal staff indicated that the rules of procedure are not really the issue here. She indicated that the decision of the board is what is being challenged here more so than the actual rules of procedure.

**Motion to table was defeated 4 to 3.**

**Motion to approve proposed changes passed 6 to 1 with the Mayor dissenting.)**

#### **CONSENT AGENDA**

**(All items remaining on the Consent Agenda were approved unanimously.)**

**B34-18** Adopting the Rules of Procedure for the City of Columbia Board of

Adjustment.

[\(Rule changes indicated here.\)](#)

**(This item was moved from Consent to Old Business for further consideration.)**

**B35-18** Approving the Final Plat of The Villas at Old Hawthorne Plat 9B, a Replat of a portion of Lot 5 of Old Hawthorne Plat 1, located east and west of Old Hawthorne Drive West; authorizing a performance contract (Case No. 18-3).

**B36-18** Approving the Final Plat of CGS Subdivision Plat 2 located on the south side of Broadway and west of Rothwell Drive (4006 W. Broadway); authorizing a performance contract (Case No. 18-22).

**B37-18** Approving the Minor Plat of Bryant Walkway Apartments I - McBaine, a Replat of a part of Lot 23 of Garth's Subdivision of Garth's Addition to the City of Columbia, located on the east side of McBaine Avenue and approximately 600 feet north of Ash Street (304 McBaine Avenue); authorizing a performance contract (Case No. 18-36).

**B38-18** Authorizing construction of a six-foot wide sidewalk along the west side of Oakland Gravel Road, between Blue Ridge Road and Edris Drive; calling for bids through the Purchasing Division.

**B39-18** Authorizing the acquisition of certain interests in real property for construction of a six-foot wide sidewalk along the west side of Oakland Gravel Road, between Blue Ridge Road and Edris Drive.

**B40-18** Authorizing Amendment No. 1 to the agreement for professional architectural services with Architects Design Group / ADG, Inc. for design services relating to the construction of the Police Precinct/Municipal Service Center North facility in the Auburn Hills Subdivision.

**B42-18** Authorizing a pole attachment license agreement with ExteNet Systems, Inc. for the installation and maintenance of communications facilities, distributed antenna systems and associated wireless equipment on City distribution poles.

**B43-18** Authorizing Amendment 8 to the general cooperative agreement with the Boone County Regional Sewer District relating to sewer service to property located on State Highway HH.

**B44-18** Authorizing a grant of easement for sewer purposes with Boone County Regional Sewer District to change the connection point of a new force main sewer line located adjacent to Creasy Springs Road.

**B45-18** Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. for an aeronautical obstruction survey of Runway 2-20 at the Columbia Regional Airport.

**B46-18** Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. for the design of isolated pavement repairs to Runway 2-20 at the Columbia Regional Airport; appropriating funds.

**R21-18** Expressing support for state legislation to prohibit the use of hand-held wireless communications devices while operating a motor vehicle.

**(Moved to New Business for discussion.)**

**R22-18** Authorizing an agreement with Central Missouri Community Action for HOME funds for construction of an affordable home to be located at 804 King

Avenue.

## NEW BUSINESS

**R23-18** Declaring support for Community-Oriented Policing.

### Resolution

(Action: City Council has directed staff to create a plan that modifies current CPD policies, procedures and operations, implement the new program, and provide an evaluation process with goals, objectives and measurable outcomes. Other considerations mentioned in earlier council reports should be addressed by staff in the transition plan of adopting and implementing Community-Oriented Policing. These other considerations include: aligning with current CALEA accreditation efforts, allowing for ample time of the adoption and acclimation to the new Records Management System, ensuring that the number of officers needed to implement the plan are considered as well as funded, and providing support for Columbia Police Officers throughout the adoption and implementation of this plan.

The resolution, as submitted for this meeting contains 4 major affirmative steps. They are as follows:

SECTION 1. The City Council hereby declares its support for the philosophy of Community-Oriented Policing.

SECTION 2. The City Council directs the City Manager to design a citywide Community Oriented Policing program for the Columbia Police Department (CPD) and a transition plan, timeline, and budget for modifying current CPD policies, procedures, and operations and implementing the new program; as well as an evaluation process that includes goals, objectives, and measurable outcomes.

