



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, May 1, 2017  
7:00 PM

Regular

Council Chamber  
Columbia City Hall  
701 E. Broadway

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#### I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, May 1, 2017, 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 PITZER, PETERS, TREECE, TRAPP, and SKALA were present. Council Members RUFFIN and THOMAS were absent. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of March 6, 2017 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Pitzer.

The agenda, including the consent agenda, was approved unanimously by voice vote on a motion by Mr. Trapp and a second by Mr. Thomas.

#### II. SPECIAL ITEMS

SI5-17

Swearing in of JJ Musgrove as the Deputy City Manager for the City of Columbia.

Mayor Treece asked Mr. Musgrove to join Mr. Matthes, City Manager, and Ms. Amin, City Clerk, to the podium.

The City Clerk administered the oath of office to Mr. Musgrove as Deputy City Manager.

#### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

#### IV. SCHEDULED PUBLIC COMMENT

SPC29-17

Barbara Wren - Advocating for urban wilderness.

Ms. Wren, 615 Bluff Dale Drive, provided a handout and stated she wanted to speak on the importance of conserving the remaining urban wilderness areas inside the City of Columbia and the need to identify those areas before they were lost due to increasing development. She understood 95 percent of Columbia citizens wanted manicured parks and trails with paved surfaces, and asked that the five percent of taxpaying citizens needing urban wilderness areas be accommodated as well. She felt they needed to save urban wilderness property within Columbia, and provided the 38-acre Altis property off of Old Highway 63 as an example. The only cost to the City of Columbia, other than the cost of acquisition or helping non-profit groups in acquiring and donating the land to land trusts, would involve mowing a path 2-3 times per year. Any maintenance, such as eradicating Bush Honeysuckle, Callery Pear trees, and poison ivy, could be done by volunteers. She noted the saving of urban wilderness areas within Columbia would benefit all citizens as trees held soil, filtered water, and released moisture and clean air back into the community. She understood concrete could release toxic gases into the air and

soil, and it was hard on joints. She commented that deserts and droughts were the result of tree removal and the replanting of trees on the edge of deserts had resulted in reversing the process. She pointed out urban wilderness areas included riparian corridors and floodplains, which provided water a place to go decreasing the threat to homes and businesses downstream, and as the waters receded, the pollutants from streets and parking lots were filtered by the trees, soil, and plants before entering the water treatment plant. She stated trails made of concrete and gravel required constant maintenance and repair while urban wilderness areas did not since tree roots and plants resisted the results of flooding. She commented that nature gave people the ability to explore, use their imagination, discover new animals and plants, and engage in adventurous play. It offered the ability to get lost in something totally unmanaged, unexpected, and surprising. It also instilled a peace and calmness that was difficult to experience in daily life. She believed Columbia needed urban wilderness areas within its city limits similar to New York City needing Central Park, which was the most cherished and valuable property within that city.

SPC30-17 Traci Wilson-Kleekamp - Implicit bias and policing...what's new!

Ms. Wilson-Kleekamp explained she had seen several documentaries at the film festival recently, and the one she enjoyed the most was called *The Force*, which had been directed by Pete Nicks and was a part of a trilogy. It humanized policing and the challenges of police departments, and had been focused on the Oakland Police Department, which had been on a federal consent decree for fifteen years. The focus of the other films within the trilogy included healthcare and education, and all three showed how public institutions underserved communities. She understood Ragtag would show *The Force*, and the Police Chief and others in the Columbia Police Department had indicated they would be interested in viewing it with them to allow for a community conversation, which would include the Director, who would participate by Skype. She hoped the Council would take part in the conversation as she believed it was important. She explained she had been able to view the fair and impartial training curriculum for implicit bias, and had been unhappy with it because it used negative stereotypes to sell stereotypes. She provided two articles as a handout, and noted Jack Glaser had spoken to her class about implicit bias and how one could not train implicit bias out of people. They could, however, limit the discretion of police officers. Police officers and police departments had a lot of discretion, and the courts tended to side with them. She understood the Columbia Police Department was asking citizens to sign consent to search forms prior to conducting a search of a vehicle when being pulled over, and noted this was a way whereby discretion was limited. She commented that they were still living in a time where the legacy of racism impacted 21st century outcomes, and hoped the curriculum of the Police Department would be altered.

SPC31-17 Grace Whitlock Vega - Immigration myths and facts.

Ms. Vega, 3008 Middlebush Drive, stated many community members in recent months had been expressing concerns about the nation's continued refusal to address the broken immigration system and the targeting of unauthorized immigrants as being responsible for every social ill. She understood Mayor Treece had met with a group of people from Freedom Cities, which was an effort to ask the Columbia Police Department to refrain from agreeing to turn over every undocumented immigrant stopped for low-level illegal infractions. She commented that there were many myths that had been perpetuated about unauthorized immigrants. She understood many wondered why they would not just get into line to enter legally, and noted there was not really a line for unskilled immigrants to enter the country legally. She explained there were three routes. Employment based immigration required a U.S. employer to request specific foreign workers, and there were limits associated with the requests. In addition, they had to have pretty high levels of skills and education. Family based immigration was another route, but there were significant limitations on the numbers of people allowed and the backlogs were huge.

She noted the limits were higher on those who were already here in the highest numbers, so the numbers of people that could come from Mexico, China, the Philippines, and India were very low. Right now if a legal resident or citizen wished to petition for their wife, parent, or minor child, it would take 5-10 years before they could come into the country. It was 20 years for a married child, and it was even longer for siblings. She noted another myth was that undocumented immigrants did not pay taxes as they paid billions of dollars in state sales tax, property tax, payroll tax, social security tax, and Medicare tax. In addition, although they paid all of this money into the system, they were unable to access any services for which those taxes were paid since they were undocumented. She pointed out the average documented immigrant used less than half of the dollar amount of healthcare services than an average native born citizen. She explained another myth was that high levels of immigration increased crime. The number of unauthorized immigrants had tripled from 3.5 million in 1990 to 11.2 million in 2016, but the violent crime rate had gone down 48 percent and the property crime rate had gone down 41 percent. The crime rates in the states with the highest immigration growth had the lowest crime rates, and the incarceration rates for young male immigrants was 1.6 percent as opposed to 3.3 percent for native born citizens. She provided a handout and invited the Council to a potluck dinner and dialogue on racism, refugees, and immigration for Thursday, May 4 at 6:00 p.m. at the Missouri Methodist Church.

