



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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**Monday, June 18, 2018**  
**7:00 PM**

**Regular**

**Council Chamber**  
**Columbia City Hall**  
**701 E. Broadway**

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#### I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, June 18, 2018, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN and TRAPP were present. The City Manager, City Counselor, Deputy City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of May 21, 2018 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mayor Treece.

The minutes of the regular meeting of June 4, 2018 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mayor Treece.

The agenda, including the consent agenda, was approved unanimously by voice vote on a motion by Mayor Treece and a second by Mr. Skala.

#### II. SPECIAL ITEMS

SI8-18

**Presentation of Gateway Master Plan Honor Award by the American Society of Landscape Architects.**

Marti Waigandt stated she was a member of the Downtown Community Improvement District (CID) and the Chair of the Gateways Committee, and was at the meeting to present an award from the American Society of Landscape Architects for the Gateways Master Plan. The award was a professional recognition for the Gateways project, which had been supported by the Council and the City and was a series of iconic downtown landmarks that would enhance civic identity, let visitors know they had arrived in The District, and encourage them to explore and experience Columbia. She explained the Gateways concept, which had begun in 2013, had involved an eight month process of excessive community involvement focused on identifying an appropriate civic identity for downtown Columbia. Today, as the project continued, they had benefited from the ongoing involvement of business owners, elected officials, City staff members, and representatives of higher education. She commented that the three major aspects of the Gateways project included decorative public art, street beautification, and pedestrian safety. They believed public art added an element of discovery and surprise and strengthened the economic vitality of the community by making it a place people wanted to visit. In 2017, they had celebrated the installation of the first three light hubs, and they now looked forward to collaborating on constructing the Gateway Plaza in time for the City's bicentennial celebration. They envisioned the Gateway Plaza as a key focal point for the community to welcome visitors to Columbia. She noted the American Society of Landscape Architects had recognized the Gateways Master Plan for outstanding professional achievement, and thanked the Council for allowing her to share the award with them tonight. She presented the Council with the Honor Award.

Mayor Treece thanked Ms. Waigandt and the Downtown CID, and Mr. Ruffin accepted the award on the City's behalf.

### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

#### BC6-18 Board and Commission Applicants.

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

##### CITIZENS POLICE REVIEW BOARD

Catlettstout, Delaney, 812 Forest Hill Court, Ward 4, Term to expire November 1, 2020

##### COLUMBIA COMMUNITY DEVELOPMENT COMMISSION

Kasmann, Ross, 108 Dene Drive, Ward 3, Term to expire November 1, 2019

##### COLUMBIA HOUSING AUTHORITY BOARD

Oliveri, Rigel, 305 Edgewood Avenue, Ward 4, Term to expire May 31, 2022

##### COMMISSION ON CULTURAL AFFAIRS STANDING COMMITTEE ON PUBLIC ART

Sherman, Levi, 1025 Ashland Road, Apt. 205, Ward 6, Term to expire July 1, 2021

##### RAILROAD ADVISORY BOARD

Arnold, Justin, 900 Rutland Drive, Ward 5, Term to expire July 15, 2022

Davis, Peter, 700 S. Greenwood Avenue, Ward 4, Term to expire July 15, 2022

Eiffert, Gregory, 2401 Cimarron Drive, Ward 5, Term to expire July 15, 2022

##### WATER AND LIGHT ADVISORY BOARD

Wenneker, Robin, 1404 Torrey Pines Drive, Ward 5, Term to expire June 30, 2022

### IV. SCHEDULED PUBLIC COMMENT

#### SPC28-18 Jim Windsor - Critical electric utility issue.

Mr. Windsor, 200 Manor Drive, explained he had retired in March of 2018 as the Assistant Director of Utilities, and after talking to other recent retirees, he wanted to make the Council and all Columbia electric ratepayers aware of a critical issue facing the utility. He noted other retirees were present, and identified them as Tony Cunningham, prior Manager of Electric Distribution, Steve Casteel and Bruce Perkins, prior Distribution Superintendents, and Pat Karl, a prior Line Foreman. He pointed out the five of them had served the customers of the electric utility for a combined 168 years. He commented that the City's electric utility was facing a serious problem, specifically the non-competitive pay plan for electric utility employees had caused an ongoing loss of competent staff eroding the utility's fundamental operating capabilities. In addition, the lack of competitive pay for electric line workers had created an immediate threat to system reliability. He stated they viewed this situation as a crisis. He commented that the adopted 2018 budget had listed 29 positions in electric distribution for line workers and apprentices with the target being 19 line workers and 10 apprentices, but the current count was 13 line workers and 8 apprentices. He noted a line crew included a line foreman, 2-3 line workers depending on the job, and one apprentice. Given current staffing, it was not possible to maintain that mix of experience and apprenticeship, and when vacations, sickness, or injury were added, productivity and safety were serious concerns. For years, the electric utility had been unable to hire experienced line workers from outside of the utility due to the inadequate pay provided. Line workers were developed through initial work experience in entry level positions, and then through a four year apprentice process. The total time required was easily five years. In the last three years, 8 line workers had resigned to take better paying jobs at three nearby utilities.

Those 8 line workers had a total of 67 years of experience. He commented that he understood several of the remaining 13 line workers were actively seeking other employment. They highest paid current Columbia line worker could immediately receive a pay raise of 16-43 percent by following their 8 former coworkers to jobs in other electric utilities. He noted this issue had been raised with City management prior to their retirements, and they had been told the City's established pay plan could not be changed. He stated it was their view that critical infrastructure should not be captive to a one size fits all plan. Currently, City management was relying on contract crews to solve the staffing problem created by the non-competitive pay plan. He did not believe this was a sustainable strategy to ensure the long term reliability of the electric utility, and felt it was far better to have their own competent staff on duty and on call rather than relying on outside providers. It was also less expensive as the hourly rate for a contract line worker was 102 percent higher than the hourly salary and benefit amount paid to the current highest paid City line worker. To mitigate the continued loss of experienced line workers in the short term, there was a need to reward high performance by implementing merit based salary increases before the end of the current fiscal year. He suggested modifying the pay plan to address the immediate crisis by providing funding to increase salaries by a merit based maximum of 15 percent for line workers, substation technicians, and line foremen. He also suggested modifying the pay plan to increase salaries for electric distribution managers and superintendents by a merit based maximum of 10 percent or at least 5 percent above subordinates, whichever was higher, and increase salaries by a merit based maximum of 10 percent for service workers, meter maintenance personnel, and meter readers that serve as sources of line worker apprentice applicants. While they believed the electric utility situation was of highest concern, they recognized that all five City utilities had serious staffing issues and that the pay plan should be modified to increase salaries of employees of all five of those utilities by a merit based maximum of 5 percent for FY 19 unless the City's proposal was higher. Long term, a pay policy based on competitive utility pay scales was needed for all utilities. He hoped this input was useful and noted they would be happy to discuss this further at the convenience of Council. He explained that when one of the superintendents had retired, a line foreman had been promoted, but that person had also applied for and had been chosen for a job at another utility where he was paid more than he was at the superintendent position as a line worker. He reiterated that they viewed this as a very serious issue, and hoped the Council did as well. He provided a handout of his comments.

SPC29-18

Rebecca Shaw - Citizen response to State of the COU and traffic stop data report.

Ms. Shaw commented that she was representing herself and CoMo for Progress, and noted the Attorney General's Vehicle Stops Report had been recently released showing racial disparities in the State of Missouri and in the City of Columbia. She stated members of the public had addressed the Council and the City Manager during public comments at the prior council meeting with regard to that report. During the Council discussion that had followed, land and trails had been addressed first instead of the very serious issues of bias and the lack of leadership the report had indicated. She noted she was angered to hear only one council member bringing the matter forward and to further hear the suggestion that this discussion happen at a pre-council meeting. She urged the Council to have an open public discussion on the topic with Mr. Matthes, Chief Burton, and the public where the public could also comment. She believed the City Manager and Police Chief needed to explain why the numbers continued to increase. In a 2017 Missourian article, the Police Chief had stated he was collaborating with a professor to do a deeper analysis of the 2016 data. She asked if this analysis had been delivered to the public. She commented that the Police Chief continued to deny the numbers showed racial profiling without offering any alternative, which indicated bias policing. She thought the Council should demand answers, and felt they were being too polite in not asking the