SECTION 3. The process for designing the program and transition plan shall include input from a broad range of community members and organizations such as residents of high-crime neighborhoods; residents of neighborhoods that do not have high levels of crime; residents who have experienced racial disproportions in traffic stops and searches; groups with expertise in race relations, implicit bias, and community-oriented policing; members of the former Mayor's Task Force on Community Violence, representatives of Columbia Public Schools, University of Missouri, Chamber of Commerce, Heart of Missouri United Way, and social service providers; the Columbia Citizens' Police Review Board, Human Rights Commission, and other advisory boards; representatives of Columbia Police Officers Association; the Police Chief and officers of all ranks.

SECTION 4. The proposed citywide Community-Oriented Policing program and transition plan shall be presented to the City Council by August 31, 2018.

(A copy of the complete resolution is available at this link: [CPO Ordinance.](#)) The fiscal impact of this policy is unknown at this time.

Discussion by the council continued. Skala asked if there was some way to estimate the cost of implementation for this before they voted on it because he did not want sticker shock at the end. City Manager indicated that the staff would share everything they get, but until the plan was created they could not say what it would cost. Skala indicated he wants a ballpark number at least.

The Mayor opened the public hearing.

The first speaker indicated that staffing and money are a distraction in this discussion. She referred to a national movie about policing and race and she thinks that what we sometimes do is rehash the status quo rather than address the groups that have been marginalized by past decisions. We are now in a place where we have to address the problem. We need to transform how we make decisions first and

reengineer how we think about the future. The cost is not the primary concern – the issue is how to get different outcomes for people of color. Focus on transforming the leadership first.

The next speaker indicated that there must be accountability in this plan. Project management is not a one and done thing. I want to see a check-in schedule on a monthly basis, not a big report at the end of the year. Thank you for integrating my suggestions into the new resolution. We have made some progress.

The next speaker believed that he has sent a previous letter and that he would summarize that note. He wants to reexamine this entire issue and has cited a community in Nebraska that provides us with a roadmap. I think we can land on a good strategy. He believes that adopting the resolution tonight is a great step forward and that it will provide both a philosophy and a roadmap. This will keep the process moving forward.

A speaker indicated that she supports this resolution and that this helps us get to where we want to go. She indicated that the NAACP supports this effort. They are committed to stay engaged in this process. She wants to remain civil during the upcoming debate and indicated that not all aspects of the new plan will be universally accepted.

A speaker indicated that he was a veteran of the US Military. He reviewed military approaches to problems and indicated that some things were approached in different ways. Sometimes, resources were expendable. Sometimes, they were not. Sometimes they blended goals and it was not always successful because there were conflicting goals. He understood that money was a constraint. He thought that leadership and measurements were more important, and that accountability is key. He suggested follow, lead or get out of the way.

A speaker indicated that he was interested in this topic and that he had sent an earlier note in this regard. He did not think this resolution did not meet the minimum threshold for approval. He thought that this resolution was missing a statement regarding the use of force; that there was not a definition of community policing; and that if the enforcement mechanism does not share the same ideals as the people who want this change then it cannot work. He suggested that there were other experts that could be relied upon. He believed that the city manager will simply take different strategies from different sources and it will be a hodgepodge. Such a plan will not be effective. We cannot afford to wait forty years to get this worked out and picking strategies out of a hat will not work. We need shared, equal decision-making strategies. That will take us to where we need to go. Community consent will lead to legitimacy. He urged that this plan not be adopted.

Another speaker indicated that he was a candidate for 2<sup>nd</sup> Ward council. He cited low morale on the current police force. He suggested that you have to have staffing that will lead to long-term relationships. We are more than 100 officers short. If we want to implement community policing, it will cost a lot of money and will require better management. The officers must want to work here. My opponent has not supported our officers. You will have to find resources. This is not an empty vote. This will last for years to come.

The next speaker indicated that the chief is sitting in the audience. He admitted that he has a police record and wants to make sure that people are not afraid of the police. He thinks some officers are better than others. It is not pretty out there. People get crapped on and sometimes cops don't do their

jobs. That needs to stop. If you want our help, come ride with us and get out from behind your desks. Community policing is a good idea.

The next speaker represented the CPOA. He believes that the officers are supportive of this new initiative and that the city manager has selected Rob Fox to help coordinate this new effort and they are supportive of that decision. He has the skills to do this. He has SWAT experience. He admitted that there will be a cost to this and that that will be another discussion in the future.

