City of Columbia, Missouri

Meeting Minutes

City Council

Monday, February 3, 2020 7:00 PM	Regular	Council Chamber Columbia City Hall 701 E. Broadway

I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, February 3, 2020, 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 RUFFIN, TRAPP, SKALA, PITZER, and TREECE were present. Council Members THOMAS and PETERS were absent. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

Mayor Treece explained the January 21, 2020 Council Meeting minutes were not yet complete.

Upon his request, Mayor Treece made a motion to allow Mr. Trapp to abstain from voting on REP6-20. Mr. Trapp noted on the Disclosure of Interest form that he was a partner in a limited liability company that had a contract with the Downtown Community Improvement District (CID) to do outreach and coaching to individuals who were homeless or panhandling. The motion was seconded by Mr. Skala and approved unanimously by voice vote.
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

None.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

IV. SCHEDULED PUBLIC COMMENT

None.

V. PUBLIC HEARINGS

PH2-20 Voluntary annexation of property located on the south side of I-70 Drive SE and east of Upland Creek Road (5300 I-70 Drive SE) (Case No. 51-2020).

PH2-20 was read by the Clerk.
Mr. Teddy provided a staff report.
Mayor Treece asked if this was contiguous. Mr. Teddy replied yes, and explained it was surrounded by the boundary of the City. He pointed out there were some properties at the Lake of the Woods Road interchange that remained under County jurisdiction. He displayed a diagram and described the area within the city limits.
Mayor Treece opened the public hearing.

Caleb Colbert, an attorney with offices at 827 E. Broadway, stated he was present on behalf of the applicant and was available to answer questions.
Bill Easley commented that he lived on Cook Avenue and felt the City was growing too fast. He understood the City needed more police and fire personnel, and that the sewers needed to be fixed. He suggested the Council slow down growth and enlarge the City correctly. He reiterated the need for more police because he wanted everyone to feel safe. He noted he was also not in favor of roundabouts. He commented that he wanted everyone in Columbia to retire in Columbia as well. He did not want people to be afraid, and asked the Council to slow down growth.
There being no further comment, Mayor Treece closed the public hearing.
Mayor Treece asked when this would come back to Council. Mr. Teddy replied it was on the consent agenda for the next council meeting.

VI. OLD BUSINESS

B348-19 Amending Chapter 29 of the City Code to establish use-specific standards governing the operation of short-term rentals (Case No. 31-2019).

Discussion shown with B23-20.

B22-20 Amending Chapter 13 and Chapter 26 of the City Code relating to bed and breakfast establishments and short-term rentals of residential dwelling units.

Discussion shown with B23-20.

B23-20 Amending Chapter 22 of the City Code to add short-term rental provisions to the City's Rental Unit Conservation Law.

B348-19 was given fourth reading by the Clerk, and B22-20 and B23-20 were second reading by the Clerk.
Mayor Treece explained fifteen amendments had been distributed to the Council and staff had a few copies available for the public.
Mr. Teddy provided a staff report.
Mayor Treece asked if there was any limit on Amendment #4 as to the number of days. Mr. Teddy replied he was not sure. The 95-day option was captured in Amendment #5. Mayor Treece asked if one would have to be the operator of a hosted short-term rental to have an unhosted short-term rental right next door. He wondered about a situation of a primary residence with a house next door. Mr. Teddy replied someone would have to qualify as a host as it was written so they would be in that residence 270 or more days. Mayor Treece understood that was not limited to R-1 or R-2. Mr. Teddy stated he did not believe so.
Mr. Teddy continued the staff report.
Mayor Treece understood Amendment #5 would only apply to R-1. Mr. Teddy stated that was correct.
Mr. Teddy continued the staff report.
Mayor Treece commented that he had asked for Amendment #11, Option 2. He explained it would involve a $2.00 nuisance enforcement fee, but did not feel that should be collected and paid by the operator. He thought the platform should collect and remit it to the City. He did not feel they should expect an operator to track the number of room nights and make that payment as it seemed to be onerous. He believed it would be seamless to the operator if the platform itself collected the money and remitted it. Ms. Thompson stated staff had researched that issue, and if the City entered into an agreement with all of the various platforms, the platforms would be willing to collect the tax and any other fees imposed. She pointed out the City would have to enter into a separate agreement with each platform. Mayor Treece asked if the proposed amendment could be amended to allow it. Ms. Thompson replied it could, but until the agreements

were entered into, it would not be collectable. She noted the platform collected it on behalf of the property owner. The City needed to ensure it was an obligation of the property owner and that it was then passed along from a mechanical standpoint to the platform. Mayor Treece stated he thought that was desirable. With regard to Amendment #10, which would authorize the revocation of the certificate from short-term rentals with two or more complaints, he felt they should allow the platform to determine if they wanted to continue listing the property if it was the subject of complaints. In addition, if it was a tenant issue, the platform could prohibit the tenant from renting property on its platform. Ms. Thompson understood Mayor Treece wanted cross reporting of complaints of issues. Mayor Treece believed the platform delisting a property was a bigger threat than losing a City license to operate. Ms. Thompson stated it was the equivalent of a bad review on Uber, Lyft, etc. Mayor Treece stated he would want Amendment #10 and Amendment #11 to be reworked for some type of relationship with the platforms.

Mr. Teddy continued the staff report.

Mr. Pitzer referred to Amendment #6 and Amendment #2, and asked if hosted and unhosted short-term rentals would have the same occupancy limits or if there would be differences. Mr. Teddy replied Amendment #6 indicated two transient guests per bedroom, and noted he believed that was across the board because it amended the conditional use permit situation.

Mr. Pitzer asked if it was feasible for the platform operator to revoke the certificate. Ms. Thompson replied they knew the platform would collect the hotel tourism tax. She explained they had not found a situation where a flat fee per night had been incorporated, but was not sure why they could not collect that as well. Mr. Pitzer clarified he was asking about the revocation of the certificate with two or more substantiated complaints. Ms. Thompson replied she had not gotten to that level of detail. She understood there was information sharing within various municipalities and the platforms. She was not sure they could force them to do it without the privity of contract.

Mr. Pitzer asked if there was a way to grandfather existing reservations if the City did something that made an existing short-term rental illegal. Ms. Thompson replied the Council could enact an administrative delay on enforcement to allow for a certain time period before the City started enforcement. She pointed out short-term rentals were not a lawful use of residential property under the current City laws so they were already operating unlawfully. She explained there had been, in essence, an administrative delay in place even though it had not been Council mandated, and the Council could extend the period of time before active enforcement began. Mr. Pitzer understood that would be a specific length of time. Ms. Thompson stated that was correct.

Mr. Skala asked if the Council could provide for some grandfathered exceptions. Ms. Thompson replied no. She explained they could not provide grandfathered exceptions because they were operating illegally. A legal non-conforming use could be grandfathered, but an illegal non-conforming use could not be grandfathered. Mr. Skala asked what would happen to the already ongoing activities if the Council did not put an ordinance in place. Ms. Thompson replied they would need to apply under the ordinance to legitimize the business.

Mayor Treece asked if existing short-term rentals could be grandfathered in R-1 if they banned short-term rentals in R-1. Ms. Thompson replied no because they were currently an illegal use.

Mr. Pitzer asked what would happen if the Council defeated this ordinance. Ms. Thompson replied they would not be allowed. Mr. Pitzer asked if they would start enforcement. Mr. Glascock replied yes.

Mayor Treece stated he thought there would be no prohibition against short-term rentals if they defeated the ordinance. Ms. Thompson reiterated they were not an authorized use. Mayor Treece pointed out they were not a prohibited use because they were not defined. He understood they were a rental. Ms. Thompson explained a rental to a transient guest

operated like a hotel and was a commercial use in a residential zone. She stated it was the difference between a rental to a transient guest for compensation as opposed to a long-term rental or housing with no compensation. She commented that this was one of the reasons it was important to get an ordinance in place as it would allow everyone to know the rules and operate lawfully.

Mr. Skala understood short-term rentals already existed, and they were illegal even though the Council had not made a decision on how to move forward with them. Ms. Thompson explained the former City Manager had made a determination to not actively enforce the rules on short-term rentals in residential zones. As a result, staff had been in a holding period while the issue was studied. They had only responded to complaints. Mr. Skala asked what would happen if they did not make a decision today. Ms. Thompson replied it would be up to the City Manager as to how actively staff would enforce the current zoning ordinance. She noted they could choose not to enforce the zoning ordinance and maintain the status quo. Mayor Treece asked if there was any authority for the City Manager to not enforce a zoning ordinance or any other ordinance. Ms. Thompson replied it had been done in this particular instance because the issue was under study for the enactment of an ordinance.

Bill Easley commented that he did not feel people were getting rich with short-term rentals. He suggested raising the motel tax and going after landlords. He reiterated he thought they should leave the short-term rentals alone. He stated he wanted to make Columbia better, warmer, and safer. He felt Columbia was mean at this time, and that the Council was mean as well. He commented that he had planned to run for office, but could not get enough votes. He suggested they think about poor people.

Teresa Maledy, 215 W. Brandon Road, stated she was in support of Amendment #7 and Amendment #8, and pointed out that past experience in other areas had shown it was important to have a limit in certain geographic areas for short-term rentals. She commented that this tied explicitly to affordability. If investors started purchasing housing, it would likely be intense in certain neighborhoods affecting the affordability of those houses. She suggested they incrementally bring on the administrative burden. She had heard there were 350-450 Airbnb rentals now, and if they all needed to be inspected and licensed, it would take some time. She thought it might make sense to address it in systematic manner.

