



**Columbia City Council Meeting Recap**  
**Council Chamber, Columbia City Hall**  
**7:00 PM**  
**Monday, October 7, 2019**

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**INTRODUCTORY ITEMS**

Pledge of Allegiance

(Recited as indicated.)

Roll Call

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

(Absent: None.)

Approval of Minutes

(Minutes from the September 3, 2019 meeting were approved as submitted.)

Adjustment of Agenda

**(No changes to the agenda were offered.)**

**SPECIAL ITEMS**

**SI13-19** Presentation of the Mayor's Cup.

(Action: Tiger football head coach Barry Odom was introduced. He made short remarks and presented the Mayor's Cup to Mayor Treece since the Tigers defeated the Columbia, South Carolina team earlier this year. The Mayor made brief remarks regarding the team, including complimenting them for having attained a high GPA rating for the team.)

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**BC11-19** Board and Commission Applicants.

**Convention and Visitors Advisory Board** – Donald Laird

**SCHEDULED PUBLIC COMMENT**

**SPC63-19** David Dizon Melegrito - Publicly thank solid waste staff for retrieving 30-year old machete which has great sentimental value.

(Action: A colorful speaker appeared and indicated that he has lived in Columbia for 50 years. He wanted to thank the solid waste department for retrieving a machete that accidentally been sent out with recyclables to the city landfill. He had not intended for this item to be recycled or thrown away. He said that the machete had been given to him by his father-in-law and that it had great sentimental value, and that the city crews had helped him retrieve the item. He saluted the solid waste workers for their hard work, gave them great praise and suggested what it might be like if no one performed the job of picking up our trash. He complimented them on their character and thanked them for their efforts.)

**SPC64-19** Sutu Forte - Sacred Trees.

(Action: The speaker quoted a book that indicated that people have long tried to protect nature. She then introduced a friend who showed a short film about sacred trees. The film dealt with the action of the City Council to place a trail in eastern Columbia at the expense of trees. She enumerated several of the types of trees that will be destroyed, such as sycamores and a red mulberry (named Giving Queen), and noted the loss of habitat for many animals. Many other trees, both standing and felled, were highlighted. Many have been named. Names included Big Chief, Peacemaker, and Noble Guard. Pictures of vegetation from the site of the new trail were shown and described. The entire presentation was narrated by Pat Holt, the next scheduled speaker. Video of some trees being felled was shown. The speaker noted that this was being accomplished through the use of eminent domain by the city. Accompaniment for the video was provided by Forte.

**SPC65-19** Pat Holt - Sacred Trees Continued.

(Action: See previous description of combined presentation.)

### **PUBLIC HEARINGS**

**PH40-19** Consider the 2020-2024 Consolidated Plan and FY 2020 Annual Action Plan for CDBG and HOME funds.

(Continued from the September 3, 2019 Council Meeting.)

[See R148-19/Mayor Memo]

(Action: The City of Columbia receives Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funding annually from the Department of Housing and Urban Development (HUD). The City of Columbia is required to submit a Consolidated Plan at least every five years in order to qualify for funding. The Consolidated Plan is a comprehensive plan outlining affordable housing and community development needs and strategic implementation strategies for expenditure of CDBG and HOME funds. Approval of the plan predicts approximately \$8.5 million in spending on affordable housing and community development projects over the next 5 years.

The overall plan is 191 pages in length and outlines community needs as it relates to affordable housing and community development and includes a strategic plan for use of funds. The following list represents the broad categories of uses envisioned for CDBG and HOME funds during the plan time frame:

- Preservation of existing homes through Rehab and Repair Program
- Homebuyer Assistance Program
- Housing counseling and education
- New owner-occupied housing construction
- Creation of affordable rentals using tax credit programs
- Accessibility improvements to existing homes
- Rental vouchers
- Vocational training through Job Point
- Energy efficiency
- Small Business Development and Training programs
- Sidewalk improvements
- Stormwater improvements – (These are new to this plan)
- Demolition program
- Exterior code compliance
- Public facility improvements
- Homeless facility improvements
- Administration of various grant funds and programs

Overall, the City of Columbia’s proposed 2020-2024 Consolidated Plan identifies the housing and community development needs of low to moderate income communities in Columbia. The City of Columbia intends to prioritize available resources to meet the identified needs in order to revitalize neighborhoods and increase access to opportunity for vulnerable Columbia citizens.

Costs for construction of new affordable homes ran between \$80 and \$160 per square foot, exclusive of the cost of land, and not factoring in subsidy. The subsidy requirement ran between \$75,000 and \$85,000 on Lynn Street Cottage projects, depending on amenities and the inclusions of solar. The speaker indicated that the level of building costs varied greatly among other cities. Land cost affects the base cost significantly.

Trapp said he had seen positive media coverage of the program. Ruffin asked about the line item dedicated to homelessness. The speaker indicated that there is a need for a 24-hour facility and noted that this is an expensive undertraining. They have built \$250,000 into the budget, but they do not yet have a viable proposal for providing such a project. Trapp also asked if there was a penalty for listing goals that are not achieved. Staff said that the goals listed should be achievable, but that there is not a specific penalty for missing a goal or changing course. Some goals are aspirational.

The public hearing was opened.

The first speaker appeared on behalf of Job Point and spoke on behalf of the plan. The plan covers many goals that the city has adopted. Some of them are goals that relate to some of the problems of violence that the city is currently experiencing. He thinks these all deserve more funding.