Another speaker indicated that she had a question. She wants to know why the new officer in charge of this is a SWAT team leader and that this is disturbing. I don't like that idea.

The public hearing was closed.

Ruffin indicated that he had become aware that this is an exceptional moment because most people are agreeing on the idea that this is a general direction we all embrace. He believes that participation in a significant moment is important, but that you have to realize that there were others who went before us who had an effect on what we do now. This is a positive step forward for future generations and this is a critical step. This is a living document and it will change over time, but this is our opportunity to continue the process.

Trapp indicated that he heard one speaker indicate that we need a clear statement of intent in this regard. He believes we need a clear statement of where we are and what we want to achieve. We have had some missteps in the past, but we will continue to stumble forward and get this worked out with a community partnership.

Pitzer indicated that he wanted to thank Thomas for his work on this issue and that it was heartening to see many different stakeholders come forward. He believes this is the easy part. Developing a good plan will be more difficult – and paying for it will be difficult. But we are making an informed statement of support to go forward. Morale is an issue among city police. We know that with resources we can make this work and that officers who have seen that level of support indicated that this can improve morale and the lives of all people in our community. In a few months, we may disagree again, but we need to continue to push forward.

Skala observed that changes are paramount, and that cost may not be the largest issue, but that cost is a real issue nonetheless. Community policing is historically a good goal. This is a starting point, and this is necessary. Let's look at this with our eyes open. We have to look at budgetary considerations and I will support this tonight.

**Motion to approve passed unanimously.)**

#### **R24-18 Establishing the Fair Housing Task Force.**

(Action: The City of Columbia is classified by HUD as an Entitlement Community and Participating Jurisdiction due to its population and demographics, therefore it receives an annual formula-based allocation of CDBG and HOME funding. Entitlement Communities are mandated by HUD to meet federal requirements to Affirmatively Further Fair Housing (AFFH). Although the City is under less rigorous requirements to document its compliance with the AFFH Rule due to federal rule changes, the required Analysis of Impediments to Fair Housing Choice is still an important process that would be better informed with a robust public engagement process. City staff proposes creating the Fair Housing Task Force consisting of a broad stakeholder group for the following purposes:

1. Assist staff Analysis of Impediments to Fair Housing Choice public engagement process.
2. Review fair housing data presented by staff and local partners.
3. Review public input collected throughout the public engagement process.
4. Provide recommendations to Council for Fair Housing Goals and Priorities.

The two key deliverables of the Fair Housing Task Force would be as follows:

1. Provide recommendations for City policies that promote and further fair housing.
2. Provide recommendations on the use of CDBG, HOME, other HUD Sources and local funds in a manner that promotes and furthers fair housing and informs the 2020-2024 Consolidated Plan.

City staff proposes the following stakeholders' groups be considered to serve on a City Council appointed Task Force: 2 Council Co-Chairpersons, Community Development Commission, Columbia Community Land Trust Board, Planning and Zoning Commission, Human Services Commission, Disabilities Commission, Columbia Housing Authority Staff, Columbia Board of Realtors Representative, Columbia Apartment Association, Social Services Provider, Home Builders Association Representative, NAACP, Local Faith Community, Central City Residents living in Census Tract 9, 21, or 7.

The Task Force will conduct public outreach meetings and is expected to complete the primary tasks outlined above by April of 2019.

The Mayor asked if this was a requirement. Staff indicated that it was not a specific requirement but that it was one way to fulfill requirements to remain compliant. The creation of this task force will exceed our current requirements. We plan to make recommendations and reports to the council. We believe that the scope of our work will be both public and private housing availability.

Pitzer asked if this was a one-time creation? Staff indicated that a task force was better than creating a standing commission.

Public comment was opened.

One speaker indicated that he was involved in previous housing market analyses. He believed that previous studies indicated that we should remove impediments to fair housing. This is about policy, not about how many units we will build. We need to make sure we protect access to fair housing. This is a good chance to adopt a real affordable housing strategy and policy. I would suggest that there are some ideas that should be reflected in the composition of this task force. I do not think it should be chaired by council members. I think you need to get smart people from a broad cross-section of our community. You do want people from the building community, but you do not want executive directors. Maybe there should be 17 people on this task force but not 19 – and 15 is not enough.

