CITY COUNCIL MEETING MINUTES COUNCIL CHAMBER, CITY HALL 701 E. BROADWAY, COLUMBIA, MISSOURI JULY 1, 2013

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, July 1, 2013, 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 TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID and SCHMIDT were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of June 17, 2013 were approved unanimously by voice vote on a motion by Ms. Hoppe and a second by Mr. Skala.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Ms. Hoppe explained B184-13 under the Introduction and First Reading section of the agenda would be replaced in terms of what had been provided as part of the original agenda packet. The replacement bill included corrected language so the 10-hour parking zone on the north side of Locust Street was identified to be between Hitt and College instead of Waugh and College.

The agenda, including the consent agenda and the replacement of B184-13, was approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Schmidt.

SPECIAL ITEMS

None.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

ENVIRONMENT AND ENERGY COMMISSION

Midkiff, Ken, 1005 Belleview, Ward 4, Term to expire June 1, 2016 Stroh, Esther, 807 Leawood Terrace, Ward 4, Term to expire June 1, 2016

WATER AND LIGHT ADVISORY BOARD

Clark, Jack, 208 E. Briarwood Lane, Ward 4, Term to expire June 30, 2017

SCHEDULED PUBLIC COMMENT

<u>Scott Southwick, President of the Board of Museum Associates – Thank the Council and MU for their recent correspondence on the future of the MU Museum of Art & Archaeology.</u>

Scott Southwick explained he was the President of Museum Associates, which was a 501(c)(3) that existed to support the MU Museum of Art & Archaeology and advance its mission, and stated they wanted to thank the Council for its recent letter to the University on the subject of the University's decision to move the museum from campus to a location on the Business Loop. Chancellor Deaton had responded to the letter by affirming the importance of the museum and indicating the move to the former Ellis Fischel building was temporary, which was something they were happy to hear. He noted the Museum of Art & Archaeology was small in terms of the square footage available to display the large collection in comparison to the other schools in the SEC that offered a degree in art, and explained they were excited by Chancellor Deaton's letter as it had expressed the University's enthusiasm for the possibility of a joint fundraising raising effort between the City and University toward a new museum facility. As a result, Museum Associates was forming a committee to explore and cheerlead this public/private partnership by inviting leaders of the community to participate. They had already invited Mayor McDavid, who had pledged his support for the effort. He thanked the Council for speaking up on the subject and the University for its response as the museum was a treasure.

<u>Marlon Jordan – Complaint regarding the Citizens Police Review Board and the Police Department.</u>

Marlon Jordan commented that his complaint involved the City of Columbia Police Chief, the Police Department and the Citizens Police Review Board. He explained he was physically injured in an incident caused by a University of Missouri security officer while in the presence of a Columbia police officer at the University Hospital. He felt the Police Chief and the Citizens Police Review Board had collected and used information and evidence unlawfully in a biased, partisan manner by teaming up to gather evidence to support the Police Chief's predetermined theory with respect to the events and reasons as to why they were at the hospital on August 22, 2012. He believed the evidence, the witnesses and information were manipulated in order to encourage the Board to render a biased decision in favor the Police Department and cause him to suffer mental anguish, humiliation, degradation, personal injury and stress. He played a video of the incident at the hospital, and pointed out he had not said anything when the police officers asked if they could visit his son, so he did not feel he had created the situation.

PUBLIC HEARINGS

B161-13 Adopting "Columbia Imagined - The Plan for How We Live & Grow".

The bill was given second reading by the Clerk.

Mr. Matthes, Mr. Teddy and Mr. Zenner provided a staff report.

Mayor McDavid understood this was the public hearing, and if there was not an objection, it would be presented on the consent agenda at the next meeting. Ms. Thompson stated that was not correct as it was a second read item on the agenda. Ms. Amin explained the Council would vote on it tonight unless they chose to table it.

Mr. Thomas commented that he would like to discuss the possibility of tabling this issue and voting on it at a later date. He believed it was an excellent plan, but pointed out he

had a lot of detailed questions. In addition, he had received requests from a number of constituents asking for more time. He believed they could improve the value of the plan by obtaining more public input and was disappointed there had not been any public comment at the Planning and Zoning Commission meeting, and suggested they themselves work to engage constituents. He also wanted clarification on the implementation plan in terms of priorities and timing and a work session on the issue between now and the final vote.

Mr. Thomas made a motion to table B161-13 to the August 19, 2013 Council Meeting. The motion was seconded by Ms. Nauser.

Mayor McDavid stated he would vote against the motion to table this item as he viewed it as a three-plus year body of work involving a lot of people with a lot of public input. He believed the plan was advisory and global in nature, and did not feel it was intended to be regulatory. He reiterated he felt this was a roadmap that was subject to change as the data changed.

Mr. Skala understood money had been allocated for zoning code review and asked for a status as he wondered if this delay would impact that process. Mr. Teddy replied a RFP had been drafted and would be reviewed this week. The RFP would include a comment indicating the comprehensive plan was pending approval. He thought the plan would be adopted by the time someone was hired.

Mr. Skala commented that this body of work had been in process for longer than three years as he felt it had been in the works since the idea of the visioning process as there had been subarea plans, overlays, the Metro 2020 plan, etc. He thought a six week delay was prudent as he had been contacted regarding the language in the document involving the urban fringe areas, and this would allow a more comprehensive look at the comprehensive plan.

Ms. Nauser stated she would appreciate having the opportunity to review the plan more thoroughly since she was new to the Council and had not been involved in the process, and because it would influence the future growth of the community. In addition, it had only been approved by the Planning and Zoning Commission recently, and she wondered what specific changes had been made. She also wanted a discussion as to how the ideas within the plan would be implemented into policy and for a time line to be provided as the plan would impact the community for decades.

