



## Columbia City Council Meeting Recap

Council Chamber, Columbia City Hall

7:00 PM

Monday, June 3, 2019

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Pledge of Allegiance

Roll Call

Approval of Minutes

Adjustment of Agenda

### INTRODUCTORY ITEMS

(Recited as indicated.)

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

(Absent: None.)

(Minutes from May 20, 2019 were approved.)

**(Trapp asked to abstain from B145-19.)**

### SPECIAL ITEMS

(None.)

### APPOINTMENTS TO BOARDS AND COMMISSIONS

**BC6-19** Board and Commission Applicants.

**Planning & Zoning Commission:** Tootie Burns, Lee Russell

**Youth Advisory Council:** (Betsy Peters will serve as liaison from the council.)

### SCHEDULED PUBLIC COMMENT

**SPC34-19** Traci Wilson-Kleekamp - Restorative Practices and Community Policing: Putting Practice into Policy.

(Action: The speaker complimented the city manager and chief for attending a community policing meeting last week. She cited the Presidents Task Force on 21<sup>st</sup> Century policing recommendations for community policing and said they are still working on that. There are people in the past who have suffered injustice. It has happened to me and my family. The police need to understand how history affects people of color. The idea of restorative practice is better than punishment, and sometimes that is based on history or beliefs. We are considered about acknowledging wrong, including in social media. We have not seen any acknowledgement of police transgressions in that regard. We need to change and if we don't call it out it won't change. We need new policies on social media use since our rules are silent on that point. Everyone should take bias tests regularly. We need to quit using noose imagery and somebody needs to tell Dale Roberts to knock it off. If we are just doing superficial things, we are not pursuing justice. It should not be done just to feed someone's ego. We have to understand what the things are that stratify our society. This is not a black thing or a white thing. What about white men who commit crimes with guns?

**SPC35-19** Kandas Holmes-Barnes - Community Policing and Restorative Practices: Failures of the police and school relating to daughter's arrest.

(Action: Earlier this year the speaker's daughter was taken into custody for something she didn't do. The charges were dropped, but they looked at a film and it wasn't her. She has filed a complaint, but she has never received an apology. She was bullied when she returned to school; she was suspended because she got loud; Chief Jones referred her to internal affairs. She wants justice for her daughter. I do not want her to be a victim of society. My child tried to take her own life. This is serious and I have seen it. This is a difficult time and my daughter is being bullied for something she didn't do. She got pushed into a locker and she got suspended because she hit him back. I just want justice. Do I have to home school my daughter? Boarding school? She is victimized and I want some accountability.

The Mayor asked if this had been reported to the school district and the speaker said she had but they were unaware of the specifics and they don't want to talk about it. Ruffin suggested a person to talk to and the speaker said that individual had recommended action against her daughter.

### **PUBLIC HEARINGS**

**PH24-19** Proposed replacement of the water distribution infrastructure along Country Club Drive South and Elliott Drive.

(Action: The Water Utility has identified the need to replace water distribution infrastructure along Country Club Drive South and Elliott Drive. The existing water mains within the project corridor consist of 4-inch and 6-inch cast iron and 6-inch asbestos concrete that were installed in the 1950's and early 1970's respectively. These aging water mains are nearing the end of their useful service life and are requiring increased levels of maintenance. Staff is proposing to replace these water mains with approximately 3000 feet of 8-inch PVC piping that meets current standards.

The estimated cost for this improvement is \$560,000 and funding has been appropriated under project number W0273 for the Country Club Drive South and Elliott Drive Water Main Replacement Project in the Capital Improvement Program.

No one from the public spoke on this issue.

**A motion to proceed was made and passed unanimously.)**

**PH25-19** Consider the Water and Light 2019 Renewable Energy Report.

[LINK TO RENEWABLE ENERGY REPORT](#)

(Action: Columbia Water & Light has been pursuing renewable energy sources since the mandate was passed by voter approval in 2004. The following is a list of the renewable energy quantities for 2018:

Bluegrass Ridge Wind ----	.95%
Crystal Lake Wind -----	9.39%
Columbia Landfill Gas----	1.24%
Jefferson City Landfill Gas	1.87%
Photovoltaic-----	.23%
ND Wind Rec-----	1.99%

Renewable Energy Total: 196,361 megawatt hours or 15.67%

As outlined in Section 27-106(b) of the Renewable Energy Standard Ordinance, renewable

energy cannot cause electric rates to increase more than 3% above what rates would be with non-renewable energy. Based on the methodology detailed in the Renewable Energy Report, current renewable energy resources have 61.4% of the allowed impact or 1.8% impact on rates.

