



## Columbia City Council Meeting Recap

Council Chamber, Columbia City Hall

7:00 PM

Monday, October 21, 2019

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	<b>INTRODUCTORY ITEMS</b>
Pledge of Allegiance	(Recited as indicated.)
Roll Call	(Present: Treece, Trapp, Skala, Peters, Thomas) (Absent: Ruffin, Pitzer.)
Approval of Minutes	(Minutes from September 16, 2019 approved. Minutes from October 7, 2019 were approved.)
Adjustment of Agenda	<b>(B314-19 removed from Consent and moved to Old Business. B302-19 removed from Consent and moved to Old Business.) (Thomas recused from discussion of Report 91-19 due to a potential conflict.)</b>

### **SPECIAL ITEMS** (None.)

### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

**BC12-19** Board and Commission Applicants.

**Citizens Police Review Board** – Billie Jo Hill, Cornellia Williams

**Columbia Vision Commission** – Chris Gubbels

**Commission on Cultural Affairs** –Ellen Rippetto (*Education*); Kamau Bilal (*Significant Knowledge*); (*General*) *Readvertise*; Bus/Professional Community - *Readvertise*

**Housing and Community Development Commission** – Mitchell Ritter (*Ward 2*); Ross Kassman (*Ward 3*); Paul Whatley (*At-Large*)

**Human Services Commission** – Valerie Slayton

**Marijuana Facility License Review Board** – Kim Schwartzkopf (No decision. *Readvertise*)

**Substance Abuse Advisory Commission** – Danielle Mondlach (*Treatment Professional*); Gary Smith (*General*) (*One slot remaining. Will not be readvertised, but additional applicants will be accepted.*)

### **SCHEDULED PUBLIC COMMENT**

**SPC66-19** Lori Henderson, Resident of 4th Ward - Support for Councilman Thomas and Affordable Housing Issue.

(Action: The speaker has lived in the 4<sup>th</sup> Ward for 28 years and has seen significant growth. She noted that a lot of people have not been able to take advantage of the good things that come with growth. But many people cannot afford housing. Inclusionary zoning is an important concept and has been championed by Mr. Thomas. She referenced the situation Thomas is in dealing with his efforts to encourage investment by developers in affordable housing programs. Despite the fact that he self-reported and that he may have made a mistake, she thought his motives were good. He is pleading not guilty. She hopes he prevails. She thanked all the council members for their service to the community.)

**SPC67-19** Brian Johnstone - Random sampling of Columbia residents oppose use of eminent domain and support the preservation of "The Columbia Wilderness Sanctuary and Natural School."

(Action: The speaker lives near the new concrete trail. He believes that the city has exceeded the expectation of fairness in a negative way by using eminent domain to acquire land. In this case it was for bicycle enthusiasts. We asked for the city to implement their own tree preservation ordinance and they did not do so. We asked them to change the route. They did not. We ran a fair petition campaign. We did not appeal to special clubs. All responses were from Columbia citizens. The other side did not do the same and some of their supporters do not pay taxes in this city. We have collected 1,157 signatures. We all ask to stop the Shepard to Rollins Trail. He read the petition out loud. He described a massive concrete trail being constructed and its impact on wilderness in the area. It's Our Wild Nature has the best interests of the city in mind. He presented the petition.

**SPC68-19** Mary Hussmann - Shepard Rollins Trail.

(Action: The speaker said she has collected signatures opposing the new trail. She noted that most people she has approached has signed. She thinks that this is a high percentage of people who agree with stopping the trail. This violates Columbia's sense of fairness. We should preserve this 37-acre place as undeveloped sanctuary. We oppose this because concrete and steel are not natural. The city took the owners to court. This is against the very heart of what a democratic society should stand for. Everyone's voice should be given strong consideration.

**SPC69-19** Pat Fowler on behalf of Transparency Matters - Performance Audit.

(Action: The speaker is a member of Transparency Matters. Having a performance audit will give our citizens its best protections. We suggest an understandable way to conduct an audit. We want to find out where money is parked and how it is used. Are there sufficient procedures in place designed to govern the use of our funding? We want to see if what was intended when money was budgeted is how it was used. The transparency portal has allowed us to follow along to see how the money was spent. We think we should show the policy, the action, if they are congruent, if they are effective, if they are efficient, if they are equitable and if they are cost effective. This is an understandable way to approach this. This is a chance to advance the runner, not play inside baseball. We should do what is right in front of us and become the model for other communities. It seems like we always draw the same people to council members. One person told me "Don't fight with the choir". I think we should ask people to give honest opinions and carry those to all who need to hear the facts of what is going on. If commission members do not agree, they are not the only voice. We support the performance audit.