The final speaker suggested that she was bothered by the fact that the only reason we are doing this is because it is a requirement to do this every 5 years. Let's make this real and don't just do it to fulfill some rule. Let's get real people on this board who can look at this fairly.

Public hearing was closed.

Trapp indicated that he did not think we were doing this just to meet a rule – he thinks the staff is merely letting us know that it is a rule that was actually relaxed, and we are bringing this forward

anyway. We want to engage diverse stakeholders and we want to encourage stakeholder input. That's why we did not come in with a plan – we came in with a way to establish a plan. There are a thousand ways to do it. I think this seems appropriate. This is better than what we have done in the past.

Skala thought that the work on this item has been good. He looks forward to some actions that this group may make as it could relate to other issues, even community policing, affordable housing, red-lining and other concepts. This is self-examination and it could be very beneficial.

The Mayor was concerned. He indicated that the housing market has changed since we did this the last time. He believes there are a lot more luxury student apartments; that there is a stock of affordable housing; and that there are some other homes that are deteriorating. It doesn't help if we have introspection and then we force housing out into the county. Rental inspections are a concern. I also don't think we should have council members chair this commission. I worry about us being spread too thin. We have experts in fair lending and at the university. Let's see if that would work as an amendment.

Thomas emphasized that this process has been a long-time in the making and that this is not just something to allow us to check off a required box. This is an important step. I would like to see an affordable housing policy come out of this process and I would like to have this group include inclusionary zoning ideas and affordable housing in integrated neighborhoods. I am open to county representation and I would like someone from the Human Rights Commission to be included in this group. He did not have a definite opinion about having council members chair this commission. He would prefer to follow staff recommendations.

Pitzer thinks that we should NOT have council members chair this task force. He thinks it could be too heavy-handed. Thomas indicated that they were co-chairs in the past, but that they were non-voting.

Mayor proposed an amendment to delete the requirement for the chairs of the task force to be city council members but indicated that that could be allowed. This would open the leadership of this group to other individuals. Skala indicated that there is some double-dipping when it comes to having council co-chairs, but he kind of likes the liaison role. Ruffin suggested that at least one chair be a council member. Trapp agreed with that sentiment. Maybe the better amendment would be to make the council members non-voting. I think council involvement is useful.

Treece removed his original amendment and replaced it with an amendment to make the council co-chairs non-voting.

**Amendment passed unanimously.**

**Thomas proposed an amendment to add a member from the Human Rights Commission to the board.**

**Skala indicated that sometimes you want to have an odd number of members.** Peters seconded Thomas's initial amendment. The Mayor suggested that maybe there could be someone who could represent more than one group but did not have a specific person in mind.

**Amendment passed 5 to 2.**

**The main motion, as amended, passed unanimously.**

**R21-18** Expressing support for state legislation to prohibit the use of hand-held wireless communications devices while operating a motor vehicle.

(Moved to New Business for discussion.)

(Action: Staff indicated that there are rules moving through the state legislature and that they would like permission to testify on the various legislative proposals as it relates to distracted driving. Thomas thanked staff for that explanation. Thought this was a reasonable thing to do.

No public comment.

**Motion to approve passed unanimously.)**

#### **INTRODUCTION AND FIRST READING**

**PR25-18\*** Establishing a revised policy for intergovernmental relations; adopting legislative tracking priorities for the 2018 federal and state legislative sessions.

**B47-18** Rezoning property located on the east side of Paris Road, north of Brown Station Road, from District PD (Planned District) to District IG (Industrial District) (Case No. 18-14).

**B48-18\*** Approving the Final Plat of Red Oak South Plat No. 2, a Resubdivision of Lot 2 of "Red Oak South, Plat No. 1," located southwest of the Grindstone Parkway and Norfleet Drive intersection; authorizing a performance contract (Case No. 18-21).

**B49-18\*** Authorizing a right of use license permit with Spring Creek Homes Association of Boone County for installation and maintenance of a private neighborhood identification sign within portions of the Vawter School Road and Foxcreek Way rights-of-way.

**B50-18\*** Authorizing construction of the FY 2018 sanitary sewer main and manhole rehabilitation project; calling for bids through the Purchasing Division.

**B51-18\*** Accepting conveyances for sewer, drainage and utility, and temporary construction purposes; accepting Stormwater Management/BMP Facilities Covenants.

**B52-18\*** Accepting conveyances for utility, water utility, electric utility and underground electric utility purposes.