Jeff Galen explained he was with the Columbia Missouri Real Estate Investors Association, and stated they were in support of Amendment #14, Amendment #12, Amendment #11, Option 1, Amendment #10 as modified by Mayor Treece, Amendment #9, and Amendment #2. He commented that he felt those provided for taxation, oversight, and safety for the guests of short-term rentals.

Mr. Ruffin asked Mr. Galen for his perspective on the three options within Amendment #2. Mr. Galen replied he thought it was appropriate to limit guests to two per bedroom as it was safe. He noted he did not have a stance on the maximum limit of eight transient guests.

Shawna Neuner stated she was President of the Columbia Apartment Association (CAA) and noted they had been scrambling in trying to deal with the amendments they had not known would be presented tonight since they had not been included in the packet. She commented that they were worried about the number of contradictions within the amendments. She understood the definition of a hotel indicated it was any structure where more than one room or unit was rented to a transient guest, and felt that would define all short-term rentals as hotels and hotels were not allowed in residentially zoned areas. She also understood it said bed and breakfasts and short-term rentals were exempt from that definition. In another part of the proposed changes, which were not a part of the amendments, it indicated bed and breakfasts and short-term rentals were included in the hotel definition. She stated almost every amendment, if passed, could contradict another amendment. She did not believe the amendments should be voted on tonight, particularly because the list of amendments and options had not been released

as part of the regular agenda packet. If the Council chose to vote on amendments tonight, she encouraged them to vote in favor of Amendment #14, but only if they reworked the definition of hotel. She asked for a list of the number of complaints with regard to short-term rentals received by the City over the past few years in order to prove there really was a problem. She understood one amendment would authorize a fee to pay for enforcement, and pointed out they were not charging owner-occupied properties or long-term rentals any fees when they created nuisances. She stated the CAA was also worried about short-term rental regulations affecting long-term rentals. They did not want to see any new fee for enforcing the laws they currently had on the books against a tenant. She explained they were already concerned about affordable housing, and if they started adding fees, it would create an unfair burden. She reiterated she felt any vote should be delayed as she did not believe the public had sufficient time to review the potential amendments and provide constructive feedback.

Peter Norgard, 1602 Hinkson Avenue, commented that he would be in support of some of these amendments and pointed out he would not be in support of anything would create an unregulated free-market. He felt short-term rentals were a commercial use and should not be in residential districts. It had not been allowed historically because commercial uses had impacts on neighborhoods and residential districts. The idea of regulating them more heavily made sense to him and others that would more likely be impacted by short-term rentals. He stated he supported Amendment #3, Amendment #4, Amendment #9, and Amendment #10 as amended. He noted he would be thrilled if Amendment #13 passed, but he did not think that would happen. He commented that he agreed people should have the right to do some things with their property.

Peter Yronwode, 203 Orchard Court, stated he hoped the Council had received his comments on the amendments by email. He explained this process had started due to concerns of short-term rentals not paying the lodging tax and it had been taken up by people that had a particular animus against short-term rentals for reasons such as blight, nuisance, threat to affordable housing, etc. He felt all of that was purely anecdotal and not supported by any Columbia specific data, and until that data was seen, it was unreasonable to make draconian regulations. If the Council were to proceed on that flimsy basis, he thought certain amendments were in order. He understood the opponents wanted the City to regulate short-term rentals out of existence if an outright ban was not possible. He commented that the amendment he liked the most was Amendment #14, which addressed only administrative concerns. He did not feel any short-term rental operator had any objection to paying the lodging tax. The question of a business tax would go to the issue of whether short-term rentals were actually businesses. He pointed out a long-term rental was not required to pay a business tax, and did not feel there was any reason a short-term rental should. He understood Amendment #14 would require short-term rentals to conform to the same rules that applied to long-term rentals, and that made sense. It eliminated the arbitrary occupancy limits that staff had suggested but had never explained. It allowed collection of the occupancy tax and removed the extraordinarily onerous conditional use permit process that most short-term rental operators could not afford in terms of time and money. The conditional use permit process would effectively ban short-term rentals, which he felt was the goal of the opponents. He understood Amendment #2 and Amendment #3 eliminated the arbitrary and restrictive limits and set those limits to match the residential rental code, which he supported as it would eliminate the necessity for almost all conditional use petitions. He believed the limits should be extended to unhosted and hosted short-term rentals, and understood Mr. Teddy to say that, but noted he did not feel that was in the text of the amendment as it was currently written. He understood Amendment #2, Option 2 said they would not count anyone under three years old. Apparently a four year old was a threat to the neighborhood, but a three year old was not. He asked if a situation where a 15 year old swimmer had come to Columbia to compete in a swim meet was a threat to neighborhood coherence or a nuisance. He did not feel it was. He

suggested that any minor under the direct supervision of an adult guest should not be counted as a separate guest. He understood Amendment #4 would allow for an unhosted short-term rental next to a hosted short-term rental, and that made sense to him. He pointed out his short-term rental was five minutes from his house, but he would not be allowed to operate it under those circumstances.

Mayor Treece asked Mr. Teddy if Amendment #4 applied only to R-1 zoned properties. Mr. Teddy replied it was not specific to a zoning district. Mayor Treece asked how the proposed ordinance treated unhosted short-term rentals in R-2. Mr. Teddy replied an unhosted short-term rental in R-2 would have to get a conditional use permit. Mayor Treece asked if it could be done with administrative approval. Mr. Teddy replied no. Only hosted short-term rentals would be allowed to obtain administrative approval with the way the ordinance was currently drafted. Mr. Zenner stated that was correct. He explained administrative approval only applied to hosted short-term rentals in R-2. All unhosted short-term rentals would require a conditional use permit.

Mr. Yronwode reiterated he felt the conditional use permit process was extraordinarily onerous and should not be imposed upon anyone under these circumstances. He believed reasonable occupancy limits would eliminate the need for many conditional use permits. He noted the provision for a designated caretaker of a hosted short-term rental to live within the city limits should also apply to unhosted short-term rentals as they would be close enough to address any problems. He understood Amendment #1 would eliminate the house arrest requirement, which he thought was sensible. He commented that the amendments he did not like were driven by the same animus that had started this process. One of those amendments was Amendment #13, which effectively banned short-term rentals, reinstated the conditional use permit process, and preserved the arbitrary occupancy limits. Amendment #5 limited short-term rentals to 95 days of occupancy. He stated he did not know anyone that ran a short-term rental that had only 95 guests in the course of a year. He also did not believe it would make economic sense to operate one at that level. If someone had a guest in their short-term rental three nights every weekend of the year, it would involve 156 stays. He wondered why that would be regulated down to only 61 percent of that number. If it involved only two days per weekend, it would be 104 days, which was also well over 95 days. He believed this was an arbitrary number that had just been pulled out of a hat. If the number of days allowed was increased to a reasonable number, he would not oppose it. He commented that Amendment #6 and Amendment #7 would reinstate the conditional use permit process, but in that case, he felt it should apply in all zoning districts. He stated all of these restrictions were expensive, lengthy in terms of process, invited widespread non-compliance, and invited litigation. He noted Amendment #8 would effectively ban all short-term rentals because the overlay process was lengthy, difficult and invited litigation. He commented that if the fees were consistent with the fees required of long-term rental operators, he would not have an objection to Amendment #11. The small short-term rental he operated was previously a long-term rental so it had been certified and those associated fees had been paid, but to require a $250 fee upfront was a real burden. He might be agreeable to the $2 surcharge, especially if it was collected by the platform. He thought the best approach the Council could take at this point was to implement registration, inspection, and taxation while leaving the rest of it alone.

Valerie Carroll, 13 West Boulevard, provided a handout and explained she wanted to speak with the Council about data gathering. She understood the information data sheet had been provided as part of the agenda packet, and stated she was thrilled local market data was being acquired for Columbia for consideration as they prepared to craft this ordinance. She noted AirDNA was one of many data scraping services that had been utilized to gather data she felt was excellent. AirDNA was primarily used as a data providing service for potential investors in the short-term rental market. She explained they provided market data so people had the full information, and it was useful as it allowed them to have an idea with regard to occupancy, the number of listings, total

revenue generated, etc. in Columbia. She understood Mr. Yronwode had touched on the lack of local data, and the reason was because a lot of the data had been driven by larger markets. She was thankful the City provided some of the local data requested. She pointed out what she had provided was market data for investors and that there were some analytics that were missing. She explained there were similar data tools, such as hostcompliance.com, that utilized the same techniques and generated the data in a way that was geared toward local governments crafting short-term rental ordinances. She thought the one analytic they really needed was the number of multi-listings. They were typically used as a benchmark for the number of unhosted short-term rentals in the region of interest, and the City did not know what that number was for Columbia. She believed that information was needed since the proposed ordinance seemed to focus on the difference between hosted and unhosted short-term rentals. She noted she had provided an article that had been published on the AirDNA website. The article included investor information and suggestions, and steered investors to invest in markets that were far from home, under-regulated, and not touristy. The article tended to steer investors away from markets like Long Beach, California, and to markets like Ann Arbor, Michigan. She stated Columbia was not Long Beach, California, but it was similar to Ann Arbor, Michigan. She pointed out she was not providing Council the article because she thought AirDNA was a bad company. She noted the data was good and provided needed information, and explained she was worried about relying too heavily on investor advice and not as heavily on advice for government entities. She suggested the City look into additional metrics to measure the market in Columbia.