hard questions. She understood the topic was uncomfortable as it would make them realize their own limitations on the subject, bring to surface their own internal biases, and could expose them as fragile or unevolved in their thinking. If they could not look to City's leaders to engage in the conversation, she wondered how they could expect that for the community. Over the last year, she and many other CoMo for Progress members had attended the NAACP community forums, meetings with Race Matters, Friends, coffee with a cop, and forums on community-oriented policing held by organizations and the City, and the message from the City and the Columbia Police Department (CPD) leadership was that they wanted more money for more officers. People she had spoken with had come away from the City forums on community policing feeling like their ideas might have been written down, but had not really been listened to as the conversation had been directed repeatedly to how it would be funded or that they did not have time for it. The discussion from the City-organized meetings was based on three questions and only one of those focused on what community policing looked like to those participating. A 20 minute discussion on this topic was not sufficient. She felt the true intention had become apparent as they then asked for ways to fund the examples they wanted to see in community policing. It appeared CPD leadership was stuck on the belief that community policing required more money and officers rather than a shift in thinking. She commented that in 2014, the Mayor's Task Force on Community Violence had recommended the CPD adopt a community-oriented policing model that emphasized positive communication, cultural competency training, and greater public involvement and accountability in the CPD vision, mission, and goals. All of this would create a greater community appreciation for police officers. She urged the Council to encourage transparency during the process by making the notes collected at the forums by the City and Sergeant Fox available and for Sergeant Fox's unamended report to Mr. Matthes and Chief Burton be made public. She stated she had heard repeatedly that the community was happy with the work of the community outreach unit (COU), and wanted to see similar work throughout the City. Last week, Ms. Messina had presented the State of the COU report and Lieutenant Jones had been present to answer questions. She noted the report had indicated the internal struggle for legitimacy within the CPD was continuing, and that Lieutenant Jones had stated there had been some internal strife. She understood other officers were seemingly discounting this important work as the report clearly indicated the COU was making a difference in the neighborhoods in which they were assigned. She wondered why there was such a lack of support within the CPD and what Chief Burton was doing to publically acknowledge the success of the COU. If citizens were saying the COU officers were the ones they wanted the resolution for community-oriented policing to be modeled for and the program was a success, she asked why they were not talking about it and why their work was not being taken seriously by other officers and leaders. She did not believe the City would get buy-in from citizens for a tax to cover costs if they could not get buy-in from the police officers and its leadership. She stated the CPD had cultural problems not being addressed by leadership within the CPD or by City leaders. She did not feel they could or should wait another year for another report while black and brown citizens were facing discrimination every day. She urged the Council to take the suggestions made by her and others into consideration.

SPC30-18

**Chad McLaurin - Steps towards addressing organizational change in the Columbia Police Department towards the community policing model.**

Mr. McLaurin provided a handout of the Vehicle Stops Report data in a graph for illustration purposes. He commented that the black community made up 32.66 percent of the stop rate, and when divided by the representative population, the number became much more meaningful. For the black community, the disparity was roughly 330 percent for the stop rate by population, 495 percent for the search rate by population, and 439 percent for the arrest rate by population. He explained he had looked at Latino, Asian,

and other demographics as well, but there were too few in many cases causing a skewing of the numbers, and pointed that out because he did not want to overlook the issues they might also face. He commented that some measures did not really tell them much, such as the reasons for the stops, and understood he might not have access to a parent document or another part of the process. He asked for more transparency from the data. He felt this disparity issue was far beyond the normal average issue as it was a human rights and civil rights issue, and it should be priority number one for the City. He suggested a page dedicated to this on the City's website to compile information and voice any plan going forward. If the COU was working so well, he thought they should quintuple that capacity in the police force, and did not think that would break the bank. He commented that he did not want to see an occupation force or a police force that was focused on damaging its own constituents. He reiterated he wanted more information on the data. He wondered how many involved repeated stops or arrests, and thought they should dig deeper into the genders and age groups. The age groups in the report were too broad and did not provide a good picture. He also wondered how they determined court fees and fines, and how those were processed. He commented that he was interested in all of the regressive policies as that was what he was trying to combat. He stated he wanted to discuss things that been done and their impacts in the future. Mayor Treece asked Mr. McLaurin to look into whether there was a way to determine the number of people that might have been stopped more than once. Mr. McLaurin replied he did not have that data, but thought that was a very important distinction along with gender and age.

## V. PUBLIC HEARINGS

PH19-18      Proposed construction of the Carter Lane sidewalk project between Huntridge Drive and Foxfire Drive.

PH19-18 was read by the Clerk.

Mr. Nichols provided a staff report.

Mayor Treece asked if they already had an easement for the bus shelter. Mr. Nichols replied they would approach the property owner once they received approval tonight. Their initial communication with the owner had been positive.

Mayor Treece asked if this was the best place to put the shelter. Mr. Nichols replied the location was within an unusable section of a vacant lot, and was preferred by the property owner. Mayor Treece asked if that location would receive multiple bus routes. Mr. Nichols replied yes.

Ms. Peters stated she was happy this was moving along.

Mr. Nichols commented that the estimate to MoDOT had included a section that wrapped around to Providence Road and there would be a savings since that connector would not be constructed.

Mr. Skala asked Mr. Nichols if he had thought about asking the Chamber of Commerce to have a ribbon cutting ceremony at some of the bus shelters. Mr. Nichols replied this would be a perfect opportunity for that.

Mayor Treece opened the public hearing.

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

Mr. Thomas stated he was very supportive of the project as there were a lot of pedestrians in the area and improving the bus facilities was good. He asked that consideration be given to another project there as well. He commented that he did not feel they were choosing the right locations for roundabouts as they should try to save lives and slow traffic with roundabouts. He believed an excellent place for a roundabout would be the road near Stoney Creek Inn and the Waffle House on the one side and where the sidewalk was on Carter Lane for the other side. He thought it would create a safe way for pedestrians to cross the street and would allow all turns to be available as

left turns could not be made currently. They could also then close the unsafe and narrow access road parallel to Providence Road to vehicle traffic. He understood Providence Road was a MoDOT road, but encouraged staff to look into it for a roundabout treatment in the future.

**Ms. Peters made a motion directing staff to move forward with final plans and specifications for the construction of the Carter Lane sidewalk project. The motion was seconded by Mayor Treece and approved unanimously by voice vote.**

PH20-18 Consider the FY 2018 CDBG and HOME Annual Action Plan.

Discussion shown with R92-18.

R92-18 Approving the FY 2018 Community Development Block Grant (CDBG) and HOME Annual Action Plan.

PH20-18 and R92-18 were read by the Clerk.

Mr. Cole provided a staff report.

Mayor Treece asked when the Council policy resolution had been adopted. Mr. Cole replied in late 2014 leading into the approval of the 2015-2019 Consolidated Plan. Mayor Treece understood those were internal percentages the Council had determined, and they were not federal requirements. Mr. Cole stated that was correct. He explained they had provided a range and goals within the midpoint of those ranges, so year to year, they might do more housing or more sidewalks depending on the projects presented and what had been funded in previous years.

Mr. Cole continued the staff report.

Mr. Pitzer asked if the \$250,000 that the Columbia Community Development Commission (CDC) had found was an additional \$250,000 or if the Council should not allocate the \$250,000 from surplus funds. Mr. Cole referred to a chart on the overhead and explained the chart. With regard to Job Point, the CDC had recommended \$102,700 in CDBG funding in June of 2017 for vocational training, but in June of 2018, the CDC had recommended zero funding for vocational training and \$250,000 for a facility. The \$250,000 surplus that had been allocated by the Council was still there and could be used for vocational training.

Mr. Cole continued the staff report.

Mayor Treece commented that certain milestones had been set when the Council had considered City surplus funding for Job Point to access the funds, and asked for clarification. Mr. Cole replied he did not know what those milestones were. Mayor Treece asked if those would carry on through this grant. Ms. Thompson replied she did not believe the City had entered into an agreement with Job Point to provide access to that funding. Mr. Matthes explained they knew at that time City funding to purchase a building had problems, and understood they could purchase a service, such as vocational training. He noted this would allow them to switch funding sources so the source that could fund the building was used in that manner, and the source that could not fund the building could fund vocational training. Depending on the decision of Council tonight, they would take steps to create contracts to implement that.

Mr. Thomas asked how much they typically funded Job Point for vocational training per year. Mr. Cole replied it had been around \$100,000 annually. He noted it had been as low as \$76,000 and as high as about \$110,000. Mr. Thomas commented that if they were flipping purposes, it would take several years to make that even. Mr. Matthes asked if they had anticipated 2-2.5 years. Mr. Cole replied that would fall in line with what they had done the last two years. Mr. Thomas asked if they would leave the surplus in a fund to be used in future years for Job Point vocational training or if it would be recommended by the CDC. Mr. Cole replied he thought that would be outside of the CDC process, but if an agreement was approved by Council, it would be something they would be aware of moving forward. Mr. Matthes noted it would likely take Job Point over

two years to spend that amount down as they would not double the size of their program. This would only be replacement funding.

Mr. Cole continued the staff report.

Mayor Treece asked about the objectives of the CHDO set-aside funding. Mr. Cole replied it would likely go toward housing on North Eighth Street. Mayor Treece asked if that was associated with the Land Trust. Mr. Cole replied it would be in partnership with the Land Trust, but the idea would be that the CHDOs would develop it with an agreement with the Land Trust so that once the homes were constructed and qualified buyers were found, the land would go to the Land Trust.

Mr. Cole continued the staff report.

Mr. Skala asked for clarification as to why the alleyway was infeasible. He understood it had involved a lesser amount and the evaluation of it had been in progress. He wondered what had happened. Mr. Matthes replied the initial thought was that they could do a very simple application of asphalt and have an alley, but as they got into the project, it would be significantly tougher to build. They would have to remove quite a bit of vegetation and it would involve some grading work. As a result, it had become more expensive than they could get out of CDBG funding. In addition, CDBG had a fairly onerous level of paperwork associated with it. He commented that the better option was to include it in the CIP Plan. Mr. Skala understood this would be funded in a different way and would still proceed. Mr. Matthes stated that was correct. The intent was to fund the project through a different source than CDBG.