## V. PUBLIC HEARINGS

PH11-17 Proposed construction of speed tables and the installation of speed humps and crosswalks on Stewart Road, between West Boulevard and Garth Avenue.

PH11-17 was read by the Clerk.

Mr. Nichols provided a staff report.

Ms. Peters asked for clarification regarding the difference between a speed table and a speed hump. Mr. Stone replied speed tables were generally used at intersections as they were a bit longer. The approaches were essentially the same. He noted the goal was to decrease the speed over the entire road, and speed tables allowed for a slower profile over the entire roadway versus people driving fast between the speed humps. He noted speed tables looked similar to speed humps, but they were longer at the intersections.

Mr. Skala commented that he had noticed the use of speed humps and speed tables together recently, and asked if things to psychologically reduce the width of streets, such as bulb outs, had been considered as well. Mr. Stone replied those were a part of the tool box, and all options were presented when looking at what to do along a street. He noted bulb outs and medians could create issues for bicyclists, and tended to be more costly. He stated speed humps and speed tables were one of the most effective devices for the money. He believed most people that lived along a street were okay with speed humps or tables, but noted about 20 percent would oppose it. Staff tried to come up with a solution that had the best support.

Mayor Treece asked how many speed tables were contemplated. Mr. Stone replied there would be two speed tables and two speed humps. Mayor Treece asked if the tables were always in the intersection. Mr. Stone replied yes, typically.

Mr. Pitzer asked about the climbing bike lane. Mr. Stone replied it was a way to maximize the use of space. Typically, if a road was not wide enough for bike lanes on both sides, the bicycle lane would be placed on the uphill side because it would be the slowest speed for the bicyclist. Mr. Pitzer asked if this would be a two-way bike lane on one side. Mr. Stone replied it was only a one-way lane and went with the direction of traffic. The bicyclist would be riding with traffic on the other side.

Ms. Peters asked about the crosswalks as she understood they did not previously have

crosswalks. Mr. Stone replied the community was aggressively pursuing non-motorized transportation, and they wanted safe crosswalks in terms of spacing, etc. It was not always the best idea to install a crosswalk unless it was planned so they could ensure the speeds would be slow near it.

Mayor Treece opened the public hearing.

Annice Wetzel, 1117 S. Glenwood Avenue, commented that she lived in Quarry Heights, which included three streets and access out of the neighborhood on Rollins Road or Edgewood Avenue. She noted she was opposed to this traffic calming and would prefer her road be repaved. She stated this was a throughway street, and not a residential street. Those 4,000 cars were likely people coming into town and then leaving to go home from the University. She noted she worked at the University as did many others in the neighborhood. She felt speed bumps would really be hard on her vehicle. She explained she had lived in the neighborhood for 40 years and did not feel the speeding was that bad. She believed those traveling in the neighborhood were cautious of bicyclists, and pointed out there was already something similar to a speed bump near the manholes at West Parkway Drive and Garth Avenue as the road had not been fixed since it had been repaved. She pointed out there was also a stop sign on the road. She stated she did not feel people were traveling 40 mph.

Keith Pollite, 313 W. Boulevard South, stated he lived at the end of the thoroughfare and noted cars ended up in his front yard about twice a year. He commented that he supported the traffic calming measures, and wished something would be done closer to his house. Those traveling on Stewart Road did not realize they only had half of a block to stop after the crest. The person that crashed into his home on May 2 had broken his pelvis and did not have insurance so he was responsible for the repairs to his yard and home.

David Lorandi, 208 Hirth Avenue, commented that he agreed with Ms. Wetzel and would much rather see this money be used for fixing the roadways in the downtown and in central Columbia.

Curt Cunningham, 3807 Triple Crown Drive, explained \$32,000 worth of speed bumps had been installed in his neighborhood near Derby Ridge Drive, and people were speeding up in between the speed bumps. In addition, since Triple Crown Drive ran parallel to Derby Ridge Drive, the local traffic sped on that street to avoid the speed bumps. As a result, he felt the speed bumps were ineffective. The speed was just transferred to another location. He would prefer to see the \$31,000 for this project be spent elsewhere because it had not worked on Derby Ridge Drive.

Jon Galloway, 505 W. Stewart Road, stated he resided near the intersection of Westwood Avenue and Stewart Road, and had attended both meetings. He noted they wholeheartedly supported this project. A drunk driver had previously ended up in their yard as well, and the average speed was 39 mph. He believed the crosswalks were a great addition to allow people to cross the street to and from Stewart Park. He reiterated his support for the project.

Tim Materer, 502 W. Stewart Road, commented that Mr. Galloway had been the first speaker that actually lived on Stewart Road. The initial speaker had only traveled Stewart Road and had indicated she did not feel it had lots of speeding. He noted he felt there was a lot of speeding on the road, but understood it was anecdotal as everyone had different impressions. The traffic engineers, however, had the data, and the average was nearly 40 mph. This meant some might be going 70 mph. He commented that he felt it was a fallacy to say the money could be better used elsewhere because paving over the sewer was not the issue before them. He stated he supported this project and believed this traffic calming would work in their neighborhood.

Mayor Treece asked Mr. Materer if he felt this would change the complexion of his neighborhood as adding the crosswalks would encourage some connectivity south of Stewart Road. Mr. Materer replied the way it had been explained was that the speed tables would be smoother and longer so people were less likely to be irritated and speed

up afterward. He pointed out one of the tables would be near his house.

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

Mr. Skala understood these would not be the old time speed humps people envisioned in parking lots. These would be broader and not quite as high. It would not really damage a vehicle unless the person was traveling too fast. Mr. Stone stated that was correct. He pointed out they were not perfect, and there would be times when someone would speed up between them. The goal was for most of the traffic to slow down to hopefully travel over them at a reasonable speed of 25-30 mph. He noted the design was for 25 mph speeds. He explained these tended to knock the top off of speeds so not much traffic would travel at 50 or 45 mph.

Mr. Skala understood 4-way stop signs were not the answer to reducing speeds, and sometimes it resulted in more accidents when people did not stop. Mr. Stone stated that was correct.