Anthony Stanton, 315 LaSalle Place, commented that a lot of thought and analysis had been placed on this issue by the PZC and asked the Council to take that into consideration. He reiterated his request for the Council to consider heavily the work that had already been done and to appreciate that work in their decision-making. In terms of his personal opinion, he understood the Airbnb business model had originally been established to allow the little guy to take advantage of available space for additional income. He felt the closer one was to that original business model, the less need there was for regulation. A single homeowner with space to rent should be weighed differently than if it was a full scale business model, i.e. not living in the home. He asked the Council to ensure the little guy could still take advantage of it while not being overburdened. He understood there were a lot of political currents regarding this issue, and reiterated his request to consider the little guy. He also did not feel it would be a bad idea to table the issue in order to obtain more local data and allow for more public input.

Mayor Treece asked Mr. Stanton how he would feel if the Council referred it back to the PZC with all of the amendments for more public hearings. Mr. Stanton replied he wished the Council would not refer it back, but noted they would take on that task or any other the Council chose to send to them.

Mayor Treece asked Mr. Stanton how the vote would have gone if the full contingent had been at the PZC meeting. Mr. Stanton replied he did not know. He pointed out he thought they had a very balanced commission. He asked the Council to consider the vote counts on amendments and suggested they read the PZC minutes so they were able to understand how the PZC had come to their decisions.

Mr. Skala appreciated the PZC as he had been a past PZC member. He asked when the last time was that they had all nine members in attendance for an entire meeting. Mr. Stanton replied he did not know as he only worried about himself. Mr. Skala stated he would look into it.

Dee Dokken, 804 Again Street, commented that Amendment #7 and Amendment #8 were offensive to her as she felt all residential should be treated similarly. If the Council tried to prohibit it in R-1 which was the largest residential zoning district, it would put a lot of pressure on the central city R-2 neighborhoods. She understood the Grasslands had a special intensity of pressure and suggested they have some individualized regulations like an overlay or a prohibition within a certain distance of Providence Road and Stadium

Boulevard as she wanted them to have more protections that she did not feel should apply to all R-1 neighborhoods.

Alice Leeper, 2015 Ivy Way, explained she was representing the Columbia Board of Realtors and had sent the Council an updated letter this afternoon. As a Board, they supported Amendment #14, which would require inspections and taxing only. She stated they fundamentally did not consider short-term rentals to be a commercial enterprise and noted they also disagreed with the legal opinion that it was disallowed because it was not mentioned. She did not feel they could assume everything was illegal if it was not mentioned in the code. She commented that they did not believe short-term rentals should be considered commercial in terms of requiring a business license. If one could run an apartment building with 100 apartments without a business license, he did not feel there was a reason to require a business license of a person that owned their home and wanted to rent out an extra room. It was an unduly burdensome situation and also classified a rental situation as a commercial activity. Fundamentally, all renters were transient in that they did not own the property in which they lived. She understood they were arguing over whether it was a long-term rental as in more than 30 days or a day-by-day, weekend-by-weekend rental. She stated it made sense to collect the hotel tax because there was an offset to the legitimate hotels when someone rented a personal home in lieu of a hotel room. She commented that they supported inspecting short-term rentals and requiring them to adhere to the rental compliance rules of all rentals. In terms of the amendments, they found Amendment #7 and Amendment #8 to be unacceptable. She stated they could support an opt-out situation but not an opt-in situation where it was disallowed and it would take an excessive number of people to agree to allow some neighbors to have a short-term rental. She noted they also disagreed with Amendment #10 and Amendment #11 where there were additional monthly fees. Although they were going toward a worthy cause, she did not believe there was a reason why someone that was renting on a short-term basis should pay an extra fee that someone renting on long-term basis did not. In addition, having the platform collect the fee implied the short-term rental customer was not in point of fact paying the extra fee. She stated the Board did not feel this was a zoning code issue as rentals were fundamentally a residential use. It was not a commercial enterprise. She reiterated they supported adherence to the inspection standards and the collection of the hotel tax. She understood there had been a lot of talk with regard to the number and type of people they should allow in short-term rentals, and at the end of the day, they needed to keep in mind that these things were advertised on the internet and HUD rules applied. They could not start making rules on a local level that would put the homeowner in violation of a federal statute because they were advertising that they did not take children or some other combination of people.

Christine Gardener, 122 Anderson Avenue, commented that she had been an environmentalist all of her adult life and had been 21 at the time of the first Earth Day. Things had been so bad then that a river could catch on fire, and thus, it did not take her long to understand endless growth was impossible as they could not continue to take more resources and pollute more every year without expecting repercussions. For the next 25 years or so, she continued to feel enthusiastic and positive that the human species would recognize the coming danger and start working on it, but the 1990s had continued along with no real movement toward working on the problem. Surprisingly in 2000, her climate-denier mother called her to apologize for denying climate change because the National Geographic Magazine had finally put out an issue on climate change, but things had moved too far along, and soon her mother had started to deny climate change again. Seeing what was ahead, she had consciously started to shore up the health of her neighborhood and to make connections with the people there. She felt this had a great deal to with unhosted short-term rentals, which she had always addressed as a problem. The Intergovernmental Panel on Climate Change (IPCC) scientists had given them twelve years to reduce the carbon dioxide going into the

atmosphere by half, and that had been two years ago. She understood the Council had recently been at a meeting to tackle the problems Columbia was addressing in a more integrated way, and climate change was one problem among many. She warned the Council to not take the optimistic framing on climate change that she heard too frequently, even now, as the situation was very bad. The 10-year warning was telling them they had to stop a lot more quickly than people wanted to hear and the media wanted to tell people. In the next ten years, the children at the pre-school program she volunteered at would go from ages 3, 4, and 5 to ages 13, 14, and 15. She believed the Council had the responsibility to think about that, and felt they should be in the mind of Council for every decision made. She wondered if empty homes waiting for strangers to pass through would be the best thing for those kids and whether a healthy or unhealthy functioning neighborhood would be best for them. She stated there was an intolerably high chance that those children would die of starvation, some new disease, a raging fire, or a superstorm as they became 23, 33, and 43 years old. She did not envy the Council, but pointed out it was their responsibility, and the planet, which was on fire, was getting way worse fast. She asked the Council to not stress her neighborhood with unhosted short-term rentals as there were kids living on Anderson Avenue that needed neighbors. She commented that as she went into her 70s, she would also need her neighbors.

Brian Page, 17 Aldeah Avenue, stated he was concerned that if the Council approved Amendment #7 and Amendment #8, it would have a huge impact on central neighborhoods that were zoned R-2 or R-MF. If those amendments were passed, they might not have any recourse but to downzone, which would not only be daunting for them, but it would also be daunting for staff, the PZC, and Council to process. It would be their recourse as he saw it as he was concerned about protecting their investments.

Caleb Colbert, 827 E. Broadway, explained he was an attorney representing the Grasslands Neighborhood Association and commented that he felt this was a zoning issue. He noted Ms. Thompson had stated this use was currently illegal under the zoning code. He explained they were not trying to put anyone out of business or be punitive to anyone. They were only trying to decide how to regulate what was already an illegal use. He stated it was a zoning issue in the context of in which zoning district this commercial use was the most appropriate. They had never allowed a traditional bed and breakfast in an R-1 zoning district, and it was essentially owner-occupied, i.e., a hosted short-term rental in some respects. Those were only allowed in R-2 and R-MF with a conditional use permit. He stated Amendment #7 and Amendment #8 had been discussed with the Grasslands Neighborhood Association Board, and they were open to expanding that prohibition to the R-2 and R-MF zoning districts. The original intent was how it would be treated under the zoning permitted use table if it was comparable to a traditional bed and breakfast, and a bed and breakfast required a conditional use permit in R-2 and R-MF. He commented that the Grasslands had special pressures and had been ground zero in terms of enforcement. They had dealt with the brunt of the decision of the prior City Manager to not enforce the existing ordinances, which had entailed driveways being blocked, loud parties at night, trash in yards, etc. He stated they had been told there was nothing that could be done as they had to wait this process out. He noted the use was not legal, and they were asking the Council to adopt an ordinance that had some teeth. The only way to do that was to prohibit those uses in the R-1 zoning districts. He reiterated they were happy to consider expanding that to other residential neighborhoods.

Sharon Feltman, 1136 St. Christopher Street, stated she was the operator of a hosted Airbnb and had been hosting for about four years. She pointed out she had not known she had been doing so illegally. She questioned whether it was illegal if there was not an ordinance about it being illegal. She thought it had just not been addressed. She understood the issue within the Grasslands, and wondered what the residents expected might happen when being in a neighborhood next to a fraternity house. She stated her neighbors knew she was running an Airbnb, and they were very helpful and supportive.

They were not opposed to it. She explained she lived in a neighborhood where there was a rental house across the street from her along with another one down the street. She pointed out she had a certified apartment and was confused by the fact it was okay when she was renting for six months to a student, but it was not okay now that she was renting for a week to a nurse that was working at one of the hospitals or for three days to a family in town for a swim meet. She thought they were getting worked up about something they should look at more clearly and more simply. If there were complaints, she thought they could be addressed. In addition, if neighborhoods with neighborhood associations wanted to ban them in their neighborhood, it was something that could be done. She did think those that lived in neighborhoods without a problem with supportive neighbors should be penalized because one specific neighborhood adjacent to fraternity houses was having a bad experience as that was unfair and unreasonable. She asked the Council to take a step back and to think about it more realistically. As an empty nester, she wondered why she could not rent out her downstairs apartment to earn a little extra money.