Mr. Ruffin explained his concern was with the alleyway project going west from Grand Avenue as there had been a lot of community engagement and the process had involved the type of housing that would developed in the area so it was consistent with architectural styles. He understood that had been replaced by other plans, and with the funding being removed, there had not been an attempt to reconnect with all of the people that had participated in the process over the past year. He commented that the decision had not resonated well in the community. If there was an alternative plan to continue with the alleyway project via the CIP for the upcoming year, it would be great to know how it would be ranked and how soon it would be completed so they could communicate that to the community. Mr. Matthes explained the CIP would be discussed by Council soon, so they would be able to tell staff where to prioritize it.

Mr. Ruffin understood the original plan was that the houses would be smaller houses on the lots with garages in the rear, and that plan had now been scrapped whereby there would only be one house. He asked for clarification. Mr. Cole replied that since the alleyway was not being done, they needed the space to meet all of the requirements of the project, such as parking. As a result, they would be using a layout similar to that of Job Point at 700 Oak Street and 105 Lynn Street. Mr. Ruffin commented that the community that had participated in the process was in favor of the two smaller houses because they felt it would be more affordable and in keeping with the style of the neighborhood, but it had been contingent on the alley. Mr. Matthes stated they could still do the two house scenario as this was only one funding source. The concept of the two houses with the alley had ended up being too much so they were looking at different funding sources. He thought they might be able to build the second house.

Mayor Treece commented that he did not feel the alley project was a capital improvement. He thought it was a long time neglected asset of the City that needed to be maintained. He noted he had been advocating for that over the past seven years. It was impassible, and vegetation had been allowed to grow to the point it was a public health and safety hazard. It was also impeding other projects, like the two houses, a community garden, etc. He agreed with Mr. Ruffin in that the alley maintenance project should predicate all other improvements, but he did not want to put it in the CIP. He thought it was something they needed to find the resources for so it could be completed more quickly.

Mr. Thomas stated he wanted the alley to be completed and for the two houses to be

built on the lot next year. He noted he would not be too fussy with regard to funding, but they needed to ensure they did not miss any deadlines and hinder the ability to accomplish it.

Mr. Thomas understood one of the issues with the cost was a desire to make the paving pervious for stormwater permeability as that would add \$50,000-\$60,000, and asked if that was correct. Mr. Matthes replied he thought it was due more to the amount of tree work that would need to be done. There were a significant number of trees with some size to them that would have to be removed. He was not sure about the conversation involving a pervious surface. Mr. Cole understood it was originally planned as asphalt, and the Office of Sustainability was interested in pervious pavement. After talking to the Street Division, he understood it appeared to be a better application and had impacted the price. Mr. Thomas stated he believed pervious paving was a good idea, but did not feel it should be allowed to kill or mess up a project like this as there were plenty of places where they were laying concrete and asphalt that could include pervious paving.

Mr. Skala commented that they had not really evaluated many of the pervious projects, and many were no longer pervious because of the amount of maintenance required. He agreed with Mr. Thomas in that if it was cost prohibitive, he was not sure it should be another pilot project. He stated he also agreed with Mayor Treece in that the alley was a maintenance issue, but noted he would not be fussy with regard to funding as long as the work was completed. He asked staff to comment on how well pervious pavement tended to work. Mr. Matthes replied the literature was such that it was considered a successful best management practice, but it required a significant level of maintenance. Mr. Skala thought there were some models of pavers with turf in between and noted the Botanical Gardens in St. Louis included the use of something of that nature. He did not believe those involved as much maintenance.

Mr. Skala asked about the nature of the communications with the people in the neighborhood that had been working on this for some time. Mr. Cole replied he and Mr. Cantin had been in contact with them to let them know the alley project was not moving forward.

Mr. Thomas asked whose decision it was to not move forward with the alley project. Mr. Matthes replied these were the CDC recommendations. Mr. Thomas understood it had been removed before the CDC meeting and had not been presented by staff at the CDC meeting. Mr. Cole replied he had asked that it not be presented because he had received the directive before then that it was infeasible. Mr. Thomas asked who had given that directive. Mr. Cole replied Mr. Glascock. Mr. Thomas asked why Mr. Glascock had made that decision. He thought it was the role of the CDC to make that decision. Mr. Matthes replied these were recommendations of the CDC to the Council, and the Council could change it. If they wanted it to all be funded via this funding source, they would have to decide what other projects to cut.

Mayor Treece pointed out that if the CDC had not received that input, the Council would not receive that recommendation, and asked why that part of the project had not been presented to the CDC. Mr. Matthes replied it was a project that was too expensive for this funding source in the view of staff. As a result, they were looking at other ways to fund it, to include the CIP, which involved a similar time frame.

Mr. Thomas asked that staff ensure the ability to do the two homes. Mr. Matthes replied they would do the two homes if that was the direction given by Council. Mr. Ruffin understood Mr. Cole was not sure that could be done. Mr. Cole stated they were up against a deadline and there were many nuances with CDBG funding. He explained they had purchased the Third Avenue lots last October, and they could not land bank property with CDBG funds like they could with Neighborhood Stabilization Program (NSP) funds. As a result, they needed to show they had a viable project moving forward within the year, which would be October of this year. Mr. Matthes understood they had a design for the one house project, but did not for the two house project. Mr. Cole stated they had a design for the two houses as they had asked Job Point to submit both. Mr. Matthes



asked if there was a cost differential. Mr. Cole replied both had the same subsidy. He explained they would likely be required to amend some of the \$65,314 to go toward another project because it was a fairly large subsidy for one house.

Mr. Skala stated the critical question was whether this could be done. If it was the will of the Council for there to be two homes instead of one home, he asked if that could be done while satisfying the requirements of CDBG and CIP funding. Mr. Cole replied the alleyway would need to be completed by April or May of 2019, and noted he did not know how much design was required on the front end. If it could be done by then, it was a possibility. Mr. Teddy suggested a two-phased plan with the street facing house being included in phase one, and the alley cottage being phase two.

Mr. Trapp asked if the alleyway was needed for the Third Avenue facing house for garage access. Mr. Cole replied it depended. He explained the neighborhood really liked the garage on the back, which was why the request for a proposal involving the two houses had garages in the rear. They would be next to each other shotgun style. If they were to phase in a house at a time, they would likely want to do a different style development, such as a house in the front with potentially an accessory dwelling unit (ADU) in the back at a future date. He thought if they did that second, the house in the front would have a front facing garage. He felt it could still be a high quality project that could help the neighborhood, but it would not exactly meet the feedback they had received for a rear facing garage.

Mr. Thomas asked if it was required by Code to build a garage with every house or just expected. Mr. Cole replied it was something they had required starting in 2013 as it was a great way to provide for storage space for lower income families. He commented that most of the people they served needed a car space. Mr. Teddy explained driveway space was required for parking, but a garage was not strictly required by Code. Mr. Cole stated they made the effort to build a house that any middle class family would want to buy, which included hardie board siding, energy efficiency, and a garage.

Mr. Pitzer asked if they had allocated funding from surplus to the Land Trust last year and how that fit into this equation. Mr. Cole replied that funding had been for the North Eighth Street property. The funding had been used to purchase two additional lots, and there was still roughly \$75,000 left to allocate toward that project. That would go in tandem with the \$266,187. Mr. Pitzer understood that would acquire all of the land and build the houses there. Mr. Cole replied they already had the land so it would all go towards the pre-development and development of the houses. Mr. Pitzer asked if that funding amount would be enough. Mr. Cole replied it would depend on how many houses could fit there. He explained they were still pretty early in the planning process. He thought they would likely be able to fit 8-10 houses depending on feedback from the neighborhood, and noted they typically needed \$50,000 per house in terms of a subsidy. There would also be pre-development costs. Mr. Pitzer asked if the \$200,000 had been for the land purchase. Mr. Cole replied it had been for the Land Trust.

Mr. Matthes commented that he understood the alley was unimproved, meaning it was not paved at all and was in a wild state, so a capital investment would be required to make it a passable alley. He agreed it was not the same as building a street, but wanted to point that out in case it provided peace of mind in that there was a capital expense to it.

Mr. Thomas asked how likely it was that they could put the cost of the alley into the FY 2019 CIP project list. He wondered if they would be presented with a lot of highly competitive projects where they would have to push something out to fund it. Mr. Matthes replied that was done every year. Mr. Thomas asked if it was in the draft staff was planning to present at the next meeting. Mr. Matthes replied it would be. Mr. Thomas asked if that was due to the discussion tonight. Mr. Matthes explained that had been the intent.

Mr. Thomas asked if that would provide enough time to work on the two-home plan. Mr. Cole replied potentially. He would need to know the full time line.

Mayor Treece asked when this Plan had to be submitted to the federal government. Mr. Cole replied he needed to get this to them before July 1. He noted they might have additional information requests for him, and everything would need to be addressed and done by August 16, otherwise they would not receive any CDBG or HOME funds.

Mr. Thomas understood they could move ahead on the two homes if they made a commitment to the alley.

Mr. Matthes stated staff was open to the direction of Council. The Council could accept these recommendations and direct them to get two houses on the Third Avenue lot. It would not, however, build the alley. A CIP decision would be required for the alley. The Council could try to fund it all with CDBG and HOME funds, but that would require removing a project from the list. He thought the CIP route might be easier.