**B53-18\*** Accepting a donation from Central Bank of Boone County, Missouri for the 2018 Fair Housing and Lending Seminar; appropriating funds.

**B54-18\*** Authorizing an agreement with Boone County, Missouri for animal control services.

**B55-18\*** Authorizing an agreement with Boone County, Missouri for public health services.

**B56-18\*** Appropriating funds to offset expenses for Columbia Values Diversity Celebration activities.

#### **REPORTS**

**REP13-18** Correspondence from the North 763 Community Improvement District (CID) regarding CID board membership.

(Action: Due to the death of a member of the Board of Directors of this district, the board has requested the confirmation of Ryan Vossen to fill the vacancy created on the board.

**Report accepted.)**

**REP14-18** Vision Commission Ordinance Change.

(Action: Staff explained that at their Jan. 2, 2018 pre-Council meeting, the five council members in attendance revisited an earlier discussion of a revised mandate for the Columbia Vision Commission. Members agreed that the Commission could play a valuable role in three broad areas: 1) seeking community input for the next strategic planning cycle; 2) advising Council on the alignment of the City's major plans; and 3) providing regular updates.

This report suggests specific changes to the mission of the Vision Commission, changes in rules of procedure and process; rules that change the make-up of the board; and additional language that allows the Commission to become involved in a broad array of topics. A chart explain the differences is available at the following link: [Vision Commission Changes](#).

No date for consideration of this action was specified. The fiscal impact could not be determined at this time.

**Report accepted without debate.)**

**REP15-18 Animal Tethering Ordinance.**

(Action: At the request of Council, staff has prepared a report summarizing the city's current animal tethering ordinances and related enforcement challenges. Section 5-6 (a) of the Columbia, Missouri Code of Ordinances defines unlawful acts regarding the confinement of animals. This section states that it shall be unlawful for any person to:

- Tether an animal as the primary method of restraining an animal to any property;
- Tether an animal using a choke collar;
- Tether an animal without using a properly fitted collar or harness made of nylon or leather; or
- Tether an animal without using a tether of appropriate length and weight for free animal movement that includes swivels at both ends.

The ordinance allows Animal Control Officers to remove an animal from a private owner and impound the animal when the health or safety of the animal is in immediate danger or when the animal shows evidence of neglect or abuse. If the owner refuses to relinquish the animal, a warrant can be sought for the removal. Prosecution of violations of this ordinance have been difficult due to the unwillingness of witnesses to get involved in neighborhood arguments.

Staff has met with Melody Whitworth of Unchained Melodies Dog Rescue and discussed possible changes to improve the animal tethering ordinances and increase the ability to enforce them. Ms. Whitworth suggested that consideration be given to adding language that would prohibit unsupervised animal tethering. This type of change may allow Animal Control Officers to observe whether a tethered animal is being supervised or not during the site visit and would eliminate the barrier of finding a knowledgeable and willing party to testify.

Discussion followed. Skala asked about supervised tethering. Staff indicated that that could be a possibility. Trapp asked for recommendations. Staff indicated that the supervision provision was a good first step. Enforcement could improve if the rules were changed.

**No formal action was taken at this time.)**

**REP16-18 Commission on Human Rights 2017 Annual Report.**

(Action: The annual report of the Human Rights Commission was submitted for council review. In addition to a discussion of the outreach and educational programs of the commission, it was noted that they had reviewed three complaints during the past year. Those complaints were enumerated as follows:

HRC 2017-0001 This complaint involved a ban the box violation. Because the business changed its application to become compliant with the City ordinances, the Commission unanimously voted to administratively close the complaint.

HRC 2017-0002 This complaint alleged discrimination based upon disability in a place of public accommodation. The Commission unanimously found probable cause and referred the case to the City Prosecutor.

HRC 2017-0003 This complaint alleged discrimination based on race. Due to a jurisdictional issue, the complaint was sent to the Missouri Commission on Human Rights.

Staff indicated that a Fair Housing Forum was coming up in April.

**The council accepted the report of the commission.)**

**REP17-18** Intra-Departmental Transfer of Funds Request.

Treece asked about transfer of funds from I and I to a manhole account. City Manager will follow up.