## **PUBLIC HEARINGS**

**PH41-19** Proposed construction of the Grace Ellen Drive PCCE #27 Sanitary Sewer Improvement Project.

(Action: – Grace Ellen Drive Sanitary Sewer Improvement Project will consist of constructing approximately 960 feet of new gravity sewer main, new private service connections where necessary and service lateral required to reconnect the existing lateral to the new sewer main. The proposed sewers will replace the existing private common collector sewers in the area. The project also proposes

accepting a portion of the private sewer for public maintenance through quit claim dedication as it is in good condition and complies with current City sewer standards and specifications.

Current policy requires that the temporary construction easements and permanent sewer easements necessary for the construction of the project be donated by the property owners of the parcels currently being served by the PCC sewers. However, in addition to the donated easements, this project will require the acquisition of permanent sewer easements and temporary construction easements from three (3) property owners of parcels that are currently served by public sewers, therefore not required to donate easements.

The resolution estimate for this project is \$300,000.

There was no public comment. Seeing no comment, Trapp supported the measure and moved its passage.

**The item was supported unanimously.)**

**PH42-19** Voluntary annexation of property located on the southwest corner of Clark Lane and St. Charles Road (5406 Clark Lane) (Case No. 227-2019).

[See B317-19 under Intro & 1st Read/Mayor Memo]

(Action: The applicant is seeking to permanently zone 18.06 acres from County C-G (General Commercial) to 15.37 acres of City M-C (Mixed Used-Corridor) and 2.69 acres of City M-N (Mixed Use-Neighborhood) upon annexation. The subject site is located at the southwest corner of Clark Lane and St. Charles Road, and includes property addressed 5406 Clark Lane. No action is required by the council on this item tonight.

The request includes two separate parcels of land that are under common ownership. The existing County zoning is C-G, which is roughly equivalent to the City's M-C zoning. The subject acreage is contiguous to the City's municipal boundary along its entire south, east, and west property lines. The site is currently not in use, but does include an existing vacant residential dwelling. The subject site is within the Urban Service Area and has access to City sanitary sewer service near the southwest corner of the property. Water service is provided by the City and service is available along the south side of Clark Lane and on the east side of St. Charles Road by a 12-inch main. Electric service is provided by Boone Electric, and there is existing service to the site.

Clark Lane is an improved street with approximately 50 feet of pavement that includes two traffic lanes, a turn lane, and bike lanes. St. Charles Road is partially improved, with pavement widths that vary from approximately 38 feet to 54 feet in width. No internal public streets are planned for this site. The CATSO Major Roadway Plan (MRP) identifies both streets as minor arterials, which require 84-100 feet of right of way. The future subdivision of property, which will be required for any new development, will require the dedication of the necessary right of way for arterials and the construction of sidewalks/pedways where not currently in place along St. Charles Road.

Fire protection services would be provided jointly by the City of Columbia Fire Department and the Boone County Fire Protection District. The Planning and Zoning Commission considered the permanent zoning request at their September 19, 2019 meeting. The Commission voted (8-0) to permanently zone the property M-N and M-C as requested.

The Mayor asked that staff show the contiguous city limits boundaries. Staff referred to a map and showed all points where the city was currently adjacent. There were no further questions.

The hearing was opened.

An attorney on behalf of the applicant appeared to answer questions of there are any.

The next speaker indicated that he is the owner of a fireworks operation. He has had a stand in this area in the past and would like to continue to have a stand here, but he cannot do so within the city limits. He noted that another property had been annexed with an agreement that allowed continuous operation for at least 7 years after annexation. He would like something similar here. The prior city council, however, said you can't even have fireworks within the city, so I need an exemption. This may not be able to be decided tonight, but I am bringing it up. I have been in this location for over 40 years. The city would receive sales tax if this were to be granted. The Mayor asked if he has a current agreement? The speaker said he did not. He goes year to year.