The next speaker supported the plan and noted that she had attended many meetings in this regard.

There was no further public comment.

Trapp commended the staff for their work on this plan and the process. He believes that the affordability gap continues to grow and that it hits certain populations most dramatically. Paying for housing should not prevent people from paying for health care. We have a good track record of positive partnerships, but we need to do more.

Skala also commended the staff work on this issue. He said it is challenging. There were no further comments.)

**The vote on this plan is described in the next item.)**

**R148-19** Adopting the 2020-2024 Consolidated Plan and FY 2020 Annual Action Plan for CDBG and HOME funds.

(Action: Testimony and support materials were presented during the public hearing that occurred immediately before this item.)

**A motion to approve the plan as presented was accepted unanimously by the council.)**

#### **OLD BUSINESS**

**B190-19A** Approving the Final Plat of “The Backyard” located on Sixth Street and Seventh Street, between Locust Street and Cherry Street (120 S. Sixth Street and 119 S. Seventh Street); granting design adjustments relating to alley right-of-way width, corner truncations and reduced utility dedications (Case No. 82-2019).

**(Requires approval by 2/3 of Council.) (Continued from the September 3, 2019 Council Meeting.)**

(Action: Crockett Engineering Consultants (agent), on behalf of the applicant, is requesting approval of a .32-acre two-lot final minor subdivision to be known as “The Backyard”. This request was originally presented to Council on July 15 and included three design adjustments from provisions of the UDC. Pursuant to Council motions made during the July 15 meeting, the applicant was directed to revise the proposed subdivision plat to include 2.5-foot of additional alley right of way and alley corner truncations to the plat – items sought to be waived. The third requested design adjustment, waiver of the required 10-foot utility easement along the parcel’s Sixth and Seventh Street frontages, was supported by Council and not required to be shown on the revised plat.

An amendment sheet has been filed with this request. The amendment eliminates the requests relating to alley right-of-way width and corner truncations, but retains the reduced utility dedications requested along with the underlying final plat approval. The third design adjustment seeks waiver from rules requiring the dedication of 10-foot utility easements along S. Sixth and S. Seventh Streets. This requirement is triggered whenever a parcel is replatted. The subject site is currently served by utilities located within the existing street right-of-way and would provide opportunity to place a future utility installation in its standard location. There are currently no known plans to alter then-existing utility line locations.

Parts of the existing My House building and retaining wall will encroach into newly dedicated ROW, corner truncations, and utility easement areas on the plat. Therefore staff only recommends that the right-of-way and easement dedications be required for those areas where they would not be obstructed by existing buildings, or for the Sixth Street frontage where M-DT Mixed Use Downtown zoning requires that a future building be pulled up to the lot line. These changes match the earlier action by council and therefore are supported by city staff. The action still requires 2/3 majority. Staff further described the changes offered by the applicant.

Peters asked if the council grants this, will they then go to Board of Adjustment for further relief? Staff said that they might have to go that route if they ever build something that that would invoke the restrictions to be invoked. She did not want them to go around the council. Staff further explained that BOA does not have authority to grant subdivision revisions.

The hearing was opened and an engineer appeared on behalf of the applicant. He showed a revised plan and noted that they are agreeing to the revised requirements set by the city. He also explained that the only thing the applicant could go to BOA for would be to build a new building in the right-of-way – and that is not what is being proposed. The only element that is a design change still being requested is relief from the utility easement, which is variable. This follows what the council already voted on. We are asking the council for a super majority vote of approval for this remaining request. The Mayor asked if each design modification was voted on separately? The speaker was not sure and thought it may have been a group vote.

There were no other speakers.

Trapp moved adoption of the amendment sheet that includes the utility design adjustment and no others.

**The amendment was approved unanimously.**

Trapp thought the overall request was reasonable and thought that the design adjustment was warranted. There was no further discussion.

**The motion was approved unanimously as amended which achieved the 2/3 requirement.)**

**B282-19** Amending Chapter 13 of the City Code to permit licensed waste haulers to engage in food waste removal.

(Tabled at the September 16, 2019 Council Meeting.)

(Action: In October of 2018, the Energy and Environment Commission provided a report to Council recommending changes to the code of ordinances to allow private waste haulers to collect and transport food waste for composting by private entities. Burns & McDonnell performed a study to determine the cost of diverting food waste from the regular landfill. The study basically showed that the process would be prohibitively expensive and that expanding the diversion of organic wastes from the landfill by collecting it separately for either composting or anaerobic digestion does not provide significant environmental benefit. In most scenarios it actually results in higher emissions than the current operation of landfilling the organic wastes and utilizing the gas generated by the bioreactor landfill to produce electricity. This combined with the relatively high cost to implement such a program leads staff to recommend the following:

- The Solid Waste Division will continue to encourage residents to compost organic and food wastes on their properties and continue the current program of providing education on proper composting practices and providing composting bins for our customers.
- The Solid Waste Division will continue to provide food waste collection services at the current level however; the program should not be expanded to include additional customers.
- Council should adopt the proposed revisions to Chapter 13 of the city code. These revisions will allow licensed waste haulers to collect and transport segregated food waste only from commercial establishments.

The revisions only allow for disposal of the food waste at composting facilities that are permitted by the Missouri Department of Natural Resources. Adopting these revisions will allow businesses that have goals for diversion of organic material to have a means to accomplish their goals. An amendment to the proposal also requires waste haulers to document the total amount of food waste collected and hauled.