**(Action: No further action required. Report accepted.)**

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

##### **Public**

First speaker rose to address the council and indicated that he was speaking from his own point of view. He is speaking on his own behalf. There have been a lot of school shootings lately. He indicated that people are trying to blame crime on the mentally ill and divert blame on the proliferation of guns. 95% of people who commit these crimes are sane. He believes our elected officials are under the sway of the NRA. They spent more than \$31 million in the last presidential election. Senator Roy Blunt has received more than \$4.5 million in support. If he was not bought, he was at least rented. This city council needs to act to ban assault weapon sales in this city and apply penalties to possession of such weapons and that ammunition be banned as well. He thinks police should be exempted from the rule. He indicated that other cities have taken such actions and that they are not unconstitutional.

The Mayor indicated that he believed that there was a state law that did not allow the city to take such an action. He indicated that he would ask the city counselor to come back with a ruling. The speaker indicated that the Mayor was a lobbyist, so he should know all of this. The Mayor explained to the speaker that new state law prohibited this city from adopting such a law. The speaker indicated that if we didn't do this the federal and state legislatures won't do anything.

The next speaker indicated that he would like the city to reconsider their action on the Fair Housing Task Force. He suggested that they re-vote and add a 15<sup>th</sup> person. He also questioned the vote on tabling the Visioning Rules. Speaker indicated that tasks forces should be about policy and if that is the case, then you should get the community involved and not let council members sway the group.

The next speaker indicated that she was a small business owner and a veteran. She is a martial arts instructor. She asked the council to help protect our children. She understands wanting to ban guns, but she believes that prevention and preparedness are the most important ways to address problems. We

need to look at short term healing goals and prepare our children how to react to active shooter scenarios. Let's provide free seminars to inform people and how to de-escalate situations. Self-defense is another element and it is important that attackers see us a deterrent. Metal detectors could also be employed, and reinforced stoppers could also be installed on all classroom doors. We also need more perimeter monitoring of our schools. You should also pay our first responders more money. We also need to make sure that parents do not abuse their children at a young age. Council members indicated that some of this testimony should be shared with the school board. The Mayor indicated that he would like to see school resource officer programs increased.

A speaker indicated that he wants to ban high capacity magazines for weapons in this city. He thinks we should challenge this law on a constitutional basis and take it to the Supreme Court if necessary.

The final speaker indicated that he works on the problem of homelessness. Don't shoot people Look at the schools where they have notebooks and cell phones. Social media causes this problem. Re-examine how we use technology. We need to find out if kids have problems earlier. Maybe medication could help. Let's find out what is inundating our children's minds. Also, what about the trash bag problem at the trailer courts. That has not been worked out. I am not recycling correctly. We need more education. I was told we could throw an envelope with cellophane into recycling, but you cannot. Who knew? Wal Mart bags are also not recyclable. Take them to Wal Mart and give them back to them.

#### **Council**

Mayor indicated that he had appointed a Bicentennial commission last week. He will make those official. He indicated that he was disappointed about the closing of polling places for the next election. He asked the clerk to reopen those sites. They cannot do that for notification reasons. The Mayor cited problems with that decision in terms of mobility and access. I want the city to make sure we have transportation available to all voters on election day. Skala asked why they didn't move the sites TO Paquin Towers instead of government buildings.

Mayor indicated that he had received letters of support to engage in a state audit of the City of Columbia. He thinks this would be a good idea. He believes that we have statutory authority to request this audit, including performance and financial auditing. He would like to request a resolution to request such an audit. No objection. The resolution will be on the next meeting agenda.

Trapp spoke about the latest school shooting and wants to explore banning bump stocks, ammunition magazine sales and other forms of prevention.

Skala indicated that he had three topics. Regarding the Board of Adjustment, he believes that there should be a report about the rules governing the Board of Adjustment. Staff indicated that the clerk has done a good job of keeping records on this body. Skala then asked about density bonuses for development. What is the status of that? I have heard that there is a discussion about that. I would like for the city council to have some input into this including inclusionary zoning. Finally, I once mentioned that we have movie night about race and education. Staff indicated that they have purchased the film and that they can share the film with all employees.

#### **Staff**

Thomas asked for more information about Sergeant Fox who would be working on the community policing project. The City Manager indicated that he believed this candidate understood the process, that he believes in the process and that he thinks it can be beneficial not only to citizens but to police officers as well. He is a part of the SWAT team, that is not permanent, and he does have the respect of his fellow officers.

**ADJOURNMENT**  
**(Time: 10:12 PM)**

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