Mayor Treece asked Ms. Feltman if her property was zoned R-1 or R-2. Ms. Feltman replied she thought it was R-1. Mayor Treece asked Ms. Feltman if she had guests more or less than 95 days per year. Ms. Feltman replied hers would be hosted and he hoped the 95-day limit would not apply. Mayor Treece stated Amendment #5 would not apply to her, and that he was only curious. Ms. Feltman commented that last year she had rented her space for 270 nights. She pointed out her guests had been happy and the platform had a way of discerning when guest were problematic. In addition, guests and hosts could block each other. She thought it would be hard for the platform to collect a nuisance fee unless they were planning on collecting a potential nuisance fee. Mayor Treece explained it would be an enforcement fee that would be collected at the time of booking. Ms. Feltman asked if that would be in addition to the tax. Mayor Treece replied yes. Ms. Feltman understood if she were renting it for three months or six months she would not have to pay that fee. Mayor Treece stated that was correct if it was outside of the platform. Ms. Feltman reiterated that she thought they were overcomplicating something that was pretty basic and simple.

Dianne Mirtz, 4709 Brandon Woods Street, commented that she had a problem with Airbnbs. She explained she shared a wall with a condo that was vacant, and once when it had been utilized as an Airbnb, the water had been left on and had damaged that property and hers. She noted she ended up having to pay to address the part that impacted her home. As a result, she was interested in the short-term rental nuisance enforcement surcharge as a part of Amendment #11, and asked for clarification. Mayor Treece stated he saw it as a $2.00 fee the platform added at the time of booking that would help the Office of Neighborhood Services (ONS) enforce the nuisance laws and address complaints like the one she had just described. Based on the 27,000 nights that had been booked on Airbnb in 2019, it would generate $54,000, which could fund a new full-time employee or someone to work on the weekends. He commented that what Ms. Mirtz described appeared to be a neighbor to neighbor dispute. Ms. Mirtz agreed it was a neighbor to neighbor dispute and there was nothing she could do in that regard. She noted she only wanted to voice her opinion.

Mr. Skala asked Ms. Mirtz if she knew her zoning designation. Ms. Mirtz replied she did not. Mr. Skala understood she lived in a building that shared a common wall. Ms. Mirtz stated she did. She noted this had happened in November, and her neighbors were not going to reimburse her.

Alyce Turner stated she did not feel she had the opportunity to study the amendments at length and noted she had concerns about the issue of residential neighborhoods. She understood the Community Development Department had indicated 81 percent of the zoned areas were R-1. Mayor Treece stated that was not true. Ms. Turner asked for clarification regarding the 81 percent. Mr. Zenner replied 41 percent of the total zoned area of the City was zoned residential, and 81 percent of the residentially zoned area was zoned R-1. Mayor Treece clarified it was 81 percent of the 41 percent. Mr. Zenner stated

that was correct. Ms. Turner understood the majority of short-term rentals were located in R-1 zoned areas. She stated she had concerns regarding Amendment #7 and Amendment #8 as they would prohibit short-term rentals in R-1 altogether or unless the neighborhood created an overlay district permitting them. She explained she had operated a hosted short-term rental over the past three years without any complaints from her neighbors. In fact, they really liked that she was keeping her gardens much nicer since she could afford to hire help to maintain them. She commented that she felt there was a lot of contradictory information in the amendment sheets. She noted she had received a letter indicating the State would be charging taxes to her Airbnb, and asked for clarification. Ms. Thompson replied the State of Missouri was one of the first states to enter into a tax collection agreement with Airbnb, and they had started charging taxes in January of 2019 or 2018. Ms. Turner commented that it had appeared that money had not been collected and that they were owed per one of the documents she had viewed. Ms. Thompson stated she thought they should have been collected, and pointed out that it depended upon how the host registered the site. Ms. Turner explained she thought short-term rentals should be regulated in terms of health and inspections, and noted some of the monies were already being collected. She commented that she wanted the occupancy limits expanded from the original suggestion. She stated Amendment #2, which indicated two transient guests per bedroom, would work for her, but thought clarification was needed regarding children because minor children were minor children. Most families often brought two children. She reiterated there had not been time to digest the potential amendments.

Mr. Skala commented that his inclination was to allow hosted short-term rentals in residential zones but not unhosted short-term rentals in residential zones. He stated his contributions to some of the amendments involved hybrids. He noted he would be perfectly willing to have hosted short-term rentals with some nod to those with a mom and pop type operation for extra income, but the details such as the number of occupants, whether a condition use permit was needed, etc. still needed to be worked out. He stated he was firm with regard to hosted short-term rentals as he felt they were reasonable, but was not agreeable to unhosted institutional short-term rentals. Since they were working with only five council members and had fifteen amendments to consider, he suggested remanding the issue back to the PZC for more work.

Mr. Skala made a motion to remand the issue of short-term rentals to the PZC, and to table B348-19, B22-20, and B23-20 to the August 3, 2020 Council Meeting.

Mr. Skala explained he would love to see an entire compliment of the PZC meet as that had not been the case lately. He commented that he appreciated the legal contribution to this issue, but the synergy between the Law Department and the PZC had made it very difficult to understand even for people that had followed the issue.

The motion made by Mr. Skala to remand the issue of short-term rentals to the PZC, and to table B348-19, B22-20, and B23-20 to the August 3, 2020 Council Meeting, died for the lack of a second.

Mr. Trapp suggested they start moving through the amendments. Mayor Treece asked Mr. Trapp with which amendment they should start. Mr. Trapp replied Amendment #1, but noted that if Mayor Treece had another process, he was open to it. Mayor Treece thought they would have to make a decision between Amendment #13, Amendment #14, and Amendment #15 prior to starting with Amendment #1. It would be fine if they considered Amendment #1 through Amendment #12, but if they then voted on Amendment #14, it would wipe out some of the decisions that had already been made. Mr. Trapp understood and explained he did not plan on offering Amendment #13, Amendment #14, or Amendment #15. If someone else did, they could see if it was seconded and move forward from there.

Mayor Treece made a motion to amend B348-19 with Amendment #14.

Mayor Treece explained it would treat all short-term rentals, hosted or unhosted, like any other rental, and would allow for administrative approval.

The motion made by Mayor Treece to amend B348-19 with Amendment #14 was seconded by Mr. Ruffin.

Mayor Treece stated the amendment would allow the Community Development Department to provide administrative approval for any kind of short-term rental in R-1, R-2, R-MF, etc., and require that they all be inspected and registered. Mr. Caldera explained Amendment #14 would simplify the entire process by allowing for an administrative registration process. They would be subjected to registration, tax, and inspection under Chapter 22.

Mayor Treece asked if staff would have the discretion to reject a short-term rental. Mr. Teddy replied yes, but only if they exceeded the standards, such as occupancy limits, etc. Ms. Thompson pointed out there were very limited standards in Amendment #14. It would remove most of the use standards for the purposes of regulation. Mayor Treece asked if the Council approved Amendment #14 if anything prevented them from also considering and adopting Amendment #5 to prohibit unhosted short-term rentals in R-1 unless they were in operation 95 days or less. Mr. Caldera asked Mayor Treece if he wanted to modify Amendment #14 to prohibit unhosted short-term rentals in R-1. Mayor Treece replied he did not want an amendment to the amendment. He explained he was only asking whether anything prevented them from approving Amendment #5 if they approved Amendment #14. Ms. Thompson stated Amendment #14 would remove hosted and unhosted short-term rental designations. By approving it, the Council would eliminate the two different short-term rental types and all regulations, such as occupancy numbers, etc. All that would be preserved was the ability to inspect and tax. Mayor Treece understood it would give the City the ability to regulate them like any other rental with an occupancy permit, inspections of health and safety, etc. Mr. Caldera stated that was correct, but pointed out it eliminated the distinction between hosted and unhosted. Mayor Treece understood it treated them all the same. Ms. Thompson clarified there would not be occupancy limits. Mr. Teddy pointed out they had the property maintenance code, and if someone admitted the rental would have 12 people, they could address it. Mayor Treece thought they could approve Amendment #14, consider Amendment #1 through Amendment #12, and then ask staff to harmonize everything for final consideration. Mr. Pitzer understood they would eliminate the definition of hosted and unhosted by approving Amendment #14, but they could then add it back in with the second amendment suggested. Mr. Caldera asked what constraints they would add to the unhosted if they added it back later. Mayor Treece replied if Council considered Amendment #5, they would add back the prohibition of unhosted short-term rentals in R-1 unless they were for no more than 95 days per year. Mr. Caldera understood they would then be allowing a streamlined administrative approval process for hosted short-term rentals and prohibiting unhosted short-term rentals in R-1 unless they met the criteria. Mayor Treece noted that would be the 95-day limit in the case of Amendment #5. He thought it would allow someone to occasionally rent their home in R-1 while providing some protection for R-1 neighborhoods without having commercial businesses with stays of 200 nights per year. He commented that he did not want to debate Amendment #5 unless it informed their opinion on Amendment #14.

Mr. Skala stated he was dismayed by this process of voting on these amendments as he did not feel they were ready to move forward, and noted he was inclined to not support any amendments or the bill until they had more public input and a recommendation from the PZC.

Mr. Pitzer commented that he liked the simplification of Amendment #14, but explained he was not confident on voting on that amendment itself. Mayor Treece stated he could offer an amendment to his amendment if he felt more comfortable, and noted that if it did not pass, he would likely not vote for Amendment #14 either.

Mr. Pitzer made a motion to amend the motion of Mayor Treece to amend 348-19 with Amendment #14 with Amendment #5. The motion was seconded by Mayor Treece.

