



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, January 4, 2021
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, January 4, 2021, 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 Member MIKE TRAPP, Council Member KARL SKALA, Council Member MATT PITZER, Council Member BETSY PETERS, Mayor BRIAN TREECE, and Council Member PAT FOWLER were present. Council Member IAN THOMAS was absent. City Manager John Glascock, City Counselor Nancy Thompson, City Clerk Sheela Amin, and various Department Heads and staff members were also present.

The minutes of the regular meeting of December 21, 2020 were approved unanimously by voice vote on a motion by Trapp and a second by Skala.

Treece noted staff had requested that B29-21 be removed from the agenda, and asked if anyone objected. No one objected.

Treece asked that B365-20 be moved from the consent agenda to old business.

The agenda, including the consent agenda with B365-20 being moved to old business and B29-21 being removed from the agenda, was approved unanimously by voice vote on a motion by Treece and a second by Trapp.

II. SPECIAL ITEMS

SI1-21

Resolution of Appreciation - Steve Sapp, Community Relations Director.

Treece asked Community Relations Director Steve Sapp to join him at the podium, and noted Sapp would retire from the City after 41 years of service for a second time on January 14. Treece stated Sapp was hired on January 14, 1980 to answer 911 calls, and from there, he had become a firefighter, was promoted to captain, battalion chief, and fire marshal. A month after retiring the first time, Sapp was hired as the public information officer for the Public Works Department, and four years later, he had become the first director of the City's newly created Community Relations Department. Treece referred to the communications rule of people needing to know the person speaking cared before they cared about what the person speaking knew, and stated Sapp cared about Columbia. When Sapp communicated good news, it was with the enthusiasm of someone that loved the City and knew its history, and when he delivered bad news, it was with a calm and steady demeanor that was both credible and comforting. On behalf of the City Council, Treece congratulated Sapp on his retirement and presented him with a resolution of appreciation.

Sapp stated he hoped his 41 years of service had conveyed the sense of community that the community had given back to him as Columbia was home and would always be home. Sapp noted it was not lost on him that he had been paid to do a lot of this community service and that privilege played a role in where he had been. Sapp

commented that he had truly tried to make things a little better in every capacity he had been honored and humbled to serve, and there was likely not one person in the audience that had not mentored him in some way even if they might not know it as thousands of people had made him better as a professional and a human being. Sapp thanked everyone.

SI2-21 **Resolution of Appreciation - Margrace Buckler, Human Resources Director.**

Treece asked Human Resources Director Margrace Buckler to join him at the podium, and noted Buckler had joined the City in 1998 as an analyst in the Human Resources Department and was now retiring after 22 years of service as Director of the Human Resources Department. Treece explained Buckler had implemented a number of programs that had streamlined and more importantly standardized the system when it came to hiring, firing, promotions, discipline, etc. Under the tenure of Buckler, in 2012, an employee health and wellness program that offered employees options of improving all aspects of their health and well-being had been developed. In 2013, Buckler had created City-U, which included supervisory training programs, leadership development for non-supervisors, and new employee orientation. Buckler had established employee engagement surveys that asked frontline workers what they needed from their supervisors, the City Manager, and the City Council so they felt valued, which in turn translated to better service for the taxpayers served. Treece pointed out part of that employee engagement survey had been used as the Council when they made very important budget decisions. Treece commented that true to form, Buckler had already hired her replacement who had been working with her so there was a smooth and continuous legacy of service in the Human Resources Department. Treece stated the Council was grateful for Buckler's service to the City and wished her the best in her retirement.

Buckler explained the Human Resources Department was not shiny, pretty, or out in front of the world very often, and a lot of her colleagues likely thought of her as a pain in the rear because the Department was constantly pushing and because they were rule followers. It was hard behind the scenes work, and they were really concerned about the lives of the employees and how they were treated. Those in the Human Resources Department had to have thick skin and had to be okay with it because they really did help people. Buckler believed those currently in the Department cared, and cared a lot, and they wanted to see the work go on in helping employees do the best they could. Buckler pointed out this had been a challenging year, and those that had stayed were committed. Buckler suggested they take care of the people that worked for them because no one else would, and pointed out that if they wanted their employees to work for them and care about the City, it needed to be done. Buckler thanked everyone for their support.

SI3-21 **Swearing in of Richard Enyard as Director of Human Resources for the City of Columbia.**

Treece asked Richard Enyard, the newly hired Director of Human Resources, to join the City Clerk and City Manager at the podium.

The City Clerk administered the oath of office to Enyard as the Director of Human Resources for the City of Columbia.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

IV. SCHEDULED PUBLIC COMMENT

SPC1-21 Jacquelyn Watts - Community lack of trust in CPD and school to prison pipeline.

Jacquelyn Watts explained there had been a number of different occasions in which she had interacted with the Columbia Police Department (CPD), and as a result, she felt things needed to change in terms of how they dealt with the community and their community outreach. Watts described an instance whereby she had been woken up with her house surrounded by officers because they had been told someone that was that was armed and dangerous was in her house when that had not been the case. Watts had been told she needed to come out of the house or they would come into the house, and she had not been provided any explanation. Watts and a friend were escorted out of the home while their children were still inside sleeping, and they had been detained while the house was searched. Watts believed the situation could have been handled better. Watts wondered why she had been forced to leave her children in the home if the police felt there was an armed and dangerous person in her home. When Watts had asked if she could get her children, she had been told they needed to search the house first. Watts described another incident whereby a task force had been trying to catch and detain a person on New Year's Eve for drugs or other items that the person never had, and a task force member had said it did not matter where or when they found the items as he was on the case. That member had also threatened to strip-search a minor child who had arrived after the incident had occurred with a parent to provide Watts and another person a ride. Watts pointed out this incident had occurred at the Health Department where she had been to make an appointment for WIC services for her children. Watts was told she was no longer allowed on the property, which was essentially saying she could no longer feed her children. Watts described a third incident whereby she had been detained for not having her child with her at court when that child had been with her biological father even though she had not a history of not caring for her children. Watts noted an officer had said to her that she did not deserve to have her kids because she did not have a good past, and felt that was inappropriate, especially without any information regarding her history and circumstances. Watts commented that in December, officers had pulled a gun on someone she had been with when that person had stated very clearly that they were getting their phone. Watts explained that was concerning because media coverage had shown that if one officer had pulled the trigger, the other would as well. Watts stated it was scary and emotional to have to be between a person and a gun while asking an officer to not shoot. Watts felt something was seriously wrong with police policies, procedures, and training when officers felt the need to grab their guns so quickly.

V. PUBLIC HEARINGS

PH1-21 Proposed construction of storm water improvements on Bray Avenue, east of Longwell Drive.

PH1-21 was read by the City Clerk.