The Mayor asked when this might be available to residential customers? Staff said that until volume could be proven, it might not be efficient. Group housing would be more likely first. May not know for a year or two.

The public hearing was opened.

The first speaker was the author of the bill and believed that this proposal would create green jobs, provide great soil amendments and was ecologically sound. He urged approval.

The next speaker indicated that there are many opportunities for composting that are not being taken advantage of and that he thinks this is a great opportunity for new efforts. This can be achieved with small trucks. He said that there are 15 restaurants that used to do this and that more need to come on board. Trapp asked about the reporting requirements for food haulers. The speaker had no issue with the requirements.

The next speaker represents the solid waste workers union. He supports more education on this idea, but wants the council to reconsider relegation of these efforts to the private sector. If this becomes

something that can be offered to residential customers in the future, we want that under public control. He does not want to see the elephant's trunk under the tent. He also wants to know who will be responsible for compliance to the reporting rules. Staff said they can handle the reporting. Staff also said it would be difficult for the city to do this themselves at this time.

The next speaker thanked the council for taking composting seriously. He has personal experience with composting. Not everyone can do this in their own yards. Please consider that this should be allowed for any resident in the future and submitted signatures from 22 citizens in support of the proposal.

Thomas spoke in favor of the proposal and thought it could be very effective.

The Mayor moved the amendment sheet requiring documentation of how much food waste was actually hauled.

**It was approved unanimously.**

Skala said he did not think that privatization was imminent on this issue and should not be feared.

**The motion to approve passed unanimously.)**

**(These two items are related because one change requires another rule change in a separate part of the code.)**

**B294-19** Repealing Division 8 within Article V of Chapter 2 of the City Code relating to the Environment and Energy Commission and enacting in lieu thereof a new Division 8 to establish the Climate and Environment Commission.

(Action: Staff has prepared for City Council's consideration an ordinance terminating the Environment and Energy Commission and replacing it with a Climate and Environment Commission. This ordinance takes the recommendations and feedback from the August 19, 2019 report to City Council and feedback from the Environment and Energy Commission. If adopted, the commission will be advertised in October and appointments can be made in November 2019.

The purpose of the Climate and Environment Commission is to advise City staff on reporting to City Council the implementation activities of the CAAP, act as a primary liaison for outreach and awareness on the CAAP throughout the community, provide input on evaluating additional opportunities for mitigation and resilience actions in Columbia, and advise City Council on environmental issues, as directed. Feedback from Columbia City Council and the Environment and Energy Commission on the August 19 report resulted in the increasing the membership from 12 to 15 members.

This item was pulled from the consent agenda because the Boone County Commission asked if this new commission might be used by the county to review some items relating to environment and energy.

The public hearing was opened.

The first speaker has served as chair of the old commission and reported that the existing commission supports the creation of this new version of the commission. Skala asked if there were any other reservations about assigning duties to this commission that are not specified. The speaker said that he thought it was broad enough to be able to include most questions that might arise.

The hearing was closed. The Mayor explained that if this item is adopted, it requires another change, which follows, to amend the membership of another board.

Trapp made an amendment to include the potential for the Boone County Commission to utilize the services of this board as requested. Skala thought that was a good idea. The Mayor asked if this should also be open to use by the University? Skala thought that would be fine. Pitzer had a process question and said he does not want outside bodies giving direction to a city commission. Skala thought that wasn't the intent. Pitzer thought it was problematic. Legal staff said if they make this advisory only, it gives them no authority to drive policy. The amendment was restated to indicate that the commission could give advice to Boone County on issues from time to time. Trapp thought we could all benefit from good advice.

**The amendment passed unanimously.**

There was no further discussion.

**The motion to approve passed unanimously as amended.)**

**R147-19** Amending Resolution No. 36-18A which established an Integrated Electric Resource and Master Plan Task Force to change the appointing commission for one (1) ad hoc non-voting member.

(Action: Ordinance B294-19 was introduced at the September 16, 2019 City Council meeting to amend Chapter 2 of the City Code to terminate the Environment and Energy Commission and establish a Climate and Environment Commission. If the City Council passes the ordinance to terminate the Environment and Energy Commission, Section 2 of R36-18A will need to be updated to revise the appointment of the one (1) ad hoc non-voting member from the Environment and Energy Commission to the Climate and Environment Commission.

The Mayor asked that the current member of the board be allowed to remain in service.

**That amendment was agreed to.**

**The motion to approve this overall legislation was approved unanimously, as amended.)**

**B295-19** Amending Chapter 16 of the City Code to prohibit the practice of conversion therapy on juveniles.

(Action: Staff has prepared an ordinance to amend Chapter 16 of the City Code to prohibit licensed medical or mental health professionals from providing conversion or reparative therapy on a minor.

*Conversion therapy or reparative therapy* means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include counseling that provides support and assistance to a person undergoing gender transition, or counseling that provides acceptance, support and understanding of a person or facilitates a person's coping, social support, and development, including sexual orientation-neutral treatment interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change sexual orientation or gender identity.

This has come back to council as prescribed earlier. The Mayor noted that this has been well-vetted in the past.

The public hearing was opened.

The first speaker indicated that reparative or conversion therapy has no proven value and also indicated that in some cases, such therapies create other mental and social problems. Several professional organizations have also discounted this practice. This includes Christian health practitioners who also do not approve of this sort of therapy.