There was no further discussion. The item will be discussed at the next city council meeting.

**No action was taken.)**

**PH43-19** Proposed construction of a right turn lane and sidewalk on the southeast corner of the intersection of Providence Road and Broadway, as part of the Flat Branch Park Expansion Master Plan.

[See B316-19/Mayor Memo]

(Action: The Parks and Recreation Department is working on the Flat Branch Park expansion and the Gateway Plaza project with a goal to complete the project prior to the City of Columbia Bicentennial Celebration scheduled in 2021. As part of this project, the Public Works department is responsible for the design and construction of the extension of a right turn lane and adjacent sidewalk on Providence Road.

The right turn lane will improve access for vehicles traveling north on Providence and turning right onto east Broadway. The Providence Road-Broadway Turn Lane extension project includes approximately 360 linear feet of 11-foot wide turn lane with 10-inch thick concrete pavement. A 10-foot wide concrete sidewalk and an integral curb will be constructed on the east side of the turn lane. Street lighting will be relocated, and other utilities will be adjusted, as well as striping and signage installed. The properties impacted by the construction are owned by the City; therefore, no additional easements should be necessary for construction of this project. The estimated construction cost for this project is \$130,000 and will be funded by the 1/4 –cent CIP Sales Tax. Staff is appropriating an additional \$45,000 to the project. Staff supports the plan.

Peters asked why we are building the new turn lane? We already have one. Staff explained that the new lane will be longer and will give better site lines to Broadway. Right now, that intersection is rated F at the turn lane. The Mayor noted that they are not approving the rest of the plan tonight – just the road and sidewalk part. The rest of the plan will come forward later. Skala asked if this did fit in with the projected plan? Staff concurred and said they have been working together on this all along.

The public hearing was opened.

The first speaker said he was not really aware of all this until he saw this hearing on the turn lane. He owns 9 Round Boxing and the C-store. He worries that this plan may make access to his 9 Round

property inaccessible if it did not have access through a neighboring property. We are for the park, but we want to preserve our access from the street. The Mayor asked if the old Cherry St. street cut went away, did the speaker have an alternative? The speaker said you could do a 30-foot curb cut between 9 Round and the C -store to replace the existing curb cut. He has not designed anything, but he is willing to work this out. Council seemed amenable to letting him pursue this option and seemed generally supportive.

There were no further discussions, other than to note the possible new access.

**See Item B316-19 for final action and vote.)**

**B316-19** Authorizing construction of a right turn lane and sidewalk on the southeast corner of the intersection of Providence Road and Broadway, as part of the Flat Branch Park Expansion Master Plan; calling for bids through the Purchasing Division; amending the FY 2020 Annual Budget by appropriating funds.

(Action: See previous description and discussion.

**Motion to approve passed unanimously.)**

#### OLD BUSINESS

**B302-19** Authorizing construction of a sidewalk along the east side of Sinclair Road, between Nifong Boulevard and Southampton Drive; calling for bids through the Purchasing Division; amending the FY 2020 Annual Budget by appropriating funds.

**(Moved to Old Business by Skala.)**

(Action: The Sinclair Road Sidewalk project includes construction of approximately 2,600 linear feet of sidewalk along the east side of Sinclair Road, between Nifong Boulevard and Southampton Drive. Approximately 1,300 linear feet of 5-foot wide concrete sidewalk with grass parkway will be constructed along the northern end, and approximately 1,300 linear feet of 6-foot wide concrete sidewalk with integral curb towards the southern end of the project due to the terrain, the stormwater channel, and the utility locations. The improvement will be located within existing street right of way so easements will not be necessary for construction of the project.

The estimated construction cost for the sidewalk project is \$269,000. Columbia Public School (CPS) will contribute up to \$300,000 towards construction of the project contingent upon the City's purchase of land for a park as authorized through a performance contract passed by Council on July 16, 2018.

The Mayor asked what is typical for paying for undeveloped property sidewalks and why is the city and school doing this? Staff said there were some issues regarding platting and negotiations and the school agreed to go forward. Why are we doing this now. Why wasn't it a part of the widening of Sinclair. Staff said they are in this business so the school simply said they could reimburse us. Skala thought this came forward and that this was part of an exchange involving parkland. Skala said Battle High School predates this school, and it does not seem like Battle and this school were treated the same. We only have a certain amount of funds available for sidewalk and I want to make sure it is used fairly. The city manager said they are trying to work it out for Battle.