Net metered solar has begun to be accounted for, but those numbers are not reflected in this report. In the future, we will see additional solar from the Truman Project and we are currently working through an RFP to provide more solar energy.

The Mayor asked about the chart in the report and suggested that we should show the cost per kilowatt and show the opportunity cost. Staff said that that information is available and it can be translated to kilowatt hours. The Mayor asked if renewable energy is less expensive than fossil fuel? Staff said that right now renewables are coming in at a lower cost. Staff added that the Climate Action Plan will have an impact on our portfolio and planning process and that it should turn out in our favor. The Mayor asked how much of the city's budget goes to municipal power plant operations and if some of those costs can be shifted since the power plant provides a small percentage of our power? Staff explained that sometimes we need that for load serving and capacity purposes.

Skala asked if the power plant was a capacity asset? Yes. Renewables seem to be more nimble now, is that true? Staff indicated that was true and added that right now we are wind heavy in our portfolio and are moving to diversify with solar. Skala suggested that a new solar project just north of town was in the works and staff confirmed that that was true, and it would be discussed in the future. Pitzer asked about generator capacity and staff indicated that natural gas generation could be increased in the future, but that in the short term one generator is out of service. Landfill gas is another source, but our wind power makes the biggest difference in our portfolio right now. Pitzer asked about renewable energy credits. Staff said we take out MISO credits and we can assign that and buy credits to purchase renewable energy. This was the first time we had ever done that. We are not sure that we will try that again and would prefer to rely on long term contracts. Pitzer said it appeared to him that we did not really get more renewable energy, it was simply assigned to that category due to the credit award. This is not the normal way to go about doing this. Pitzer asked how they assigned costs to credits for energy that aren't really there? Staff said renewables have an impact on the overall cost. We assigned our marginal cost to our non-renewable assets and then we figured the price of the energy and the marginal costs to determine final cost. Our goal was to tie the cost to the true cost of the energy. Pitzer thought it sounded like the figures were manipulated to show achievement of a renewable energy goal and that rate payers may be better served by purchasing truly lower cost energy sources. Staff said the one-time method is not the typical procedure.

The Mayor asked if the city has purchased any energy from Grain Belt? Staff said that project is not online yet but that there are contracts in place to purchase some of that future power.

The public hearing was opened.

The first speaker indicated that he thought the newer method of taking into account the net metered solar energy in Columbia. He thinks this is an improvement, even though the net metered solar output is small at this time.

The next speaker said he is installing a solar roof on his home. He thinks it is good to move in this direction and he would like to know if individual solar projects are making a big impact. Do we know

those numbers? Is our new solar coming from rooftops in town? The Mayor thought it would be interesting to pursue this line of questioning.

The public hearing was closed.

Trapp noted that renewable energy use has tripled in his time on the council and thinks this was a positive report. Skala concurred and cited some historical milestones that have led to this increase in renewable energy.

**The plan was approved unanimously.)**

**PH26-19** Consider the findings and recommendations from the Fair Housing Task Force related to an Analysis of Impediments to Fair Housing Choice for the FY 2020-2024 Consolidated Plan.

[See R87-19/Mayor Memo]

(Action: Staff explained that this report was required to be able to receive CDBG and HOME funds. Part of that requires an analysis of what we do. That's what this report reflects. Staff noted that fair housing is much more than just lending practices and he described the make-up of the task force. He noted that there were many differences of opinion and that in many cases there was robust debate, but this was a collaborative process. GIS maps were included in the process and many worksessions and meetings were involved over time. Staff noted that affordable housing was the key goal of this study and that the approach needs to be comprehensive.

Basically, the task force found that strategies will need to be adopted in the 2020 – 2024 Consolidated Plan to deal with the following conditions:

1. A lack of safe, healthy and affordable housing for households below 80% of the area median income.
2. A lack of safe, healthy and affordable housing distributed across all regions of Columbia.
3. A lack of accessible affordable housing for persons with a disability and the elderly.
4. Increasing costs of land, labor and materials to construct affordable housing.
5. Neighborhood resistance to the siting of new affordable housing.
6. Lack of public transportation capacity to meet growing needs in areas to the north and northeast.
7. Lack of options to meet the growing need of homeless populations, and chronically homeless.