The next speaker asked for people to stand in support of the ordinance. The speaker is the chair of the Human Rights Commission. She provided a brief history of how this issue was brought forward and noted that this has been explored by the city's Health Board. She believes that the city has the authority to regulate this sort of activity and has worked with the legal department to craft the language that exists here tonight. This is an opportunity to show leadership in this area.

The next speaker was a participant in conversion therapy in Columbia, MO. She was brought up as a girl, then attended a bible college in Moberly, and thought that she could find a way not to be gay by trying conversion therapy. She said that Morningstar still practices this therapy in Columbia today. The speaker considered suicide. She was in a wreck, but survived. She now wants people to know that you can save people's lives by ending conversion therapy to prevent them from the shame of the experience.

The speaker is self-described as queer. The next speaker uses she and her pronouns. They both work in the counseling field. They read statements from LGBTQ individuals who discuss how conversion therapy and other forms of discrimination affect LGBTQ people. The two speakers asked for the adoption of this limitation on the practice of conversion therapy.

The next speaker often talks about homeless, but among those people are people who have different kinds of lifestyles and identities. He does not want them to be attacked for being who they are. We need to help all people and help prevent suicide.

Another speaker said that there are many victims of conversion therapy, and they may not even know they were affected. The speaker said it is barbaric, even if the methods have changed over time. Most people who go into conversion therapy become more depressed. Do not allow this to occur.

The next two speakers said that they have first-hand experience with conversion therapy. The mom thought about subjecting one of her kids to the practice, thinking it was good medicine. In Kansas City, this type of therapy was suggested. She met with a psychiatrist who encouraged her to agree. She told a story about the entire ordeal. She doesn't want anyone else to get fooled. Her daughter, who is gay, told how the counseling was performed and indicated it was an overall negative experience.

The next speaker congratulated the city for trying to pass such legislation and thanks to all the speakers. We should pass this non-discrimination measure. We have one of the oldest such ordinances in the state. We should extend this protection. LGBTQ people are perfect just the way they are. Let's send a message, not just locally, but across the state.

The next speaker counseled LGBTQ clients. He thinks passing this legislation is correct. He wants to thank people who had the courage to come out tonight. The speaker said this is considered to be unethical within his profession, but some people still do it and some people who are unlicensed answer to no one.

The hearing was closed

Skala said he thought the data was clear on this subject. He supports the ban wholeheartedly. The Mayor thought that the science was clear on this. He thinks if we want to be a medical destination, then we need to take a step forward. He supports the ban of this therapy.

**A motion to approve the bill passed unanimously.)**

### **CONSENT AGENDA**

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

**B291-19** Approving the Final Plat of “Kitty Hawk Manor, Plat No. 7A” located on the northwest and southwest corners of the intersection of Kitty Hawk Drive and Stinson Avenue; authorizing performance contracts (Case No. 162-2019).

**B292-19** Vacating an access and utility easement on Lot 833 within the Highlands Plat 8-B located on the east side of Highlands Court (1500 Highlands Court) (Case No. 160-2019).

**B293-19** Authorizing a first amendment to the intergovernmental cooperation agreement with The Curators of the University of Missouri for integrated shuttle bus service on campus.

**R133-19** Setting a public hearing: proposed construction of a sidewalk on the north side of Leslie Lane between Garth Avenue and Newton Drive.

**R134-19** Setting a public hearing: proposed construction of the Grace Ellen Drive PCCE #27 Sanitary Sewer Improvement Project.

**R135-19** Setting a public hearing: voluntary annexation of property located on the southwest corner of Clark Lane and St. Charles Road (5406 Clark Lane) (Case No. 227-2019).

**R136-19** Setting a public hearing: 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.

**R137-19** Authorizing an Adopt a Spot agreement.

**R138-19** Authorizing the temporary closure of two (2) parking spaces on the west side of Fourth Street, between Ash Street and Walnut Street, to facilitate the renovation of an office building located at 101 N. Fourth Street.

**R139-19** Authorizing FY 2020 agreements with various arts and cultural organizations; authorizing agreements of up to \$500 per agreement for arts programming or services for cultural organizations.

**R140-19** Authorizing an agreement with Columbia Housing Authority Low-Income Services, Inc. (CHALIS) for Teen Outreach Program (TOP) activities in Boone County in FY 2020.

**R141-19** Authorizing an agreement with Green Valley Rifle & Pistol Club, Inc. for range facility access and use by the Columbia Police Department for training purposes.

**R142-19** Accepting a Staffing for Adequate Fire and Emergency Response (SAFER) Grant from the Federal Emergency Management Agency - Department of Homeland Security to fund three (3) new firefighter positions in the Fire Department.

**R143-19** Authorizing an interim membership agreement with Mid-States Organized Crime Information Center for the provision of criminal intelligence assistance and information to the Police Department.

**R144-19** Authorizing a special event operations agreement with FPC Live, L.L.C. for a Ninth Street Summerfest Concert event.

**R145-19** Authorizing a state aviation trust fund project consultant agreement with Burns & McDonnell Engineering Company, Inc. for design services for the reconstruction of taxiway C2 and apron expansion for the replacement of Hangar 350 at the Columbia Regional Airport.

### **NEW BUSINESS**

**R146-19** Authorizing an agreement with VidWest for operation of a public access channel and management of a video production facility and associated equipment.

(Action: The Office of Cultural Affairs completed an RFP process for a Public Access Channel and Community Access Center to fulfill services previously handled by Columbia Access Television, which closed on the last day of September 2019.