Utilities Director David Sorrell provided a staff report.

Fowler noticed the memo had indicated staff would either remove or abandon the existing line, and asked about the mitigation plan given the sinkholes in the area. Fowler wondered if they would fill them in with dirt. Sorrell replied they could fill them with flowable concrete fill, which would fill all of the voids around the pipe as well as the pipes

themselves. Fowler asked if that was the intention. Sorrell replied that was likely the method they would choose since it would result in less pavement replacement. Outside of the pavement, they would likely dig it out.

Fowler asked about the right angles in terms of whether it allowed for sufficient flows or if it would slow it down. Sorrell replied in this instance, the pipe would be sufficiently designed to address the 10-year storm as required by their manual. It would be accounted for with the hydraulic losses when it turned. Sorrell noted the inlets on the street were only to capture the water to prevent the spread of the water and the ponding depth to meet the regulations. They were not discussing a huge volume of water like they had been with the large culvert in Fowler's neighborhood. Sorrell reiterated it would be accounted for and the design would account for the hydraulics of having to turn sharp angles while working in the existing rights-of-way.

Skala stated he had often wondered about abandoned lines, and asked if this was standard procedure and how long it had been the procedure. Skala assumed there might have been situations in the past whereby the lines were abandoned, and understood there was now a retrofit for it. Sorrell replied if this had been done as a maintenance project, they would have removed the pipe and put a new pipe in at the exact same location. Since it was an improvement project to be more in line with current standards, pipe would be left in the ground under the street, but it would be filled in so someone did not try to connect to it in the future. Sorrell pointed out it was very likely pipes that had been abandoned in the past had not been filled in.

Skala understood they had ruled out utilizing the existing alignment since this had been redesigned as an improvement project. Sorrell stated that was correct, and noted it was better designed now than it had been previously.

The Mayor opened the public hearing.

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

Treece made a motion directing staff to proceed with the final design for replacement and improvement of the public storm drainage infrastructure on Bray Avenue, east of Longwell Drive. The motion was seconded by Trapp and approved unanimously by voice vote.

VI. OLD BUSINESS

B365-20

Amending Chapter 21 of the City Code as it relates to filing deadlines for an appeal or jurisdictional review associated with the Citizens Police Review Board and establishing a provision for variances or waivers upon a finding of good cause.

The bill was given second reading by the City Clerk.

Thompson provided a staff report.

Treece asked for clarification as to whether there had been another report the Council had not received. Thompson replied a recommendation of the Citizens Police Review Board (CPRB) had not been included in the report that the Council had received when they had asked for this issue to come back to them. Thompson pointed out it was included in the ordinance and identified as the new Section 21-60. Treece understood it had not been something the Council had discussed at the September meeting. Thompson stated that was correct, and explained it had been inadvertently left out of the report. Thompson noted the Chair of the CPRB was present to discuss the issue further.

Treece asked who had drafted the proposed ordinance. Thompson replied the language in Section 21-60 had been drafted by the CPRB, but pointed out the Law Department drafted all of the ordinances. Treece asked if the Law Department had drafted the portion that had included the waiver. Thompson replied the Law Department had included it at the request of the CPRB. Treece understood it had not been at the request of Council. Thompson stated that was correct. Thompson noted it had been an error on the part of the Law Department as they thought it had been included in that report when it had not.

Thompson stated it had not been intentionally done to try to get something past the Council. It had truly just been an oversight. Treece understood that was the case even though it had been on the consent agenda. Thompson stated that was correct. Treece reiterated it was something the Council had not discussed. Thompson reiterated it was an oversight on their part.

Treece stated he had some procedural and substantive concerns about it.

Travis Pringle, the current Chair of the CPRB, explained this had come about due to an open appeal the CPRB had heard in May. The appellant had missed the 21-day deadline by three days through no fault of her own as she had been in the hospital, and the CPRB had no way of asserting jurisdiction over it. The only option was for someone else to file the complaint again on the behalf of the appellant, and the CPRB felt that was inefficient and unfair for them to not be able to hear the appeal. In speaking with the Police Department, he understood there had been a problem with mail and the 21-day deadline so they felt expanding that to 30 days would be appropriate.

Pitzer understood the CPRB request for the good cause waiver was related specifically to the 30-day deadline. Pringle replied it was their immediate reason for drafting it, but they had decided to focus it on Chapter 21 in case something else happened to come up in the future. Pringle explained they had three new CPRB members, and a requirement was for all members to participate in a night ride-along with police officers. Currently, no ride-alongs were happening due to COVID, and they did not have any way of waiving that requirement.

Skala understood the extension to 30 days from 21 days was due to an exceptional incident whereby the appellant had been in the hospital and that there was a procedure by which this could be extended by refiling, and asked if that was correct. Pringle replied that during the appeal hearing when they were discussing jurisdiction, the appellant had been told she could find an attorney, family member, or someone else that had witnessed the act to file a complaint on her behalf.

Skala asked if that incident had also been responsible for the suggestion of the additional language for reasonable exceptions as determined by the CPRB. Pringle replied the CPRB had seen the missing of a deadline by three days due to an appellant being in the hospital and felt they should have been able to assert jurisdiction since the deadline was missed through no fault of the appellant. They had no way of doing that currently.

Trapp thought both changes were important in terms of winning over the populous so they agreed with the feeling that Columbia's policing was fair and impartial and that there was civilian oversight in policing the essential values of the City. Trapp felt it had been unfortunate that the deadline had been missed, and believed extending the deadline was appropriate. In reviewing the work of the CPRB, they had not been overwhelmed with cases and had not overturned the decision of the Police Chief on numerous occasions. Trapp thought it had only happened once since the formation of the CPRB. Trapp believed the biggest threat to the CPRB was the lack of legitimacy with the community in effectively being the venue to bring forward complaints to be reviewed by a group of citizens. Trapp felt that was essential to their democratic form of government and thought a good cause waiver made sense. If they did not grant the good cause waiver, they would have to look at changes to the police ride-along requirements due to COVID. Trapp stated he would have preferred for this to not be on the consent agenda as it was something significant they should discuss. Trapp reiterated he was supportive of both changes as it would enhance the work of the CPRB and improve the relationship between the police and the community. Trapp did not believe it would do an injustice to the police officers that might be involved in cases that came before the Board.

Treece commented that he was comfortable with extending the deadline to 30 days, but felt the process needed to be well defined, certain, and predictable. This would provide the advisory commission the authority to waive anything in Chapter 21, to include membership requirements, quorum requirements, and other deadlines, without any standard as to what might define good cause. Treece thought it could potentially

undermine other personnel related issues, such as the appeal of their decision to the City Manager and the Personnel Advisory Board (PAB). Treece believed the addition of Section 21-60 was too broad without any type of recourse or oversight.