The Mayor asked what the city policy is. When do we compel the property to build a sidewalk and when do we not do it? We did it at Victory Church. This site is not developed. So, do we not have a way to compel them to do it? Staff generally agreed with that.

There was no public comment.

Peters asked if the required land for the walks had been acquired. Staff said they did not get a grant to pay for some of the land match, so they are now buying half the amount of land, but we are still doing what we can. We like to have parks near schools. It saves taxpayer money. Peters asked if that will cut the amount of money the school will get? Staff said they will provide enough for the school to honor their agreement, but it will be a smaller parcel of land. Staff said that some of this discussion came about because of the Battle High School situation and this will put a good sidewalk in the place it needs to go.

Skala said he likes to see win-win situations on the north and south sides.

**The item passed unanimously.)**

**B314-19** Authorizing a school resource officer agreement with the Columbia Public School District.

**(Moved from Consent Agenda to Old Business by Treece.)**

(Action: This agreement is similar to previous School Resource Officer agreements. The Columbia Public School District will compensate the City of Columbia 55% of the salary and benefits for the four School Resource Officers. The Resource Officers will be assigned to Hickman High School, Rock Bridge High School, Battle High School, and one officer assigned to not more than two Middle Schools. The high school SROs shall be on duty at their respective school(s) from 8:30 a.m. to 4:30 p.m. and the MS SRO shall be on duty from 7:30 a.m. to 3:30 p.m. when school is in session.

Cost for four SRO's is budgeted at \$376,068, of which Columbia Public Schools will reimburse \$206,837. This version of the agreement expires at the end of FY 2020.

The Mayor asked the police chief to comment on the agreement. The chief said this was designed to change the dynamic of the arrangement from us being a mere policing force to a partner in helping establish public safety in the schools. One of the things we want to do is have our officers participate in public health decisions and mental health decisions from a policy perspective. People so have questions, but that is the main one he has heard. The Mayor asked about duty hours. He noted that it appeared that Douglas High School is exempt from this contract and that special events are not covered by this contract. The chief indicated that ANYTHING outside of regular school hours is paid for at school option by the school and it might not be an active duty police officer hired. In Jefferson City they pay a 50/50 cost share and the school pays all overtime or off duty.

The Mayor asked if the information that will be shared with the city is the same information they share with the federal government and noted that some of that data was pretty old. The chief said that that is an open question and we will see how it goes as time goes on. The school has been fairly receptive. Skala asked if this was an incremental step and asked if the cost share arrangement would go up for the schools in the past. The chief said that has not been discussed, but that officer pay just went up, so this is costing the school more now anyway. We are trying to become more partners with the school. I would love it if we could get 100% from the schools, but we want to see how this goes over time.

The public hearing was opened.

The first speaker said that if this about school resource officers, that research says this is a bad idea. She said that most of those officers were engaged in discipline, not in the true administration of law. She said that more kids are arrested when school resource officers are on the job. She said that she has heard this at conferences and that when more kids are arrested, they end up in the school to prison pipeline. Black and handicapped students are most likely to see the negative impacts of these kinds of

policies. Our police need to stop major predators, not our kids. We need to push for better test scores. We need better restorative justice practices. We need better coordination between school and public safety. I am asking in the future to plan not to increase officers but to find better ways.

Thomas asked if anyone has drilled down into the research the speaker cited and wanted to know what other places have done. The speaker said she can get that information. Thomas noted that community-oriented policing is a good thing and could be applied here.

The next speaker thanked Chief Jones for his work. She wanted to couch this conversation in terms of equity and restorative justice practices. They have asked for data and have not received that data yet. We have no answers about effectiveness. Not having officers could be a better way to go. Black children are more at risk when officers are present at schools. We think you should replace the idea that kids need to learn to respect officers, but that there should be better communication between both sides. We are concerned that the school district does not have a good audit trail regarding outcomes of discipline in the schools. The Mayor asked about the language in the contract. He said that our officers are frustrated that they don't know what happens when kids return to the classroom. The speaker said they don't know how that works and asked if the superintendent had ever responded? The Mayor said no. She said the school district should practice what they preach. The Mayor said he assumed there was no one from the district to speak about this and the speaker said probably not. The Mayor suggested that there was time to work this out between now and the time this contract expires next year. The speaker said she wants to know what a real event is when someone is arrested and why students are actually arrested. The Mayor said that there are other districts where school district data does not match federal filings. The speaker said she thinks the reporting is skewed in the first place and that it should not be black vs. all.