It should be noted that five of the seven identified issues deal directly with “affordable housing”, with the remaining two items focusing more on transportation networks and the problem of homelessness. The strategies contained in the resolution do not specifically identify problems relating to the more traditional definition of “fair housing” that involves lending practices, restrictive covenants, red-lining practices etc. Here is a basic list of items included in the council resolution:

1. Adopt the Fair Housing Task Force report
2. Adopt the federal definition of affordable housing into the City's existing programs and policies, which is defined as “housing for which the occupant(s) is/are paying no more than thirty percent (30%) of gross monthly income for gross housing costs including utilities,” as follows:

Very low: 0-30% AMI

Low: 30-50% AMI

Low to moderate: 50-80% AMI

Moderate income housing: 80-120% AMI

3. Create a Housing Trust Fund Account to be located within the Community Development Department – Housing Programs Division to be funded in accordance with the affordable housing strategy outlined within each Five Year Consolidated Plan and citizen participation plan under the Community Development Commission, as funds are available and while not removing funds from existing City

priorities.

4. Hire a consultant to assist in developing a list of recommended policies and incentives to foster the development of affordable housing within the City of Columbia.

5. The City Council directs staff to identify strategies for providing affordable housing in areas of high propensity to transit and employment centers, while ensuring any land or resources dedicated to affordable housing is completed through an open, transparent and competitive process.

6. The City Council expresses support and directs staff to work with the Chamber of Commerce, the Columbia Board of Realtors and other local partners to foster additional support for developers in navigating the review process for the development of affordable housing.

7. The City Council expresses support and directs staff to collaborate with the County of Boone and the Columbia Public School District to identify additional opportunities to support development and preservation of affordable housing, and prioritize reaching a functional zero for individuals who are chronically homeless

8. The City Council expresses support and directs staff to examine existing programs to identify policies to improve accessibility in housing for new housing, existing housing, renters and homeowner occupants. This suggestion came from the Columbia Apartment Association.

The public hearing was opened.

The first speaker asked what the ballpark price for affordable housing was? The Mayor said he thought it was different for everyone, but that \$180,000 works in some instances. Staff said subsidies that can get the actual housing cost without land to \$100,000 and that works.

The next speaker represented a city neighborhood group. He asked that the council adopt the report as written and that his reading of this report was that this will work for households with \$47,000 in income. Student numbers affect the overall evaluation. He also noted that in the 4<sup>th</sup> ward the income is \$87,000 and in the 1<sup>st</sup> Ward the income level is closer to \$34,000. It should also be noted that many people in the first ward are renters and we need to address rental needs, rehab, and energy efficiency. Our consultant should focus on rehab. We also think we should focus our efforts on the lowest end of the spectrum.

Skala asked about the new trust fund account. He asked where the contributions to this fund would come from? Staff said the city already contributes to various funds. This would provide a new alternative for funds and contributions. Actually, this will allow us to shift some existing funds to specific projects.

The next speaker encouraged the council to adopt this report. She thinks this is a beginning step and that some people who only make \$18,000 need help too. She agreed that a rehab strategy was good and that sometimes energy efficiency would help. New construction may use funds that could be used otherwise.

No further public comment was made.

Thomas asked about policies like inclusionary zoning and thought those would be included here, but it is not. Staff said that they would like to have a comprehensive set of strategies form a consultant and that inclusionary zoning could be one tool in the kit. Trapp asked if we were limited to CDBG guidelines but that we can take a deeper dive in the future. Trapp thought this was a good step forward. In the past, we have been ad hoc. Now we have taken a more comprehensive approach. This will continue to be more challenging as land prices increase. We should not create additional squeezes on affordability as a city. Ruffin asked about the use of funds for renovation over new construction. Staff said that they

allocate about \$250,000 to \$300,000 per year and we typically do 4 or 5 homes per year, and the money replenishes itself as loans are paid off.

Skala asked about rental properties. Is there any new information about what we can do to address affordable rental housing? Staff said that they do energy efficiency programs, but that sometimes wiring, foundations, etc. take the front seat before you can even get to the energy efficiency point.

**(See next item for action)**

**R87-19** Adopting the “City of Columbia Analysis of Impediments to Fair Housing Choice - Affirmatively Furthering Fair Housing” report; enacting related provisions thereto.

**(Action: A motion to accept the report and pass the resolution was made and passed unanimously.)**

### **OLD BUSINESS**

**B136-19** Approving a major amendment to the “Gadbois Professional Offices” PD Plan located on the northwest corner of the Nifong Boulevard and Santiago Drive intersection; approving a revised statement of intent (Case No. 81-2019).

(Action: Staff indicated that the changes were basically designed to exchange sign locations on the same property; allow for a new restaurant with liquor by the drink (which was earlier not allowed); and amend the plan. It was not on Consent because of the requested plan change.

An engineer appeared on behalf of the project and offered to answer questions.

There was no further testimony.

**A technical amendment sheet was submitted and approved unanimously.**

**A motion to approve the change as amended passed unanimously.)**

**B137-19** Approving the Final Plat of “Tuscany Estates” located on the south side of Oakland Gravel Road and east of Teresa Drive; authorizing a performance contract; granting a design adjustment relating to sidewalk construction along Oakland Gravel Road (Case No. 79-2019).