Mr. Ruffin asked if placing the alley on the CIP would guarantee ongoing maintenance of the area. Mr. Matthes replied they would be able to drive through there once the alley was improved so that would become a possibility.

Mayor Treece opened the public hearing.

Phil Steinhaus, 201 Switzer Street, provided a handout and explained he was the CEO of the Columbia Housing Authority (CHA). He noted the CHA was requesting additional HOME funds for the Bryant Walkway II project. They were renovating 36 public housing units, and it was their fifth rental assistance demonstration (RAD) project. Once Bryant Walkway and Bryant Walkway II were done, they would have renovated 597 of their 717 public housing units. He pointed out Bryant Walkway II was a major rehabilitation project, but not a gut rehabilitation project. The Bryant Walkway project had been a gut rehabilitation project where they basically tore everything out. He commented that they had discovered extensive termite damage with both projects. The scope of work for the Bryant Walkway II project had not included the removal of all of the drywall and correcting the termite damage. He explained this was not an active termite situation. It was damage that had occurred in the late 1980s and early 1990s before extensive treatment was done. He explained this was a four percent low income housing tax credit project, so they had not received as much money as if it had been a nine percent low income housing tax credit. He noted they had applied for and received an allocation of \$100,000 in HOME funds from the City of Columbia. He pointed out the CDC had asked why he had not asked for more, and the reason was because they realized there were other competing projects and a limited amount of HOME funds. They had tried to make reasonable requests as they realized the City's support of HOME funds reverberated with the Missouri Housing Development Commission to demonstrate strong City support. He commented that they had applied for \$300,000 in Federal Home Loan Bank funds and had not been funded this time. As a result, they had to make up that short fall with reserves from the capital fund, which was essentially exhausted now. He stated the total construction cost of the project was a little over \$3.1 million, and they had \$270,000 in contingency funds with only about \$40,000 left due to all of the extensive termite damage. He noted they had also learned that the electrical system in buildings 8 and 9 had not been grounded. They could not replace the electrical system without tearing out the drywall, and they had then found more termite damage. He commented that fourteen units had termite damage, and they had not gotten to twelve more units that were in the same area as other units that had damage. He noted the CDC had failed to hold a public hearing on June 6 and had made decisions without public comment. During general comments, when he had noted they had failed to hold a public hearing, he had essentially been dismissed, and the CDC had indicated they would not go back to reconsider their decisions. He explained he had spoken with Mr. Cole who agreed it was a reasonable request and a good use of HOME funds. As a result, he was appealing to the Council now to consider allocating some of the additional HOME funds the City had received to help cover some of these unexpected costs associated with the Bryant Walkway II project. He stated he had discussed \$100,000 with Mr. Cole, but noted even \$50,000 would be helpful.

Mayor Treece asked if the \$100,000 on the screen was what was being requested. Mr. Steinhaus replied no. He explained that was already in the budget based on Council approval last fall. Mayor Treece understood he was asking for an additional \$100,000.

Mr. Pitzer asked if they had secured all of their other funding for the renovation. Mr. Steinhaus replied yes, except for the Federal Home Loan Bank funds. They had not received that \$300,000, but had used their reserve funds in their capital funds account to accommodate that. He explained that when they had put together the financing package to get final approval from MHDC for the Bryant Walkway II project, the Federal Home Loan Bank had not made its decision. As a result, they had to put their funds up in case they did not get funded, and when they did not get funded, they had to put their funds into the project. They did not have any other funds to fall back on to make up for these cost overruns.

Mr. Thomas asked how much in additional HOME funds had been received. Mr. Cole replied they had planned for \$415,000 and had received \$651,000, so they had received a little over \$200,000 more. A bulk of those additional funds had gone into the CHDO set-aside project. He recommended pulling funding from it if that was the intent of Council. Mr. Thomas asked if that was a floating fund and had not been specifically allocated to projects. Mr. Cole replied yes, and pointed out they would likely be funded at this increased rate again in 2019 based on what Congress had passed. Mr. Thomas asked when the CDC would make recommendations for those funds. Mr. Cole replied the CDC would meet this Wednesday, and recommendations would be communicated to Council in August. Mr. Steinhaus stated his calculation was that \$168,489 in additional HOME funds had been received. He noted some of the additional funds received had gone to administration and the homeownership assistance program so he thought it might have been a little more than that.

John Clark, 403 N. Ninth Street, stated the two home and alleyway plan that was meant to be presented and funded with CDBG funds had been developed over a series of meetings. He understood the Council had asked staff to proceed with the plan even if it took two years instead of one year, and thanked them. He commented that a plan for all of the alleys in the central city area was needed. He agreed the cost might be high since the City had not taken care of the alleys for decades, but it did not make the project a capital improvement that had to be included in the CIP Plan and funded with traditional CIP funds. He encouraged the Council to keep in mind that this should be an annual maintenance item even if it took time to catch up. If the City wanted to use this particular alley to be a demonstration project for a particular technology, he believed the cost should come from the Public Works Department budget. It should not come from CIP funds. He commented that the funding of Job Point should come from the brick and mortar CDBG money, and asked if that meant the Council's commitment of the \$250,000 in savings was now up for reallocation.

Pat Kelley, 1007 Grand Avenue, thanked the Council for their emphasis on the alley and getting two homes in their neighborhood. They had held a series of meetings over a year with a lot of community input so it was very disappointing when they thought nothing would happen. She stated they were looking forward to the two houses as it provided the opportunity to provide more housing. She understood Central Missouri Community Action (CMCA) had mentioned potentially building a house on Fourth Avenue with an accessory dwelling unit in the back. Having a range of diverse incomes and housing would be wonderful for the neighborhood. She thanked them again for being supportive of the project, and asked about a time frame for the project so she could inform the neighbors.

Steve Smith, 1603 Canton Drive, explained Job Point had submitted plans for HOME funding for two houses or one house, and they did not expect the full amount of HOME funds if they only built one house. It would be hard to say how much was needed until what they were building was determined. He noted they were not trying to double up in funding in terms of the \$250,000 in Council surplus funds. He pointed out the decision

had been made by the CDC before public comment was allowed so he had not been able to provide any input at that meeting. He commented that his hope was that they could retain \$100,000 or so of the Council surplus funds for training because that was no longer in the CDBG funding allocation, and not having those funds would impact the normal training cycles.

Mayor Treece asked Mr. Smith if Job Point received that money every year. Mr. Smith replied they had for well over ten years, and for the coming year, they had applied for \$102,500, which was what had been approved as part of last year's budget. It was an essential part of their normal operating budget. If the \$250,000 in CDBG funds for the building was approved along with about \$100,000 of Council surplus funds for training, it would free up some funding, which might be able to help with other projects. Ms. Peters stated they appreciated that option.

Mr. Pitzer asked Mr. Smith how the capital campaign was going. Mr. Smith replied it was going well. A large donor had committed to a donation, but had not yet indicated an amount. He understood they would hear in August. He explained they intended to live by the terms that had been mentioned if the \$250,000 was approved through CDBG to raise matching funds before accessing it so they would try to live by the agreement even though the funding source would change.

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

Mayor Treece stated he was concerned the public hearing process had not been followed at the CDC meeting. Ms. Thompson understood the CDC had posted an agenda that showed there was a public hearing. They tended to use the title public hearing for old business and new business. In speaking with Mr. Cole, it was not an advertised public hearing and was not a part of the required federal process. The Council was holding the required public hearing as part of the federal process now. This was what she would consider as the statutory public hearing, and the agenda item before the CDC had been a regular agenda item. It was true they had not allowed any public comment during that point in time even though it was shown on the agenda as a public hearing. She reiterated it was not an advertised public hearing.

Mayor Treece asked for the original amount of anticipated funding prior to the additional notice. Mr. Cole replied \$835,000. Mayor Treece understood the original CDC recommendations in June of 2017 had totaled \$835,000. Mr. Cole stated that was correct, and noted that had been included in the FY 2018 City budget. Mayor Treece understood the June 2018 meeting involved recommendations totaling \$924,326. Mr. Cole stated that was correct. Mayor Treece commented that he was showing an excess of \$89,000 in CDBG funds and \$236,000 in HOME funds for a total of \$325,000 that had not been anticipated. Mr. Cole stated that was correct. Mayor Treece asked if that was reflected in the June 6, 2018 recommendations. Mr. Cole replied yes. Mayor Treece asked what was meant by carryover. Mr. Cole replied there had been three previous projects that had either not moved forward or had come in under budget. Mayor Treece understood that would be carryover money from last year's funding. Mr. Cole stated it was from 2017. Mr. Thomas pointed out the chart they were looking at involved only CDBG funding. It did not include HOME funding. Mayor Treece asked Mr. Cole if he had that same breakdown for the HOME funds. Mr. Cole replied he did not have that with him, but noted only a couple of those projects had not been fully funded. He thought the City's homeownership assistance program had previously been at about \$165,000. Mayor Treece asked how that money was allocated. He wondered if it went to individuals for subsidies or downpayment assistance. Mr. Cole replied it was \$7,500 per participant for downpayment assistance for first time homebuyers. They typically did about 35 a year.