Mr. Skala noted this was a holistic approach as it combined a number of traffic calming measures, and although it was not perfect, it was the best approach they knew of today. Mr. Stone pointed out they followed up with studies, and provided Derby Ridge Road as an example. The study had indicated there had been some good speed reductions, but it had also identified a couple of areas they needed to review further. Although they tried to consider effects to adjacent streets, he encouraged anyone on those streets with increased problems to contact them so they could examine the situation.

Mr. Trapp commented that he thought the Derby Ridge Road speed humps had created a 6 mph drop at the 85th percentile. Mr. Stone stated that was correct, and that there had even been a drop of 10 mph in some places. Mr. Trapp explained he viewed the traffic calming on Derby Ridge Road as being successful. It had been the number one speeding area, and now it was not due to the adjustments that had been made. He commented that he understood the concerns of Mr. Cunningham in that it had pushed traffic to other streets, and believed they needed to continue to monitor the situation. He stated Stewart Road had been built like a speedway so it was not surprising people were speeding down it. He commented that the residents that lived on the street were almost always supportive, but those on the neighboring streets that might drive down the road were less supportive. He felt there was good science behind traffic calming and the costs for traffic calming were dramatically lower than other kinds of safety improvements, such as road reconstructions, repavings, and sidewalks, and \$31,800 would not buy them much else. The biggest cost with traffic calming was the time involved in pulling everyone together to come up with a plan the neighborhood would support. Much of it was communication and negotiation. Those living on the impacted street would always choose speed table and speed humps because they knew they would work. There was no psychological trickery. For those driving the posted speeds, the speed humps and tables were not bad to travel over. He commented that he understood Mr. Thomas was in support of this project.

**Mayor Treece made a motion to directing staff to proceed with the construction of speed tables and the installation of speed humps and crosswalks on Stewart Road, between West Boulevard and Garth Avenue. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.**

PH12-17 Proposed construction of improvements at American Legion Park to include the replacement of the existing playground and shelter, installation of lighting and a fire pit, and construction of ADA walkways within the park.

Discussion shown with B121-17.

B121-17 Authorizing construction of improvements at the American Legion Park to include replacement of the existing playground and shelter, installation of lighting and a fire pit, and construction of ADA walkways within the park;

calling for bids for a portion of the work through the Purchasing Division.

PH12-17 was read by the Clerk, and B121-17 was given second reading by the Clerk.

Mr. Griggs provided a staff report.

Mr. Skala understood this lighting was consistent with the shielding and LED requirements. Mr. Griggs stated all of the lights had the shoebox style format.

Mr. Pitzer asked if changes had been made based on feedback from interested parties.

Mr. Griggs replied yes in terms of the user groups as not many citizens had participated. He noted one change based on the input had to do with the shelter location.

Mr. Pitzer asked if fire pits were installed in many of the parks. Mr. Griggs replied no. He explained they only had them in a few parks and provided Stephens Lake Park as an example. Mr. Pitzer asked about the policy with regard to the fire pits. Mr. Griggs replied it was a first come, first serve situation, and they provided a small wood pile so a really large bonfire could not be built. He noted they had worked with the Fire Department on the size of the pits.

Mayor Treece opened the public hearing.

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

**B121-17 was given third reading with the vote recorded as follows: VOTING YES: PITZER, PETERS, TREECE, TRAPP, SKALA. VOTING NO: NO ONE. ABSENT: RUFFIN, THOMAS. Bill declared enacted, reading as follows:**

## VI. OLD BUSINESS

### B125-17

Adopting a Missouri Property Assessed Clean Energy Show Me PACE Ordinance; authorizing the City of Columbia, Missouri to join Show Me Pace and stating the terms under which the City of Columbia will conduct activities as a member of such Board; authorizing the City Manager to execute the Show Me PACE Cooperative Agreement; directing the City Clerk to give notice to the Show Me PACE Clean Energy Development Board; authorizing the City Manager, or designee, to serve as a member of the Advisory Council of Missouri Clean Energy District.

The bill was given second reading by the Clerk.

Ms. Buffaloe provided a staff report.

Mr. Trapp understood this district did not focus on single-family homes. It only involved commercial, industrial, agricultural, and multi-family residential structures. Ms. Buffaloe stated that was correct. She understood the focus of Show Me Pace had been commercial in the past. She thought they could include residential, but that had not been the past focus.

Janet Thompson, the District II (Northern) Boone County Commissioner, asked the Council table this and B126-17 to allow time to consider the unintended consequences of adopting the bills. Last year, the Boone County Commission had gone on record in opposition to these types of processes. She noted Brian McCollum, the Boone County Collector, could speak in more detail with regard to some of the problems that could arise from the use of these mechanisms. She wanted to caution the Council of the unintended consequences that could occur. She provided the Council a copy of the order whereby the County had gone on record in opposition to these measures in April. She pointed out former District I (Southern) Boone County Commissioner Karen Miller had been very active in educating other commissioners around the State of Missouri of the unintended consequences of these programs.

John Maslowski stated he was with Renovate America and provided a handout. He explained they had not been asked to speak, and immediately after they saw the Boone County resolution, they had met with former Commissioner Miller and Collector McCollum

with regard to the misinformation they had been provided. Over the past year, he had worked with former Commissioner Miller in focusing on consumer safeguards and addressing the unintended consequences with which she was concerned. He noted he had presented multiple times to the Missouri Association of Counties and the Missouri Municipal League, and just this past week, he had been in Jefferson City for the annual conference of the county collectors to talk to them about how to work together to make this an efficient process. Their intention was to be the most efficient political subdivision for which the collectors collected money. The HERO program was both a technology and finance platform. They were able to provide data in a format requested by various county collectors by the date needed. They were leaving the remittance procedure up to the 114 individual county processes. In terms of consumer safeguards, they were looking to be the gold standard in the broader home improvement industry. They worked with local contractors and registered them to ensure they had a business license for the community they served. They wanted to ensure they were local and trusted contractors. He noted they had learned a lot from California in terms of the property owner perspective and disclosure perspective, and the HERO program was live today in the City of Kansas City, Jackson County, 25 municipalities in St. Louis County, St. Charles County, Jefferson County, Franklin County, City of Springfield, and Greene County. They had been active since September, 2016, and been able to improve over 430 homes representing over \$7 million in improvements to the local housing stock with energy efficient and renewable energy products.

Mayor Treece asked Mr. Maslowski if he represented the Clean Energy District or the financier. Mr. Maslowski replied he represented the public-private partnership between the Missouri Clean Energy District and Renovate America.