Ms. Hoppe commented that she had participated in few of the meetings, but would also appreciate the extra time to further review plan. In addition, she had quite a few questions that might take time to answer, such as who would decide who the stakeholders and participants were. She understood it would be a guiding document and thought they needed to ensure it was the best it could be, and that they were voting in an informed manner.

Mr. Schmidt stated he supported moving ahead with this plan as there would always be more to learn and do, and because this plan had been developed through a multiyear process in which many people participated. He felt there would always be new Council Members and reasons for a delay. He believed this was a good document, and noted the perfect was the enemy of the good.

Mr. Trapp suggested they move forward in the absence of any specific criticism as they would have lots of time to discuss implementation.

The motion made by Mr. Thomas and seconded by Ms. Nauser to table B161-13 to the August 19, 2013 Council Meeting was approved by voice vote with only Mr. Trapp, Mayor McDavid and Mr. Schmidt voting against it.

Mayor McDavid opened the public hearing.

John Clark, 403 N. Ninth Street, stated he was generally supportive because he believed the Council and staff were supportive and would implement the Columbia Imagined plan contrary to what had happened when the Metro 2020 plan had been developed. He thought the land use planning process would improve significantly as had been the case at the County level when Boone County adopted and implemented its plan. He commented that he did not believe Columbia Imagined addressed the three crucial foundational issues of how fast they wanted Columbia to grow, how big they wanted Columbia to be, and whether all of the growth needed to occur within the Columbia city limits because they were somewhat political in nature, and suggested the Council address those issues as he did not believe they were driven by the market. He was hopeful this plan would be more meaningful for the future of Columbia than the Metro 2020 plan had been, and was confident Council and staff would ensure this happened.

Tyree Byndom, 501 N. Providence Road, explained he had been in Columbia for about 30 years, and had participated in the Columbia Vision process and thought the Columbia Imagined plan was impressive. He noted the term master plan did not sit well with people in poverty or catch the masses. He suggested raffling a free month of utility payment in order to engage the community to take the survey and provide input for the plan.

Kevin Murphy, 8605 N. Cedar Court, explained he was a Boone County Planning and Zoning Commission Member and the County liaison to the Comprehensive Plan Task Force, and thanked those involved as it was an arduous task. He commented that he agreed with the previous speaker in that as much as they had tried to engage all facets of the community, he was not satisfied with the percentage of the total population that had participated in the process. He read the letter he had sent to the Boone County Commission when the final draft of Columbia Imagined had been published, and noted he believed the plan would be a valued asset for the City and Boone County.

Monta Welch, 2808 Greenbriar Drive, stated the People's Visioning had been established partly in response to earlier stages of this process as some in the community had been disappointed with the fact the prior plan had been shelved. She noted the vote on the prior plan had been imbalanced as groups of people were cheerleading their particular parts within the plan, and thought that might have dampened the community's participation. She believed they would appreciate the plan in general, and would work to engage with it and the community on it.

Sid Sullivan, 2980 S. Maple Bluff Drive, explained when he and his wife had moved to Columbia in 2000, they had contacted the City to obtain a copy of the master plan and were told there was not a master plan. He understood the Metro 2020 plan, which existed, was never observed at Council Meetings, so he was happy the City intended to do more with the Columbia Imagined plan. He thought it was wise for them not to approve the plan tonight

since there was a question as to what they were voting on in terms of the correct version of the document. He believed a lot of work had gone into the plan and that it would be approved, but did not feel the planning process had gone far enough. He noted there were lots of references to a neighborhood without a definition of neighborhood that would include size, boundaries, institutions sites, amenities, etc., as he believed neighborhoods were the building block of a community. He was also concerned by the lack of roads included in the plan. He understood that was a CATSO responsibility, but felt road locations should be observed in terms of land use planning. He thought they were looking at the pieces instead of the whole picture.

Ben Jacob, 1 Liberty Plaza, stated he did not envy the Council in this decision and commented that he personally did not believe growth was the key to prosperity for a community. He believed it was better to build up rather than fill up open spaces in terms of infill. He thought they should be people-oriented with development in terms of investing in kids and putting more benches in the open spaces for people to sit. He was glad they were taking the time to converse and share ideas. He was concerned about Range Line being torn up for the new interchange and suggested ground level businesses in all of the garages that were being constructed so the ground level did not go to waste.

There being no further comment, Mayor McDavid continued the public hearing to the August 19, 2013 Council Meeting.

Mr. Trapp thanked Boone County for being involved in the process as it provided a real chance for regional collaboration, which he believed was important.

Ms. Nauser wondered how they could address the issue brought up by Mr. Byndom in terms of the lack of participation in key neighborhoods to help ensure they had a say in terms of how the City operated. She wondered if they needed to go door to door or stand in populated areas handing out the surveys. She thought they needed to think about this for the future as she believed it was important to include all of the community.

Mr. Skala thanked the staff, volunteers and public for their work and input on this plan, and explained he was reassured by the product itself as he believed it was a wonderful product since it almost replicated the original visioning attempt in terms of what the people wanted. It was a reaffirmation of the principles of the community. The delay would allow them to take a good last look at the plan and tweak anything they felt was necessary. He thought this would be a meaningful document and would not end up on the shelf gathering dust.

Mr. Thomas reiterated that he would like a work session to be held on the issue to allow for detailed questions and a discussion amongst the Council especially in terms of the implementation schedule. Mr. Matthes stated they would reach out to Council tomorrow to determine a time to hold the work session.

(A) <u>Construction of sidewalks on the east side of Fairview Road from Highland Drive to West Broadway.</u>

Item A was read by the Clerk.