The Mayor asked if there is more good than bad in this contract? The speaker said she did not know. She announced an upcoming presentation about the school to prison pipeline and said it could be watched online.

The next speaker went to the last school board meeting. However, before that, there was a lot of discussion and it seemed as if a vote HAD to be taken or time would run out. She thought that there were still problems with this contract and questions about questioning students without parents present. We know what can happen. This might not be fair. Some parents tell their kids to say nothing until a parent arrives at the school. The Mayor thought that was included in this agreement, so there is a safeguard, even though that right can be waived, but basically it makes the protection better for the students. The chief said he thought he would actually get more questions about when students are taken into custody, it is the decision of the SRO. The chief said that sometimes this protects the child taken into custody.

There were no further comments. No one from the school district appeared. Peters asked if the council could get a mid-year report in January or February. The chief said they will see what they can do with data available to the police side. He does not control the school information.

Trapp thought this was an improved contract. Skala also thought this was an improvement and has followed this discussion. We are not there yet, but we are going in the right direction. The Mayor indicated that he is prepared to approve this.

**The bill was approved unanimously.)**

## CONSENT AGENDA

(All items remaining on Consent Agenda approved unanimously.)

**B296-19** Approving a major revision to the “Columbia Mall” PD Development Plan located on the southwest corner of Stadium Boulevard and Bernadette Drive; approving a statement of intent; setting forth conditions for approval; granting a design adjustment to allow a lot line to bisect an existing parking lot (Case No. 176-2019).

**B297-19** Approving the Final Plat of “Columbia Mall - Plat 3” located on the southwest corner of Stadium Boulevard and Bernadette Drive (Case No. 174-2019).

**B298-19** Approving a major amendment to the “Sidra Subdivision” PD Plan located on the east side of Rashid Court and west of Stadium Boulevard; approving a revised statement of intent (Case No. 199-2019).

**B299-19** Approving the Final Plat of “Woodsong” located on the north side of St. Charles Road and east of Tower Drive; authorizing a performance contract (Case No. 106-2019).

**B300-19** Accepting a donation from Central Bank of Boone County for the 2019 Contractor Recruitment and Open House event; amending the FY 2020 Annual Budget by appropriating funds.

**B301-19** Authorizing a memorandum of understanding with the City of Jefferson, Missouri relating to emergency assistance in reviewing building and site development plans.

**B302-19** Authorizing construction of a sidewalk along the east side of Sinclair Road, between Nifong Boulevard and Southampton Drive; calling for bids through the Purchasing Division; amending the FY 2020 Annual Budget by appropriating funds.

**(Moved to Old Business by Skala.)**

**B303-19** Authorizing a right of use license permit with North Village Gateway, LLC and Rice Investments, LLC for the installation and maintenance of a concrete retaining wall with footing and an ADA ramp with handrail within a portion of the right-of way on the east side of Tenth Street, south of Walnut Street.

**B304-19** Authorizing a professional services agreement with Telvent USA, LLC for extended support and maintenance services for the ArcFM solution components software relating to an electric and water outage management system; amending the FY 2020 Annual Budget by appropriating funds.

**B305-19** Accepting conveyances for drainage, sewer, and temporary construction purposes; accepting Stormwater Management/BMP Facilities Covenants.

**B306-19** Amending the FY 2020 Annual Budget by appropriating grant funds received from the Missouri Highways and Transportation Commission for certain projects at the Columbia Regional Airport.

**B307-19** Authorizing a sponsorship agreement with The Curators of the University of Missouri, on behalf of University of Missouri Health Care, for the use of its logo and signage in Court 3 within the Columbia Sports Fieldhouse located in A. Perry Philips Park.

**B308-19** Authorizing a program services contract with the Missouri Department of Health and Senior Services for WIC local agency nutrition services.