Mayor Treece understood a property owner who wanted to make energy efficiency improvements to a building could obtain a conventional loan or pay for it out of existing capital, and asked for an explanation of the option Mr. Maslowski was presenting. Mr. Maslowski replied this was another voluntary financing option using a PACE assessment. It was a voluntary assessment that allowed the property owner to invest in property with energy efficient renewable energy products and pay for it over time with annual assessment up to the useful life of the product, which was 20 years in Missouri. Mayor Treece asked for an example. Mr. Maslowski replied solar or energy efficient windows could be financed up to the useful life of those products, which was a maximum of 20 years. The property owner would see an incremental line item on their real property tax bill, which was added to the total property tax bill and remitted to the county collector. The FHA, VA, and HUD had all indicated in July 2016 they would support PACE as long as it was collected in a similar manner as other ad valorem real property taxes. Mayor Treece understood the county collector would remit what was essentially a tax assessment to the taxing entity, which was the Clean Energy District, just as they did to the library district, the school district, etc. Mr. Maslowski stated that was correct, and explained in their case it was private municipal bond holders. Mayor Treece understood the Clean Energy District was getting the capital from Renovate America to loan the money. Mr. Maslowski explained Renovate America was facilitating the transaction between the property owner and the municipal bond market. They were bringing in an outside economic development stimulus to invest in the local housing stock. Mayor Treece asked why Renovate America would not just have a conventional loan agreement with the property owner. Mr. Maslowski replied the FHA, VA, and HUD had indicated they would support PACE as long as it was collected in a similar manner as other real property taxes.

Mayor Treece asked how this voluntary tax assessment came into play in terms of debt financing, refinancing, home equity loans, etc. He wondered if it was considered, not considered, or something they disregarded because it was part of another tax. Mr. Maslowski replied the voluntary assessment remained with the property. In the case of a refinance or sale, the HERO property advisor team worked with the homeowner or broker

so any potential buyer understood an energy efficient improvement had been made to the property and there was an assessment on the property. In 50 percent of the situations, the homeowner valued this and assumed the remaining assessment, and for the remaining situations, it was negotiated like any other real estate transaction.

Mayor Treece asked if any of the debt service agreements had transitioned due to a sale or foreclosure since September 2016. Mr. Maslowski replied none had in Missouri, but in California, there had been over one thousand, which was where he got the 50 percent numbers. A few homeowners had paid off their assessments already as well.

Mayor Treece asked if the property owner could stop paying the assessment if the equipment did not work, the equipment was not installed properly, the yield was less than expected, etc. Mr. Maslowski replied no. They would ask the property owner to call the HERO support team if they had an issue. The HERO support team would work with the local contractor to ensure the equipment was working up to the manufacturing specification. He stated they worked very closely with the contractors to ensure quality workmanship.

Mayor Treece asked why the City Council had to be involved. Mr. Maslowski replied the state statute passed in 2010 had provided cities and counties the ability join and or create their own clean energy development board. The Missouri Clean Energy District was created in 2011 as a statewide clean energy development board instead of each community having to create its own clean energy development board. It also provided a scale necessary to attract outside private capital to invest in the local housing stock.

Mr. Skala recalled this coming before the Environment and Energy Commission (EEC) when he was chair a few years ago, and one of the issues at that time had to do with the interaction with the federal government in terms of FHA, etc. He understood that issue had been resolved. Mr. Maslowski stated that was correct. He noted the Boone County Commission had passed its resolution in April, which was before FHA, VA, and HUD had come out in support of PACE and before the Department of Energy had come out with their best practices. A lot had transpired in the PACE industry over the past year. Mr. Skala commented that he had not been aware of the fact Boone County was opposed until now.

Mr. Trapp asked Mr. Maslowski if Renovate America operated under the same consumer protection standards as in California. Mr. Maslowski replied yes. Mr. Trapp understood they had statewide regulations. Mr. Maslowski stated PACE Nation was the national standard body that had adopted consumer protections for all in the PACE industry, and they had adopted those consumer protections. The Missouri Clean Energy District had also adopted those consumer protections. Based on the Department of Energy guidance on best practices on residential PACE, PACE Nation had created a Version 2 of those consumer protections, and both programs were working toward those protections as they wanted to improve consumer protections in the industry. They wanted the HERO program to be the gold standard of consumer safeguards in the PACE industry.

Mr. Pitzer asked Mr. Maslowski if they measured actual versus promised energy savings on these projects. Mr. Maslowski replied they measured projected based off of the manufacturer's specifications. Mr. Pitzer asked if they measured anything after the project was done. Mr. Maslowski replied no. He explained they did not do any post work as they did not know how consumers used energy.

Mr. Pitzer asked Mr. Maslowski if they had seen any difference in delinquency rates in the work they had done in California with homeowners that had gone through the program. Mr. Maslowski replied the delinquency rates in California were better than the state average. Homeowners needed at least ten percent equity in the home, had to be current on property taxes and mortgage related debt, and could not have any incidents of bankruptcy in order to participate. He noted these safeguards had led to a 99 percent on-time payment rate, and they worked with the other one percent. He stated they actually had a 99.9 percent payment rate. The concern was with less than one-tenth of one percent. He pointed out there had been zero PACE initiated foreclosures. In the

case of a bank initiated foreclosure, the current portion of the assessment would be treated similarly to real property taxes. The balance of the assessment remained with the property because an improvement had been made to the property. This was clarity they had received from FHA guidance in July of 2016. Mr. Pitzer understood the same credit standard would be applied in Missouri. Mr. Maslowski stated that was correct.

Mr. Pitzer asked what kind of interest rates the homeowners would pay as compared to what they might get at a bank. Mr. Maslowski replied these were fully amortizing fixed rates ranging from 3.49 percent to 8.99 percent over the useful life of the product. He commented that it was dependent on term and the contractor. Mr. Pitzer asked how the contractor figured into determining the rate. Mr. Maslowski replied they had different rate scales, and this was similar to the home improvement industry. The interest rate was determined based upon the contractor selected, which was based off of the product selected, the term of the assessment, and the expected useful life of the product. One of the consumer safeguards laid out by the Department of Energy was a "know before you owe" form, and this had been created and utilized for a HERO assessment.