Mr. Nichols provided a staff report.

Mayor McDavid opened the public hearing.

Derek Flood-Lorber, 2810 W. Broadway, stated he lived at the corner of Fairview and Broadway and noted his receipt of a certified letter dated June 11, 2013 was the first he had heard of this project. He asked for more information as to how the potential sidewalk would impact his property and family prior to the Council making a final decision.

Dawn Zeterberg, 608 Hunt Avenue, stated she traveled Fairview frequently and thought a walkway was needed on Fairview and at Fairview and Ash. She noted she did not drive and traveled to Walmart putting her life in danger every week.

Mr. Thomas understood a project was planned for Fairview and Ash and asked if it involved a traffic signal. Mr. Nichols replied it did. Mr. Thomas asked if it was fully funded. Mr. Nichols replied he thought it was and that it would be bid in the fall. The design was being done in-house and they had gotten behind schedule.

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

Ms. Hoppe understood Mr. Flood-Lorber had received a letter regarding this issue on June 11 and asked if the letter had a phone number to call with any questions. Mr. Nichols explained an interested parties meeting had been held on April 24, and letters had been sent out at that time as well.

Mayor McDavid understood Mr. Flood-Lorber's property would be impacted because there would be a six foot sidewalk down Fairview to Broadway. Mr. Nichols stated that was correct, and noted they planned to construct the sidewalk as close to the street as possible. Mr. Matthes pointed out there would not be any distance between the sidewalk and the curb.

Mr. Thomas made a motion directing staff to proceed with plans and specifications for the GetAbout Fairview Road Sidewalk project. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

(B) <u>Voluntary annexation of property located on the north side of St. Charles Road, approximately 300 feet east of Lakewood Drive.</u>

Item B was read by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid understood a plan would still have to come before the Planning and Zoning Commission and City Council in the future prior to development. Mr. Teddy stated that was correct.

Mr. Skala understood this was one of several County islands within the City limits. Mr. Teddy stated that was correct.

Mayor McDavid opened the public hearing.

John Clark, 403 N. Ninth Street, commented that he believed a number of items needed to be reviewed prior to making a decision regarding the annexation of property, such as the fiscal impact of annexation, which would include what the City would have to provide and what the City would receive in return. He did not believe the City should routinely approve annexations without a detailed fiscal impact statement with a 20 year horizon on revenue at a moderate and high build-out rate to include connection fees, development fees, sales tax, etc. along with a comparison of what would have to be provided in terms of police protection, fire protection, road maintenance, etc. He thought they had enough information to develop a framework for this type of analysis, and believed they would find it was not a

financially good idea to continue in the manner they were currently moving in terms of revenue, connection fees, etc. He suggested this type of study be done with this annexation and that a policy be established for doing it on a routine basis.

Ben Jacob, 1 Liberty Plaza, stated he did not believe they should be required to provide an address in order to speak and thought it would be nice if the public could ask the Council questions during the meeting as the long term plan was not clear even though someone had a plan for it. Mayor McDavid pointed out he and each Council Member could be contacted in advance of the meeting with questions. Mr. Jacob stated he understood, but noted he was not always able to look into these issues in advance. He encouraged the Council to provide enough community opportunity to talk with each other as possible. He commented that people really enjoyed places to sit in open spaces and park areas, and thought they might not have to build as many trails if they provided benches in a lot of these spaces.

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

(C) <u>Consider the FY 2014 Capital Improvement Project Plan for the City of Columbia, Missouri.</u>

Item C was read by the Clerk.

Mr. Blattel provided a staff report.

Ms. Hoppe understood the Broadway and Dorsey pedestrian crossing was not scheduled to be constructed until 2016 and asked why there was a two year delay as it appeared to be a straightforward project. Mr. Blattel replied the design was scheduled for 2014 and construction was scheduled for 2016 since they did not have it designed yet. Ms. Hoppe wondered why it would take that long to design the project. Mr. Nichols replied he would need to look into it. He wondered if there was a conflict in terms of the development at the corner of Williams, and stated he would look into it and get back to the Council.

Mayor McDavid understood there was an opportunity for this plan to be revised prior to approving the budget. Mr. Blattel stated that was correct.

Ms. Nauser understood Scott Boulevard Phase 3, which involved the portion between Vawter to Route KK, was scheduled for 2016 because the sales tax generated from the last CIP tax ballot was not enough to fund all of the projects that had been identified, and thought there might be the potential for other funding to move this project up. Mr. Nichols stated they were currently working on Phase 2. Ms. Nauser asked when Phase 2 would be anticipated to begin. Mr. Nichols replied it was scheduled for the fall, but was dependent on the acquisition process. Ms. Nauser understood the goal was to complete Phase 2 prior to working on Phase 3. Mr. Nichols stated that was correct. Ms. Nauser explained she anticipated more development as most of the farms in the area had been sold. Mr. Nichols stated they intended to revisit Phase 3 to determine how much of it they could do with existing funding.

Mr. Skala noted it would be helpful if the projects could be identified by ward. Mr. Schmidt thought that information was provided in the full CIP plan. Mr. Blattel stated that was correct. Mr. Skala noted it would be helpful for this as well.

Ms. Hoppe asked if the FTA grant was the grant for the natural gas buses, and if the grant had been received. Mr. Blattel replied this FTA grant was one that had already been received and the money had been appropriated in a previous year. Mr. Matthes explained that if the City received the TIGER grant, which would be in addition to this grant, they would be able to achieve a greater portion of the vision.