**B309-19** Authorizing a tuberculosis diagnostic services participation agreement with the Missouri Department of Health and Senior Services.

**B310-19** Authorizing a memorandum of understanding with Columbia School District No. 93 for the distribution of emergency vaccines and medications.

**B311-19** Authorizing a memorandum of understanding with Columbia School District No. 93 for the use of alternate facilities for the provision of mass medical treatments.

**B312-19** Accepting an ELSA Live Scan Station from the Missouri Police Chiefs Charitable Foundation; authorizing execution of the Missouri Law Enforcement LiveScan Project Award Letter.

**B313-19** Authorizing an intergovernmental agreement with the County of Boone, Missouri relating to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2019 Local Solicitation.

**B314-19** Authorizing a school resource officer agreement with the Columbia Public School District.  
(Moved from Consent Agenda to Old Business by Treece. See discussion and vote under Old Business.)

**B315-19** Amending the FY 2020 Classification and Pay Plan to correct a clerical error.

**R149-19** Setting a public hearing: proposed construction of a new terminal building at the Columbia Regional Airport; providing for construction of the proposed improvement using a design/build contract.

**R150-19** Granting a temporary waiver from the requirements of Section 16-185 of the City Code to allow possession and consumption of alcoholic beverages for the area along a portion of Park Avenue between Tenth Street and St. James Street, and a portion of Orr Street between Park Avenue and Ash Street, for the 2019 Joe Machens Family Picnic event.

**R151-19** Authorizing agreements with American Junior Golf Association, Inc. and National Middle School Basketball Association, LLC for sports development funding under the Tourism Development Program.

**R152-19** Authorizing staff to proceed with the preliminary design and expenditure of funds associated with the proposed construction of the Stanford Drive Private Common Collector Elimination Project (PCCE #21); directing that a public hearing be held upon completion of the preliminary plans.

**R153-19** Authorizing an amendment to the community housing development organization (CHDO) agreement with Columbia Missouri Community Housing Development Organization, d/b/a Job Point, to provide additional funding to facilitate the construction of two (2) owner-occupied affordable and energy efficient housing units located at 7 Third Avenue and 9 Third Avenue.

**R154-19** Authorizing a lease and agreement for ground site with CenturyLink Communications LLC for the construction of housing for telecommunication equipment and a driveway for access to the structure at the Columbia Regional Airport.

#### NEW BUSINESS

(None.)

#### INTRODUCTION AND FIRST READING

(All items read and introduced as indicated.)

**B317-19\*\*** Voluntary annexation of property located on the southwest corner of Clark Lane and St. Charles Road (5406 Clark Lane); establishing permanent District M-C (Mixed-use Corridor) and District M-N (Mixed-use Neighborhood) zoning (Case No. 195-2019).

**B318-19\*\*** Rezoning property located on the south side of Clark Lane and approximately 1,200 feet west of St. Charles Road (5320 Clark Lane) from District A (Agricultural) to District M-N (Mixed-Use Neighborhood) (Case #194-2019).

**B319-19** Rezoning property located on the northwest corner of the intersection of Green Meadows Road and Gray Oak Drive from District PD (Planned Development) to District MC (Mixed-use Corridor) (Case #200-2019).

**B320-19\*** Approving the Final Plat of "Cullimore Cottages" located on the west side of Eighth Street and north of Fairview Avenue (Case #165-2019).

**B321-19\*** Vacating a portion of a sanitary sewer easement within Lot 1 of Rockbridge Subdivision Block V located on the northwest corner of the intersection of Nifong Boulevard and Providence Road (203-205 E. Nifong Boulevard) (Case No. 172-2019).

**B322-19\*** Amending Chapter 14 of the City Code as it relates to the annual permit rate for unmetered off-street parking facilities.

**B323-19\*** Amending the FY 2020 Annual Budget by appropriating funds received from Jeffrey E. Smith Investment Co. L.C. per the terms of a developer agreement for the Nifong Boulevard corridor improvement project.

**B324-19\*** Authorizing construction of the Shannon Place PCCE #22 Sanitary Sewer Improvement Project; calling for bids through the Purchasing Division or authorizing a contract for the work using a term and supply contractor.

**B325-19\*** Accepting conveyances for utility purposes.

**B326-19\*** Accepting conveyances for temporary construction and sewer purposes; accepting Stormwater Management/BMP Facilities Covenants.