Skala stated he was not wed to opposing the 30-day deadline, but questioned whether it was good practice to make a change based on a single incident. Skala understood the CPRB was advisory and felt the addition of Section 21-60 was overly broad. Skala thought it was important for the Council to have the capacity to discuss issues and not leave that up to the discretion of an advisory group. Skala stated he was not in favor of granting that type of authority to the CPRB without the Council first having discussed it, but reiterated he was not opposed to extending the deadline from 21 days to 30 days despite the fact he believed there was a solution to that situation.

Treece asked if good cause language could be found in other chapters of the City ordinances. Thompson replied yes. Treece asked how it was defined. Thompson replied "for good cause shown" was generally a term of art and not normally defined unless specific standards were set out for a variance or waiver on real property. "For good cause shown" was a common legal phrase that did not normally have a lot of other items attached to it. There was authority granted for the purposes of a waiver or variance as it related to specific provisions of an ordinance. To grant the waiver for the entire article without going through and choosing where it might be appropriate was somewhat broad. Thompson stated the fact it was not tied to a specific process or procedure where good cause shown would need to be provided was likely the most unusual piece. There were a lot of iterations for where good cause shown could be utilized.

Treece asked where the Council had granted someone the authority to waive a City ordinance. Thompson replied the Board of Adjustment (BOA) waived City ordinances for good cause shown as did the Planning and Zoning Commission (PZC). Thompson thought the Building Construction Codes Commission (BCCC) might have that authority as well. Thompson explained some of the boards and commissions that dealt with due process rights, held hearings, or were final decision making bodies likely had that authority, but noted she had not researched that as she had not anticipated the question. Thompson pointed out it would not be an uncommon type of provision in either state law or an ordinance.

Skala commented that the BOA and the PZC had independent statutory authority so they were different than just an advisory commission. Thompson agreed.

Treece commented that he felt the change from 21 to 30 days was reasonable and pointed out 30 days was consistent with other deadlines. He thought the ability to waive any requirement of Article III of Chapter 21 was too broad.

Treece made a motion to amend B365-20 by deleting "Section 21-60. Variance or waiver," including the words "the board may grant a variance from or waive any requirement of this article upon a finding of good cause." The motion was seconded by Skala.

Fowler understood the concerns of the CPRB of not being able to do the ride-along, which was a requirement, and asked if that could be addressed tonight by suspending that requirement due to COVID so the members were not feeling the pressure of trying to accomplish something that was a near impossibility at this time. Treece stated he thought the ride-along component was an important part of the training of CPRB members and asked Police Chief Geoff Jones how he was addressing that requirement. Jones replied he had issued a general order that suspended ride-alongs for now, but pointed out it was important to them to bring it back when they were able. Jones noted he could not predict when that would be, but thought it would happen when they were at a point the numbers were lower and they were more comfortable having someone in a car with less risk to the officers and their families.

Skala understood they were still under a declaration of emergency that provided powers to the City Manager and wondered if the justification to the suspension of ride-alongs should be tied to that. Jones commented that under a worst case scenario they could require a CPRB member to wear a fitted N-95 mask and eye protection. Unless he

misunderstood, if both the officer and CPRB member did that, they would not be considered a close contact. The difficulty would come when the officer was traveling to an emergency as he preferred they not wear a mask in that situation. Jones thought it was best to suspend the practice as he did not feel comfortable proceeding with ride-alongs without wearing PPE, which he thought had its own risks. Jones reiterated he wanted to get CPRB members in a car as soon as he could.

Peters suggested they suspend the requirement for at least six months and revisit the situation at that point.

Pitzer commented that the requirement was for all CPRB members to participate in ride-alongs once every two years, and there was not a time limit associated with ride-alongs for new board members.

Thompson did not believe the suspension of that requirement would take formal action by the CPRB and thought the City Manager could address it as it was something that would be impossible to achieve based upon the health emergency. If it needed to be handled in a more formal fashion, an ordinance ratifying the action of the City Manager could be brought forward.

Trapp wanted to speak against the motion. The ability to make a good cause waiver was consistent with what they had for other boards and commissions. The CPRB might not have individual statutory authority like the PZC and BOA, but it was like the PAB and other boards that had significant independent powers beyond just making recommendations to Council. Trapp thought they had shown a long history of discretion and good process. Trapp believed the biggest threat to the CPRB, the City of Columbia, and the Police Department was the lack of legitimacy and support by the community. Trapp felt any move they could make to strengthen that was a part of community policing, and believed they should enhance the powers and abilities of the CPRB. Trapp thought this was an opportunity to do that and to make it work better for those who went through a great deal of hardship and perceived personal risk as the deck was already stacked against citizens. Trapp felt they should do what they could to even the playing field and noted he trusted the CPRB members to use the good cause waiver with discretion. Trapp encouraged the CPRB to make a more targeted measure if this failed.

Skala thought they should empower the CPRB to the extent they could, but also felt the Council should weigh in on any discussion about extended powers. If necessary, as had been suggested by Trapp, the CPRB could come back with a more targeted measure. Skala noted the CPRB was different than some of the boards and commissions that had additional powers beyond just advisory as they had state statutes behind them. Skala stated he was inclined to support the motion.

Fowler explained she had misunderstood the proposed ordinance as she thought the good cause shown language was to extend other deadlines that might have been missed due to the kinds of circumstances that had caused the example appellant to miss the 21-day deadline. Fowler agreed it was too broad a waiver of other requirements. Given the times they were in now and the relationship the community had with the police along with their concerns, Fowler thought it might be an appropriate time to meet with the CPRB to discuss their mission, function, whether they felt they had what they needed to meet the needs of the community, etc. Fowler suggested they include the Police Chief and some of the community outreach officers in that conversation as well.

The motion made by Treece and seconded by Skala to amend B365-20 by deleting "Section 21-60. Variance or waiver," including the words "the board may grant a variance from or waive any requirement of this article upon a finding of good cause," was approved by voice vote with only Trapp voting no.

Treece recalled anyone being able to file a complaint when the CPRB had been created to include someone from California that had seen a Facebook video even if that person had not been directly impacted. Treece understood that had been amended and was now

limited to the person being a resident of Boone County, but it would still allow anyone that had seen a video to file a complaint, even if they were not a witness, alleged victim, friend, or attorney of the person, and asked if that had been a problem. Pringle replied they had actually never had an appeal of that nature during his tenure. If they had not inserted jurisdiction, no one had refiled. During that May meeting, the appellant had asked why she would want to go through the entire process again when she knew the decision of the Police Department. The complaint would have had to go back to the Police Department for reinvestigation and another decision to be issued so that decision could be appealed to the CPRB. Pringle stated the CPRB did not feel the appellant would have had to go through that process again if she would have had those extra days. In addition, they felt 30 days was a more understandable stretch of time than 21 days. Pringle explained the clock started once the appellant received the letter, and the CPRB sometimes had problems determining when that might be. It was tough trying to get the exact time frame down. Pringle noted the Police Department had been good about determining when the letter might have been mailed out, but pointed out there had been an instance by which a new letter had to be issued for the clock to restart.