Mayor Treece understood they would treat all hosted and unhosted short-term rentals as

rentals under the rental conservation law and give staff administrative approval to grant unhosted short-term rentals in R-1 if they were rented for 95 days or less. Mr. Caldera commented that he thought the purpose was to have a registration process for hosted short-term rentals and subjecting them to inspection and taxation, and to also subject unhosted short-term rentals to inspection and taxation subject to Amendment #5. Mayor Treece asked if Amendment #14 was needed to approve Amendment #5. Mr. Caldera replied he thought Amendment #5 could be adopted on its own.

Mayor Treece stated he would withdraw his motion to amend B348-19 with Amendment #14. Mr. Pitzer commented that he would withdraw his motion to amend the motion of Mayor Treece to amend 348-19 with Amendment #14 with Amendment #5. Those that seconded each of those motions were agreeable to the motions being withdrawn.

Mr. Skala asked for the source of the 95 days. Mr. Caldera replied 365 days less 270 days resulted in 95 days and it was the number Kansas City chose for their ordinance.

Ms. Thompson explained staff needed feedback from the Council on the proposed amendments, not necessarily formal amendments as consensus would allow them to bring back a combined and consolidated proposed amendment based upon their direction. She noted staff recognized the fifteen proposed amendments had inconsistencies. If they became too tied to the language in any particular amendment, she thought they might be destined to fail to create a new proposed amendment. She suggested they focus on the first twelve amendments that had been proposed in terms of whether it was something Council wanted staff to pursue further in drafting an amendment or not.

Mayor Treece commented that now that he had talked himself out of pursuing Amendment #13, Amendment #14, or Amendment #15, he would happy to take votes on the other twelve amendments and then leave it to staff to harmonize and bring back revised ordinances. He noted he would also entertain the motion of Mr. Skala to refer the issue to the PZC after they had addressed all of the amendments.

Mr. Skala asked Ms. Thompson how much time they would need to do what she had suggested. Ms. Thompson replied she thought they could have it done for the next meeting if they had the indulgence of Council to make any needed adjustments in case they ran across something that was not specifically addressed in the exact language before them tonight.

Mr. Trapp made a motion to amend B348-19 with Amendment #1. The motion was seconded by Mayor Treece and approved unanimously by voice vote.

Mr. Trapp made a motion to amend B348-19 with Amendment #2, Option 2. The motion was seconded by Mayor Treece.

Mayor Treece asked Mr. Trapp if would be agreeable to change the definition of person under the age of three to minors under direct supervision. Mr. Trapp replied he would be open to that change. Ms. Thompson explained the staff reasoning was that a minor under the age of three would typically be in the same bedroom as the adults and was less of an impact on the neighborhood. She noted staff was trying to avoid a large group of minors with only 2-4 adults in a residential neighborhood as they had received some complaints since it created a greater impact on the neighbors. She stated the Council could do what they wanted, and noted she only wanted to explain the reasoning behind it.

Mayor Treece commented that he would not ask for an amendment to Amendment #2, Option 2.

Mr. Pitzer stated if that motion did not pass, he would make a motion for Amendment #2, Option 1.

The motion made by Mr. Trapp and seconded by Mayor Treece to amend B348-19 with Amendment #2, Option 2 was defeated by voice vote with only Mr. Trapp, Mr. Skala, and Mayor Treece voting yes.

Mr. Pitzer made a motion to amend B348-19 with Amendment #2, Option 1. The motion was seconded by Mr. Trapp.
Mr. Pitzer commented that he felt the occupancy limits as written were too stringent and prevented families from being able to stay in short-term rentals.

The motion made by Mr. Pitzer and seconded by Mr. Trapp to amend B348-19 with Amendment #2, Option 1 was approved unanimously by voice vote.

Mr. Trapp made a motion to amend B348-19 with Amendment #4. The motion was seconded by Mr. Pitzer.
Mr. Skala commented that he was inclined to support the possibility of an unhosted short-term rental that was hosted by a hosted site, but felt the conditional use permitting process was the mechanism by which to do it. He understood it had been argued whether or not that process was onerous. He wished he had time to consider some options as to how they might adjust the conditional use permit application and process. He stated he was unsure of how he would vote because he was inclined not to support unhosted short-term rentals in R-1 and R-2.
Mayor Treece understood Amendment #4 was drafted so there would have to be an owner-occupied home, not necessarily an owner-occupied hosted short-term rental. Mr. Teddy thought it said the operator of a hosted short-term rental. Mayor Treece asked if both properties would have to be short-term rentals. Mr. Teddy replied the person would have to be an owner host of a property and have another property that was adjacent. It was as if there was an owner host next door that could be responsive. Mayor Treece commented that conceivably one could have purchased the house next door to protect one's property value and could prefer it be a short-term rental versus having a long-term tenant there.
Mr. Skala asked how that would interact with an amendment that suggested unhosted short-term rentals were not allowed in residential areas. Mr. Teddy replied it was an exception. He explained the logic was that the person in control of that property would be right next door so the expectation was that they would be responsive.
Mr. Ruffin asked if this prohibited someone from having an unoccupied residence at the end of the block. He wondered if it had to be immediately next door. Ms. Thompson replied it had to share a property line or be across the street. It could not be down the street. It had to be adjacent or across an alley as it could be on the back side of a property.
Mr. Teddy commented that the title of the amendment indicated it could be the operator of a hosted short-term rental, but the actual language indicated the property could be adjacent to the operator's primary residence. The text would allow someone to operate both properties as short-term rentals or just the one that was next door.

The motion made by Mr. Trapp and seconded by Mr. Pitzer to amend B348-19 with Amendment #4 was approved unanimously by voice vote.

Mayor Treece made a motion to amend B348-19 with Amendment #5. The motion was seconded by Mr. Pitzer.
Mr. Caldera explained this amendment would expedite the process. Mayor Treece understood it would allow for administrative approval, and asked if there would be an opportunity for neighborhood feedback in that process. Mr. Teddy replied he thought it would have to escalate to a conditional use permit process for neighborhood involvement. Mr. Caldera explained the only way for an unhosted short-term rental to be approved in R-1 was through the conditional use permit process. The amendment would allow for an expedited process for those that adhered to the proposed rigid requirements. Ms. Thompson pointed out the administrative approval process did not include public

comment or feedback. Mayor Treece understood the structure could only be utilized as a short-term rental for 95 days or less. Mr. Teddy stated that was correct. Mr. Pitzer understood the owner was restricted to only one of these. Mr. Zenner pointed out anything over 95 days would require a conditional use permit for R-1 or any other zoning district if this amendment was approved and the current text of the proposed ordinance was retained. Mr. Caldera understood Kansas City had a similar provision.

The motion made by Mayor Treece and seconded by Mr. Pitzer to amend B348-19 with Amendment #5 was approved by voice vote with only Mr. Skala voting no.

Mr. Pitzer made a motion to amend B23-20 with Amendment #3. The motion was seconded by Mayor Treece and approved by voice vote with only Mr. Trapp voting no.

Mayor Treece made a motion to amend B23-20 with Amendment #10 and the provision that staff come back with an agreement with the platforms to allow the platforms to revoke or delist the property. He explained he felt the City needed to work with the platforms to do some of the enforcement for them with regard to tenants that were not complying with nuisance ordinances or with property owners that were not meeting the expectations of the neighborhood. Ms. Thompson commented that a mechanism they had seen in other communities was a requirement for the certificate of compliance or registration number to be posted on all of the platform sites as evidence that the property had the ability to operate lawfully within the community. If the registration number was not listed, they were not lawfully operating and the City could notify the site of that. She was not sure they could mandate they take action, but the City could notify them of that. She pointed out it was a product of the registration requirement. Mayor Treece asked if everyone was comfortable with that concept. No one voiced that they were not comfortable with it.

Mayor Treece revised his motion so that it would amend B23-20 with Amendment #10 and the provision that staff come back with an agreement with the platforms in the manner described by Ms. Thompson. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Mayor Treece made a motion to amend B22-20 with Amendment #11, Option 2 so that the fee could be collected and remitted by the platform.
Mayor Treece asked if the language directed the fee toward nuisance enforcement or if that was something that should be done during the budget process to ensure those resources went to the Columbia Police Department and the Office of Neighborhood Services. Ms. Thompson replied it should be done as part of the budget process.
Ms. Thompson commented that it had to be a fee placed on the property owner, but they would try to find some language to include with regard to platform participation.
The motion made by Mayor Treece to amend B22-20 with Amendment #11, Option 2 so that the fee could be collected and remitted by the platform was seconded by Mr. Pitzer.
Mayor Treece stated this would create additional revenue. He noted they had not looked at the recommendations of staff as to how the existing ordinances could be enforced better across all properties. He thought they needed to do a better job. He felt a byproduct of this discussion was that they were strengthening the nuisance ordinances for all neighbors.

The motion made by Mayor Treece and seconded by Mr. Pitzer to amend B22-20 with Amendment #11, Option 2 so that the fee could be collected and remitted by the platform was approved unanimously by voice vote.

Mr. Trapp made a motion to amend B348-19 with Amendment #12. The motion was seconded by Mr. Pitzer.

Mayor Treece understood it would be treated as hosted with the permission of the property owner, and asked how that would be affirmed. Mr. Caldera replied it would likely be built into the form via a property owner signature and attestation.

Mr. Teddy understood it would be handled administratively if it was just the one unit in a multi-family building. Mr. Caldera explained the way he read Amendment #12 was that a tenant would be considered a hosted short-term rental and would still be subject to all of the other regulations to quality for the administrative approval process or the conditional use permit process. It would be dependent on what the tenant wanted to do. Mr. Skala understood it would require permission from the property owner. Mr. Caldera stated that was correct.