**(Requires approval by 2/3 of Council.)**

(Action: This property is located on the south side of Oakland Gravel Road. This is a two-lot subdivision, however, they have also asked for a design adjustment regarding the construction of 1,200 feet of sidewalks. This located along a neighborhood collector and near schools and parks. The subdivision does not have curb and gutter or sidewalks currently. One subdivision nearby does have some sidewalks. Staff recommended passage of the plat but not the exemption from the sidewalk requirements. Staff believed that this was a good place to start building sidewalks in this general area.

P&Z voted 5 to 1 against the sidewalk exemption but unanimously in favor of the plat. Trapp asked if there were any special circumstances? Staff said yes, that with 1,200 feet of new sidewalk there will be grading challenges in some places. The applicant also argued that this is only two lots – but large lots. Staff thought this was not unreasonable.

An engineer indicated that we usually don’t see this large lot size, but he can recall that on this same amount of space in the past he has seen 45 homes built. These are ten acre lots and the closest sidewalks to these properties are 1.8 miles away. This does not connect to any other sidewalk network.

Pitzer asked if it would be cheaper to build the sidewalks than to make a payment in lieu. The engineer said that was correct, but they want the variance.

**Because the P&Z Commission rejected the design adjustment, it must pass by 2/3. So, the Mayor asked for the final plat to be passed without the design adjustment. The amendment to delete that passed unanimously.**

**Now, there was a vote on the final plat – without the design adjustment. That motion passed unanimously. So basically, the plat was approved, but not the design adjustment regarding sidewalks.)**

**B145-19** Amending Chapter 29 of the City Code to establish regulations for medical marijuana facilities (Case No. 103-2019).

[\(LINK TO MAIN TEXT OF NEW RULES BEING PROPOSED.\)](#) *(See following commentary for additional changes adopted by Council.)*

(Action: On November 6, 2018, Missouri voters approved Amendment 2 to permit state-licensed physicians to recommend marijuana for medical purposes to patients with serious illnesses and medical conditions. Amendment 2 requires that the State Department of Health and Senior Services (DHSS) promulgate regulations that will govern the licensure and operation of cultivation, dispensary, infused-products manufacturing, and test facilities. Furthermore, Amendment 2 authorizes local government the ability to adopt time, place, and manner of operation ordinances to permit the orderly integration of these new facilities within their communities. Such ordinances cannot conflict with the State regulations and shall not make the operation of such facilities “unduly burdensome”.

Three (3) sections of the UDC are proposed to be amended to accommodate the facilities types. These sections are 29-1.11 [Definitions], 29-3.2 [Permitted Use Table], and 29-3.3 [Use specific Standards]. Definitions, consistent with those provided within Amendment 2, would be added to Section 29-1.11 for each facility type. Section 29-3.2 would be revised to establish permissible zoning districts for each facility type. Section 29-3.3 would be revised to include new “use-specific standards” applicable to each facility type and are intended to address the unique operational characteristics these new facilities will create within the local land use pattern. The use-specific standards will augment, not replace, other Federal or State requirement.

The Planning and Zoning Commission considered the proposed text amendment on May 9, 2019. The majority of public comments expressed concerns with the proposed amendments. Concerns were expressed that the regulations were arbitrary and “unduly burdensome,” did not focus on patient access, failed to not recognize significant MDT voter support, were unnecessary until DHSS adopted its regulations, may reduce economic revenue generation by limiting licenses on cultivation and manufacturing facilities, and should have allowed dispensaries anywhere a pharmacy/drug store could be located. Comments were also offered regarding the 1,000-foot buffer from churches, schools, and daycares and its impact on access to dispensaries specifically within the M-DT.

Several speakers stated that such distance was unnecessary for crime prevention or neighborhood protections. Comments were also offered on how Columbia is considered a “hub” for medical services and that the restrictions appear to contradict this belief. There were several comments critical of the second story location requirement within the M-DT and how that limited access for the population most

supportive of the amendment. One individual did express support for the cautious approach expressed in the proposed amendments.

Staff indicated that the original proposal before the council was not approved in its entirety by the P&Z Commission. Staff discussed the various differences between staff version and the P&Z version. Some of the major differences were the inclusion of infused manufacturing in M-C areas; suggesting that buffers between medical marijuana facilities and schools and churches be reduced to 500 feet and 250 feet for dispensaries. The math worked out on this would allow for two cultivation licenses in this community and up to 6 dispensary locations. The requirement to make dispensaries be located on the second floor of M-DT dispensaries was opposed by P&Z. Hours of operation remained the same (6am to 10 pm) and P&Z said that there is no need to regulate the location of a medical marijuana facility in a mobile building.