Treece asked Pringle how many complaints the CPRB received per year. Pringle replied he thought the average was 4-7 appeals since he had been on the Board. Treece asked how many were directly involved in the incident. Pringle replied the one they had heard in September had been the first time there had been an appeal by someone that had not been involved in the incident since he had been on the Board.

Peters asked if it was 4-7 cases per year or a month. Pringle replied a year. Peters understood they sometimes did not have a case to hear. Pringle stated since he had been on the CPRB, they had always gone one to three months without any appeals to be heard.

B365-20, as amended, was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TRAPP, SKALA, PITZER, PETERS, TREECE, FOWLER. VOTING NO: NO ONE. ABSENT: THOMAS. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

- B351-20 Voluntary annexation of property located on the west side of Lake of the Woods Road and approximately 600 feet north of Geysler Boulevard (2801 N. Lake of the Woods Road); establishing permanent District R-1 (One-family Dwelling) zoning (Case No. 202-2020).
- B352-20 Approving a Major Amendment to the PD Planned Development of "Lot 3 of Providence South Plaza, Plat 1" located on the east side of Green Meadows Road and south of Carter Lane (651 E. Green Meadows Road); approving a statement of intent; granting a design exception to permit a drive-through window and lane in the front yard adjacent to Green Meadows Road (Case No. 9-2021).
- B353-20 Approving the Final Plat of "Wyndham Commercial Corner, Plat No. 2" located on the northeast corner of the Scott Boulevard and State Route KK intersection; authorizing a performance contract (Case No. 7-21).
- B354-20 Approving the Final Plat of "Wellington Manor, Plat No. 3A" located on the south side of Bradbury Drive and east of Kipling Way; authorizing a performance contract (Case No. 4-2021).

- B355-20 Approving the Final Plat of "Auburn Hills Plat, No. 13-A" located on the northeast corner of the Brown School Road and Derby Ridge Road intersection; authorizing a performance contract (Case No. 5-2021).
- B356-20 Authorizing construction of the Tupelo Place and Larch Court sanitary sewer improvement project; calling for bids through the Purchasing Division or authorizing a contract for the work using a term and supply contract.
- B357-20 Authorizing construction of the Glenwood Avenue PCCE #25 Sanitary Sewer Improvement Project; calling for bids through the Purchasing Division or authorizing a contract for the work using a term and supply contract.
- B358-20 Accepting conveyances for drainage, utility, sewer and temporary construction purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B359-20 Authorizing a non-federal reimbursable agreement with the Federal Aviation Administration for a commissioned flight inspection of the temporary Precision Approach Path Indicators (PAPI) on Runway 2-20 at the Columbia Regional Airport; amending the FY 2021 Annual Budget by appropriating funds.
- B360-20 Authorizing an airport aid agreement with the Missouri Highways and Transportation Commission relating to air service promotion for the Columbia Regional Airport; amending the FY 2021 Annual Budget by appropriating funds.
- B361-20 Authorizing and ratifying an agreement with the United States of America Transportation Security Administration for reimbursement of law enforcement officer services at the Columbia Regional Airport; authorizing execution of future agreements.
- B362-20 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for maternal child health services.
- B363-20 Authorizing and ratifying Amendment No. 1 to the CARES funding agreement with Boone County, Missouri for the expansion of public health activities provided by the Department of Public Health and Human Services.
- B364-20 Authorizing an agreement with Boone County, Missouri, on behalf of the Boone County Children's Services Board, for the purchase of services for coordination of prenatal and early childhood home visitation as part of the Brighter Beginnings program; amending the FY 2021 Annual Budget by appropriating funds; amending the FY 2021 Annual Budget by adding a position in the Department of Public Health and Human Services - Human & Social Services Division; amending the FY 2021 Classification and Pay Plan by adding a classification.
- B366-20 Amending the FY 2021 Annual Budget by appropriating funds for the purchase of an historic piano for the John William "Blind" Boone home.

- R1-21 Setting a public hearing: proposed construction of the Wabash Drive extension project.
- R2-21 Setting a public hearing: proposed construction of the Fourth Street and Broadway pedestrian crossing project.
- R3-21 Setting a public hearing: consider proposed Amendment #4 to the FY 2019 CDBG and HOME Annual Action Plan to allocate Round 3 and reallocate a portion of Round 1 Coronavirus Aid, Relief and Economic Security (CARES) Act funding; establishing a comment period.
- R4-21 Authorizing the installation of street lights on Yiotis Way, Chrissula Lane, Azoros Drive, and Fay Street; authorizing staff to proceed with the preliminary design and cost estimates associated with the proposed installation of street lights on Clark Lane and Waco Road; directing that a public hearing be held upon completion of the preliminary plans.
- R5-21 Authorizing Amendment No. 1 to the software service agreement with ReCollect Systems Inc. relating to solid waste and recycling activities for City utility customers.
- R6-21 Authorizing a CDBG funded agreement with Show Me Central Habitat for Humanity for the demolition of a structure located at 1311 Poplar Street; authorizing a CDBG-CV grant agreement with the Wilkes Boulevard United Methodist Church Incorporated to provide support and services for the Turning Point Program for unsheltered populations impacted by the COVID-19 pandemic.
- R7-21 Approving the Preliminary Plat of "Mallard Point" located on the west side of Lake of the Woods Road and approximately 600 feet north of Geyser Boulevard (2801 N. Lake of the Woods Road) (Case No. 196-2020).
- R8-21 Adopting the 2020 Boone County, Missouri Hazard Mitigation Plan.
- R9-21 Authorizing and ratifying an agreement for professional services with Bucket Media, Inc. for a COVID-19 vaccine education campaign.

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

VIII. NEW BUSINESS

- B1-21 Authorizing and ratifying agreements with Boone County, Missouri for administration of CARES funding for public health, public safety employee expenses, personal protective equipment and sanitation funding, and for a small business recovery grant program; declaring an emergency for enactment.

The bill was given first reading by the City Clerk.

Glascock provided a staff report.

Pitzer understood the amendment to the contract for the small business grants was to change the amount from \$495,000 to \$835,000, and noted he had been under the impression the \$495,000 had already been expended. He asked if this was an additional amount that would be available and whether it would be the same program or process.