The selected organization from the RFP process is Vidwest, a local nonprofit positioned to take on the responsibilities of a new public media center. To ensure the success of the public media center, Vidwest is partnering with Ragtag Film Society, the umbrella nonprofit for Ragtag Cinema and True/False Film Fest. Vidwest will receive \$34,981.12 from the City in FY20 for services rendered. Scope of services includes complimentary memberships to 28 OCA funded arts agencies in which the groups may consult with Vidwest on their range of services to benefit the organizations. Vidwest will also host a monthly, 30-minute arts and culture program in collaboration with the OCA that will feature Columbia arts and culture agencies.

Skala asked about the existing equipment. Staff explained that any equipment purchased with city funds stays with the city. When they were closing, they made an extensive inventory list and the city now owns all of that. Pitzer asked about any other responses to the RFP. Staff said they had not. Peters asked if this was for one year only, or if this will come back? Staff said this is designed for 1 year. Then they will try to raise some funds and become self-sufficient.

No public comment was received.

**The motion to approve passed unanimously.)**

**INTRODUCTION AND FIRST READING**  
(All bills were introduced as indicated.)

**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.

**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.

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

**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.

## REPORTS

**REP80-19** Public Health Ordinances Regarding Medical Marijuana.

(Action: Public Health and Human Services has reviewed medical marijuana ordinances from other jurisdictions across the nation. Many of these ordinances include public health measures to protect the public, specifically youth, from potential negative community health outcomes regarding medical marijuana. PHHS requests approval to draft an ordinance for Council consideration. Specifically, the ordinance would address warning labels, packaging, advertising, clean indoor air, and age standards for dispensary entry (for those without a medical marijuana card). The standards will not conflict with the Missouri Constitutional amendment establishing medical marijuana, nor will they conflict with state regulations around medical marijuana.

Staff requests Council acceptance of this report and direction to staff on pursuing ordinance changes to Chapter 11 regarding medical marijuana.

The Mayor indicated that he thinks these efforts make sense, but he wants to move forward on a legal basis. He is concerned about advertising and access of young kids to facilities. Peters asked about the

clean indoor air ordinance mentioned in the report. Staff said that they just want to add smoking marijuana to the ban on cigarettes and cigars in public places. Peters thought smoke was smoke and was surprised it had to be added to the list.

Pitzer wondered about the city regulating packaging. Staff said it is like cigarettes or other food products. His concern is that we are going to do something that goes too far in terms of regulation. Medical marijuana is not illegal here now. So, we should not overreact. Skala would like to see the actual ordinance before we endorse it.

**There seemed to be some indication to move forward on drafting some legislation.)**

### **REP81-19 Breed Specific Legislation.**

(Action: At the September 3, 2019 City Council meeting, PHHS was asked to look into specific dog breed bans, primarily for pit bulls. In preparing this report, staff reviewed local data, guidance from national organizations, consulted with animal control partners within Columbia, and reviewed the Springfield, MO ordinance.

Breed specific legislation (BSL) usually targets dogs of larger stature, muscular build, and other physical characteristics that are generally associated with aggression. In addition to Pit Bulls, BSL commonly outlaws Rottweilers, Akitas, Mastiffs, Dobermans, Presa Canarios, Dogo Argentinos, and even more traditionally family friendly breeds like Dalmatians and Chow Chows.

Legislation generally bans breeds by describing the breed by name, type, and physical characteristics. Today, breed bans almost exclusively focus on one breed: the pit bull. However, a “pit bull” is not necessarily a single breed, but a rough categorization of three or more breeds: the American Pit Bull Terrier, the American Staffordshire Terrier, and the Staffordshire Bull Terrier. As of August 6, 2017, there are 90 municipalities in Missouri that have enacted BSL in some form (Missouri breed specific laws). In the vast majority, the legislation is specific to pit bulls, although some include other large breeds such as rottweilers, Doberman pinchers, etc.

The American Veterinary Medical Association states breed-specific legislation “is not a reliable or effective solution for dog bite prevention” and they oppose such legislation. Their reasons for opposing such legislation are as follows:

- Breed-specific laws can be difficult to enforce, especially when a dog’s breed can’t easily be determined or if it is of mixed breed (many pit bulls are a mixed breed).
- Breed-specific legislation is discriminatory against responsible owners of their dogs.
- Breed bans do not address the social issue of irresponsible pet ownership.
- It is not possible to calculate a bite rate for a breed or to compare rates between breeds because the data reported is often unreliable.

The American Society for the Prevention of Cruelty to Animals (ASPCA) also stands in strong opposition to breed-specific legislation. In the position statement, the organization notes that “it must also be considered that if limited animal control resources are used to regulate or ban a certain breed of dog, the focus is shifted away from routine, effective enforcement of laws that have the best chance of making communities safer: dog license laws, leash laws, animal fighting laws, anti-tethering laws, laws facilitating animal sterilization and laws that require guardians of all dog breeds to control their pets.” The Central Missouri Humane Society stated that if the City were to pass a ban on pit bulls, they would no longer accept that breed of dog from the general public, nor would they accept that breed from Animal Control.

The mid-Missouri communities of Boonville, Fayette, New Franklin, and Glasgow previously enacted breed-specific legislation which has since been repealed. Springfield Missouri does not ban pit bulls; however, they do have an ordinance that requires pit bull owners to register them.