Council had several questions about what was defined as “mobile” and staff indicated it would be something that could be moved and was not on a permanent foundation. There can’t be bars and grates on windows or other blatant security devices and appearances and that the structures must blend into the local character of structures. Also, if the business goes out of business, the owner must remove all signage and contents from the building.

Everyone agreed that there should be security and licensing rules established. Use specific standards in the Columbia zoning code can be added and specified. P&Z recommended approval with the changes and amendments made during the P&Z hearing.

The public hearing was opened and several people indicated that they plan to speak.

The first speaker indicated that she has cancer and will be applying for a medical marijuana card. She thinks there should be a dispensary located downtown and so does not believe that the 1,000-foot buffer should remain in place. She also doesn’t like the idea of making dispensaries be located on a second floor. We have banks on the first floor. Don’t make it difficult.

The next speaker thought the second-floor requirement for dispensaries anywhere in the city is an invitation to a lawsuit since it restricts availability in contravention of the will of the people who passed this legislation. He also doesn’t understand why there has to be buffer. Most people signed on to this to make marijuana available, not to restrict it. So, we shouldn’t restrict it. The staff report talks about cash heavy businesses. Come on. If there were gun fights breaking out in cash heavy businesses, they would have said it.

The next speaker said he does not support the 1,000-foot barrier and thinks that with the abundance of people living downtown that buffer should be relaxed. He favors the 250-foot rule. There are lots of churches and day cares that would restrict fair placement.

The next speaker said that he was a petition signature gatherer. He thinks the second story rule and the 1,000-foot rule are too restrictive. Most people signed the petition to allow more access rather than more restriction. I support the P&Z version of this legislation.

Another speaker pointed out that the two largest cities in the state adopted a zero-foot buffer and that as an architect he thinks a second-floor requirement defeats the purpose. He supports the P&Z version.



The next speaker is a board member of NORML and is a potential licensee. He thinks a second story rule and 1,000-foot rule would be too burdensome. He also doesn't want to limit the number of dispensaries to just six facilities. He would like to have manufacturing and dispensaries in this area because we are centrally located. There are already a lot of rules about this. Don't burden me and chase away legitimate businesses. Don't adopt a maximum limitation on numbers of facilities. He explained that he plans to sell product to as many dispensaries as possible from a centrally located cultivation facility. He thinks the University will be looking at the hemp industry in the future and thinks that the testing, research and innovation should be able to be located here.

The next speaker owns property about 1,005 feet from a church. It could make his property more valuable. But, don't support this. I think we need to have broader availability. We need to take care of people who live here and who qualify for medical marijuana use. I believe in fairness and taking care of people and that's why I live here.

The next speaker is a dentist and spoke to the need for marijuana for patients in pain. He owns a building downtown, but the current rules would prohibit that as written. There are really no good buildings downtown within the 1,000-foot rule. I am just talking about medical marijuana, not recreational. I didn't have a prescription before, so I had to do it under the covers so to speak. Let's open this up. Make the buffer 50 feet or 100 feet, but don't make it 1,000 feet. We can handle the quality and security control. I support having a dispensary downtown, but I don't think we need manufacturing or other stuff downtown.

The next speaker is from Weldon Springs. He believes that the state limits the number of dispensaries per congressional district so we are not going to have to worry about having a whole bunch of dispensaries here.

Another speaker asked what the council would do to insure diversity ownership of the new dispensaries. She thinks there has been no outreach to get black people in on making the money. She said she volunteered for NORML but was ignored, probably because she was a black woman. First there was slavery, then there was Jim Crow, now there is this. If you don't address this, there will be a crime issue because people will be angry if black people don't get included in the profits. The Mayor said licensing is controlled by the state. He noted that were not many people of color involved.

The next speaker asked if they could see the P&Z recommendations or would they only be on the slides. Staff said that they provided a summary.

Another speaker said she is worried about odors from these facilities. Staff clarified that there won't be odors from the dispensaries. The speaker also said she supported including black people in the process.

The final public speaker said he voted for medical marijuana, and he thinks the 250-foot rule sounds OK, but some people didn't seem to like that. There are benefits to medical marijuana. I think we take this on on a slow basis. Allow a little bit first, then let in more. We have people who invest here all the time, but the millionaires live out of state and you can't find them. Don't let that happen. Why not collect taxes on it?

The public hearing was closed.

The Mayor suggested that this was like the zoning code. We need to figure out how to vote on this. He suggested that we start with the cultivation and manufacturing side of this. We want to protect the integrity of this industry. We don't want to have this and payday loans and vaping shops stigmatizing one part of town. We then need to talk about the numbers of facilities, the 1,000-foot rule and the second story rule.