Housing Programs Manager Randy Cole replied it would be an additional amount, and they would pull people off of their wait list. It would be enough to provide funding to 34 additional businesses. Pitzer asked if they had that many on the wait list. Cole replied they had 41 at this time. Cole noted there could be a possibility that a number of them might not qualify or meet the criteria. They would see how it went.

Pitzer asked if the criteria included whether or not the business had received federal assistance already. Cole replied they had to look at the costs they were submitting for reimbursement from the grant. The business could not double-dip so they could not receive PPP program funds and these funds to pay for the same items. If they used PPP funds for the costs of items in April and June, but had additional costs they could document that were unmet, they could utilize these funds.

Pitzer understood the new federal CARES Act had some business recovery funding as well, and wondered how all of the pieces would fit together. Cole explained the programmatic agreement included language that the business could not obtain these funds and PPP program funds and that it could be considered a potential violation of federal regulations if they did.

Treece made a motion to waive the rule requiring consideration of this ordinance at two separate meetings and to place B1-21 on its second reading. The motion was seconded by Skala and approved unanimously by voice vote.

The bill was given second reading by the City Clerk.

Treece thanked staff for handling this and noted he wished it had been six months ago.

B1-21 was given third reading by the City Clerk with the vote recorded as follows: VOTING YES: TRAPP, SKALA, PITZER, PETERS, TREECE, FOWLER. VOTING NO: NO ONE. ABSENT: THOMAS. Bill declared enacted, reading as follows:

IX. INTRODUCTION AND FIRST READING

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

- B2-21 Amending Chapter 16 of the City Code as it relates to the use of force by law enforcement officers.
- B3-21 Calling a municipal election for Council Members for Wards 2 and 6.
- B4-21 Amending Ordinance No. 024284 to extend the administrative delay in the enforcement of land use and business regulations related to short-term rentals to July 31, 2021.
- B5-21 Rezoning property located on the north side of Northridge Drive and east of Oakland Gravel Road from District R-1 (One-family Dwelling) to District PD (Planned); approving a statement of intent; approving the PD Plan and Preliminary Plat for "The Cottages of Northridge" (Case No. 201-2020).
- B6-21 Rezoning property located on the east side of Range Line Street and south of Wilkes Boulevard (710 Range Line Street) from District C-2 (Central Business) to District M-N (Mixed-use Neighborhood) (Case No. 20-2021, Map Area #2).
- B7-21 Rezoning property located on the northwest corner of the Fay Street and Hinkson Avenue intersection (501 Fay Street) from District C-2 (Central Business) to District M-N (Mixed-use Neighborhood) and District HP-O (Historic Preservation Overlay) (Case No. 20-2021, Map Area #2).

- B8-21 Rezoning property located on the east side of Tenth Street and north of Park Avenue (310 N. Tenth Street) from District C-2 (Central Business) to District IG (Industrial) (Case No. 20-2021, Map Area #2).
- B9-21 Rezoning property located on the east side of Tenth Street and south of Otto Court (316 N. Tenth Street) from District C-2 (Central Business) to District R-MF (Multiple-family Dwelling) (Case No. 20-2021, Map Area #2).
- B10-21 Rezoning property located on the northwest corner of the Eighth Street and Park Avenue intersection (715 N. Eighth Street) from District C-2 (Central Business) to District M-N (Mixed-use Neighborhood) (Case No. 20-2021, Map Area #2).
- B11-21 Rezoning property located on the east side of College Avenue and approximately 500 feet south of Business Loop 70 East (1106 N. College Avenue) from District R-MF (Multiple-family Dwelling) to District M-OF (Mixed-use Office) (Case No. 28-2021).
- B12-21 Granting the issuance of a conditional use permit to Mr. G's Properties, LLC to allow all permitted "personal services, general" uses on property located at 1809 Vandiver Drive in an M-OF (Mixed-Use Office) zoning district (Case No. 24-2021).
- B13-21 Approving the PD Plan of "Aria Boulevard Phase 2" located on the east side of Nocona Parkway and south of Kentsfield Lane (Case No. 30-2021).
- B14-21 Granting a waiver and design adjustment relating to the proposed Final Plat of Vawter School Plat 1 located on the south side of Vawter School Road and east of Scott Boulevard for sidewalk construction on the south side of Vawter School Road (3900 Vawter School Road); setting forth a condition for payment in lieu of sidewalk construction (Case No. 26-2021).
- B15-21 Approving the Final Plat of "Vawter School Plat 1" located on the south side of Vawter School Road and east of Scott Boulevard (3900 Vawter School Road); authorizing a performance contract (Case No. 26-2021).
- B16-21 Granting a design adjustment relating to the proposed PD Plan for Discovery Park - Endeavor Center West located on the southwest corner of the Nocona Parkway and Endeavor Avenue intersection to allow a lot line to bisect an existing structure (i.e., parking lot) (Case No. 08-2021).
- B17-21 Approving the PD Plan for "Discovery Park - Endeavor Center West" located on the southwest corner of the Nocona Parkway and Endeavor Avenue intersection (Case No. 08-2021).
- B18-21 Granting a design adjustment relating to the proposed PD Plan for Discovery Business Park located southwest of the Nocona Parkway and Endeavor Avenue intersection to allow a lot line to bisect an existing structure (i.e., parking lot) (Case No. 10-2021).
- B19-21 Approving the PD Plan for "Discovery Business Park" located southwest of the Nocona Parkway and Endeavor Avenue intersection; approving a revised statement of intent relating to permitted uses (Case No. 10-2021).
- B20-21 Granting a design adjustment relating to the proposed PD Plan for

- Discovery Professional Offices located on the east side of Nocona Parkway and the west side of Ponderosa Street to allow a lot line to bisect an existing structure (i.e., access drive) (Case No. 31-2021).
- B21-21 Approving the PD Plan for “Discovery Professional Offices” located on the east side of Nocona Parkway and the west side of Ponderosa Street (Case No. 31-2021).
- B22-21 Granting a design adjustment relating to the proposed Final Plat of The Backyard, Plat No. 2 located on the east side of Sixth Street and the west side of Seventh Street (120 S. Sixth Street and 119 S. Seventh Street) to allow reduced utility dedications (Case No. 27-2021).
- B23-21 Approving the Final Plat of “The Backyard, Plat No. 2” located on the east side of Sixth Street and the west side of Seventh Street (120 S. Sixth Street and 119 S. Seventh Street) (Case No. 27-21).
- B24-21 Authorizing a right of use permit with Missouri Network Alliance, LLC, d/b/a Bluebird Network, for the installation and maintenance of fiber optic cable within portions of the Clark Lane, Berrywood Drive and Portland Street rights-of-way.
- B25-21 Authorizing a right of use permit with Missouri Network Alliance, LLC, d/b/a Bluebird Network, for the installation and maintenance of fiber optic cable within portions of certain City rights-of-way.
- B26-21 Authorizing replacement of streetlights in the Downtown Community Improvement District; calling for bids through the Purchasing Division.
- B27-21 Authorizing an agreement for the purchase of services with Boone County, Missouri to continue development of the “Boone County Food Policy Council” for the creation of a food policy plan and educational resources.
- B28-21 Authorizing Amendment No. 1 to the agreement with Boone County, Missouri for Live Well Boone County program services in 2021.
- B30-21 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for the Teen Outreach Program (TOP).
- B31-21 Amending and restating the City of Columbia, Missouri Tax Savings Plan for City employees.