In 2018, there were 121 reported dog bites in the Columbia city limits. There were 25 bites by dogs listed as pit bull and 19 by Labrador retrievers. This report only includes bites reported to PHHS, generally by healthcare providers. Bites that do not result in a visit to a healthcare professional likely go unreported. Based on a review of the literature and feedback from local stakeholders, staff does not endorse breed-specific legislation and believes that emphasis should continue to be focused on requiring pet owners to be responsible for their pets, regardless of the breed.

Skala said he had asked about this due to a constituent request. We do take some measures in terms of dangerous dogs. I want this to be looked at fairly, but I do see the difficulties of this brought up by staff. Skala is inclined not to go any further with this but appreciates the effort.

**The City Council will NOT be bringing back a formal ordinance on this topic.)**

#### **REP82-19 Recommendations for Responding to Extreme Winter Weather Events.**

(Action: Staff met with representative of many city departments to review policies and practices from other cities and to develop recommendations for city response to extreme weather events. Several, primarily large, cities on the east coast utilize a defined approach to addressing unsheltered homelessness in extreme weather. While there are a variety of implementations, the approach generally sets guidelines for a response to winter weather conditions with the goal of preventing morbidity and mortality among persons experiencing unsheltered homelessness. Responses are typically triggered by a combination of temperature, wind chill, and precipitation.

Extreme weather responses in many communities are comprised of a variety of activities including:

- Increased street outreach
- Opening warming centers or increasing capacity
- Opening emergency shelters or increasing capacity
- Eliminating or reducing barriers to shelter (waiving bans, background checks, etc.)
- Providing transportation to warming centers and shelters

Due to limited resources, staff recommends utilizing a threshold of a projected low of  $\leq 9^{\circ}\text{F}$  between the hours of 7 p.m. to 7 a.m. for an extreme cold weather alert. The alert will trigger the opening of an overnight warming center from 7 p.m. - 7 a.m. in a City facility, staffed by City personnel. The overnight warming center will serve as a refuge of last resort for persons unwilling or unable to access local emergency shelter services. The fiscal impact for staffing the overnight warming center is estimated at \$500 per night based upon actual costs from this past winter. This does not include any extra expenses for any additional supplies that may be needed. **Such a facility would be a shelter of last resort since other facilities are better equipped.**

Trapp thought this was a good idea. The Mayor said he could get behind this. Trapp also noted that some people won't go to Room At the Inn due to the search and other rules.

**No formal action was taken but there was no objection to moving forward.)**

#### **REP83-19 Climate Action & Adaptation Plan Update on Priority Initiatives.**

(Action: Staff has prepared a report providing an overview of current initiatives underway for implementing the Climate Action & Adaptation Plan (CAAP). This report highlights the priority actions in each of the six sectors of the CAAP, including progress on the implementation strategies. The CAAP is organized into sixteen goals, forty-six strategies and one hundred sixty-one actions. This report introduces the 10 goals, 15 strategies and 20 actions that staff is currently focused on and would like to bring to City Council and the community's attention. These are the six main categories with current major action items noted:

**ENERGY** - The working group should evaluate an ordinance to include review of current and a range of future market conditions, equity considerations, definition of "renewable" and the use of Renewable Energy Credits in order to achieve 100% emission reduction by 2035.

**HOUSING, BUILDING AND DEVELOPMENT** - These include rental energy efficiency, home energy scoring, and municipal facility efficiency improvements.

**TRANSPORTATION** – Develop a strategic planning group for municipal fleet transformation and having a proactive approach to increasing the viability of electric vehicle use among Columbia residents and businesses.

**WASTE** - The City of Columbia and the Mid-Missouri Solid Waste District are currently working with Columbia Public Schools to increase the amount of recycling and compost diverted from their waste system. A current proposed ordinance would allow for the private hauling of commercial organic waste materials by certified haulers.

**HEALTH, SAFETY AND WELL-BEING** - Staff have worked with members of the Live Well, Boone County community members implementing the recently adopted Community Health Improvement Plan (CHIP).

Additional priority actions in the CAAP Health sector include researching options for reducing emissions and improving ground level air quality by reducing vehicle idling.

**NATURAL RESOURCES** - Staff are currently transitioning select rights-of-way around Columbia from mowed turf grass to native vegetation. Utility Services are also evaluating water conservation programs and projects that will encourage the water conservation and the emissions and costs associated with water and wastewater treatment.

The first version of the Climate Action & Adaptation Plan is currently available on the website: [comoclimateaction.org/action-plan](http://comoclimateaction.org/action-plan)

The Mayor asked how confident this plan can permeate across all city departments. The city manager indicated that the departments are very different, so we just need to make sure that all departments do their part. Thomas thought that this plan did not address transportation plans fully enough and that some elements of the new CATSO plan do not seem to be included in this draft. Staff said that they will try to incorporate those CATSO recommendations, but they have to review and get buy in from the commission. We bring it to the members, then they have to adopt it. Thomas thought this version does not resemble what he saw in the CATSO plan. Staff said that's why this was a draft and that CATSO staff is helping them with mode share ideas. Pitzer thought we should look at charging stations as a potential thing to do in coordination with businesses.

**No further action was taken. Report accepted.)**

**REP84-19** Dynamic Study Request for Proposal.

(Action: The City is required to be registered with the North American Electric Reliability Corporation (NERC) for several functional registrations including Transmission Owner and Transmission Planner.

Requirement 2.4 requires that stability analysis shall be assessed annually and be supported by current or past studies. Water & Light's engineering staff currently has the ability to perform steady state and short circuit studies in house, but does not have the resources to perform stability analysis.