Legal staff wanted to make a few technical changes including making amendments regarding the use of the word churches and childcare facilities to make it in line with state law. They also need to talk about the date that these changes will take place.

Skala suggested that there are about 4 issues of difference between the staff version and the P&Z version. He suggested that the first difference is the buffer. He suggested a 500-foot buffer for everything. The second-floor issue comes next. He doesn't buy that argument. They did this somewhere in Colorado, but I don't think we need it here. The third idea is that we need to say that we should review this in one year to see where we are. Finally, we need to talk about diversity. This is not just about smoking marijuana. This is about testing and research, too.

Ian talked about striking the second-floor requirement. Pitzer asked why we should limit the number of facilities. The state has a rule, but how will we decide who gets to put a store here? First come first serve if they are already granted a license? If you have a complete application, you could be considered. Staff said we have not voted on local licensing yet. Pitzer asked if there were buffers between dispensary facilities? Staff said there was not. Peters asked if we could spread them out throughout the city? The Mayor thought it might happen de facto based on zoning. He thought if there was a glut of dispensaries it would work like nursing homes. The fewer the better but there are certificates of need and they are limited. He thought that you should not cap the number of cultivation and testing facilities, but he could see a cap on dispensaries.

**A motion to eliminate #2 and #3 eliminates the cap on cultivation and manufacturing facilities. That motion passed unanimously.**

In terms of dispensaries, the Mayor does not want to create a glut of dispensaries. Skala said we should make an amendment.

Skala offered an amendment to establish a 500-foot buffer for all facilities, including dispensaries (instead of 1,000 feet or 250 feet). The motion was seconded. An amendment to the amendment was offered to allow a 500-foot buffer but 1,000 feet between a school and childcare facility. That amendment did NOT receive a second.

**The 500-foot amendment passed unanimously.**

**The word religious institution was changed to "church". The term day care was changed to "Childcare" and a technical citation was approved.**

**An amendment to eliminate a second-floor requirement for dispensaries in the M-DT was proposed.** The rationale for having an active streetscape was cited as was the idea of having a cash only kind of business may need more security. Skala argued that it was unnecessary.

**The amendment passed unanimously.**

**Pitzer noted that he thought cultivation could be added to mixed use business park zoning as a permitted use.**

**Manufacturing could be added to mixed-use commercial zoning as a permitted use.**

**Both amendments failed.**

The Mayor asked what would happen if the state issued 10 licenses in this area, but we limit it to no more than 6. Who gets to open a business? Staff said currently there are no rules.

The Mayor asked if a city could add an additional tax. Staff said they could not. He asked if you could charge a business license fee like we did with Bird Scooters? The Mayor also asked about revenue sharing for businesses with the city. Staff said we could recover our actual costs of administration.

Pitzer said the way he read the rule we would be entitled to 7 dispensaries, not 6 because if we base it on one per 20,000 population and we have 123,000, that would be 7.

Skala suggested that this be revisited in one year. The Mayor asked about a working timeline and staff suggested that people will be able to qualify to use medical marijuana starting in July and that dispensaries and facilities could be awarded in December of this year. Staff suggested that sunset provisions in a zoning code are not advised because we are dealing with property rights.

**The entire set of regulations, as further amended was approved. The base document is the bill authored by staff and included in the packet for consideration.)**

#### **CONSENT AGENDA**

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

**B135-19** Voluntary annexation of property located on the north side of St. Charles Road and approximately 400 feet west of Grace Lane (5305 E. St. Charles Road); establishing permanent District M-N (Mixed Use-Neighborhood) zoning (Case No. 92-2019).

**B138-19** Approving a major amendment to the PD Plan of "Kelly Farms" located on the east side of Cinnamon Hill Lane and approximately 1,100 feet north of Stadium Boulevard (Case No. 88-2019).

**B139-19** Vacating a tree preservation easement located on the east side of Paris Road (4501 Paris Road); accepting a conveyance for tree preservation purposes (Case No. 89-2019).

**B140-19** Authorizing a contract with Graham Construction, Inc. for repairs to the Fifth Street and Walnut Street parking garage; amending the FY 2019 Annual Budget by appropriating funds.

**B141-19** Authorizing replacement of the water distribution infrastructure along Crown Point and Orchard Court; determining that a portion of the work shall be done by City employees and authorizing the Purchasing Division to issue a contract for a portion of the project.

**B142-19** Amending the FY 2019 Annual Budget by appropriating grant funds received from the Missouri Department of Natural Resources Volkswagen Trust Government Truck Program for the purchase of three (3) collection vehicles for the City Utilities Department - Solid Waste Division.