Mayor Treece thought they could divide the \$325,000 based upon the public hearing held tonight. Ms. Peters asked if there was a reason to not go with the recommendations listed. She understood the additional \$100,000 for the Bryant Walkway II project could come from the CHDO set-aside. Mr. Cole stated that was correct, and explained that

amount was significant compared to what they normally had per year. Mr. Teddy pointed out the CHDO set-aside was a minimum of 15 percent of the HOME amount, and was usually in the range of \$65,000.

Ms. Peters understood they could approve what had been recommended, and move \$100,000 from CHDO set-aside to the Bryant Walkway II project.

Mr. Ruffin stated he would support that as it seemed simple enough to do while allowing them to meet their deadlines.

Ms. Peters made a motion to amend the FY 2018 CDBG and HOME Annual Action Plan associated with R92-18 by moving \$100,000 in HOME funds from CHDO set-aside to the CHA Bryant Walkway II project. The motion was seconded by Mr. Ruffin.

Mayor Treece asked how that impacted the ability of CHDO to build additional homes, and if that was contemplated for the Third Avenue project or the North Eighth Street project. Mr. Cole replied the \$266,000 in CHDO set-aside would go toward the North Eighth Street property, and typically the subsidy was around \$50,000 per house, so they would be down two houses.

Mr. Trapp stated he hated to give up two permanently affordable houses, but there was also this very good move toward taking care of what they had. In addition to rehabilitating the units and bringing them up to a more modern standard, it locked in the subsidy for the CHA for next 20 years. He thought it was important to continue to support the projects of the CHA, and stated his support for the motion.

**The motion made by Ms. Peters and seconded by Mr. Ruffin to amend the FY 2018 CDBG and HOME Annual Action Plan associated with R92-18 by moving \$100,000 in HOME funds from CHDO set-aside to the CHA Bryant Walkway II project was approved unanimously by voice vote.**

Mr. Pitzer commented that he would recommend leaving \$100,000 of the surplus funding allocated to Job Point for vocational training and dedicating the other \$150,000 to the alley.

Mayor Treece stated he would oppose that because he did not feel the Council should use surplus funds for what should be an ongoing maintenance project. As much as he wanted to lever the alley to construct the homes or lever the homes to improve the alley, he did not feel this was anything new. Staff had known this was a liability for years. He felt it needed to be on a project list to be done. He was not inclined to have Council use surplus funds to bail them out.

Mr. Skala agreed it should be on a list, and thought the City Manager had made the case that it could legitimately be on the capital improvement list because it had never been paved in the first place. It had never been a real alley. He agreed it was overgrown and was a maintenance issue as well. He stated he could justify it being on the capital improvement list was because it was a capital investment to improve the alley, which would then prevent it from being overgrown again in the future. He commented that he was not willing to move the money as recommended by Mr. Pitzer, but was open to the prospect of this alley being funded by a capital improvement project.

Mr. Trapp stated he was supportive of the FY 2018 CDBG and HOME Annual Action Plan. There were a lot of hoops to jump through for federal HUD dollars so it was not always a beautiful process to get them to this point. He noted the conversations had evolved in the 6-7 years he had been on Council and had heard these reports as they had been doing so much better in terms of not risking a loss of funds. There was a greater level of public involvement and efficacy with how they were using the funds and administering the funds, and there were less missteps. He stated he would be comfortable with the alley being funded with surplus funds or by being placed on the capital improvement project list. If they came up with funding for the alley, he understood they would still miss out on the rear facing garage on one of the houses. He felt that was less of a sting than losing the second house.

Mayor Treece thought the rear facing garage or ADU could be added once the alley was

completed. His concern with placing it on the CIP list was that it would fall down the list.

Mr. Thomas stated he thought they would have to require it be funded in FY 2019. Mr. Trapp agreed, and noted it would be small compared to other CIP projects so he believed it could be done.

Mr. Thomas asked if they needed to discuss the \$250,000 in surplus funds. Mr. Pitzer replied he thought that was a separate action from approving this Plan. Mayor Treece stated that was correct.

Mayor Treece commented that it was probably a more acceptable use of the CDBG funds to fund the purchase of a facility. He did not, however, want to play a shell game with the Council surplus funds and the stipulation of those milestones with supplanting the vocational training dollars. Mr. Thomas understood there was no funding for vocational training in the CDBG budget at this time. He assumed that would have an impact on Job Point's budget. Mayor Treece understood they could backfill that with \$102,700 of Council surplus funds, and the balance of those funds could be saved. He did not believe that required an additional motion on their part to approve. Mr. Skala understood approving the Plan would allow them the flexibility to do what they had been discussing. Mr. Matthes stated that was correct.

**The vote on R92-18, as amended, was recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: NO ONE.**

**Resolution declared adopted, reading as follows:**

## **VI. OLD BUSINESS**

None.

## **VII. CONSENT AGENDA**

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

- |         |  |
|---------|--|
| B132-18 | Authorizing the construction of the Forum Boulevard and Green Meadows Road intersection improvement project; calling for bids through the Purchasing Division.   |
| B133-18 | Authorizing the acquisition of easements for construction of the Forum Boulevard and Green Meadows Road Intersection Improvement Project.  |
| B134-18 | Authorizing a right of use permit with The Curators of the University of Missouri for construction and maintenance of a steam distribution chase and manhole, chilled water distribution pipe, control conduit, domestic water pipe and telecom ductbank within portions of the Seventh Street and Elm Street rights-of-way. |
| B135-18 | Approving and ratifying the facility use agreement with The Curators of the University of Missouri and the Missouri State High School Activities Association relating to the MSHSAA State Music Festival as authorized by the City Council on April 16, 2018 by Resolution 54-18.  |
| B136-18 | Appropriating insurance reimbursement funds received for the purchase of a replacement livestock trailer.  |

- B137-18 Authorizing an agreement with The Curators of the University of Missouri for the 2018 Missouri State Senior Games and Show-Me STATE GAMES.
- B138-18 Authorizing a participation agreement for state investment in local public health services and memorandum of understanding with the Missouri Department of Health and Senior Services relating to the Children's Health Insurance Program (CHIP) Health Services Initiatives (H.S.I.).
- B139-18 Authorizing Amendment No. 1 to the memorandum of understanding with the Missouri Department of Corrections to provide tuberculosis screening and testing services.
- B140-18 Authorizing construction of repairs to portions of Runway 2-20 at the Columbia Regional Airport; calling for bids through the Purchasing Division.
- R86-18 Setting a public hearing: proposed construction of the Portland Street and Lansing Street water main replacement project.
- R87-18 Setting a public hearing: proposed construction of the Spring Valley Road PCCE #18 Sanitary Sewer Improvement Project.
- R88-18 Setting a public hearing: voluntary annexation of property located south of St. Charles Road and east of Dorado Drive (Case No. 18-105).
- R89-18 Setting a public hearing: consider the FY 2019 Capital Improvement Project Plan for the City of Columbia, Missouri.
- R90-18 Authorizing Amendment No. 1 to the Artist's Contract with David Spear for the Columbia Sports Fieldhouse Percent for Art project.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

## VIII. NEW BUSINESS

- R91-18 Amending Resolution No. 24-18A which established the Fair Housing Task Force to add two (2) additional task force members.

The resolution was read by the Clerk.

Mayor Treece stated the request to add two members to the Fair Housing Task Force

had been made at the end of the last council meeting.

Mayor Treece asked if they wanted the Clerk to readvertise for those slots. Mr. Skala replied yes.

**The vote on R91-18 was recorded as follows: VOTING YES: SKALA, PITZER, PETERS, TREECE, RUFFIN, TRAPP. VOTING NO: NO ONE. ABSENT: THOMAS (Mr. Thomas stepped out during the vote on this item.) Resolution declared adopted, reading as follows:**

## **IX. INTRODUCTION AND FIRST READING**

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

- B141-18      Granting the issuance of a conditional use permit to Missouri Property Associates II, LLC to allow the establishment of a hair salon (barber and beauty shop) on property located at 607 Jackson Street in an M-OF (Mixed-Use Office) zoning district (Case No. 18-107).
  
- B142-18      Approving the Final Plat of Willow Falls, Plat No. 3 located on the east side of Creasy Springs Road and south of Sunnyridge Lane; authorizing a performance contract (Case No. 18-60).
  
- B143-18      Approving the Minor Plat of Old Hawthorne Plat No. 5-A, a Replat of Lots 510 to 512 of Old Hawthorne Plat No. 5, located at the east terminus of Crooked Switch Court and approximately 1,000 feet east of Cutters Corner Lane (6504, 6506 and 6507 Crooked Switch Court); authorizing a performance contract (Case No. 18-97).
  
- B144-18      Approving the Final Minor Plat of McGary Subdivision Plat 3 located on the north side of St. Charles Road and west of Tower Drive (4217, 4301 and 4305 St. Charles Road); authorizing performance contracts; granting a design adjustment relating to the minimum stem width to a tier lot (Case No. 18-102).
  
- B145-18      Authorizing construction of the Portland Street and Lansing Street water main replacement project; authorizing the project to be bid by The Curators of the University of Missouri per the terms of a cost-share agreement.
  
- B146-18      Authorizing a water main cost-share agreement with The Curators of the University of Missouri relating to a joint construction project to replace water mains along Portland Street and Lansing Street, adjacent to the Women's and Children's Hospital.
  