An RFP for services to perform dynamic system modeling and transient analysis for stability to ensure continuing compliance with the TPL-001-4 standard has been drafted. The draft is at Purchasing and will be held until Council is ready to release this RFP for services to perform dynamic system modeling and transient analysis for electric system stability.

Pitzer asked if this would go to the Water & Light Advisory Board? Staff said it could, but that this is one of things we can't do in-house, so we need an outside consultant for compliance purposes. Actually, this is an operational issue that does not require review by the Water & Light Advisory Board. They will be notified, but this may not be subject to review, but it will be subject of questions and discussion. Pitzer asked if there was something in this that requires the development of peak load models in future years. Staff said that is not quite right, although the type of information is used when putting together a test of stability over time. Pitzer asked if we have two different peak load models or not? Staff said all projections should use the same peak load projections and there are not duplicated process creating two different models. The Mayor cited many different load models cited in the RFP. Staff said those are models that have been created. Those then get created as regional models and then we adopt a form for use in studies and projections. Staff said these were used to build the 2019 models. The model was developed in-house earlier in the year.

Skala asked if this new report is really a high-level look at the system. Is there any interaction between this and capacity issues? Does this intersect with that at all? Staff said the dynamic part does not really go into the capacity evaluations. A Load flow analysis is what you need to evaluate load. That's why we do three different studies. We will need a contract in place to be able to do this type of study. The Mayor asked if there was a firm date when this needs to be completed. Staff said we will need a refresh study to be completed before we compile next year's overall evaluations. Staff estimated it could cost \$75,000.

**No further action was taken.)**

#### **REP85-19 Capacity of the Perche Creek Substation.**

(Action: The current state of the City's electric capacity is similar to its state in 2017 when data from that summer was analyzed by Quanta Technologies for their report, the Independent Distribution Study for Columbia, MO. The report analyzes the adequacy of existing substations and distribution feeder capacity to meet current and anticipated future loads. The results of the substation capacity adequacy assessment indicate that the existing substation capacity should be adequate for up to 10 years. Peak demand generally occurs during times of high temperatures (greater than 90°) from the hours of 2 PM to 7 PM. At peak demand, with all substation transformers in service, substation loading varied from 42% to 80% indicating that none of the substations are overloaded with all substation transformers in service. In the unlikely event of the loss of a single substation transformer during peak demand, substation loading varied from 68% to 160% of rated load, indicating that substations may be overloaded for the loss of one transformer. Perche Creek substation was identified at 160% of capacity and the most likely to be overloaded in the event of the loss of a single substation transformer.

Quanta studied several mitigation strategies including transferring load from overloaded substations to adjacent substations by using distribution switching procedures in the event of the loss of a single substation transformer. All of the substations that may be overloaded for the loss of one transformer

can be mitigated using this strategy. **In the event of the loss of one of the transformers at Perche Creek, the report indicates there is enough available capacity at adjacent substations to support the temporary transfer of load from Perche Creek to one of the adjacent substations. The report also indicates that it should be possible to utilize this mitigation strategy for the next 10 years, as long as annual peak load growth remains below 2% per year from the 2017 values.** This translates to a peak load of 328 MW and assumes a growth pattern similar to what has been seen in the past few years with large developments in west and southwest of Columbia.

Since the report, load growth for 2018 and 2019 has been relatively flat with peaks of 263 MW and 260 MW respectively. This is especially true when compared to the 2017 data with a peak of 269 MW and the all-time peak of 277 MW in 2011. The growth in customer rate is 621 customers each year on average. The City has added roughly 500 service transformers since the original study was completed in 2017. There is some concern that recent load patterns may not be representative of a “worst case” for the City. The City has not experienced extended temperatures of 105 degrees or greater since it set its all-time peak in the summer of 2011.

In the unlikely event of the loss of one of the transformers at Perche Creek and insufficient capacity at adjacent substations to support the temporary transfer of load, the utility would shed load according to its Load Shed Plan. This plan ranks circuits by the number of critical loads associated with each circuit. Residential customers are targeted to be shed first while critical services such as hospitals, fire stations and the water and wastewater treatment plants are shed last.

Skala asked if the projected growth number used was accurate. Staff said if they got a large new industrial customer, it could change this somewhat, but that to date, even with new commercial and residential developments, it has not changed the viability of this transformer configuration. Thomas asked about the cost of adding a third transformer at this location. Staff estimated \$3 to \$5 million. Staff said that if we had a tornado or extreme event, we do have some spare transformer parts in stock and we can replace them within a month if a catastrophe occurred. We are very redundant, and we have not prematurely replacing our equipment. Pitzer asked what if we added transformers at other places in the system. Would that work instead of putting more transformers here? It could. Are there other places that they could go? Staff said at Harmony Branch they have space. They have land at Perche Creek, but no slots. Hinkson Creek is full. Those are the three that feed the south and southwest area.

Skala asked if they should use Harmony instead of Perche then since we have the land? Staff said it might but there are other factors to consider. Skala said he is surprised that about this 10-year window. He thought that the Chamber was going to take a stand against some of this stuff because it was failing. Staff said that is because the old projections were wrong and if you look at current load growth you are stagnant or at less than 1% growth. We have time to let the task force do its work.