X. REPORTS

- REP1-21 Business Loop Community Improvement District (CID) Board of Directors - Membership Change Due to a Resignation.

Treece explained one of the Business Loop CID members had resigned and that he wanted to appoint Sara Huaco to the vacated term with the consent of Council. Treece asked if there was any objection, and no one objected. Treece asked the City Clerk to prepare a letter to the Business Loop CID reflecting that appointment.

REP2-21 Board of Equalization City Representative Appointments.

Treece noted Pitzer served on the Boone County Board of Equalization as an appointee of the City and that Pitzer had recommended that Jim McDonald, the Assistant Finance Director, continue to serve. Treece asked Pitzer if he was willing to continue to serve as well. Pitzer replied he was willing unless someone else wanted to do it.

Treece asked how many appeals had been received. Pitzer replied not very many for 2020 since it had not been a reassessment year. Pitzer imagined it would be busier this year.

Treece asked if there was any objection to Pitzer continuing to serve, and no one objected.

REP3-21 RubinBrown LLC Final Performance/Integrated Audit Report.

Treece noted this had been discussed at the December 29 work session and the Council had asked for RubinBrown to be at a future work session so they could meet with them. Treece explained the City Manager had indicated the first meeting in February would be a two-hour work session whereby they would discuss the Climate Action and Adaptation Plan and would meet with RubinBrown. Treece asked the Council to come to that work session with ideas of what they might want the audit firm to do.

Treece noted written comment had been received from John Conway, 4902 Thornbrook Ridge, who had made some good observations about process improvement opportunities because by the time they had gotten to the public input portion of the process, they were so far down the road on the project that they could not consider any significant change or need for the project. Treece explained Conway also pointed out the word "performance" had not been used anywhere in the report so it was difficult to identify any real measurements of "performance." Treece stated the comments of Conway had been provided to the Council and would be filed with items associated with this meeting.

REP4-21 Correspondence from the Human Rights Commission regarding the Federal BREATHE Act.

Skala commented that this was a complicated issue, which included things he agreed with and disagreed with. Skala thought it had been unusual to refer this to a board or commission to review without the Council making that decision in concert with some discussion as to what might be involved in the report. Skala believed everyone had the prerogative to try and encourage others to get behind referring items for more information, but felt it should be introduced to the Council in conjunction with any referral that went to a board or commission so they were not surprised by anything that would come out of it and so they were prepared for the discussion.

Treece stated he had been surprised too when he had seen the report as he had not recalled discussing it as a Council and did not remember referring the issue to a commission.

Skala commented that they might have ended up at the same place, but felt the decision needed to be made as a legislative body rather than an individual request.

Treece stated he would have preferred having the discussion at a council meeting rather than a single council member asking a commission that was appointed by them all to send a report. Treece thought the Chair of the Human Rights Commission had done the right thing by acknowledging the breadth of it. Treece noted they could discuss it now if they wanted a different outcome, but thought it was what it was at this point.

REP5-21 Solid Waste Update - Curbside Refuse and Recycling Collection.

Skala understood there were a few misconceptions. There were some people that were under the impression that they could not put any more than two bags of trash out each week. This was not true. Solid waste customers could put out as many bags as they

wanted, but once the 104 bags per year had been exhausted, they would have to purchase them for \$2.00 per bag. Sorrell stated that was correct and pointed out the fact sheet they would utilize would not have any reference to the 104 bags being equivalent to two per week because there had been a misinterpretation that people were limited to two bags per week. Customers could put out as many bags they wanted as they had the ability to purchase more bags.

Skala understood a drive-thru event would be held at Cosmo Park to pick up the bags. Sorrell replied a drive-thru event would be held from Tuesday, January 19 through Saturday, January 23. If needed, it might be extended into the next week. Sorrell explained people would bring the vouchers they received to exchange them for the bags. They could exchange all four vouchers, which would allow for two rolls of black refuse bags and two rolls of blue recycling bags, or they could just exchange one voucher. It was up to the customer.

Skala understood that after the initial distribution of the bags, there would be the possibility of picking up bags at City Hall for the five-bag rolls. Sorrell explained the retailers would have the regular rolls of bags to exchange for vouchers along with the five-bag rolls available for sale. Sorrell noted they had lost some retailers, and to help make up for that loss, Utility Customer Service would now distribute bags as well via a voucher exchange. Sorrell pointed out they had to provide some bags when people initially signed up for utilities. In addition, Treasury had agreed to sell the five-bag rolls because they could handle currency.

Skala noted some believed the bags had to be filled to capacity in order for them to be picked up, and that they could not be half-full, but he understood that was not true. Sorrell stated that was not true. The bag could have as little material in it or as much material as one could put in it as long as it did not exceed 50 pounds. Sorrell noted they would look at the website to ensure it did not indicate anything different. Skala stated it might have been misinterpreted, but it had been confusing. Sorrell pointed out the 50 pound maximum weight limit had been in place for years. It was unfortunate it had been misconstrued to it having to be 50 pounds.

Peters commented that students did not tend to arrive to Columbia until July or August, and in the past the vouchers were not distributed until October. Peters asked how they would obtain the bags, especially if they signed up for services online versus in-person. Sorrell replied they were still working out what they would do with those that signed up online. Those that signed up in person would receive six bags for refuse and two bags for recycling, and the vouchers would be mailed to them within two weeks. He reiterated they were still in the process of developing how they would communicate with those that signed up online. He thought the option would be for them to come to City Hall to pick up the free bags, wait two weeks, or purchase the bags at the store.

Pitzer asked if there was a process to enforce the 50 pound limit. Sorrell replied scales would be provided so the bag could be weighed if there was a question, and noted the supervisor would have a certified scale if there was a discrepancy. Sorrell pointed out they generally did not have many that weighed more than 50 pounds. Pitzer understood the utilization of the scale was new. Sorrell stated that was correct.

Pitzer understood the intent was to have the vouchers distributed by January 18. Sorrell stated that was correct. The intent was for residents to have them in the mailbox by January 18. Pitzer asked when they would be mailed out by the vendor. Sorrell replied they would be mailed on January 11 so it would allow for seven days for the vouchers to get to the residents via the mail service.