Mr. Pitzer asked for real life examples of situations whereby a property owner did not feel the product was installed correctly or stopped working too soon. He wondered what recourse a property owner might have in those situations. Mr. Maslowski replied with a bank loan the recourse was to go to the contractor or manufacturer to see if they would do anything. With PACE, the recourse was to work with the HERO program as their team would talk to the contractor, conduct a site visit, etc. If they found any activity or wrongdoing by a contractor, the contractor would be removed from the program and they would work with a trusted local contractor to make sure the problem was resolved.

Mr. Pitzer asked if the City would be in any way involved if there was a foreclosure. Mr. Maslowski replied no. He stated the City was not liable, and the liability was spelled out in ordinance and fell on the clean energy development board, the Missouri Clean Energy District, and Renovate America. He reiterated there was not any liability to the City or the County.

Brian McCollum, the Boone County Collector, commented that the PACE programs were relatively new and he was only aware of two county collectors that were currently or would soon be collecting these assessments, and those were Jackson County and Platte County. There was not a lot of data or results as to the impact of these programs on county government and county collectors. By law, county collectors had the ability to enforce the state lien by foreclosure on unpaid property taxes. The state statutes for PACE as written provided very little guidance on what would happen with delinquency as collectors had to take the real estate taxes to foreclosure sale to enforce the state lien. He stated the concerns of county collectors were how to treat delinquencies and what would happen if this went to the foreclosure process. If these PACE assessments were attached to the property tax bill for real estate taxes, the PACE assessment, which was a lien on the property and had the same priority as a real estate tax lien, would be subject to the same foreclosure process. There was not any guidance in state statute as to the percentage of penalties, fees, interest, etc. that would be charged in addition to the assessment if there was a delinquency, and the language was vague for the foreclosure process. He commented that 35-40 percent of property owners in Boone County escrowed their property taxes, and understood a PACE assessment would not be included in the annual escrow with the bank. It was a separate standalone assessment on the side. A homeowner, who had been escrowing taxes throughout the year, could have an additional \$1,000-\$3,000 annual PACE assessment when they received their tax bill in November that they would have to pay before the end of the year in order to avoid a delinquent status.

Mayor Treece asked why it would not be incorporated like any other taxing entity since it was being done through a political subdivision. Mr. McCollum replied it would possibly not be incorporated in the first year, but should be in future years. Mayor Treece stated he thought that was true of any other pro-rated tax. Mr. McCollum agreed. He explained

a property owner with a home valued at \$150,000 would pay about \$2,000 in property taxes, and if that property owner got a PACE assessment of \$10,000 at 8 percent for 10 years, it would add an additional \$1,500 to the tax bill annually. He was afraid some taxpayers might not be prepared for the large tax bill and PACE assessment. He commented that these were concerns a lot of the collectors had.

Mr. Skala understood there would be a disclosure form so the property owner would know this was forthcoming. He did not believe it would be a surprise. Mr. McCollum stated he hoped that was the case. He pointed out people tended to be surprised even when there was a voter approved tax increase, so there would be still be some that were not prepared.

Mr. Skala understood the instances of this was low based on some of the statistics provided, and asked if Mr. McCollum had spoken with the collectors in Jackson County, Platte County, or the City of St. Louis in terms of their experience. Mr. McCollum replied Jackson County and St. Louis County were charter counties that operated a little differently than the other counties in Missouri. He had not heard of anything coming out of St. Louis County or St. Louis City. He believed the program had not been ongoing for very long in Jackson County and it had not been started in Platte County yet. He did not feel there was enough data in Missouri. They only had data from California.

Mayor Treece commented that he did not believe the City Council could force Boone County to do anything. He asked if passing this ordinance forced Boone County to do this or if state statute governed it. Mr. McCollum replied state statute indicated the collectors in Missouri had to administer the billing and collection of these assessments.

Mr. Skala asked if one of the objections was that this was an unfunded mandate. Mr. McCollum replied it was not considered an unfunded mandate by law, but it would add a cost to the offices of county collectors to administer it. He noted it would create a larger impact on smaller county collector offices.

Josh Campbell stated he was the Executive Director of the Missouri Energy Initiative, which was a 501(c)(3) focused on increasing energy related economic development in Missouri, and they were the non-profit administrators of the Show Me Pace Clean Energy District. In 2010, when this issue had been brought forward, people thought this would lead to many NetZero properties and green homes, but that had not occurred. Right now, as a homeowner, the only choice for handling energy efficiency or renewable energy was a rebate, an incentive from the utility, a home equity loan from a bank, a credit card, or cash. Since most Americans only had about \$1,000 in savings, cash was not much of an option for a \$10,000 air conditioning unit. A home equity loan usually had a minimum of \$25,000 and was based on credit scores, which could limit the ability of some. If it did not, it could be a better option for many. He pointed out PACE was not meant to be a panacea. It was simply filling a gap for financing for energy efficiency and renewable energy, and it did not require other ratepayers to carry the cost of someone else's unit. He commented that when this passed, many thought the cities within Missouri would join immediately since they had the easiest and cheapest access to money with municipal bonds, but that had not occurred. The City of St. Louis was the only city that had its own district, and they were not bonding. They were using private dollars. He noted some also thought local banks would join to build off of other programs, but they preferred short-term interest rates. Although California started years ago, the first project in Missouri had not occurred until 2014, and the focus had only been on commercial property until Renovate America had come in September, 2016. He stated his District had only launched in 2015 and was an open market program for residential and commercial properties, and had done \$8 million worth of projects and had a \$30 million pipeline on the commercial side. He thought this being pursued on the commercial side meant it made sense. A commercial loan with a fixed rate in the 4 percent range existed for a five-year term. Anything longer, like seven years, would be a variable rate. PACE was the only option for someone looking for a 20-year fixed rate at 6-7 percent. Although the rate was a little more, it provided consistency. He understood Boone County had concerns on the

residential side as to how this would mesh with their current system. He pointed out this authorization did not obligate any county to do anything. It was the responsibility of the District to work collaboratively with the county, and specifically the county collector, to develop a mechanism for how the collection would happen. Until Collector McCollum, Show Me PACE, the contractors, and Renovate America could come to agreement, there would not be a residential PACE program. He pointed out the state statute was clear in that the collector could charge the district the same amount they did for any other collection of ad valorem taxes, which was 1-2 percent in Missouri. He, along with Renovate America and the Missouri Clean Energy District, wanted to develop a system that was easy to use and beneficial to the collector and everyone else involved. They did not want to make it more difficult. He commented that they followed the Truth and Lending Act so upfront information was provided, and noted they agreed with Renovate America in providing the greatest consumer protections standards that were available. He provided a handout and explained it tried to address concerns of elected officials. He understood Columbia Water and Light was supportive of PACE, and believed it was because PACE would lower the requirement for them to have to increase their layout for rebates and incentives for more efficient units. This was a way they could all work together.