**No further action was taken. Report accepted.)**

**REP86-19** Comparison of Columbia Police Department Calls regarding Firework Complaints in 2018 and 2019.

(Action: In 2018, citizens made 215 calls to CPD regarding fireworks. Three of those calls involved the same address, and it was an intersection. In 2018, two citations were given. The total number of calls in 2019 rose to 323. There were two addresses that each received five calls, one was an intersection and the other was a private residence. In 2019, two citations were given.

Residents are reminded of the City's restrictions on fireworks annually through press releases and information shared on the City's various social media accounts. In 2019, a reminder was included in the June City Source newsletter which is included with utility bills from the City of Columbia. CPD officers are provided fliers to hand out to residents when they are in the neighborhoods. Local media outlets and publications also remind residents of the City's ordinance.

The chief added that the real focus was on trying to keep people from hurting themselves and that we didn't have full-blown fireworks wars this year. Trapp thought it was great improvement over last year. He was actually shocked that there were actual fireworks wars in this town when he first came here.

**No formal action was taken.)**

**REP87-19 Columbia Vision Commission's Recommended Goals for Strategic Planning.**

(Action: The Vision Commission and City staff members conducted a focus group process last year designed to gather community input for our next strategic plan. The Vision Commission has identified five key citizen concerns expressed in the focus groups that should guide and drive decision making during the next strategic planning process.

- 1) **Economic Mobility:** Focus group participants do not believe the local economy provides the same opportunity to all citizens. For example, Columbia's unemployment rate currently hovers around 2-3%, yet the poverty rate remains at 25%, which indicates that simply having a job does not allow all Columbians to adequately provide for themselves/their families.
- 2) **Housing:** Although focus group participants expressed frustration over housing costs, the Commission was unable to determine whether concerns are a resources issue, an awareness issue or just a general concern about the City's housing market and associated costs.
- 3) **City Leadership/Communication:** Some feedback regarding City leadership was possibly skewed based on the City Manager transition/disruption occurring during the time the focus groups took place. Rather than include feedback about specific individuals, the Commission decided to highlight actionable, overarching themes commonly shared by participants. Those themes included lack of diversity in local leadership; concern that when council members bring in ideas, but the Mayor doesn't agree, the issue gets stalled; concern that there are lots of meetings about various topics but nothing ever really gets done.
- 4) **Transit:** Specific suggestions for improvement centered on longer hours and more route options.
- 5) **Infrastructure:** Infrastructure was a high-priority concern among seniors and persons with disabilities. Specific suggestions for improvement included aging infrastructure, bike lanes and crosswalks.

The report also noted that: "Although the citizens represented in this report recognize the Columbia economy thrives on a student population, they want City leadership to recognize that students are not the only ones in town who need access to affordable, safe housing options and expanded access to quality public transportation."

Skala complimented staff on the format of the report. Trapp said he was excited about the Strategic Planning process and will do his part. He thinks the council does its best work when they work as conveners for stakeholders. The mayor thanks the commission for the work.

**The report was accepted.)**

**REP88-19 Uncollectible Receivables.**

(Action: The City has accounts receivable for utilities and other items that have become uncollectible. An earlier report provided the uncollectible accounts receivable for the FY2017, FY2018 and FY2019 years. The report submitted to Council on September 16, 2019 did not include account detail. At the September 16, 2019 meeting it was asked what city collection processes are and that information is also included with this report. The new report shows the names, addresses and amounts written off in accounts receivable related to utility accounts, miscellaneous receivables, home energy loans, special assessment taxes and employee health club deducts.

Totals per year were:

2017: \$627,973.48

2018: \$590,217.84

2019: \$683,115.89

The Mayor thought we need to do a better job on collections. Pitzer noted that there were some names of companies that do business in this town and that we ought to be able to find them and make them pay.)

**No formal action was taken.)**

**REP89-19** Amendment to the FY 2019 Annual Budget - Intra-Departmental Transfer of Funds.

(Action: The largest transfer of funds was to cover postage in the Police Department in the amount of \$84,500. Higher than usual postage costs were incurred due to the passage of new Missouri state laws that required additional Municipal Court notifications.

**No specific action was required.)**

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

##### **Public**

One speaker got an answer to this question earlier, but wants it to be stopped. If you get a ticket in the garage next door after 6 o'clock, what is the purpose of getting the ticket, since you don't have to pay at that time. He also wants to know what was being talked about tonight about homelessness? Skala said they are talking about establishing some cold weather response contingencies.

The next speakers rose to sing "This Little Light of Mine, I'm Gonna' Let It Shine" as a duet and dedicated the song to trees.

##### **Council**

**Ruffin** said that all of us are aware of the recent increase in homicides. There have been many grassroots efforts to address that situation. I want to express my personal appreciation for supporting these types of efforts and for helping make them safe. I also want to announce that there will be an interfaith meeting to begin the healing process in the community. Some things we do are long-range. In this case, this deals with the hurting that is occurring right now. That will be October 18<sup>th</sup> at Second Baptist Church.

**Skala** said he wanted to mention the high school student who was killed on Clark Lane. He said that when that area was being built out, there was discussion about rumble strips in that area to help separate drivers from people on foot. When I was young, I thought you were supposed to walk facing traffic. Do we not teach that anymore? Maybe we can teach that kind of thing, particularly in the evening.

**Trapp** thought there was confusion about the West Area Plan with the county commission and whether or not that was really moving forward. He asked the city manager to talk with the county about plans in that regard.

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

**ADJOURNMENT**  
**(Time: 9:59 PM)**

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