**B327-19\*** Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for maternal child health services.

**B328-19** Amending Chapter 2 of the City Code to establish the Columbia Sports Commission.

**B329-19\*** Amending Chapter 14 of the City Code relating to the impoundment and immobilization of vehicles issued a warrant for failure to appear for unpaid parking citations.

## REPORTS

**REP90-19** Appointment of members to the Columbia Arts Fund Advisory Committee.

(Action: The establishing document for the Columbia Arts Fund, drawn up through collaboration between the City of Columbia and the Community Foundation of Central Missouri, calls for the fund to have an advisory committee.

There has been an update to the membership of this committee. Alan Toigo is departing the Commission, and Ellen Rippetto has been selected as the new Chair of the Commission. At its October 7, 2019 Commission on Cultural Affairs meeting, the following persons are recommended to Council to serve as members of the Advisory Committee of the Columbia Arts Fund:

James Melton (member)

Ellen Rippetto (Chair of the Commission)

Natalie Thomas (member)

Lili Vianello (member)

Sarah Dresser (Manager of the Office of Cultural Affairs)

The Mayor asked why this was being done here instead of the regular Appointments part of the agenda? The staff indicated that this is not a separate legal entity, it is advisory only, so it does not warrant the same status as other appointments.

**All nominated individuals were approved.)**

**REP91-19** Columbia Community Land Trust Board Appointment, Bylaws, Authorizing Ordinance and Council Liaison Position.

(Action: An inconsistency was identified between the Columbia Community Land Trust (CCLT) Bylaws and the Columbia Community Land Trust Authorizing Ordinance B219-16A. The inconsistency is found within the definition of the "Homeowner" categorical board membership. The inconsistency that exists within the CCLT Bylaws and the authorizing ordinance involves the definition of Directors chosen to serve that live within the homes. The authorizing ordinance identifies this category as "occupants," while the CCLT Bylaws identifies this category as "Homeowners".

The CCLT's attorney interpreted "Homeowner" to mean the legal owner of record, which would be inconsistent with the term "occupant" that would allow any household member living within the home that also meets the residence criteria of living within the home at least 10 months per year. The City Council delayed the appointment of an applicant for the CCLT Board at the August 19, 2019 and September 16, 2019 meetings to allow for the CCLT Board to reconcile the differences between the ordinance and the CCLT Bylaws.

The CCLT Board initially directed City staff to draft a resolution to amend the Bylaws and align with the City authorizing ordinance at its August 13, 2019 meeting. City staff conferred with the CCLT's legal representation as directed and provided a resolution amending the CCLT Bylaws at the CCLT Board's September 10, 2019 meeting. The CCLT Board voted to table the item and the item was then placed on the agenda again at the October 8, 2019 meeting. The CCLT Board voted 2-4 against amending its Bylaws to align with the City Ordinance, therefore the CCLT Board's action results in a request that Council consider amending the authorizing ordinance to align with the CCLT Bylaw definition as a Homeowner Director being the legal owner of record.

The purpose of this report is to provide background information regarding both of these CCLT Board membership items to City Council for consideration of potentially amending the CCLT Authorizing Ordinance, making an additional request to the Columbia Community Land Trust Board for Bylaw amendments, and/or identifying other desired Council considerations.

The Mayor said he was sensitive to the desire of the Land Trust Chair wanting to have owners involved, but he did not think the city ought to bend their rules to match the Land Trust board desire. The Mayor also said he thought we ought to be out of the Land Trust business entirely. Skala noted that in other cities, half do it one way, and the other half does it the other way. Skala said he tends to align with the Mayor's comments and is not inclined to change the ordinance. Trapp said he would be more likely to go along with the Land Trust desire to have homeowners if they had a full compliment of board members already on board. He does not, however, think they ought to change the rules right now. In the future, he would be willing to change it. Right now, he thinks we should make an appointment. The Mayor said he thought the prevailing document is the by-laws, but he thinks the city should control the appointment.