Mayor Treece understood this was not exclusive to Renovate America. If another mechanism was established, the door could be opened to them as well. Mr. Campbell explained the organization would have to be a clean energy district by state statute. Currently, there were only two statewide operating districts, and those were the Missouri Clean Energy District, who had selected Renovate American as its residential provider, and Show Me PACE, which was working with the PACE Funding Group for an open program with three providers. He pointed out the City of Columbia could create their own district or another statewide district could be established and the Council could authorize them. He explained neither the ordinances nor the statues would limit them. The ordinances only indicated the Missouri Clean Energy District and Show Me PACE would be allowed to operate within the City of Columbia political boundaries, and currently, it was only commercial because all commercial in Missouri was third-party collected.

Mr. Pitzer asked if any municipalities had voted to not participate. Mr. Campbell replied yes. He believed some did not understand the program and noted one recently had indicated they were waiting to see the outcome of a federal bill. He commented that once the FHA and HUD guidance was released, most of the push back on residential had gone away. He stated the main opposition in Missouri had been from collectors, and he believed that involved how they would work together and the integration into their systems. He thought they could work with Collector McCollum and others to figure out a system, and pointed out this did not obligate Collector McCollum or Boone County to take any action. It was on them to reach an agreement with the County.

Mr. Pitzer asked if there had been any municipalities that had participated initially and then dropped out. Mr. Campbell replied there had been one, and it was a rural county. It was their third community, and a very large project that intended to participate in the program had fallen through. The community backed out when the project went away. He understood they were still interested, but did not want it on the books unless there was a project. He pointed out three projects in Columbia in the last 18 months had not been able to be funded on the commercial side because the program did not exist.

Mr. Pitzer asked about the experience on the commercial side with a third party collector in terms of collection and delinquencies. Mr. Campbell replied commercial PACE was different than residential PACE. Nationwide there had been about 150,000 residential PACE participants and 1,000 commercial PACE participants. In Missouri, there had been about a dozen commercial participants since 2014. As far as he knew, there had not been any foreclosures in the entire United States on a commercial PACE project. He noted he was not aware of any aggressive sale either. He commented that he believed their District had the first sale of a commercial property and it was one whereby the buyer

wanted the property as part of his portfolio. It was not one whereby someone was trying to unload the PACE project. He pointed out there was not a lot of data at this time. Mr. Pitzer asked what would happen with a foreclosure since the collector was not involved. Mr. Campbell replied the District had the authority to foreclose by statute.

Mr. Skala understood Mr. Campbell had indicated three projects had been interested in the program within Columbia, and asked if they were still interested. Mr. Campbell replied he understood two did not move forward, and one did only part of what they had planned. Mr. Skala understood they were not waiting for this program. Mr. Campbell stated they could not wait as they had been built in 2016. He commented that he thought 2-4 projects were looking at this program or waiting for the program to be approved by the Council.

Kristy Manning stated she was the Director of the Missouri Division of Energy, and explained PACE was within the State's Comprehensive Energy Plan. She commented that PACE was a central part of the energy financing area. It was a tool for governments and was considered a quasi-governmental body. While the State had the statute that created it, they were not responsible for overseeing the program. She explained local governments had the ability to opt in and allow the ability to leverage private capital to bring about clean energy projects. It also provided the ability to improve properties and replace equipment. She noted it had the public purpose of improving properties, decreasing energy use, assisting with emission reduction goals, creating jobs for contractors, and overcoming cost barriers in energy efficiency or renewable projects. She pointed out it met the consumer at the point a decision was being made as the contractors that worked with the agencies had the ability to leverage lower interest rates through a PACE assessment. Instead of hoping someone purchased the more efficient equipment, the PACE transaction would ensure it occurred. She believed this was helpful to communities with renewable energy goals or energy efficiency goals, and noted it paired really well with new construction and utility programs as it could help cover more energy efficient investments. She commented that consumer protections had been discussed at the state level, but had not moved forward with rulemaking at this time since the districts were already adopting consumer protection policies that were more strict and stringent than the State would be able to require. She stated they were encouraged that Columbia was looking at multiple districts as they felt competition was good as it helped consumers have options and choices between the districts, which helped keep fees down and offered the various partners that had access to the marketplace. While it would be great if Columbia wanted to create its own district, they felt joining other ones provided economies of scale and savings, particularly as contractor networks were built.

Mayor Treece asked Ms. Manning if she thought they were on the ground floor of this as a city or if the statewide framework would change to address some of the concerns of collectors. Ms. Manning replied she understood there were ongoing discussions as to whether or not to change anything in the statute, but did not think anything would change the session since they were only two weeks away from the end of this session. She pointed out the great thing Columbia had was the power of its ordinance. They could put whatever words in it they wanted, such as consumer protections. She noted they could also opt out of the ordinance if things were not progressing the way they had expected.

David Lorandi, 208 Hirth Avenue, explained he was a property manager and understood this program would benefit commercial properties more than residential properties so he did not feel adding expenses to the Boone County Collector's Office was a good idea. Columbia already had great programs to offer to its residents, and provided an Ameren rebate program as an example. He did not feel it was the right time to add another program to this market in Boone County.

John Maslowski pointed out there was statutory compensation similar to other political subdivisions or taxing districts, which typically ranged from 1-2 percent and could be memorialized in some type of intergovernmental or cooperative agreement between Boone County and the Missouri Clean Energy District.

Ms. Peters stated she appreciated all of the education that had been provided this evening, and suggested tabling this item as requested by the Boone County Commission. She thought both entities should work more cooperatively because it was difficult to know where the city limits ended and the unincorporated boundaries of Boone County began. She wanted more time to evaluate the issues that had been brought up.