**B143-19** Accepting conveyances for utility purposes.

**B144-19** Amending Chapter 27 of the City Code as it relates to customer-generator rates and renewable energy credits.

**R80-19** Setting a public hearing: proposed construction of a single-lane roundabout with splitter islands and sidewalk at the intersections of Sinclair Road, Route K and Old Plank Road.

**R81-19** Setting a public hearing: proposed construction of the Hinkson Creek Trail improvement project, from Stephens Lake Park to Clark Lane.

**R82-19** Authorizing agreements with Lucky's Market Operating Company, LLC, TKG St. Peters Shopping Center, L.L.C. and University Centre, L.L.C. for the use of a parking lot located west of Providence Road and along both sides of Locust Street, and an agreement with Columbia Cemetery Association for the use of a part of the cemetery as a fallout safety zone, for the 2019 Fourth of July Celebration Event.

**R83-19** Authorizing an agreement with Community Partners Funding, Inc., d/b/a BanCLease Acceptance Corp., for the lease of a trash compactor for use at the municipal landfill; authorizing an agreement with Humdinger Equipment, Ltd. for maintenance of the leased trash compactor.

**R84-19** Authorizing an agreement for professional engineering services with Crockett Engineering Consultants, LLC for final platting and design services of the North Eighth Street Cullimore Cottages project.

**R85-19** Authorizing submission of an application to the Missouri Development Finance Board for participation in the tax credit for contribution program in connection with construction of the Clary-Shy Community Park – Agriculture Park - Phase II improvement project.

**R86-19** Approving the "The Villages of Arbor Pointe Phase 4 Preliminary Plat" located on the west side of Arbor Pointe Parkway and between Waco Road and Flatwater Drive (Case No. 109-2019).

#### **NEW BUSINESS**

**(None.)**

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

**(All items were introduced as indicated.)**

**PR88-19** Establishing a policy to guide the internal audit function; adopting an internal audit charter.

**PR89-19** Adopting the "Climate Action and Adaptation Plan" for the City of Columbia.

**B146-19\*** Approving the Final Plat of "Westbury Village" located on the northwest corner of Scott Boulevard and the southwest corner of Smith Drive; authorizing a developer agreement guaranteeing installation of public improvements and irrevocable letter of credit (Case No. 118-2019).

**B147-19\*** Approving the Final Plat of "Wellington Villas Plat 4" located on the east side of Canyon Ridge Drive; authorizing a performance contract (Case No.98-2019).

**B148-19\*** Vacating a sewer easement on Lot 5 and Lot 6 within Academy Village Plat1 located southeast of the Green Meadows Road and Carter Lane roundabout (Case No. 121-2019).

**B149-19** Authorizing an annexation agreement with Fred Overton Development, Inc. for property located on the north side of Gillespie Bridge Road (Case No. 18-80).

**B150-19** Authorizing a connection agreement with the Boone County Regional Sewer District for sewer connection of the proposed Perche Ridge Subdivision located on Gillespie Bridge Road to the City's wastewater collection and treatment system.

**B151-19\*** Amending Chapter 14 and Chapter 24 of the City Code to expand the designated metered mobile food vending zones within the Downtown Community Improvement District (CID).

**B152-19\*** Amending the FY 2019 Annual Budget by appropriating transportation sales tax funds to the Public Works Department street maintenance account.

**B153-19\*** Amending the FY 2019 Annual Budget by appropriating funds to pay costs of a condemnation settlement related to the Burnam Rollins Providence Intersection project.

**B154-19\*** Amending the FY 2019 Annual Budget by appropriating funds for construction of the Forum Boulevard and Green Meadows Road intersection improvement project.

**B155-19** Authorizing construction of the Hinkson Creek Trail improvement project, from Stephens Lake Park to Clark Lane; authorizing the Purchasing Division to issue a contract for a portion of the work utilizing a duly authorized term and supply contractor; authorizing an agreement for professional

engineering services with Crockett Engineering Consultants, L.L.C. for structural and civil engineering services.

**B156-19\*** Accepting a donation from Petco Foundation for equipment and supplies for the arson dog in the Fire Department - Fire Marshal's Division; amending the FY 2019 Annual Budget by appropriating funds.

**B157-19\*** Amending the FY 2019 Annual Budget by appropriating funds for the Flat Branch expansion project.

**B158-19\*** Amending the FY 2019 Annual Budget by appropriating funds to finalize and close out the Short Street parking garage capital improvement project.

**B159-19** Authorizing a first amendment to development agreement for Somerset Village with St. Charles Road Development, LLC; authorizing an intergovernmental cooperation agreement with St. Charles Road Transportation Development District.