Ms. Hoppe asked whether hybrid buses would be purchased. Mr. Matthes replied two natural gas buses were purchased with this grant. He noted the focus for transit was natural gas as it involved a proven technology that would soon be available. The TIGER grant would allow them to explore other options to include all electric or a hybrid vehicle. Ms. Nauser stated she read an article today that indicated New York was going back to diesel because the replacement batteries for the electric buses were cost prohibitive. She thought they needed to really review the issues before going all electric. Ms. Hoppe noted she was in Portland a couple of weeks ago and looked into their hybrid buses. They had had an older fleet and the cost of repair was exorbitant, but the new hybrid buses were cheaper to repair, were 20-50 percent more fuel efficient, and had 95 percent less emissions. She understood technology was improving.

Mr. Schmidt understood two natural gas buses had already been ordered with money that had already been appropriated. Mr. Blattel explained the money was appropriated upon receipt of the grant. Mr. Matthes pointed out not all of the grant funds were spent on the natural gas buses. Mr. Schmidt noted the money was shown for 2014, but that the buses had already been ordered. Mr. Blattel explained this was the part of the capital project that would be implemented in 2014.

Ms. Hoppe asked how long the buses would last. Mr. Matthes replied he understood natural gas was supposed to be easier on engines so they were supposed to last longer, but since the City did not have any experience with them, they were anticipating 10-12 years.

Mayor McDavid opened the public hearing.

Monta Welch, 2808 Greenbriar Drive, provided a handout and explained she was speaking on behalf of the People's Visioning, the Interfaith Care for Creation and Columbia Climate Change Coalition, and they were asking the Council to rethink its decision to use compressed natural gas vehicles due to the relationship of natural gas and fracking and the associated dangers. She did not feel the decision to provide land for a natural gas fueling facility and take the City's fleet to compressed natural gas had been brought out fully before the public for its support and approval. She noted natural gas was not sustainable or more helpful than renewables in terms of the greenhouse gas problem since the natural gas being harvested these days was almost entirely from highly controversial fracking technology, which allowed significant methane releases into the environment, and methane was 20 times more potent than carbon dioxide. She felt investment in this environmentally destructive direction kept public investment away from the cleaner, safer renewables, which the public supported. She stated NetZero buildings and homes were not more costly than comparable construction and they allowed for electric vehicle charging and battery storage. She commented that there were viable alternatives, which she wanted the opportunity to discuss with the Council, and asked that the City slow down in terms of natural gas. She also asked

the Council to direct staff to conduct further economic study that included factors such as public health.

Mary Hussmann, 5306 Rice Road, stated she agreed with many of the comments of Ms. Welch, and even though not all natural gas came from fracking, she did not believe they could dictate the natural gas used in Columbia would not come from fracking. She asked for clarification regarding the Clark Lane sidewalks to include a time line for construction. Mr. Matthes replied Clark Lane had been discussed as a potential project in a future ballot initiative.

Linda Green, 206 Anderson, commented that she agreed with the comments of Ms. Welch and asked the Council to stay away from fracking as it affected the good qualities of the environment. She thought this should be viewed as a moral issue and noted the State of New York had a moratorium on fracking. In addition, Bulgaria and France had banned fracking. She explained methane was getting into water due to fracking and asked the Council to be careful in terms of where it obtained its natural gas as most natural gas came from fracking. Mr. Matthes commented that less than a half of one percent of natural gas came from fracking. Ms. Green thought that would change in the future. Mr. Matthes pointed out natural gas was a less fracked resource than diesel.

William Maxwell, 706 Fairview Avenue, stated he did not believe the City should convert its fleet to natural gas as he was dubious of the less than half of one percent figure provided by Mr. Matthes. In addition, he believed the future of natural gas was from fracking and was completely unregulated. They did not know how much methane was released in the process, and it was a threat to seismic integrity. It was also not a renewable resource or a greener source of energy as they did not know what chemicals were involved in the mix that was used to bust up the rock to free the natural gas. He reiterated he did not feel they should switch anything to natural gas as it was another dirty, non-renewable technology.

Eugene Elkin, 3406 Range Line, noted a healthcare provider was located a few feet from the site of the proposed natural gas facility, which would put oxygen with natural gas to lead to a potential bomb, and stated he was also concerned about vehicles using natural gas exploding during an accident. He referred to explosions in 1981 and 1996 involving natural gas as well as an event more recently near the Boone Hospital Center. He stated he could not believe the Council authorized moving forward with natural gas.

Kathleen Weinschenk, 1504 Sylvan Lane, stated she lived in the backyard of where this natural gas facility would be constructed and did not appreciate it as she did not want her home to blow up.

Lauren Sines, 2400 E. Nifong, commented that she was opposed to the use of natural gas as it was wrong for Columbia as she viewed Columbia as a leader in the State and the Midwest. She suggested looking toward renewable sources of energy instead as she believed natural gas was a misnomer as it was not renewable. She understood many cities were moving toward solar power and electric buses and thought Columbia should go in that direction. She noted her neighbor's home had exploded as a result of natural gas when she was younger and asked the Council to think about the consequences of natural gas.

Sid Sullivan, 2980 S. Maple Bluff Drive, understood the construction of sidewalks on Clark Lane had been essentially approved in March and asked if the sidewalks would now

not be constructed until 2014. Mr. Matthes thanked Mr. Sullivan for the opportunity to clarify the situation on Clark Lane. He noted the sidewalks on Clark Lane would be constructed sooner than 2014. Mr. Nichols explained staff was awaiting direction from Council regarding the next six GetAbout projects, and once direction was provided they could move forward with the sidewalks on Clark Lane. Mr. Matthes pointed out funding for the sidewalks was available. The project he described earlier when responding to Ms. Hussmann was a rebuild of the entire street that was estimated at \$12 million. Mr. Nichols pointed out the sidewalks would be designed in a manner that they would not be impacted when the road was widened. Mr. Skala understood there had been some objection from MoDOT and asked for clarification. Mr. Nichols replied he thought MoDOT was satisfied if the City was willing to pay for it. Mr. Matthes thought they wanted to ensure it was not built in a manner that would require them to be torn up and reconstructed with the improvement of the road.