- B147-18      Authorizing an agreement for professional engineering services with TPR



Enterprises, LLC, a/k/a EcoEngineers, for a feasibility study analyzing the potential for the City to upgrade its landfill gas to produce renewable natural gas to be sold as transportation fuel.

B148-18 Authorizing a license agreement and memorandum of license agreement with Cellco Partnership, d/b/a Verizon Wireless, for the installation of fiber optic cable adjacent to Parkside Drive in Columbia Cosmopolitan Recreation Area; appropriating funds.

B149-18 Appropriating funds received from donations and miscellaneous revenue to the Parks and Recreation Department.

B150-18 Appropriating funds for the purchase of disaster recovery software licenses.

## **X. REPORTS**

REP54-18 Strategic Planning Session Report to Council.

Mayor Treece explained this had been discussed during the work session.

Mr. Skala commented that the terms defer and add had been used during the work session, and he believed defer tended to lead one to believe they might be abandoning the option. In some of these cases, the item was still subject to evaluation. He recommended interjecting a category that would suggest a continuation. Mayor Treece understood that had been captured during the discussion at the work session. Ms. Rhodes stated it had.

Mr. Pitzer understood a discussion objective listed in the memo was to review the 2017 MQA feedback report to identify key themes that tied into the Strategic Plan and noted that had not been discussed during the work session. He wondered what some of those themes were. Ms. Rhodes stated she could provide a staff report with the weekly current events e-mail.

Ms. Peters asked when it would be discussed. Ms. Rhodes replied the first pre-council meeting in August.

Mr. Thomas stated he was disappointed to see a proposal to stop holding the quarterly press conferences because he thought they were moving toward a more transparent approach to policing with open discussions with the community and media, and with being available for detailed questions with regard to how they did policing. He commented that stopping this opportunity for conversation between the Police Administration, the media, and the public seemed to be counter to that. It sounded as though Chief Burton had a particular goal that had not been accomplished. He noted he had attended several and did not believe anything terribly bad had come from it. He felt it had reflected well on the City for standing there and taking questions from the media, and wanted to see that continued.

Mr. Ruffin commented that it was probably not a bad idea to hold those press conferences, but they needed to ensure they had the right person managing them. He did not feel it necessarily had to be the Police Chief. It just needed to be a qualified and skilled spokesperson because more harm than good could be done if one did not respond appropriately.

Mr. Thomas noted that was a good point, and that Chief Burton might not be the best

public spokesperson for the CPD. Mayor Treece felt that was a different problem.

Mr. Ruffin commented that if they were going to request this be reinstituted, they needed to make sure it was the right person that stood before the camera and represented the CPD.

Mr. Matthes explained the previous process included almost the entire command staff and the public information officers.

Mr. Thomas thought Lieutenant Jones and Sergeant Hestir should participate as well to represent the COU, which was a very different operation within the CPD.

Mr. Pitzer suggested a rotation. Mayor Treece agreed. He noted it was expensive in terms of manpower to have the entire command staff and others there. In general, he would say more communication was better than less, and that traditional press conferences were probably a good idea in addition to some of the more innovative communication methods. If the frustration was the fact they wanted to talk about what happened during the prior week, he felt that was another reason to have it.

Mr. Skala stated the quarterly press conference was different than the strategic plan community policing discussions that had been held, which had included Sergeant Hestir and Sergeant Fox. He noted people had serious questions, and they had to address those questions. He understood some people had indicated they did not want to hear about the need for more funding and staff, but explained that really was what community policing would take. He agreed it would also take a philosophy change, and that philosophy change would have to come from the top down.

Mr. Thomas commented that one of the challenges they had been facing for a couple of years was that most of the police professionals in the CPD immediately thought of the resource cost when thinking about community policing in terms of the number of officers per square mile, etc., while the members of the public on the other hand thought about the philosophy of community policing. He believed more communication between the public, the media representing the public by asking questions, and the Police Administration would be better. He commented that there had been a very open discussion about SWAT tactics at a recent NAACP meeting between Deputy Chief Gordon and Deputy Chief Schlulde and a couple members of the audience. It had been the first time he had really seen a very open, transparent, and productive dialogue with what he thought was satisfaction on both sides. He felt it would be good if these press conferences could encourage more of that and build the capacity of police leaders to engage in those public conversations.

Mr. Ruffin stated he had some other ideas for the social equity team in terms of bringing cultural activities to the community, which did not necessarily have to be a part of the resolution, and asked how he should go about speaking with someone about those. Ms. Rhodes replied she could accept those additions tonight or they could be provided to Ms. Hall or Mr. Clubine via e-mail. Mr. Matthes noted he would be happy to set up a meeting if he preferred.

Mr. Skala understood there had been some arguments with regard to what to consider in terms of equity, and thought a big piece should be infrastructure equity. He noted sidewalks, street lights, and public facilities had come up during the strategic neighborhood meetings, and believed the issue of sidewalks was a legitimate topic when it came to social equity in underserved areas.

#### REP55-18      Intra-Departmental Transfer of Funds Request.

Mayor Treece understood this report had been provided for informational purposes.

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

Renee Maxwell, 201 Fourth Avenue, commented that that she was concerned about the recent Vehicle Stops Report data and the culture of policing in the community. She explained she had come before the Council about a year ago, and since then, the CPD had not taken any meaningful action to address the racial disparities in traffic stops as

was indicated in this data. Despite the fact these disparities had increased significantly over the past few years, the problem of racial profiling in Columbia was not new, and plenty of people had spoken out against it, to include Race Matters, Friends, who had provided suggestions of models of policing that could be implemented to reduce this problem in the community. She commented that City leadership had responded by dismissing Race Matters, Friends as angry women, which was insulting to members of the community that had devoted so much time and energy in making Columbia a safer place for people of color. She understood the CPD had been meeting with residents to discuss the community policing initiative with Sergeant Fox at the helm of this effort. She noted she had attended one of the meetings and had spoken with others that had attended subsequent meetings, and there was a general consensus among attendees that Sergeant Fox was disinterested toward this initiative. She stated he did not even pretend to have an interest in other models of community policing, and noted he appeared to have the single objective to convince people that community policing was not possible unless they provided the police more money. She pointed out Ms. Shaw had spoken to that issue earlier this evening and supported those comments. She noted she did not blame Sergeant Fox for that attitude. She blamed the City Manager instead as he had selected Sergeant Fox to spearhead this effort and it was his job to set the tone for this discussion. She commented that she could not support any increase in funding for the CPD as long as they failed to take concrete actions to reduce racial disparities and traffic stops. She did not feel any model of community policing could succeed unless it was founded on trust, and noted she did not trust the City leadership to hold the police accountable for racial profiling. She stated she did not trust Mayor Treece due to his cozy relationship with the Columbia Police Officers Association (CPOA), which she felt was problematic. She explained she followed the CPOA on Facebook and was very unhappy with the warrior cop mentality that was perpetuated by Dale Roberts. She commented that Mr. Roberts sowed distrust toward the police in Columbia due to his problematic views on policing and racial justice. She noted she did not trust Mr. Matthes either due to his incompetency and dishonesty. She stated she also had enough of the impotence of the City Council to take meaningful action on important issues and to hold themselves accountable to the citizens for whom they worked. She felt action was needed, and if the Council did not take action, she noted they would.

Eugene Elkin, 3406 Range Line Street, understood more of a police presence at Fishes and Loaves had been requested at the previous council meeting, and although he had only visited once since then, the comments had been positive in that the police had stopped by. He thanked the City for its response.

Mr. Elkin believed community policing was the direction they should go with a little empathy, especially when interacting with the homeless.

Dawn Finney, 1001 Plymouth Drive, commented that as a society, they were waking up to the fact that the way their institutions and government agencies functioned did not always translate to effective, fair, or even safe actions and results for many citizens of the community. The simplistic notion that all one had to do was follow the rules in order to be protected by the laws and processes that governed the community was egregiously false when the laws were applied selectively and used to target certain populations. In Boone County and Columbia, they knew through the 2017 Vehicle Stops Report that the racial disparity index for traffic stops for black drivers had increased from previous years and was notably higher than for any other racial group and the Missouri average. An article from June 1 of this year in the Missourian had indicated that in Boone County, traffic stops involving black drivers were 57 percent more likely to include a vehicle search than stops involving white drivers. The arrest rate for black drivers was almost twice as high as that of white drivers even though the contraband hit rate was slightly lower for black drivers. She understood Boone County Sergeant Leer had stated that it would be

wrong to rule out implicit bias as one of the possible contributing factors to the numbers, yet Police Chief Ken Burton and City Manager Mike Matthes had both denied it was an issue. She felt they failed to recognize what the numbers were telling them in that there was implicit racial bias in the policing going on in Columbia and Boone County. If there was a need to study the racial make-up of citizens involved in traffic stops to provide information about implicit bias and racism in the action of law enforcement officers, she believed that implied there had been a problem in existence in need of examination and solutions. When presented with information such as this, she asked that the City leaders and the leaders of the CPD admit to the racism inherent in these numbers and in the policing processes, and to take measures to correct the issue.