Pitzer understood the audit had indicated the City had not reconciled payments from the vendor in the past for the purchase of extra bags, and the staff report indicated an accountant had been appointed to closely monitor the payments from the vendor and to conduct monthly reasonableness tests. Pitzer asked for more detail as to how that would work. Sorrell replied he was not certain of the details as the Finance Department was administering that piece of the program.

Pitzer understood the idea was that people could purchase extra bags at \$2 per bag with the vendor keeping its cost for the bag and the rest of it being returned to the City. The theory was that it would recover some of the Solid Waste Utility Division's cost for picking up extra bags. Sorrell stated that was correct. Pitzer explained he wanted to ensure that was firmed up because the memo indicated it would be reviewed monthly to determine whether the numbers looked reasonable. If the theory was that they would recover their costs through this process, Pitzer felt it should be more precise than just checking to see if it was reasonable. Sorrell stated he understood and noted he would get with the Finance Director to ensure they were receiving the revenue they should.

Pitzer explained he had brought up the idea of having a way for people to exchange existing bags or to do something else with them, but the recommendation of staff was to not do anything. Pitzer understood the point of someone picking up a roll of those bags and immediately saving money by flipping them for the logo bags. Pitzer noted he likely had half of a roll of the old black bags and there was really nothing to do with them anymore and they would have to be placed in a logo bag in order to get rid of them. Pitzer asked if there was a way to recycle them. Sorrell replied they did not process films for recycling. Sorrell thought people might be able to take them to Walmart to recycle with the shopping bags, and explained he would use his to place items in that he planned to donate to the Salvation Army or Goodwill. Sorrell stated he would find a way to use them without throwing them in the trash.

Pitzer commented that he had concerns about the usage of plastic bags in general, and pointed out they were not recycling even the recycling bags themselves. Now everyone would have the logo bags and put their kitchen bags inside the logo bag. The number of bags being generated was in the hundreds and hundreds of thousands every year, and they were all going into the landfill. Pitzer stated that was not an environmentally friendly approach. Pitzer understood he had lost that battle, but felt they all needed to continue to be aware of what they were doing as they continued forward.

Treece asked if the blue recycling bags had the City logo on them. Sorrell replied yes. Treece asked if they had always had the City logo on them. Sorrell replied the City logo had been on them as long as he could recall. Treece asked if the recycling materials could be put out any other way. Sorrell replied not really. Sorrell explained they allowed fiber to be placed in a grocery bag, cardboard box, or bundle. The tin cans and plastic bottles were placed in the blue bags.

Treece thought the black bags had a City logo on them when he had first moved here. Sorrell agreed that when he had moved to Columbia, the black bags had the City logo on them, and did not know when that had stopped.

Treece understood someone would be at the community recycling sites to help streamline the customer experience, breakdown boxes, and direct people to the right bins. Sorrell stated that had been started today. Treece thanked Sorrell as he thought that would really enhance the experience of those that utilized the recycling sites. Sorrell commented that the biggest problem had been boxes not being broken down as big boxes took up a lot of space in the container. They had staff from the Material Recovery Facility (MRF) there to educate people on what they could and could not process.

Treece asked when curbside recycling might resume. Sorrell replied he did not have a good time frame that he could promise. Sorrell explained they were still challenged with having enough refuse collectors. The \$5 add-pay had increased the number of applications, but it had not increased the number of people that were actually qualified for the position and had the required licenses. Sorrell pointed out they had one more vacancy in residential collections now than they had in August. Sorrell stated the last thing he wanted to do was to start it up for a week and then not being able to do it the following week. Sorrell commented that when recycling at the curb had first started years ago, it had been an every other week collection system, and they could investigate which routes from each day of the week they could do one week and which ones they could do the other week. If the Council would like them to look into that, Sorrell noted they would be

more than happy to try to put it together. Treece stated he thought that would be great as the demand was there and the community sites did not seem to be keeping up with it. Sorrell understood it would be a benefit to the community if they could get curbside recycling started up again. Sorrell commented that he would ask that they look into that after this current conversion in February. Treece asked if the goal would be for that to be the end game or if it would be an intermediary measure. Sorrell replied intermediary until they had enough staff for every week collections. Sorrell explained it still put a burden on the staff because each house had twice as much, but since there would be fewer miles to drive, it could potentially be done with less staff. Treece noted residents might also take a trip to a community recycling center.

Treece suggested they get feedback from constituents on that in the meantime as he had been receiving a lot of emails on the issue and would now start asking about that.

Skala thought this might also relieve some of the pressure on the solid waste black trash bags.

Skala pointed out the Council had attempted to address single-use plastic bags, but they had been pre-empted by the State. Skala commented that he was very sensitive to the environmental issue of putting a lot of bags into the trash stream, and wished they could do something about that. Pitzer commented that he thought there was a very viable solution.

Pitzer stated the issue of alternating weeks had been brought up previously, and they had been told the logistics were an issue. Sorrell commented that unless he misunderstood, the question this past summer had been whether they could do alternating weeks with refuse collection, i.e., refuse one week and recycling the next. Sorrell stated that would not work because of the volume of refuse. Sorrell noted they would look into it in terms of recycling because that might be able to be accomplished. Pitzer commented that he might have asked the wrong question previously, and pointed out people would likely wonder why they did not start that eight months ago if they were able to accomplish it. Sorrell stated they would not have had enough staff to do that back in July or August, and he was uncertain if they did today, but felt they might get there quicker now.

Skala appreciated the fact the Solid Waste Division provided detail in terms of how the cost of \$2.00 per bag had been determined. It was \$1.37 for the landfill cost, \$0.33 for picking it up, and \$0.30 for the bag, and he felt that was important for people to realize.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Treece noted a written comment had been received from the COMO Safe Water Coalition about the current reports staff was distributing on the water treatment plant. Treece stated he would share that with staff so they could follow up. Treece thought the COMO Safe Water Coalition had made some good comments from a transparency perspective and noted the Council had a copy of the comments, which would also be filed with items associated with this meeting.

Eugene Elkin, 3406 Range Line Street, commented that the elderly were dying due to COVID and wondered if they were having trouble keeping their hands washed, which was enabling germs to spread. Elkin understood the goal of wearing a mask and gloves was to save lives. Elkin also understood vaccination shots would be coming soon, but that the shot would not currently work without PPE. Some people would have to take two shots, and it would still not end the need to be cautious. Elkin commented that the sanitizer used in the United States had never been proven to be a disinfectant. Treece stated that was not true. Elkin stated people absorbed most things they touched, good or bad. Elkin asked those that could use gloves to do so to help the situation. Elkin understood nurses were utilizing Vitamin D, Vitamin C, Zinc, and Pepcid to help keep them safe.