Ms. Thompson pointed out there was a separate requirement that no more than 25 percent of any particular multi-family dwelling could be designated as a short-term rental. It was to prohibit apartment complexes from turning into hotels.

Mayor Treece stated he intended to vote against this because he was not sure tenants necessarily had the same obligations as an owner with respect to hosting short-term rentals. He thought it was fine for what Mr. Brinkley had described at the previous meeting, but there were likely others where it might not be acceptable.

Mr. Skala noted he would vote against it as well.

The motion made by Mr. Trapp and seconded by Mr. Pitzer to amend B348-19 per Amendment #12 was defeated by voice vote with only Mr. Trapp voting yes.

Mr. Pitzer commented that he wanted to see an amendment that would harmonize the occupancy limits for hosted and unhosted short-term rentals. He thought Amendment #2 was strictly for hosted short-term rentals. Ms. Thompson stated she believed Mr. Pitzer was referring to Amendment #6. Mr. Pitzer understood that was only for conditional use permits, and they had approved Amendment #5, which allowed for administrative approval for certain unhosted properties. Ms. Thompson understood Mr. Pitzer wanted every short-term rental to be allowed two transient guests per bedroom, and not just the hosted short-term rentals.

Mr. Pitzer made a motion to amend B348-19 so that every short-term rental allowed, whether hosted or unhosted, had the same occupancy limits, which he referred to as Amendment #6, Option2. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Mr. Skala stated he wanted to prohibit unhosted short-term rentals in the R-1 and the R-2 zoning districts with the caveat of a neighborhood being allowed to create an overlay in order to avoid that proscription. Mr. Caldera asked Mr. Skala if he was proposing creating an overlay in R-1 and R-2 or in R-MF. Mr. Skala replied he was advocating for unhosted short-term rentals to be allowed in the R-MF zoning district. He noted he wanted unhosted short-term rentals to be possible in R-1 and R-2 neighborhoods if they had an overlay, and only in that circumstance. Otherwise they would be proscribed. Mr. Caldera understood Mr. Skala was essentially blending Amendment #7 and Amendment #8 to some extent, and asked Mr. Skala if he wanted to allow unhosted short-term rentals in the R-MF zoning district under the current structure with the conditional use permit process. Mr. Skala replied yes.

Mayor Treece commented that he was concerned that was previously amended material because of the decision the Council had made with regard to Amendment #5.

Mr. Skala made a motion to amend B348-19 so that unhosted short-term rentals were prohibited in the R-1 and R-2 zoning districts unless the neighborhood had an overlay allowing it. The motion died for the lack of a second.

Ms. Thompson asked the Council if they had any interested in pursuing Amendment #9.

Mayor Treece asked for clarification regarding that amendment. Ms. Thompson replied certificates of compliance were only issued every three years so this amendment would provide for a reminder for people to complete a form to let the City know what platform they were utilizing. She stated it was a way for the City to stay in contact with the operator in between the actual inspection periods.

Mr. Pitzer made a motion to amend B23-20 with Amendment #9. The motion was seconded by Mr. Ruffin and approved unanimously by voice vote.

Mayor Treece suggested staff harmonize the bills for Council to review at the following meeting. Ms. Thompson stated staff would like to bring the ordinances back to Council as a consolidated item so they could obtain a better feel of the regulations.

Mr. Skala made a motion to remand the revised bills to the PZC for their consideration for a three-month period as he hoped that would result in a recommendation to the Council via a full membership. He thought that meant it would come back to the Council on May 4, 2020. The motion died for the lack of a second.

Mayor Treece explained he would be willing to make a motion to remand the revised bills to the PZC for their consideration for a one-month period. Mr. Skala stated he would be agreeable and would second that motion.

Mr. Pitzer understood Mayor Treece would prefer to do that now versus potentially doing it after Council saw the harmonized and consolidated version. Mayor Treece thought it would help streamline the process.

Mayor Treece asked when the PZC met again. Mr. Zenner replied February 20. If the Council wanted the PZC to handle this via a public hearing, at least 15 days would be needed in advance to notice it. If they wanted the PZC to hear it at a work session and to provide an informal recommendation, they could probably arrange for that on February 20 if the Law Department could get the bills harmonized by February 14. The next opportunity would be on March 5. Mayor Treece stated he would prefer a public hearing at the PZC level and a vote by the PZC. He understood something could be brought back to Council for consideration at the March 16, 2020 Council Meeting. Ms. Thompson was not sure that was possible. Mr. Zenner commented that if they were to follow a work session and public hearing process as they had done in the past, the work session would be held on March 5, the public hearing would be held on March 19, and then the earliest it could come to Council was April 6. Mayor Treece stated that was longer than what he would prefer. Mr. Skala noted he was comfortable with that time frame.

Mr. Pitzer commented that they might have something at this next meeting for the full Council to consider, but he also recognized the value of holding another public hearing on significantly amended material and hopefully having a full complement of the PZC to vote and forward a recommendation.

Mayor Treece asked about the deadline for notice of the public hearing at the PZC level if Council considered the amended bills at its February 17, 2020 Council Meeting and referred it to the PZC then. He wondered if they could still make the March 5, 2020 PZC Meeting. Mr. Zenner replied he would have to advertise in advance of the completion of the February 17, 2020 Council Meeting. He explained they would advertise on Tuesday, February 18 for a hearing on March 5 at the PZC level, and it would allow for a recommendation to come to Council at the March 16, 2020 meeting.

Mayor Treece suggested the bills be brought forward to the Council at its February 17, 2020 meeting, and the Council could decide then as to whether to vote on it or send it to the PZC for their consideration at the March 5, 2020 PZC meeting. Ms. Amin pointed out it would have to be advertised on February 18 regardless of the decision of Council on February 17 if they wanted that as an option. She understood staff could potentially inform the public that the public hearing was not happening or canceled if the Council chose not to send it to the PZC at its February 17 meeting. There would not be any time to pull the notice since the decision would be made the evening of February 17.

Mr. Skala commented that he did not see the harm in extending the time for the PZC to review it.

Mayor Treece stated he wanted to err on the side of allowing public comment in whatever form it took.

Mr. Zenner pointed out that if a public hearing was held on March 5, 2020 at the PZC level, the verbatim minutes would not be available until the Wednesday of the following week so unless there was an issue, those minutes would be available to be provided with the agenda packet for the March 16, 2020 Council Meeting.

Mayor Treece understood the Council would have this for a final vote at its March 16, 2020 Council Meeting. Mr. Zenner stated yes based on the course of action suggested. He noted it would be advertised on February 18 and if Council disposed of the item on February 17, they would just advertise that the item had been withdrawn from consideration. It had been done in the past so that was not a problem.

Mr. Pitzer stated he was agreeable to the bills coming back to the Council on March 16 for consideration.

Mr. Pitzer noted he wanted feedback from staff regarding implementation. He wanted to know if it was practical to implement all of these rules, what the hurdles might be, whether it would take time, what staff might need, etc. Mayor Treece stated he agreed.

Mayor Treece asked if they wanted to table these bills to the March 16, 2020 Council Meeting and refer it to the PZC to review.

Mr. Skala made a motion to table B348-19, as amended, B22-20, as amended, and B23-20, as amended, to the March 16, 2020 Council Meeting, and to refer those bills to the PZC for a public hearing and recommendation on March 5, 2020. The motion was seconded by Mayor Treece.

Mayor Treece asked if they wanted any of this on their February 17 meeting agenda. Mr. Skala replied he did not think that was necessary. Mayor Treece asked if the Council could see the harmonized version after it was completed. Ms. Thompson replied yes. Mr. Pitzer thought it should be published and not just provided to the Council. Ms. Thompson stated staff would create a draft that would go to the PZC, and they would also distribute it to the Council so they could view it. She noted it might not be perfect, but further amendments could be made. Mr. Pitzer commented that it had been confusing process, which was why he thought it would be useful to make it public on the website. Mayor Treece asked if they wanted to keep it on the February 17 meeting as an old business item. Ms. Amin replied it could come back to Council as a report at the February 17, 2020 Council Meeting if they wanted to go ahead and table it to the March 16, 2020 Council Meeting. Mayor Treece stated he would prefer it be a report. Mr. Skala agreed it should be provided as a report on February 17, 2020 Council Meeting agenda.

The motion made by Mr. Skala and seconded by Mayor Treece to table B348-19, as amended, B22-20, as amended, and B23-20, as amended, to the March 16, 2020 Council Meeting, and to refer those bills to the PZC for a public hearing and recommendation on March 5, 2020 was approved unanimously by voice vote.

VII. CONSENT AGENDA

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

B10-20 Rezoning property located on the southwest corner of the Lakeview Avenue and Poplar Street intersection from District R-MF (Multiple-family Dwelling) to District M-C (Mixed-use Corridor) (Case No. 21-2020).

B11-20 Granting the issuance of a conditional use permit to Jonalyn Siemer to allow for the construction of an accessory dwelling unit on property located at 103 Anderson Avenue (Case No. 22-2020).