Diane Meeker, 2401 W. Broadway, Apt. 1120, explained she was the Vice President of the local chapter of the National Organization for Women and was a co-sponsor of the People's Visioning, and noted they were also opposed to fracking and the use of natural gas in the City fleet. She did not feel a good selling point was the fact this was the case with other non-renewable energies as she believed they wanted people to move away from non-renewables entirely as this would eliminate the fracking problem. They wanted a move to true renewables, such as solar and electric energy, as battery technology was improving, and they would not have the problems experienced by communities like New York. She asked the Council to search for additional grants to help fund a move toward renewable energies.

Ben Jacob, 1 Liberty Plaza, understood the natural gas discussion had begun with the best intentions, but noted there was a concern in terms of fracking and its effect on the environment. He suggested the Council move more slowly as he felt electric vehicles would be online in the near future and distributive generation, which was a vision locally, would allow people to power up cars and create jobs. He understood all natural gas did not come from fracking, but felt it would be utilized more in the future due to demand. He asked the Council to move more slowly on this issue.

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

Mayor McDavid made a motion to approve the 2014 Revised Capital Improvement Project Plan. The motion was seconded by Mr. Trapp.

Ms. Hoppe asked staff to provide a report addressing some of the issues and questions raised tonight in terms of the safety of natural gas and fracking, the location and safety of the site for the future facility, how much of the fleet would utilize natural gas and how they could eventually transition to something else in the future, etc.

The motion made by Mayor McDavid and seconded by Mr. Trapp to approve the 2014 Revised Capital Improvement Project Plan was approved unanimously by voice vote.

OLD BUSINESS

B154-13 <u>Authorizing a right of use permit with MM II, LLC for construction, improvement, operation and maintenance of collapsible bollards in a portion of the alley right-of-way on the east side of Ninth Street, between Elm Street and Woodson Way.</u>

The bill was given second reading by the Clerk.

Mr. Nichols provided a staff report.

Mayor McDavid asked for clarification on the purpose of the collapsible bollards. Mr. Nichols replied they would limit vehicle traffic, but the bollards would give and allow a vehicle to enter into the alley in the event of an emergency, such as a fire. Mayor McDavid understood it was to allow pedestrian traffic in the alley and to inhibit vehicular traffic except in the case of an emergency, and asked who was paying for it. Mr. Nichols replied the applicant would pay for it, and as a result, a right of use permit was necessary.

Dan Simon, an attorney with offices at 203 Executive Building, stated he represented the property owner that had made this request and that this was an issue of pedestrian safety. He noted the affected property owners were in agreement to include the one property owner that had initially been opposed.

Mr. Thomas commented that he thought this was a great location for an all-pedestrian alley, and the design with businesses on the ground floor would further stimulate pedestrian activity in the area.

Mr. Skala stated he appreciated the fact the affected property owners got together to work this out so the Council did not have to make a decision that would impose on any particular property owner.

B154-13 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B162-13 Rezoning property located on the south side of Conley Avenue, between Fourth Street and Fifth Street, from R-3 (Medium Density Multiple-Family Dwelling District) to PUD-90 (Planned Residential Development District with a development density not exceeding 90 dwelling units per acre); approving The Residences at Fifth and Conley PUD Development Plan and setting forth a condition for approval; approving the statement of intent.

R130-13 Authorizing a parking space license agreement with Collegiate Housing Partners for the lease of parking spaces in the Fifth Street and Walnut Street parking garage.

The bill was given second reading and the resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid made a motion to amend B162-13 per the amendment sheet provided to Council by staff earlier in the evening. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mayor McDavid made a motion to amend R130-13 per the amendment sheet. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Ms. Hoppe understood the Planning and Zoning Commission was concerned about pedestrian traffic and the location of the door in terms of the intersection instead of midstreet, and asked for clarification from the applicant.

Robert Hollis, an attorney with offices at 1103 E. Broadway, provided a handout and stated he was representing the applicant, and explained Collegiate Housing Partners was the group that had initially been interested in the Niedermeyer property and had ultimately helped to save that building. As part of that process, they found this site they were proposing to develop now and had gone beyond what was required in terms of contacting neighborhood

associations within and outside of the notification zone. In addition, they had revised the plan repeatedly in order to accommodate the suggestions of staff and the Planning and Zoning Commission. He described the location of the property and noted it made sense in terms of land use in the City center. He thought the comprehensive plan pushed for this type of development in the City center as high density developments livened the area, led to a wider variety of uses, and contributed to safer streets and less crime. He noted the applicant would provide 90 bike spaces, which was 75 more than required, and offered to answer any questions.

Ms. Hoppe understood the Planning and Zoning Commission had commented on the satellite on the top of the building and asked if it was functional or just a design feature.

Brandt Stiles, 7711 Bonhomme Avenue, St. Louis, Missouri, explained he was with Collegiate Housing Partners and noted their strategy was to develop with a smart growth mentality. They felt this location and its proximity to the University and downtown would encourage and promote a sustainable pedestrian friendly community. They would encourage multi-modal forms of transportation with this development by providing a car share program through Enterprise Rent-a-Car, supporting the FastCAT system and allowing for a bike share program. The reduction in parking was due to a cultural change of less dependence on automobiles and this was being seen with college-aged students. They would promote this through early education of prospective tenants in terms of making them aware of smart alternatives to having a car on campus. They would recommend long term storage in City parking garages and would provide some on-site parking spaces as they planned to provide 124 spaces on-site and an additional 50 spaces in City parking garages. They would also have 18 on-street parking spaces.