**B160-19** Approving the Final Plat of "The Shoppes at Somerset Village Plat 1" located on the northwest corner of the intersection of St. Charles Road and Battle Avenue; authorizing a performance contract.

### REPORTS

**REP50-19** 2020-2024 Consolidated Plan Neighborhood Preservation Area and Federal Reserve Bank of St. Louis Community Reinvestment Act Goal Alignment.

(Action: City staff has completed the FY 2020-2024 Consolidated Plan public engagement process for informing the City's 2020-2024 Consolidated Plan. Results of the public engagement meetings, surveys, Fair Housing Task Force and Community Development Commission meetings included feedback around the need for investment in the central city area. The Federal Reserve Bank of St. Louis also hosted an informational meeting at REDI on April 4, 2019 regarding their interest in attracting additional investment in affordable housing and community development funding to Columbia. City staff will be working with the Community Development Commission to consider including a "Neighborhood Preservation Area" within the 2020-2024 Consolidated Plan in order to meet the Federal Reserve Bank of St. Louis' need of establishing an area to assist in aligning federal resources for affordable housing and Community Reinvestment Act (CRA) investments of local community banks.

Staff indicated that there is a tool that will allow the designation of specific areas for neighborhood revitalization programs and it will help banks align lending goals and the city allocate funds based a pre-approved type of plan. Three census tracts could be identified. Staff indicated that there is great flexibility in the program and that these areas will not be the exclusive recipients of funds, so if some places are included in the "zone" they could still receive funds, its just that more properties in the zone areas could receive funds. This helps match some federal guidelines. HUD will have to approve this program as well.

**Staff was instructed to proceed.)**

**(The following items were discussed in tandem)**

**REP51-19** North 763 Community Improvement District - Board Membership.

(Action: This correspondence asked for the appointment of one new board member and the reappointment of two existing members whose terms had expired.)

**REP52-19** North 763 Community Improvement District - FY 2019 Annual Budget.

**REP53-19** North 763 Community Improvement District - Reports on Services, Revenues, Expenditures for Fiscal Year 2017 (October 1, 2016 - September 30, 2017) and Fiscal Year 2018 (October 1, 2017 - September 30, 2018).

(Action: The Mayor noted that the CID was delinquent in filing required reports; that they had not filled expired seats; and that the budgets shown were incomplete. He suggested that he will not appoint anyone to this board until he finds that they are committed to following the state statute. He did not know if this was the fault of the board itself or of their legal representative. Skala agreed that the power to appoint was one of the only ways the city had to keep these CIDs in check.

**No appointment was made. The issue will be revisited at a later meeting.)**

**REP54-19** Flat Branch Park Expansion Compromise Plan.

(Action: The City Manager indicated that they are close on a compromise and are working with the landowner, but he is currently out of town and that there may need to be changes made to the floodway. Arcturis had not conducted a flood assessment. There will need to be a no rise guarantee made when this is constructed. Those details have not yet been worked out. We must go up stream and look at waters at Third Street before a final determination can be made.

**The city will come back with more information on July 1.)**

**REP55-19** Request for Proposal (RFP) for Equity Training and Capacity Building.

(Action: This was brought forward by Mr. Skala and an RFP is being issued to examine the city's processes and policies. He would like to go a bit further than just looking at this through a racial equity lens. He wants to include local input in this process. The city manager said they could include that. Skala also wants to add a racial equity road map.

**No further action was required.)**

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

##### **Public**

The first speaker did not talk about the fair housing issue earlier. He noted that there will be a community reinvestment act meeting on June 18<sup>th</sup>. He also wanted to talk about a personal problem. He is on blood pressure medicine. He met with Mr. Glascock after the last meeting. He still needs more information. He understands that he will be charged for 5 ccfs of water under the new rule and wants to know what 1 ccf of water costs. He also wants to challenge the council to come up with new water rates for disabled. However, he doesn't think he should take any money away from people who really need it, even though he could use it. You need to re-look at your water rates. Please help me not ask for help.

##### **Council**

**Skala** noted that they have a neighborhood issue. There is a lot of traffic going on. He wants to refer it to the police department for follow up. He also wants to know if there is a process for the upcoming census? The Mayor said that is correct and he can refer him to the correct liaison.

**Trapp** asked when poison ivy encroaches onto a sidewalk, who takes care of it? We have a big patch of it in the 2<sup>nd</sup> Ward. We sprayed it, but it didn't kill it. We got plastic bags and tried to pull it out. Didn't work. How do we deal with this? Staff said they will go cut it out.

**The Mayor** thanked the deputy clerk for her excellent work tonight.

##### **Staff**

(None.)

**ADJOURNMENT**  
**(Time: 10:24 PM.)**

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