Mayor Treece commented that last July the Council had adopted an energy efficient building code and green energy code that required solar ready roofs, and believed this was one mechanism they could use to allow property owners to make the energy efficient improvements the code encouraged and required. He noted he was sensitive to the concerns of Boone County, but did not know they as a Council could fix those concerns. He thought that was a discussion that needed to happen in Jefferson City. A comment that Mr. Trapp had made that had resonated with him involved the consumer protections. He understood both companies had as a policy the same with consumer protections, but there was not any requirement they had to do them. He stated he was inclined to move forward, but if this item was tabled, he wanted to see the ordinance enhanced consumer protections.

Mr. Skala explained he was respectful of the County, but was also reassured by the fact there were no encumbrances that were not compensated. He believed this needed to be a continuing discussion at the County level as some of the issues had been resolved. He agreed they could bulk up the ordinance with consumer protections if they felt it was necessary. He commented that he did not feel there was a lot of evidence that a lot of the purported unanticipated consequences would occur. Only a tiny percentage had difficulties based on some of the programs that had been in existence for a while. He agreed this was new to Missouri, but noted they had to start somewhere. In addition, they could always opt out in the future. Given the penchant this community had for renewable energy, he believed this was a reasonable tool to have in the toolbox for people to use. He commented that he was interested in seeing if this could extend successfully to residential customers. He stated he was not opposed to tabling this item, but was inclined to move forward.

Mr. Trapp asked how difficult it would be to add consumer protection language to the ordinance. Ms. Thompson replied she would check with colleagues in other jurisdictions that had more experience with the program to determine if there were protections they had put into place that would be effective for Columbia. Mr. Trapp asked how long this should be tabled to allow time to incorporate those standards. Ms. Thompson suggested 30 days.

Mr. Trapp commented that the County did not ask for much and thought it was important to solidify their partnership and work more closely together. He stated he was convinced by the presentation that the concerns were outweighed by the massive benefits to the environment, local economy, and building for permanence. He noted he was strongly in support, but also honored the need to be deliberate and look at all of the information. He pointed out the City had limits with regard to what they could do for their utility programs. He recalled consultants saying they were way too heavily invested in energy efficiency and renewable energy incentives, but they had not scaled back any programs because they led with their values, which included caring for the environment. He thought this involved a tiny amount of risk borne by the County Collector's Office to provide huge benefits to the City, which was the bulk of the County by population, residents, and tax base.

Mr. Trapp made a motion to table B125-17 to the June 19, 2017 Council Meeting. The motion was seconded by Ms. Peters.

Mr. Pitzer stated he thought the goals of the program were outstanding. He was not certain PACE would be the most successful means of financing these projects in 20 years, but understood it might. He noted he was heartened to hear about the consumer protections and modifications already made. He was also glad Ms. Manning, who was with the Division of Energy, had come to reassure them from the state level. He stated

he was quite confident the protections they had already put in place would be up to the standard they would demand. He was not sure they would gain a lot by tabling this until the middle of June, but thought they should listen to the advice of the City Counselor, who seemed to be pleased this would be tabled for longer than 30 days.

**The motion made by Mr. Trapp and seconded by Ms. Peters to table B125-17 to the June 19, 2017 Council Meeting was approved unanimously by voice vote.**

- B126-17 Adopting a Missouri Property Assessed Clean Energy Missouri Clean Energy District Ordinance; authorizing the City of Columbia, Missouri to join the Missouri Clean Energy District and stating the terms under which the City will conduct activities as a member of such District; directing the City Clerk to give notice to the Missouri Clean Energy District; authorizing the City Manager, or designee, to serve as a member of the Advisory Council for Missouri Clean Energy District.

The bill was given second reading by the Clerk.

**Mr. Trapp made a motion to table B126-17 to the June 19, 2017 Council Meeting. The motion was seconded by Mr. Skala and approved unanimously by voice vote.**

## VII. CONSENT AGENDA

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

- B118-17 Approving the Final Plat of Barcus Ridge, Plat No. 3, a Major Replat of Lot C2, Barcus Ridge Plat No. 1 and Lot 5, Barcus Ridge Plat No. 2, located on the north side of Old Plank Road and approximately 700 feet west of Abbotsbury Lane; authorizing a performance contract; granting a design adjustment relating to tier lots (Case No. 17-15).
- B119-17 Approving the Final Plat of C.E. Harr Plat 2, a Replat of Lot 1 of C.E. Harr Replat and part of Lots 7-10, 13 and 14, and all of Lots 15-18 of Wellington Gordon's Subdivision, located on the east side of Old 63, between McAlester Street and Gordon Street; authorizing a performance contract (Case No. 17-73).
- B120-17 Approving the Final Plat of BMW Plat No. 1 located on the east side of Beverly Drive, between I-70 Drive SW and Bernadette Drive; authorizing a performance contract (Case No. 17-84).
- B122-17 Authorizing an internship program agreement with the Society of Municipal Arborists to sponsor an urban/community forestry intern in the Parks and Recreation Department; appropriating funds.
- B123-17 Amending Chapter 2 of the City Code relating to membership of the Substance Abuse Advisory Commission.

- B124-17 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Human Services for tobacco control coalition services; appropriating funds.
- R58-17 Setting a public hearing: proposed remodel of Fire Stations #4, #5, #6 and renovation of the Fire Training Academy facility.
- R59-17 Authorizing the temporary closure of a portion of Hitt Street, between Rollins Street and University Avenue to facilitate the repair and reconstruction of a steam chase.
- R60-17 Authorizing an artist's commission agreement with Brittany Williamson relating to the Traffic Box Art Program.
- R61-17 Authorizing Amendment No. 1 to the Engineering Services Agreement for the Flat Branch Watershed Relief Sewer Project No. 3.
- R62-17 Authorizing a parking lane closure on East Walnut Street and extending the long term sidewalk closure on the east side of Walnut Street, between Eighth Street and Ninth Street, to facilitate the construction of an office building at 807 E. Walnut Street.
- R63-17 Transferring funds from the Proximity Locks Capital Improvement Project Account to the Public Works Building Maintenance Operating Account.
- R64-17 Transferring funds for community events.