B12-20 Approving the Final Plat of “Arbor Falls, Plat No. 3A” located on the

	southeast corner of the Ranger Drive and Old Hawthorne Drive intersection (Case No. 35-2020).
B13-20	Accepting a donation from Central Bank of Boone County for the 2020 Affordable Housing Summit; amending the FY 2020 Annual Budget by appropriating funds.
B14-20	Authorizing Amendment No. 1 to the agreement for professional engineering services with Weaver Consultants Group, LLC for the Columbia Sanitary Landfill Horizontal Expansion Permitting Project - Phase II; amending the FY 2020 Annual Budget by appropriating funds.
B15-20	Authorizing the City Manager to execute an easement for highway purposes and a utility easement for fiber optic cable purposes to the Missouri Highways and Transportation Commission for property located along State Route B and adjacent to Columbia Terminal Railroad (COLT) right-of-way.
B16-20	Amending the FY 2020 Annual Budget by appropriating funds for the replacement of street lights associated with the First Presbyterian Church sidewalk reconstruction project along a portion of the east side of Hitt Street between Locust Street and the alley south of Cherry Street.
B17-20	Accepting a conveyance for utility and drainage purposes; accepting Stormwater Management/BMP Facilities Covenants.
B18-20	Amending the FY 2020 Annual Budget by appropriating funds for outreach efforts related to the 2020 Census.
B19-20	Authorizing an agreement with Boone County, Missouri for public health services in 2020.
B20-20	Authorizing an agreement with Boone County, Missouri for animal control services in 2020.
B21-20	Amending Chapter 2 of the City Code as it relates to membership requirements and duties of the Downtown Columbia Leadership Council.
R11-20	Setting a public hearing: proposed construction of the L.A. Nickell Golf Course driving range improvement project to include expansion of the natural grass driving range tee box and artificial turf tee box, rerouting the cart path to Hole 15, and repositioning certain poles and netting adjacent to the driving range tee box.
R12-20	Setting a public hearing: proposed construction of the Leslie Lane storm water improvement project.
R13-20	Setting a public hearing: proposed construction of the College Avenue, Court Street and Hickory Street sanitary sewer improvement project.
R14-20	Setting a public hearing: proposed construction of the Stanford Drive PCCE #21 Sanitary Sewer Improvement Project.
R15-20	Setting a public hearing: proposed construction of the Glenwood Avenue PCCE #25 Sanitary Sewer Improvement Project.
R16-20	Appointing an at-large member to the Columbia Parks and Recreation Fund Advisory Committee.

R17-20 Authorizing application for federal assistance from the Recreational Trails Program for construction of the Perche Creek Trail Phase I - MKT Trail to Gillespie Bridge Road project.

R18-20 Authorizing an agreement for professional services and annual licensing and support with HUB Parking Technology USA Inc. for a hosted web validation parking system in municipal parking facilities.

R19-20 Authorizing an agreement for professional engineering services with Walker Consultants for conceptual design consulting services to provide enhanced fall protection and related self-harm deterrent measures for the Fifth Street and Walnut Street municipal parking structure.

R20-20 Authorizing Amendment No. 1 to the sales agreement with Patagonia Health, Inc. for an electronic medical records software system for the Department of Public Health and Human Services.

R21-20 Approving the "Discovery Park Subdivision Preliminary Plat Revision #3" located west of the intersection of Nocona Parkway and Endeavor Avenue (Case No. 25-2020).

R22-20 Adopting legislative tracking priorities for the 2020 federal and state legislative sessions.

The bills were given third reading and the resolution was read with the vote recorded as follows: VOTING YES: TRAPP, SKALA, PITZER, TREECE. VOTING NO: NO ONE. ABSENT: RUFFIN (Mr. Ruffin stepped out during the vote these items), THOMAS, PETERS. Bills declared enacted and resolutions declared adopted, reading as follows:

VIII. NEW BUSINESS

None.

IX. INTRODUCTION AND FIRST READING

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

B24-20 Voluntary annexation of property located on the south side of I-70 Drive SE and east of Upland Creek Road (5300 I-70 Drive SE); establishing permanent District M-C zoning (Case No. 34-2020).

B25-20 Rezoning property located on the south side of I-70 Drive SE and approximately 750 feet east of Upland Creek Road (5300 I-70 Drive SE) from District A to District M-C (Case No. 37-2020).

B26-20 Approving the PD Plan for "Discovery Park Subdivision Plat 5, Lot 501" located on the northwest corner of the intersection of Nocona Parkway and Endeavor Avenue; granting a design adjustment relating to entry door placement (Case No. 24-2020).

B27-20 Approving PD Plan Major Amendment #1 for "Discovery Park Subdivision Plat 4" located on the west side of Nocona Parkway and approximately 1,500 feet south of Ponderosa Street (Case No. 38-2020).

B28-20 Rezoning property located on the northeast corner of the intersection of

Switzler Street and Trinity Place (201 and 209 Switzler Street) from District PD and District R-MF to District M-OF (Case No. 39-2020).

B29-20 Authorizing a right of use permit with Boone County, Missouri, on behalf of its Office of Emergency Management, for the construction, improvement, operation and maintenance of a warning siren with supporting infrastructure within a portion of the Vandiver Drive right-of-way.

B30-20 Authorizing construction of the L.A. Nickell Golf Course driving range improvement project to include expansion of the natural grass driving range tee box and artificial turf tee box, rerouting the cart path to Hole 15, and repositioning certain poles and netting adjacent to the driving range tee box; authorizing the Purchasing Agent to call for bids or utilize a duly authorized term and supply contractor; amending the FY 2020 Annual Budget by appropriating funds.

B31-20 Authorizing a first amendment to the redevelopment agreement with Broadway Lodging Two, LLC and Columbia TIF Corporation Two in connection with the Broadway Hotel Phase Two TIF Redevelopment Plan and Project on property located at 1104 E. Walnut Street.

B32-20 Authorizing a program services contract with the Missouri Department of Health and Senior Services for HIV Prevention services.

B33-20 Authorizing Amendment No. 2 to the 2017 Master Services Agreement with N. Harris Computer Corporation, on behalf of its division Advanced Utility Systems, for the implementation of the community solar program module as part of the utility billing software; amending the FY 2020 Annual Budget by appropriating funds.

B34-20 Authorizing the acquisition of easements for construction of the Grace Ellen Drive PCCE #27 Sanitary Sewer Improvement Project.

B35-20 Amending Chapter 27 of the City Code to establish water conservation incentives to water utility customers; amending the FY 2020 Annual Budget by appropriating funds.

X. REPORTS

REP5-20 Performance/Integrated Audit Request for Proposal (RFP).

Mr. Lue and Mr. Glascock provided a staff report.

Mayor Treece commented that he would like to move forward on a private, independent performance audit. Assuming the rest of the Council wanted to move forward and the cost, he did not feel it was too soon to have a discussion on how they wanted to prioritize the work. He understood the memo indicated they would start with the finance and budgeting processes, but he felt they should concurrently begin an audit of the water and electric utilities. He thought there were enough issues that it would be beneficial to have a vendor with experience with performance audits of municipal water and electric utilities and to begin it now. His hope was to get the finance and budget processes review back first while the water and electric utilities process continued.

Mr. Skala stated he supported the endeavor of the performance audit by an independent auditor. He commented that he regretted not being able to establish that independence within the City itself via an independent auditor on staff, but felt this was a reasonable compromise from the original suggestion of the auditor of State of Missouri performing the audit by the request of Council or by a petition process because that could have cost

significantly more than what they were discussing here. He noted he also agreed that the water and electric utilities should be one of the subject areas and that it made sense to start with finance. He thought this was a step in the right direction and looked forward to exploring this avenue.

Mr. Pitzer asked Mayor Treece if he was suggesting the entire water and electric utilities and all of their processes or the financial practices involving the water and light utilities. Mayor Treece replied he thought the scope could be determined, but that the RFP should help hone the right vendor. As part of the process, he wanted to make sure they were honoring the policy resolution that Mr. Pitzer had helped craft with respect to the independence and reporting mechanism of the Internal Auditor to Council vis-a-vis the City Manager and that the results were going to the City Manager for implementation via the direction of Council. He hoped the vendor they selected would begin the process like any other audit with an entrance interview with Council to look at what they had heard, what they had seen, what they had not seen, etc., and to come back to Council with an audit plan. He commented that his biggest concerns involved the financial inconsistencies, particularly with the water and electric utilities. He thought it was incumbent upon them to have an independent look at those issues and for the auditor to come back to Council with their findings so they could make changes. He felt the inconsistencies would compound the longer this went on so they needed to get started.

Mr. Skala commented that the RFP provided seemed to be unusual in that it had a lot of blanks within it, and asked the City Manager where they were or where they were going with respect to an Internal Auditor and staff. Mr. Glascock stated he was interviewing for the Internal Auditor position on Friday, and they needed to get that person hired first as they would need someone to lead the group if they decided to create an office or department. Mr. Skala understood the intention of that hiring was to have someone to follow up and implement the recommendations made. Mr. Glascock stated that was correct.

Mr. Trapp stated he was supportive of moving forward.

Mr. Pitzer commented that they could use the amount of money they would be spending for an auditor to conduct the performance audit per this RFP to eventually create a department of internal auditors. Specific to this, in terms of independence, he noted he would like to see any final report delivered to the Council and for the auditor to have the ability to request a meeting with the Council in the contract prior to issuing the final report if they felt it was necessary. He stated he also wanted all of the audit papers to be retained by the City Clerk versus the City Manager.

Mr. Pitzer explained he thought the most urgent thing to look at was the financials of the water and electric utilities. If they reviewed the entire Utilities Department, it would include the financials along with utility practices, and those were fairly different. He was not sure what type of vendors they would attract. If they were strictly looking at financials, they would have financial experts, but if they were strictly looking at replacing wires, they would have people that were experts in that realm. He commented that he thought it might behoove them to be more focused in terms of generating responses that would allow them to fulfill this need.

Mayor Treece stated he was leaning more toward what Mr. Pitzer described in terms of the financial practices with a firm that had experience in utilities, and not utility practices. He commented that it had to do with how they booked connection fees, how cash was restricted, how rates were set, the financial statements, etc.