Treece encouraged everyone to wear their masks, wash their hands, use hand sanitizer, and continue to social distance, even if they had received the vaccine, to help keep the

community safe.

Fowler asked how they might go about scheduling a meeting between the Council and the CPRB. Glascock asked if they wanted to use a pre-council meeting or if they wanted to schedule an extraordinary work session like they had done Tuesday. Fowler asked her colleagues if they saw value in meeting with the CPRB and what that might look like. Fowler stated she wanted to be in a room where there was more equal footing in terms of where they sat.

Skala was agreeable to meeting with them, and thought it could be done at a pre-council meeting. Skala felt the two bodies should be able to exchange information, but was not sure it needed to be on a separate day.

Peters agreed it would be nice to have a conversation and suggested a meeting time the CPRB already had scheduled without any complaints.

Treece thought that was a good idea. If there was consensus of the Council to meet, Treece thought they should go to one of their meetings.

Fowler was agreeable and noted they would just need guidance from the CPRB as to when they might be available.

Treece asked Glascock to have the liaison check with the Chair of the CPRB to determine if they might be receptive to that. Treece noted he would rather do it in one of the other rooms. Glascock asked how many members were on the CPRB. Amin replied she thought there were nine, but was not certain. Glascock commented that it would likely be tight elsewhere. Peters thought they could meet in the Council Chamber.

Trapp commented that the public hearing earlier tonight had been on stormwater, and noted that when he had been elected to the Council, the stormwater fees had only brought in enough to keep the roads from collapsing. They had not programmed any projects and would only deal with emergency situations. Trapp understood the public did not want to pay more rates or taxes even though some wanted an expanded set of services. Trapp noted that standing still with regard to infrastructure was equivalent to falling behind because everything was aging and communities did not set aside enough funds to replace and maintain infrastructure. When they had dealt with the integrated planning for stormwater and sewer systems, Trapp realized there would not be any great technological advancement in stormwater control to bail them out. In addition, there were huge pressures with increasing regulations and population. The technology was advancing with regard to sewage treatment, but ditches would always be ditches, just as trees would always be trees. It would not change. Trapp felt they should look at a further increase in their stormwater fee. Trapp noted it was barely noticeable on the utility bill as it was only a couple dollars per month and was based on the size of the structure so it was moderately progressive in terms of how they did things. It also fit who created the stormwater issues. For their friends on the right that did not like government regulation, Trapp explained stormwater protections were property rights for people that lived downstream. Trapp pointed out he had constituents that lived downstream from the mall, and when they had built the mall, a huge ditch suddenly developed and took away a large piece of their property. When they looked at what they had done to the property rights of people downstream before they had stormwater regulations, it was appalling. Trapp stated there was a lot of stuff they needed to address. They were currently able to keep ahead of the roads collapsing and were able to do a tiny amount of mitigation with regard to flooding and runoff, but they needed to do more. Trapp explained it would not get better, and when they had previously put it in front of the voters, there had been widespread support for it. Trapp noted a more equitable distribution would be to look at impervious surfaces, whether a building, paved driveway, or parking lot, as they all had the same impacts on the downstream property rights of their residents. Trapp thought they should look at doing some careful education of the voters and establish stormwater fees based upon impervious surface versus building size as it would be more equitable.

Trapp understood it would also be a bit more confusing, which was why they had not pursued it initially. Trapp stated he was proud of the modest accomplishments made, but felt there was more to be done.

Treece commented that he had some ideas on how to use their stormwater program for economic development as he thought there could be some interesting water features and detention areas to help support surrounding businesses and mitigate some of their offsite stormwater needs.

Trapp stated the stormwater regulations had not been passed during his time on the Council, but it had been reformed so it worked and would allow for infill development again. Trapp noted they needed ordinance changes to be able to deal with it at a regional level so they could do those cool green infrastructure projects Treece had alluded to.

Skala stated that was a good metaphor for lots of downstream infrastructure effects or the effects on people beyond the property boundaries, and noted he would be supportive.

Skala commented that he had heard misinformation as it related to COVID and sanitation tonight. Even with gloves, they would have to wash the gloves to ensure there was not a virus attached to gloves. Skala pointed out they would likely still have to wear masks even after the vaccinations since they did not know the extent to which it would provide protection or for how long the protection would last, but understood the silver lining was that there were fewer colds and respiratory distresses since people were wearing masks. Skala explained he was not advocating they wear masks all of the time, although some cultures did so, but thought they should take note of the other benefits.

Peters understood a meeting had recently been held to review some of the policies of the Police Department, and asked for feedback. Peters also asked if they were looking at how officers interacted with the public to determine if changes could be made due to the comments of an earlier speaker. Jones replied that a little over a year ago, they had started to take the policies they were revising to the public via an interested parties meeting format. The meetings had previously taken place in Conference Room 1A, but were now being held in the Council Chamber for social distancing. They had a listserve of people they knew were interested who received the policies in advance. The draft policies were also posted in advance. Meeting notices were also posted. Jones noted people went through those policies with Bob Dochler, the CALEA certification coordinator. Jones stated it was really a neat process to see other people go through what had been vetted by them as the baseline and suggest changes. Jones explained participation varied, but some people would consistently show up. Jones pointed out someone from the CPRB had attended the last one.

Jones commented that he could not talk about the incidents brought up by a prior speaker in specifics. Peters asked if there was a way to talk about them in broader terms as she thought it would be helpful. Jones replied there were other items in play such as more charges pending. There was an internal process they needed to follow, and if it went to an appeal before the CPRB, they did not want to undermine that process. Jones explained there were times he wanted to release all of the video to have the discussion, but the law did not allow him to do so. Jones noted they had a good Law Department who would tell him whether something was a bad idea or whether it could or could not be done, and he followed their advice. Jones pointed out there had been times he had not followed that advice out of his own ignorance. Jones stated he had discretion as to when he enforced the law, but did not have the ability to break it. They also had to consider other factors like someone's employment even when charges were not brought forward.

Thompson commented that anyone accused of a crime had the constitutional right to a fair trial and the public release of information, particularly closed information, could jeopardize that right. They could not have the selective release of information on certain cases and not on others. Thompson noted the law closed records for a reason, whether

it was to protect a defendant's right or to protect the right to a fair trial. Thompson stated they had to be very cautious about the public release of information because they could not jeopardize that. Government existed to protect those constitutional rights at its core. Glascock asked if they showed the tracking of changes to all of the policies when they provided it to the public. Jones replied he did not know if they sent it out, but the changes were mentioned at those meetings. Glascock suggested they show the changes from the start to the signing off of the new policy. Jones stated they might already do that, but he was not sure.

XII. ADJOURNMENT

Treece adjourned the meeting without objection at 8:45 p.m.