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

- B127-17 Approving the Columbia College Master Plan Update (Case #17-87).
- B128-17 Vacating an existing utility easement across Lots 45 and 54 of Deerfield Ridge, Plat 2; directing the City Clerk to have a copy of this ordinance recorded (Case #17-98).
- B129-17 Vacating a right-of-way easement, a utility easement, and a drainage easement located at the south end of Stonehaven Road; directing the City Clerk to have a copy of this ordinance recorded (Case #17-99).
- B130-17 Authorizing a Memorandum of Understanding with the Missouri Department of Health and Senior Services for STD testing and treatment services.
- B131-17 Authorizing an inspections participation agreement with the Missouri Department of Health and Senior Services for the summer food service program for children.
- B132-17 Amending Chapter 19 of the City Code as it relates to unclassified service; amending the FY 2017 Annual Budget by adding and deleting positions in the Public Works Department and City Utilities Department; amending the FY 2017 Classification and Pay Plan by adding a classification.
- B133-17 Amending the FY 2017 Annual Budget by adding and deleting positions in the City Utilities Department - Electric Utility Division.
- B134-17 Authorizing an agreement with The Curators of the University of Missouri for the 2017 Missouri State Senior Games and Show-Me STATE GAMES.
- B135-17 Approving the revised Performance Contract with Hugh Tincher Development, Inc. regarding Bristol Lake Plat 1 (Case #16-215).
- B136-17 Amending Chapter 27 of the City Code as it relates to the addition of a thermal storage rider.

B137-17      Appropriating surplus revenue for FY 2017 Columbia Values Diversity Celebration activities.

## X. REPORTS

REP33-17      Intra-Departmental Transfer of Funds Request.

Mayor Treece understood this had been provided for informational purposes.

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

Mr. Pitzer asked Mr. Matthes if staff had anything to report with regard to the aftermath of this weekend in terms of damage from the rain. Mr. Matthes replied there had been localized flooding, but there had not been anything spectacular. He understood most of the damage was done to the trails, and there had been some reports of basement flooding. He noted the City's system had handled the rain better than previously because of the improvements that had been made.

Mr. Skala commented that he had seen a lot of chatter on social media in terms of basement backups and flooding. Mr. Matthes stated the e-mails he had received had indicated that they were worried about it, but it had not happened. He understood he might not have been contacted by everyone.

Mr. Pitzer stated he was glad to hear there was not anything major and noted he would welcome any feedback about further improvements that could be made.

Eugene Elkin, 3406 Range Line Street, commented that they had lost another homeless person from a heart attack. He noted he had also attended the memorial service of a lady that had taught him how to sing better and had passed due to some health issues. He stated he had hoped a couple of homeless people would come speak tonight as more shelters were needed.

DJ Lynch, 2916 Leeway Drive, stated he had two young children and was concerned about people street racing up and down his street. He had contacted the Columbia Police Department and they indicated they could not do anything about it. He noted his street was a quarter of a mile with a school at the end, and his children woke up scared. He pointed out street racing was occurring on Blue Ridge Road as well. He commented that a car could be replaced, but a life could not. He understood the Columbia Police Department was short-staffed, but wanted something done before a kid was killed.

Mr. Skala commented that he was familiar with Leeway Drive because the first house he had built in Columbia was on Pine Drive, which was on the other side of the school. He understood the short quarter-mile streets were beginning to be a problem everywhere in Columbia as could be seen by the number of traffic calming requests. In the short term, he thought they could place a speed trailer in the area and look at a few other options.

Mayor Treece noted the Council was scheduled to meet on July 3, 2017, which was the Monday before the Fourth of July holiday on Tuesday, and understood some council members might be absent so he wanted to get a sense of whether they wanted to have the meeting, postpone it to Wednesday, July 5, 2017, or cancel it altogether. He commented that he was concerned about the optics of doing anything controversial the Monday of a four day holiday weekend.

Mr. Matthes stated that from a staff perspective that meeting was usually very light, and thought the upcoming one would be as well, similar to tonight. He noted they would also be supportive of canceling it and moving those items to the next meeting. He understood there would be some Planning and Zoning Commission related items, but had not had the opportunity to determine what those would be, and pointed out they had made it clear

that the meeting dates on the schedule could be varied.

Mr. Skala commented that he did not have a conflict. He understood meetings had been canceled due to the lack of a quorum. He did not recall a meeting being canceled due to it falling on a Monday before a holiday. He thought they would receive as much objection if they moved it to the day after as they would for having it the day before, but noted he did not have a preference on what they chose to do.

Ms. Peters stated she would not be in Columbia on either July 3 or July 5 so she would be missing that council meeting.

Mr. Trapp noted he would be present and suggested they go ahead and meet if they were going to have a quorum. He recalled a seven and eight hour meetings after people had taken vacations, and what he learned from that was to try not to push things to future meetings.

Mayor Treece stated they could make the decision based on the quorum situation for that meeting.

Mayor Treece commented that it had come to his attention that the scope of services between the City of Columbia and the consultant they had hired for the Integrated Water Resources Planning Committee had changed from the time the Council had approved the scope of services to the time the contract had been negotiated. He pointed out this was before his time as the Council had approved the scope of services in January, 2016. These were the same scope of services that had been recommended for approval by the Water and Light Advisory Board (WLAB), and it had included a review of the City's water rate structure to ensure there was an equitable formula for residential consumers, institutional consumers, etc. He understood that section had been removed when staff had executed the contract with the engineering firm, and noted he was concerned about the process and the misrepresentation made to Council. He felt the changes should have gone back through the WLAB and the Council. He commented that he was also concerned that they had forfeited an opportunity to have an independent review by the consultant of the rate structure. As a decision-maker, he wanted all of the facts available to him. He noted this included the staff perspective, but thought the contractor perspective of the rate system and best practices was beneficial as well. He felt that needed to be address for the confidence of the public and this decision-making body in terms of future large capital improvements. He asked staff to come back with a justification for why it had been removed and explained he wanted to see an amendment to the proposed scope of services to address those issues.

Mr. Skala understood this had been a \$450,000 contract and that there had been discussion about the rate structure at the WLAB level and potential increases as not everyone agreed. He thought it would be valuable to add this back to the scope of work for the consultant. He understood there had not been a price reduction from the \$450,000 with the provision of reviewing the rate structure in it, and asked for clarification as to whether it would require more money if Council wanted that review completed. He commented that it was troubling that the provision just disappeared from the original document that had been approved by the Council.

Mr. Matthes stated he would look into the issue and get back to the Council.

## **XII. ADJOURNMENT**

Mayor Treece adjourned the meeting without objection at 9:16 p.m.