Patrick Finney, 1001 Plymouth Drive, stated he was concerned that the statistics from last year showed the CPD was stopping and searching black Columbians at higher rates than whites, and that the disparities appeared to be growing. When faced with questions regarding the disparities, Mr. Matthes and Chief Burton had both consistently dismissed the disparity data as evidence of racial profiling. He noted this data dovetailed with reports of the lived experiences of Columbians of color, and current and well-known research regarding both conscious attitudes surrounding race in America and implicit bias. He explained they continued to hear what he perceived as dismissive statements that seemed to be aimed at explaining away the disparities and distancing the issue from the actual conduct and culture of police officers within Columbia. He had not once heard or read a statement from Mr. Matthes or Chief Burton that courageously faced the fact that they might in fact have a problem. He commented that City Administration and the CPD leadership were not alone in immediately adopting a defensive posture when confronted with issues of race as it was seen all of the time. He felt it was time, they, as individuals and as a City, finally started to believe people of color. They acted as if whole communities were lying to them or misunderstanding the situation, and then made every effort to shift the blame anywhere except the police. In an interview last year, he noted Chief Burton had seemed to express frustration in that some parents tended to defend their children when confronted with evidence of a child's misbehavior rather than believing and working with the police and disciplining their child. He pointed out many citizens of Columbia shared similar frustrations regarding the CPD. From all of the public statements he had heard, his takeaway was that they did not see it, did not believe it was there, and that there was no evidence. He felt trust would only be built between the police and the community when they had evidence the same expectation Chief Burton had of parents was held by him for the CPD. He reiterated that it was time to start believing people of color rather than seeking to explain away their experiences in order to protect the reputation of the police and the City. He stated that there was a race problem in America, and that there was a problem with the policing culture nationwide. While this data set on traffic stops might not tell the whole story, there was no evidence to indicate Columbia, Missouri was any different than any other place in the nation.

Laura Wacker, 1617 Paris Road, commented that when she had moved back to Columbia in 1991, the attitude of the police force had been one of serving the public, but she no longer saw that as the attitude. She believed there were many in the community that were willing to volunteer to help solve the problem, but they only received fluff from the City. People felt they were spinning their wheels trying to help. She stated they had a race problem in Columbia, and it was not just with regard to the police. She provided a couple of examples of people of color being attacked, and noted they needed to know the police force was working to solve those types of problems. She felt the people would not vote for those in power if they had been elected positions, and thought the Council should take that into consideration as she believed changes needed to be made.

John William explained he resided in the First Ward, and believed the Council had a

choice given the ongoing racial disparities and traffic stop data within Columbia at this time. They could look the other way or make excuses while what seemed to be provable racial profiling was continued by the CPD, or they could take this opportunity to demand accountability for these disparities, seek solutions to social problems, such as poverty, that did not involve punitive policing and subsequent incarceration. He suggested they invest in increased social services, like education and public health. He asked the Council to refuse to approve additional funding for the CPD as long as these racial disparities remained the norm.

Kate Canterbury stated she lived in the Fourth Ward and did not believe they were seeing much leadership on the police force. She thought her council member had done a good job in stepping up with this issue, but wanted to see more from the mayor and the other council members. She felt they needed to take the lead. She explained her career depended on people moving to Columbia and her husband's career depended on being able to recruit people to the City, and they could not recruit people when this underlying racism existed in the CPD. She stated she had invested in advocacy in trying to work with people on community policing, and did not get a lot back from anyone. She noted Sergeant Fox, who was in charge of this initiative, was saying things she would not say to another person in emails about people in the community that were trying to take the lead on this issue. She commented that she did not want to give up on the CPD as she knew they were working hard and were the people she would call if she needed someone, but noted she needed to see some leadership. If the CPD could not solve the problem, it was time for the Council to step up and boldly say this was a real problem in the City and what they would do about it. The time for platitudes and buzz words was over. Strong statements were what she and others, such as business leaders and those at the University, wanted to hear. She stated they could not do it alone as citizens and the needed the Council to step up.

Manny Harvey explained he had been stopped a couple of weeks ago when leaving a client's house on Jewel Avenue for not using his blinker. He pointed out his last case in 2005 had involved possession. He noted he lived at Oak Towers and took care of elderly clients on Jewel Avenue and Grand Avenue, and was consistently stopped and harassed.

Mayor Treece asked how many times he had been stopped recently. Mr. Harvey replied he had been stopped twice and harassed a number of times. He explained he had a sleeping disorder, and if he did not take his sleeping pill, he was up at night. As a result, he might go out at night. He noted about a year ago, Officer Anthony had stopped him. He felt he had been harassed and stopped multiple times over the last 2-3 years. He stated he was tired of it as he lived in the area. He thought he should be able to walk and drive in the neighborhood without being followed and looked at by the police. Two officers had detained him when he was pulled over and had searched the car even though he had provided proof of insurance and his license and had told them there was not anything in there.

Mayor Treece stated he was sorry Mr. Harvey had that experience and thanked him for sharing it.

Carol Brown, 903 S. Greenwood Avenue, commented that the Flint, Michigan water situation involved structural racism as did what Mr. Harvey had mentioned was his experience. She stated policies that produced racially disparate outcomes were predictable and getting worse every year, and noted they could change policy. When a policy produced racially disparate outcomes predictably, but the cause was not formally built into the policy or decision-making structure, the problem was systemic. She felt this was on the Council as the citizens could not do anything about Chief Burton or Mr. Matthes. She stated she liked what Mr. McLaurin had to say earlier in the evening about a public page and demanding change. She also liked the comments of Ms. Shaw, who

had indicated Council should speak out publically on this issue. She noted there were a lot of comfortable white people in Columbia that never said anything and changed the channel when they were uncomfortable. She did not feel this was okay. The experiences Mr. Harvey had mentioned were dangerous as something really bad could happen to him. She stated this happened as it was reflected in the Vehicle Stops Report, and it was how the community operated. She objected to this, and felt many others did as well. She reiterated that it was up to the Council to create change.

Kerry Mullin explained she resided in the Fourth Ward and noted they had a really interesting example now with community policing. A fair number of years ago, the need to move toward community policing had been identified, but the staff had all just sat around until the Council said they would do something about community policing. She felt the exact same thing was now happening with the racial disparities seen in the Vehicle Stops Report, in that they would likely wait until the Council decided something needed to be done. She stated the citizens were counting on the Council to take action, and asked them not to wait.

Mr. Matthes commented that the City had been working on this issue for a number of years. He noted they had partnered with the NAACP, who had and would continue to host community meetings. They had also changed specific things in relation to how they did their jobs. He provided the consent search approach as an example, and explained they now made sure the person that had been stopped understood they did not have to consent to a search when asked. If they gave it, and then changed their mind, the search was stopped. This was something he felt was unique in Missouri. Columbia was working on the issue, and he was not sure the same could be said of too many other places in Missouri. He commented that another example was their bias-free policing policy, which had been in existence since 2014 and was amended in January of this year. This would not affect last year's data, but they were expecting some impact in next year's data. He noted they had used the work of Lorie Fridell on bias-free policing as she was considered to be the cutting-edge thinker in this space. They had a policy and had conducted the training involved with it. He stated a work session would be held in August and encouraged participation in a ride-along so they could see what an officer experienced during a traffic stop, such as whether the race of the driver could be seen when stopping a vehicle, the information found when checking a license plate number, etc. He agreed there was likely some bias as every human being had biases, and reiterated that he believed Columbia was doing more than any other city in Missouri to address the issue. He commented that there were a number of things he had heard tonight, which he did not feel were true, and encouraged those interested to meet with him as he could point out some of the facts that could help refute some of the statements made. He hoped they would be involved as they moved forward on the issue. He noted the NAACP would soon be provided the training they provided officers at their August meeting, and invited those interested to that meeting. He felt they were an open book on this issue, and if they knew what they could do to make those numbers go down, they would do it. They had tried anything anyone had suggested. He referred to the almost 700 page report the staff had delivered to Council last year, and noted almost everything that had been discussed could be seen in it. He commented that they cared and were doing things to help the situation. He again welcomed them to be involved in the process moving forward.

Mr. Skala stated he believed what was happening in Columbia and many other places involved structural racism. He also believed racial profiling existed, and felt they needed to look into that issue. He understood there were two tracks, and one was community policing, which was under the direction of Sergeant Fox and a report would be provided in August. He noted the other track involved the Vehicle Stops Report, and understood a

work session would be held in that regard. He commented that he had suggested a model by Cathy Lanier with regard to community policing in 2008 or 2009, so this discussion had been ongoing for a long period of time. He noted he would be leaving for Little Rock on June 26 to attend National League of Cities (NLC) leadership meetings as a member of the Racial Equity and Leadership (REAL) group and would not be using taxpayer money to pay for it even though it would likely cost about \$2,500. He commented that he would be happy to take any questions anyone might have and bring back information from the meeting with regard to structural racism and racial profiling. He explained the name of the meeting was *Leading through Disruption*, and he would represent REAL and the University Communities Council along with the fellowship he had with the NLC University. He reiterated he would be happy to be provided questions to take to the meeting to carry on the discussion. He commented that the City Council was involved and was trying to do something. In addition, he believed the staff was doing something as well although it might not be enough for them at the moment.

Mr. Skala noted Mr. Windsor had spoken earlier in the meeting with regard to the pay policy in terms of line workers, and asked for a report so they could look into the issue in terms of losing line workers and with regard to whether the contract was more expensive than the pay increases.