Mr. Glascock pointed out all of this was driven by the Finance Department. The Utilities Department did not drive the processes. He noted that was the reason staff had suggested starting with the financial processes. If they did not address the issues within the Finance Department first and instead started with the water and electric utilities, they might end up having to correct something that would need to be corrected again because the Finance Department did not have the processes in place to address the processes of the water and electric utilities. He noted they had also suggested starting with cash

management because it was at $300 million. He commented that he did not have a problem looking at the water and electric utilities, but they also needed to ensure all of the financial processes were defined for all departments to do things properly.

Mr. Skala understood that argument and felt that was appropriate, and pointed out he thought they could do that in terms of the independent auditor reviewing financials while looking toward the water and electric utilities.

Mr. Glascock understood and noted the department head was usually involved, and stated he wanted the Finance Director and the Deputy City Manager to be involved with every review so there was some continuity throughout the departments in terms of how the City conducted its financial business.

Mayor Treece stated he thought it needed to be initiated simultaneously or within a short period of time. He thought the change in leadership in the Utilities Department was the perfect time to do this audit with or without an incumbent director there. He disagreed that they operated as a creature of the Finance Department and finance policies. He felt they had this problem because they did not follow the policies of the Finance Department, and believed they could have one firm auditing both areas.

Mr. Skala commented that he saw some urgency with the water and electric utilities and asked if it was practical to get an independent auditor to deal with both issues at the same time. He thought that might be difficult. He understood the argument of the Finance Department being the centerpiece, but it had to be with the realization that the problematic issues were within the water and electric utilities.

Mr. Glascock commented that they were talking about municipal utilities so they wanted a firm familiar with municipal utilities, and not necessarily a private owner-investor utility. That would drive the review of the audit firms. He pointed out it could likely be done, but it would depend on the cost and how it was paid as the general fund could not absorb the cost alone.

Mayor Treece stated he thought the audit of the water and electric utilities could be a review of the past and the audit of the financials could be more forward looking in terms of checks and balances and best policies.

Mr. Skala asked if the audit had to be paid for out of only the general fund. Mayor Treece replied no. Mr. Glascock agreed. Mr. Pitzer stated he did not feel they should get caught up in where the funding would come from as there were urgent issues.

Mr. Pitzer stated he also agreed the finances of the water and electric utilities needed to be an integral part of the audit as the Council needed to have confidence in what they were seeing and receiving. Currently, that confidence was not there. He understood Mr. Lue was looking at the budget processes and noted he had confidence in that, but the perception was that the water and electric utilities were operating too independently financially. They continued to have problems and the Council was uncertain as to the reason or when and how it would be corrected.

Mayor Treece noted the prior comments with regard to the Internal Auditor were good, but pointed out the Council could not direct that person and that person could not report to the Council. He stated they could select and monitor a contractor as a scope of the contract. Mr. Skala commented that there was potential for that in the future in terms of modifying the City Charter.

Mayor Treece understood this was not the contract. It was only the RFP to select the vendor, and asked if there was anything within the RFP that discussed the length of the contract. Mr. Glascock replied he thought it was for a year, but could be renewable for up to four years. Mr. Lue stated it could be for a total of five years as it would be for one year with the option of four one-year renewals. Mayor Treece thought a three-year audit would allow them to do a series of rolling audits.

Mayor Treece asked for the time frame for releasing the RFP, when it would close, and when responses would be brought to the Council for selection. Mr. Lue replied staff was open to recommendations and would proceed as soon as possible. Mayor Treece asked what was typical in terms of a window for responses. Mr. Lue replied he would

recommend keeping it open for at least 30 days. They wanted to provide enough time for it to be out there and to receive questions, but they did not want it open for so long that people forgot about it. Mayor Treece stated he wanted the Council to have a choice so he wanted more than one potential bidder presented so they could select the vendor. Mr. Lue asked if the Council wanted staff to select some finalists and to bring those finalists to them or if they wanted to select the finalists. Mr. Pitzer replied he would suggest staff bring the finalists to Council otherwise there would be too many steps in the process. He noted he was interested in seeing what kind of response they would receive.

Mr. Skala asked if staff could provide a report about the selection process for the finalists so they had some background information when they reviewed the finalists. Mr. Glascock replied staff would score them. Mayor Treece stated he wanted to see that scoring matrix. He commented that he did not want to see 30 applicants, but if they only received seven, he would not mind seeing all seven with their respective scores for review.

Mr. Trapp understood they were obligated to make the same choices by what they posted. Mayor Treece understood it was based on the points to some extent.

Mr. Pitzer asked if staff needed specific language for the RFP or if they had enough information based on the comments. Mr. Glascock replied staff would like to know of any changes now.

Mayor Treece asked Ms. Oropallo, the Chair of the Finance Advisory and Audit Committee (FAAC), if she had any comments as he understood they had been given the opportunity to review the RFP. Ms. Oropallo replied Mr. Glascock had discussed the RFP process at the FAAC meeting and had invited them to review the draft. She noted they had a person who had been with the State Auditor's Office for many years on the FAAC, and he had been able to provide more depth for the review process. She pointed out the FAAC had provided their recommendations on the RFP to Mr. Lue and Mr. Glascock. She stated the FAAC was united and happy to be involved, and wanted to continue to be involved. She noted she also felt Mr. Lue had done a good job in outlining what was needed.

Mayor Treece asked if it would appropriate for the respondents of the RFP to be scored by the FAAC. Ms. Oropallo replied it was their wish for that to be possible as they had members that were state and banking auditors. As a result, they had a depth of experience to look at the language of the respondents in terms of their experience with municipal utilities, financials, etc. She recommended at least those two members be involved if not the entire FAAC.

Mr. Skala stated he thought it would be beneficial to provide these items to the FAAC for recommendations, comments, or edits. He was not sure a formal process was necessary, but thought something should be made available to them.

Mr. Pitzer asked if the FAAC would be able to adjust their schedules to accommodate this. Ms. Oropallo replied yes.

Ms. Oropallo commented that the FAAC had never 100 percent supported a performance audit because they had one member that had not been convinced it was necessary. As time went on, that person had become the most enthusiastic supporter. She thought the FAAC had a lot to offer.

Mayor Treece thought the FAAC should score the RFPs since the Finance Department would be the subject of the first audit. He asked if there was anything in the procurement process or ordinance that would prohibit it. Mr. Glascock replied he could not think of any, but noted he would have to check. He pointed out there would have to be some confidentiality with the scores.

Mr. Pitzer suggested they add a reference to an emphasis on the finances of the utilities within item 2 under the scope of services of the RFP. Mr. Glascock asked Mr. Pitzer if he only wanted the water and electric utilities or if he wanted all utilities. Mr. Pitzer replied all utilities.

Mr. Pitzer also suggested item 4 under deliverables be adjusted so it said the contractor shall provide a report to the City Council and/or City Manager, and that item 3 be

adjusted by saying the audit work papers shall be retained by the City Clerk.
Mayor Treece pointed out the scoring of a potential vendor was weighted toward someone with experience in auditing utility operations per the evaluation criteria and award portion of the RFP.
Mr. Skala asked Mr. Glascock if staff would provide feedback with respect to the scoring mechanisms and confidentiality. Mr. Glascock replied yes. Mr. Skala stated he did not necessarily need the full scoring, but wanted comments, edits, suggestions, etc.

REP6-20 Downtown Community Improvement District (CID) Board of Directors - Annual Membership and Membership Change due to a Resignation.

Mayor Treece stated he wanted to make appointments to the Board of Directors of the Downtown CID and noted his slate had been transmitted to the Council. Since the Council was two members short and because Mr. Trapp had abstained, only three members were available to consent to his appointment. He assumed the City Counselor would object to that like she had previously objected to his appointments to the Tax Increment Financing (TIF) Commission a couple of years ago. As a result, this item would be continued to the February 17, 2020 Council Meeting.

REP7-20 Amendment to the FY 2020 Annual Budget - Intra-Departmental Transfer of Funds.

Mayor Treece understood this report was provided for informational purposes.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Julie Ryan, 5301 Regal Way, explained she was with the COMO Safe Water Coalition and stated they had an interest in the RFP for the performance audit. She commented that there had been a number of investigations since she had last spoke to the Council in the beginning of January. She noted their concerns regarding the financial practices of the water and electric utilities had seeped into their questions of operational practices. She hoped there was an understanding of the amount of hesitation, lack of confidence, and disbelief there was by the citizens and ratepayers of Columbia. She did not feel they had ever seen sure accountability. She believed there was an opportunity for the Council and staff to show accountability as no one had been responsible for all of the problems, delays, questions, etc. despite the number of times they had asked. She noted they had never received responses and felt that was a problem. She stated they were customers without the choice of a supplier, and they were never treated as customers. She hoped that this was taken into account with the investigations, performance audits, the hiring of a new director, etc.

Mr. Glascock asked the Council if there was any lack of confidence in his ability to get this done based on the comments of Ms. Ryan. Mayor Treece replied not from his perspective, and noted it was the reason he had been hired as City Manager.
Mr. Skala stated he did not feel this was a result of a lack of confidence with Mr. Glascock. His only hope with any administration under any circumstance was for more lead time on what was discovered. He understood the issues of turnover, new systems, etc., but felt it was unfortunate that they had to make a decision lacking the information that had been in the background. He asked for as much lead time as practicable because it was not pleasant to be on the end of a telephone call when the other party knew more about the issue than the he did.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 10:01 p.m.