Tim Crockett, an engineer with offices at 2608 N. Stadium, explained they had met with the University of Missouri early in the process in an effort to obtain input and thoughts on the project and to ensure it was consistent with the master plan since the property was adjacent to the University. They also performed a traffic study for the development utilizing a model from the City and the University as well as one they had generated themselves, and the result of the study indicated the subject intersections would function well within a high level of service. He noted concessions had been made during this process and explained they would be adding eight additional feet of pavement along Fourth and Conley. They had also agreed to the setbacks recommended by the Planning and Zoning Commission. He pointed out their traffic engineer was working with the City traffic engineer to determine the pedestrian impacts that would take place with this development. Although that study was not complete, he thought it would illustrate pedestrians would be able to utilize the area without any issues and the intersections for vehicles would not drop in terms of level of service.

Pat Fowler, 606 N. Sixth Street, stated she was speaking as an individual in support of this project as she believed it was in the right location and had the best opportunity to be a low car development. In addition, it was located directly across from the Mark Twain dining hall, which was immediately adjacent to campus. She thought the number of parking spaces being provided was appropriate for the development given its location. She was particularly happy about the loading and unloading zone that was under cover and inside the building so there would not be a mess in terms of traffic on the street when there was turnover. She

commented that she had been a member of the car share program since it began at the University and thought it would work well for this development. She explained she needed to correct some comments she had made at the Planning and Zoning Commission meeting on June 6, 2013 as she had since been told commuter parking spaces were only available for Monday-Friday daytime parking per University policy. They did not allow overnight parking except for on-campus students. She thought there was an opportunity for the University and City to partner in terms of full time use of those spaces as there was a car problem in the downtown. She believed the flying saucer on the top of the building was a slight concern as she felt it was an attractive nuisance that would challenge students to climb it. She was also concerned about the 18 parking spaces along the curb as they would create an obstructed view and asked the City to review this as part of the pedestrian study. She reiterated she was in support of the project as it was the right project in the right place and asked Council to approve it.

Mr. Skala asked if there was interaction between the warehousing of cars and the FastCAT system offered students. Ms. Fowler thought a better solution could be found in terms of warehousing vehicles on the University lots. She understood parents sent cars with students because that was the easiest way to get them home, and not because they expected the students to need it while at school. Mayor McDavid agreed this provided an opportunity for the Transit Division to be creative.

John Clark, 403 N. Ninth Street, stated he believed this application should put to rest the overblown concern of Council and local developers that the elimination of large scale parking from C-2 would destroy residential development downtown as there had always been the possibility of PUD in the downtown. He did not believe C-2 zoning was necessary for development to occur. He asked what the connection fees were in terms of dollar amounts to all of the utilities to include stormwater, and if there was not a major connection fee, he thought they should be thinking about it. He suggested the Council require enforceable outcomes as part of the plan and development agreement, and wondered how students would get around town to shop and participate in other activities that were not within walking distance.

Mayor McDavid commented that he believed planning was tough as he did not think anyone anticipated a 40 percent increase in the student population at the University of Missouri in 2000, and all of that capacity had met off of campus. As a result, the City ended up with large apartment complexes on the outside of the central City area requiring students to drive cars to get to campus. He stated he was happy to see this design and location because it was a quality development next to campus, which did not require students to have a car since they could ride the bus. He felt this was a template for adding student housing in the future and noted he would support this project.

Mr. Trapp understood the average density in Columbia was 2.6 per acre and this would be the densest development in the history of Columbia. He thought this was a great example of smart growth and was the antithesis of sprawl. He commented that he liked the flying saucer architectural feature and suggested the developer not succumb to community pressure by removing it. He stated he planned on supporting this rezoning request and project.

Mr. Skala commented that this development addressed the issues of C-2 developments in terms of infrastructure, such as parking, stormwater and sewage, since it would be zoned PUD. He felt those were the high density aspects of student housing that needed to be addressed. He appreciated some of Mr. Clark's comments with regard to addressing some of those particular issues and thought the Council would need to discuss overlays for C-2 zoning in the future. He believed this project had been well thought out. He explained he was wary of the system for warehousing vehicles for the weekends, but understood they did not have a good method to get students to and from their vehicles, and asked that the transit system address this issue. He felt the car share program was a good idea and was happy with the smart growth concept. He was concerned about the student housing bubble bursting, but understood this was a better project in terms of location, and as a result, he planned to support the project.

Ms. Nauser stated she felt this project showed how people could work together to come up with a good plan, and believed it was a model for other developments in the downtown. If they planned to promote alternative transportation, she believed they needed to rethink the notion of providing a parking spot for every person.

Ms. Hoppe stated she was happy to support this project and thanked the developer for finding an alternate location to the Niedermeyer property. She thought PUD zoning was the correct zoning for high density residential developments and noted the developer had addressed parking and transportation issues. She commented that she liked the design, to include the satellite feature, and the PUD zoning allowed sufficiency of service issues to be addressed.

Mr. Schmidt commented that more sidewalk space under the flying saucer design would be a nice feature if it was not already planned and thought a 4-5 foot setback would help the situation.