Mr. Thomas commented that this was quite a call to action by a large number of constituents and noted his appreciation. He thought the work session to study the vehicle stops data was very important, and that the CPD had to do some work in advance so there was new information to present. He stated a black person in Columbia in 2017 was 4.3 times more likely to be stopped by police than a white person. This was an outcome from a number of causes with the way the CPD did its work. If the stop was classified as an investigative stop, which needed to be defined, a black person was 9 times more likely to be stopped than a white person. He noted these were real numbers, which they had seen year after year. He commented that Mr. McLaurin had presented graphs showing a real alarming rise in the disparity numbers over the last 3-4 years. The numbers were outcomes, and the outcomes were related to some constellation of causes. It was likely a complicated combination of explicit bias, implicit bias, policies, procedures, and practices within the CPD that lead to a particular action, such as where the patrol units spent their time, which kind of vehicles they looked for, what actions were taken when stopping a vehicle, etc. He stated they did not know this or have this data even if participating in a ride-along. As a result, he wanted the CPD to explain this to them. He noted the CPD also had to have some curiosity into why those alarming numbers were the way they were, and pointed out it would take some work. He suggested Don Love be invited into the process as he had educated him more than anyone else in terms of how to think about the disparity and disproportional data. He wanted the Police Chief or another senior leader in the CPD to be able to take one of the numbers and explain what led to it at the work session. He commented that they clearly had different racial make-ups in different neighborhoods, and he wanted to know how the police made decisions in terms of whether they were following up on leads of particular crimes that had been reported, etc. Once they understood the data, they could then determine what needed to be changed to correct the problems.

Mr. Trapp stated he agreed with Mr. Thomas in that this was an issue of increasing public concern as the numbers were more terrible each year. He believed they had an obligation as the leadership of the City, and needed the professional staff to be able to articulate whether there were legitimate factors for why the discrepancies existed. It needed to be demonstrated in a way the public could accept while continuing to make programmatic and policy-level changes that would impact the numbers in a positive way. He was pleased a work session would be held to dig into the details, and believed this

issue was tied very much into the community policing process. He understood it was hard to devise a process, but felt they should listen to feedback from the public without getting defensive. He thought they needed to adjust what they were doing to show they were listening to the concerns while also being the experts in the field presenting information about why different police procedures were done in a certain way. He commented that in addition to an attitudinal change, they struggled with an understaffed police department in terms of less patrols and fewer stops. If they were going to do more things, they would need more resources, but they would never be able to get those resources until they received the support of the public because they thought additional resources would be spent on something positive without harming certain segments of the community. He stated they had a big task in front of them, and many of them had been engaged in it for a long time. He pointed out he had learned a lot from his participation on the Mayor's Task Force on Community Violence. He agreed more needed to be done to include better communication. He commented that the decrease in consent search discrepancies showed they could make policy changes that would lead to changes in the data, and felt that should embolden them to continue to look at the data and determine what could be done, to move things forward in a positive direction.

Mr. Trapp asked for a report with an update of where they were with the backflow program. He understood it had gotten more complicated and wanted to try to determine how they could come up with a usable program that would work for the City and provide the help needed to address sewer issues in homes.

Mr. Trapp understood that by the affirmative vote of four council members, they could bring things back that they had been unable to pass. He noted he wanted to make a motion to bring the Henderson Branch sewer extension back if that was correct. Ms. Thompson stated the reconsideration of a subject matter could be accomplished within 90 days with leave of Council. Without leave of Council, the subject matter had to wait 90 days prior to being brought back to the Council.

Mr. Trapp made a motion directing staff to place the Henderson Branch sewer extension on the agenda for the July 16, 2018 Council Meeting.

Ms. Peters asked for clarification as to whether it could come back within 90 days as she thought it had to be after 90 days. Ms. Thompson replied it could come back within 90 days with leave of Council so Council would have to vote.

Mr. Matthes understood it would be introduced at the July 16, 2018 Council Meeting and voted on at the August 6, 2018 Council Meeting. Mr. Trapp stated that was correct. Mr. Matthes thought they could meet that timeframe.

Mr. Skala made a privileged motion to table the motion of Mr. Trapp in order to recognize the 90 day period during which time they could reengage to try and find out if there was some common ground that could be achieved with a public-private partnership beyond the \$2.6 million the citizens had voted for with the expansion of the sewer system.

Mr. Skala commented that the ballot language had not referred to the Henderson Branch sewer extension, and noted the advertising that had preceded it had not discussed the Henderson Branch sewer extension. It had only been presented in Slide No. 93 of a work session by City staff with a cost of about \$2.3 million, which had then been changed to \$2.6 million. It later was estimated at \$4.3 million. He thought they should recognize the process by which there had been a vote. They could then take this issue up in due course of regular business. Mayor Treece understood Mr. Skala wanted to table it to the August 20, 2018 Council Meeting.

**The privileged motion made by Mr. Skala to table the motion of Mr. Trapp in order to recognize the 90 day period, which would result in introduction at the August 20, 2018 Council Meeting was seconded by Mayor Treece and defeated by voice vote with only Mr. Skala and Mayor Treece voting in favor of it.**



Mr. Thomas understood Mr. Trapp had made a motion first.

The motion made by Mr. Trapp directing staff to place the Henderson Branch sewer extension for introduction on the agenda for the July 16, 2018 Council Meeting was seconded by Mayor Treece.

Mr. Pitzer asked if it would go through the same first read and second read process. Ms. Thompson replied yes. It would be similar to what they had before.

Mr. Pitzer commented that he thought it would be relevant to reintroduce it prior the August ballot. He noted the comment of Mr. Skala in that it had not been included as a project had been an ongoing debate, and as a result he had researched the issue. At the August 5, 2013 Council Meeting, the material included a list of proposed projects that the bond funding would be used for with a brief description and estimated costs. The Henderson Branch sewer was on the list indicating it was the extension of a trunk sewer to Midway that would ultimately allow for elimination of small treatment facilities in the area. As a result, he felt it was disingenuous to bring that debate up again of it not being a part of the initial 2013 bond issue.

Mr. Skala stated it had not been a part of the language. Mr. Pitzer noted neither were any of the other projects. Mr. Skala stated the ballot language had not specified the Henderson Branch sewer. It had only stipulated sewer extension. Mr. Pitzer commented that it had been included on the list of projects that would be funded with the ballot when it had been voted on by the Council in 2013.

Mayor Treece asked if there had been a dollar amount on the list. Mr. Skala replied no. He stated they had not been separated into categories. There was only a total amount of \$34 million. Mr. Pitzer pointed out a dollar amount had been included in the list he was referring to, and it had been \$2.6 million. He thought they could talk about the dollar amounts for the other projects on the list as some had subsequently been funded at different amounts than had been listed.

Mayor Treece stated his point of not wanting to bring this back up was to provide staff the time to provide some new facts. He thought they needed an annexation agreement instead of a pre-annexation agreement. The City would not receive any new revenue from the proposal that was rejected at the May 21, 2018 Council Meeting. He suggested they negotiate with the adjoining property owners so the annexation was contiguous and requested some kind of owner participation that compensated the legacy investment existing ratepayers had paid into the system.

Mr. Trapp commented that he thought they would have the portion to make it contiguous by the July 16, 2018 Council Meeting. He was not sure they had looked for participation with other kinds of projects. He thought getting it on a path to be considered by the full body of Council before the water bond election was in the best interest of the City.

Mr. Skala noted they had never considered sewer extension projects beyond the urban service area.

Mayor Treece withdrew his second on the motion made by Mr. Trapp directing staff to place the Henderson Branch sewer extension for introduction on the agenda for the July 16, 2018 Council Meeting.

The motion made by Mr. Trapp directing staff to place the Henderson Branch sewer extension for introduction on the agenda for the July 16, 2018 Council Meeting was seconded by Mr. Pitzer.

Mr. Thomas stated he would vote against the motion as he did not believe they should discuss the Henderson Branch sewer until they had created a large area land use, transportation, and annexation plan for the area west of the Perche Creek.

Mayor Treece asked Mr. Trapp if his motion was to bring it back exactly the way it had been defeated at the May 21, 2018 Council Meeting. Mr. Trapp replied it was a reconsideration so he expected it to be substantially similar, but noted he would give staff the ability to make any updates necessary. Mr. Matthes pointed out new agreements would be required because they had included expired dates. He stated they would also

change if they were able to deliver some of what Council had requested.

**The motion made by Mr. Trapp and seconded by Mr. Pitzer directing staff to place the Henderson Branch sewer extension for introduction on the agenda for the July 16, 2018 Council Meeting was defeated by roll call with Mr. Pitzer, Mr. Ruffin, and Mr. Trapp voting yes and Mr. Skala, Mr. Thomas, Ms. Peters, and Mayor Treece voting no.**

Mr. Ruffin asked if that meant it would come back after the 90 days. Mr. Skala replied yes. Mr. Ruffin asked if that had been voted on at the prior meeting. Mayor Treece replied they had not voted on it. Mr. Trapp stated he would still like for it to come forward then. Ms. Peters understood it could come forward after the 90 days. Mayor Treece assumed negotiations were ongoing.

## **XII. ADJOURNMENT**

Mayor Treece adjourned the meeting without objection at 9:52 p.m.