The city counselor said the council can appoint, but the appointee can't serve. She said that if the Land Trust wants to take advantage of city funding and assistance, they could be convinced to change their by-laws. Skala said that there are some things that can't be changed. The Mayor asked that this be sent back to the Land Trust for reconsideration. The Mayor then indicated that Trapp is willing to step back from being the liaison to the Land Trust Board, but would also do it again if someone wants to trade some responsibility. Skala said it is useful to have a council liaison to hear from both the citizens and staff. The next annual meeting of the Land Trust is in December.

CCLT Bylaws also require the CCLT Board request the appointment of a Council Liaison at least 30 days prior to their annual meeting. The CCLT's annual meeting is scheduled to be held on December 10, 2019, therefore this report is also intended to obtain Council considerations on the designation of a Council Liaison.

**The Mayor suggested bringing this up at the next meeting and referring the issue of bylaws back to the Land Trust. The council agreed.)**

**REP92-19 Youth Advisory Council letter in support of recent City Council action on conversion therapy.** (Action: The Youth Advisory Council was contacted earlier in the year regarding support of the recent council action to ban the practice of conversion therapy in the City of Columbia. The Youth Council agreed with the council action, but due to meeting timing, was unable to produce a letter in time for the public hearing on this issue. The Youth Council has since drafted a letter of support and has submitted it for the record tonight.

**REP93-19** Amendment to the FY 2019 Annual Budget - Intra-Departmental Transfer of Funds.  
(Action: Intra-departmental transfers in this period total \$59.24 to cover printing for the Health Department.)

**No council action is required and none was taken.)**

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

#### **Public**

The first speaker indicated that there are 650 acres available for development along Gillespie Bridge Road when the first domino falls. When the final Overton plan is voted on, this will open up that development. This should wait until we develop a west area plan. We need to do this thoughtfully. We need to plan together for our common future. We want the council to ask the Boone County Commission to withhold permission until a west area plan is developed. *(Council members commented on this request in final comments).*

The next speaker said that he had several items for comment. The corner of Parker and Holly in Columbia there are always lots of cars there. What are they doing? There is no business sign there. Is this supposed to be in a residential section of the city. It started out being a few cars, now there are a whole lot of cars. Also, last week, recycling wasn't picked up. The number I called couldn't be transferred to the correct trash pick up number. Can we fix this? Its not just me. This should be for even a stranger. Why not have in the beginning of the message that you will be on hold if you have a problem. Next, he noted that a lady who uses a lot of cardboard because of her medications and she should not have to tape it all together just to get it recycled. That's not right.

#### **Council**

**Thomas** has a question for staff about the status of the West Area Plan process. Staff said that there was some misunderstanding. The director of planning sent a note to the county to suggest that they work out a process that would take about 18 months to develop a West Area Plan like they did with the East Area Plan. The city is already collecting data. Thomas would like a formal letter of invitation to the county to engage in a West Area Plan. He further state that he will act individually to ask the county to delay approval of the Overton plan until a West Area Plan is approved. He wants a full and open discussion about this whole planning process.

**Skala** said he was glad too hear that the West Area Plan process was starting. He was in the minority in opposing development at the Overton site. This is kind of like the western frontier. He advocates for a sound planning approach in this area. The Mayor said he too did not want to see this particular development, and he now wishes he had considered the sewer hook up costs more carefully before the city acted.

**Trapp** said he was of two minds on this particular project. It may not suit his style, but he thought there is also an escalation in housing costs and we are challenged to build affordable stock. These new homes across Perche could be more affordable.

**Peters** noted that she voted for the extension of sewer to this project and thought that's why we have a regional sewer district – so people can hook into it. She is fine with him doing this project and she is fine with the development. It might be a domino effect, but this project is OK. I am also happy to get on with the West Area Plan, but the approved plan should not be held up.

**Skala** suggested sending a letter to the county commission in opposition to the Overton project and let any members of the council who wanted to sign it. The Mayor said that since there are people missing tonight, maybe we should all write our own individual letters. The council indicated that they will send individual letters to the county commission opposing the Overton project until the West Area Plan is complete.

**Skala** asked about parking on the street in front of property and how long you can park there? Can you pull up and sleep in your truck on the street and let it idle all night long and is there a rule about this? Staff said that there is a 24-hour parking limit on most streets. The city manager asked if anyone has filed a complaint? Skala said he didn't know and will tell them to do that.

**Staff**  
**(None.)**

**ADJOURNMENT**  
**(Time: 9:01 PM)**

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