Mr. Thomas commented that he liked this development as he believed they needed to move away from the idea there would be one car for every adult person, resident or visitor as the downtown developed. This project would impact the overall ratio, which he believed needed to change, so they would not have to provide as much automobile storage and access since that impacted the look and feel of the downtown. He believed this would be more normal as people became comfortable with the idea of having a range of choices in terms of how they completed their journeys for school, work, errands or recreation. This development allowed people to participate in a bike share program, walk, take the FastCAT bus, etc. He urged the developer to follow through on the early education commitment to use the multi-modal nature of the development to rent the apartments. He was not sure if decisions had been made as to whether tenants were automatically members of the car or bike share programs or would receive passes for FastCAT for free, but believed they should, as they were built in advantages of living at that location. He commented that he preferred to see off-street parking be completely off-site, and not within the downtown area as it might continue to put pressure on the community to build more parking downtown. He understood they had to solve the problem of getting back and forth to the off-site parking areas, but thought that would be addressed with an improved bus system. He also understood they would soon be reviewing the C-2 zoning codes, which applied to a lot of the downtown, and

felt this project should be a model for the revisions of those codes in terms of maximum parking requirements instead of minimum parking requirements. He stated he would support this rezoning request and project.

B162-13, as amended, was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on R130-13, as amended, was recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

B173-13 <u>Authorizing an agreement with Heibel-March, LLC for the conveyance of the Heibel-March building and lease of city-owned property located at 900-902 Rangeline Street.</u>

The bill was given second reading by the Clerk.

Mr. Griggs provided a staff report.

Ms. Hoppe understood the final plan included parking in the back. Mr. Griggs stated that was correct.

Ms. Hoppe understood the lease would be \$10 per year for 90 years and stated she thought that was very generous even with the investment of improving the property. Mr. Griggs noted the lease could be changed to whatever the Council wanted, but pointed out these terms had been worked out with the developer.

Mayor McDavid understood the City was trying to get the building into private hands and were essentially giving it away. Mr. Griggs stated that was correct. Mayor McDavid asked if they would pay property tax. Ms. Thompson replied that as long as it was titled in the City's name, property tax would not be assessed. Mayor McDavid asked if there would be personal property tax. Ms. Thompson replied there would be if there was any personal property that would apply. Mayor McDavid noted they would use electricity and the City would receive the PILOT associated with it. Ms. Nauser understood no property taxes were being paid now since the City owned it. Ms. Thompson stated that was correct.

Mr. Thomas understood the City was retaining title to the land and the building, and was leasing both to Grove Construction. Mr. Griggs stated the City owned the land so they could control what became of the building as Council had previously been concerned with losing control of what the building could be if it was sold. Mr. Thomas understood the City would own the land and charge \$10 per year and Grove Construction could do what it wanted with the building within reason. Mr. Griggs stated that was correct as long as what they wanted to do was within the lease agreement.

Ms. Hoppe understood the benefit to the City was the preservation of the historic building. Mr. Griggs stated that was correct.

Ms. Thompson noted some assessors taxed leasehold interests, but she was not certain if this was done in Boone County. Mayor McDavid did not believe it would be a big sum even if that occurred.

Mr. Schmidt thought an argument could be made that the Grove's were being generous to the City in terms of them investing money for 90 years while the community still had the building.

Mr. Matthes pointed out one reason for a long term lease was that it allowed for the capitalization of improvements as banks tended to loan money for longer leases.

Pat Fowler, 606 N. Sixth Street, stated she was the President of the North Central Columbia Neighborhood Association Board and explained the Neighborhood Association was delighted to support the sale of the building and lease of the land to Bob Grove and Grove Construction as they were generous citizens that had stepped up on many occasions to create change for the greater good of the citizens of Columbia. Their renovation and development of 200 College Avenue was probably the finest example the City had of an accessory dwelling unit that increased density while maintaining scale in a neighborhood. The fact that the purchase and renovation of the Heibel-March building made good business sense for Grove Construction while meeting an important community desire to preserve and restore a cultural asset was the best possible outcome. She noted Betty Cook Rottmann was a legend in the neighborhood that had pushed for outcomes that would serve the greater good, and her image was painted on the side of the building, and Grove Construction had agreed to allow the neighborhood to finish the mural as long as it did not interfere with restoration of the building. She thanked those involved in the preservation of this building as a viable commercial space for their efforts over the past years. She stated North Central was proud to be the most diverse mixed-use neighborhood in the City as they felt their future was tied to mixed-use in scale with existing uses, and noted form-based zoning might be one of the strategies North Central needed to protect itself in terms of encouraging families to raise their children there and restoring homes in an effort to allow them to remain the most mixeduse, affordable, culturally and economically diverse neighborhood in Columbia. She asked the Council to double their efforts in terms of the comprehensive plan to implement policies and establish ordinances to assist neighborhoods.

Ms. Hoppe stated she was happy to see this as it had been a long process with a lot of past failed attempts. She noted she was glad to support it.

Mr. Skala agreed this had been a really long process and noted he had taken Ms. Fowler's comments to heart in terms of having extra time to look at the comprehensive plan and ensuring the items she had mentioned were considered.

B173-13 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B176-13 <u>Authorizing the issuance of Sewerage System Refunding Revenue Bonds, Series 2013.</u>

The bill was given second reading by the Clerk.

Mr. Blattel provided a staff report.

B176-13 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. ABSENT: NAUSER. (Ms. Nauser stepped out and did not return until after the official vote was taken.) Bill declared enacted, reading as follows:

B177-13 <u>Authorizing the issuance of Water and Electric System Revenue</u> Refunding Bonds, 2013 Series A.

The bill was given second reading by the Clerk.

Mr. Blattel provided a staff report.

Mayor McDavid made a motion to withdraw B177-13. The motion was seconded by Mr. Skala.

Mr. Schmidt understood a first and second reading would be required if this was brought back and asked if staff anticipated that being a problem if the market moved quickly. Mayor McDavid stated he did not was the Finance Director engaged in speculation with regard to the bond market. Mr. Blattel stated a delay was generally not a problem. In this situation the Federal Reserve Chairman made a comment that affected the market. The market had been stable and was gradually decreasing during the prior nine months, which was why staff waited until now to refinance. In hindsight, he thought they should have started the process two weeks earlier.

The motion made by Mayor McDavid and seconded by Mr. Skala to withdraw B177-13 was approved unanimously by voice vote.

CONSENT AGENDA

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

- B163-13 Approving the Final Plat of The Crossing-EPC, Plat 2 located on the south side of Grindstone Parkway, west of Rock Quarry Road; authorizing a performance contract.
- B164-13 Vacating portions of utility easements on Lot 1 within The Crossing-EPC located on the south side of Grindstone Parkway, west of Rock Quarry Road.
- B165-13 Granting a variance from the Subdivision Regulations and a waiver from the requirements of the City Code regarding sidewalk construction on a portion of the west side of Brown Station Road, south of Waco Road; setting forth a condition for approval.
- Authorizing construction of the Prairie Lane connection project from Prairie Hill Subdivision to Vanderveen Crossing Subdivision, construction of traffic calming devices on Prairie Lane, a midblock crosswalk with a center median at the Bear Creek Trail Connector on Blue Ridge Road, and a sidewalk on the north side of Blue Ridge Road between Snow Leopard Drive and Piranha Court; calling for bids through the Purchasing Division.
- B167-13 <u>Authorizing a right of use permit with 1101 East Walnut, LLC for construction, improvement, operation and maintenance of a private storm sewer system in a portion of the Orr Street right-of-way.</u>
- B168-13 <u>Accepting conveyances for drainage, sidewalk, sewer, temporary construction and access to storm water facilities purposes.</u>
- B169-13 <u>Accepting Stormwater Management/BMP Facilities Covenants.</u>
- Authorizing the acquisition of an easement for the relocation of a water main located at the intersection of Stadium Boulevard and Worley Street as part of the Stadium Boulevard corridor street and storm sewer improvement project.

- B171-13

 Authorizing an agreement with MFA Oil Company for use of a portion of railroad right-of-way located adjacent to Fay Street and Eugenia Avenue for roadway access.
- B172-13 Accepting conveyances for utility purposes.
- B174-13 <u>Accepting and appropriating donated funds for the Beulah Ralph Memorial Plaza as part of the Douglass High School infrastructure improvement project.</u>
- Appropriating funds received from the Department of Health and Human Services Food and Drug Administration for the Boone County voluntary national retail food regulatory program standards project.
- R120-13 <u>Setting a public hearing: construction of the Christy Welliver memorial project at Stephens Lake Park.</u>
- R121-13 <u>Setting a public hearing: considering the 2013 Parks, Recreation and Open Space Master Plan.</u>
- R122-13 <u>Setting a public hearing: route selection for the 161 kV transmission line to the Perche Creek substation and system transmission improvements.</u>
- R123-13 <u>Setting a public hearing: consider an amendment to the FY 2013 Annual Action Plan for CDBG and HOME funds.</u>
- R124-13 Authorizing an intergovernmental agreement with the County of Boone relating to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2013 Local Solicitation.
- R125-13

 Authorizing the temporary closure of sidewalks along portions of the east side of Orr Street (104 Orr Street) and the north side of Walnut Street (1101 East Walnut Street) to allow for the construction of a new apartment building.
- R126-13 <u>Authorizing amendments to Community Housing Development</u>
 Organization (CHDO) agreements with Job Point and Show-Me Central
 Habitat for Humanity.
- R127-13 <u>Authorizing subordination agreements in favor of Providence Bank on property owned by JES Dev. Co., Inc. located in Hanover Estates Plat One.</u>
- R128-13 <u>Authorizing application to the League of American Bicyclists to designate the City of Columbia as a Bicycle Friendly Community.</u>
- R129-13 <u>Authorizing demolition of a dilapidated structure located at 302 Highview</u>
 Avenue; authorizing issuance of a special tax bill against the property.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

NEW BUSINESS

None.

INTRODUCTION AND FIRST READING

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

- B178-13 <u>Voluntary annexation of property located on the north side of St. Charles Road, approximately 300 feet east of Lakewood Drive; establishing permanent C-P zoning.</u>
- B179-13 Rezoning property located on the west side of Forum Boulevard and at the terminus of Chapel Plaza Court (2301 Chapel Plaza Court) from District O-P to District C-P.
- B180-13 <u>Amending Chapter 23 and Chapter 29 of the City Code as it relates to animated and digital signs.</u>
- Approving the Final Plat of Delta Delta Subdivision Plat 1, a Replat of a portion of Lot 35, LaGrange Place, located on the south side of Burnam Avenue, between Richmond Avenue and Curtis Avenue; authorizing a performance contract.
- Authorizing the vacation of easements for storm water facilities and access located on the east side of Seventh Street, approximately 100 feet north of Fairview Avenue; consenting to a Discharge and Release of Stormwater Management/BMP Facilities Covenant made by Central Missouri Community Action.
- B183-13 Authorizing a programmatic agreement with the Missouri State Historic Preservation Officer and the Advisory Council on Historic Preservation as it relates to CDBG and HOME construction activities.
- B184-13 Amending Chapter 14 of the City Code to establish a 10-hour parking zone on the north side of Locust Street, between Hitt Street and College Avenue.
- B185-13 <u>Appropriating special fuel tax rebate funds for the Fleet Operations Fuel and Facilities Upgrade project.</u>
- B186-13 <u>Amending Chapter 27 of the City Code to establish an electric service rate</u> for data transfer and communication structures.
- B187-13 <u>Accepting conveyances for utility purposes.</u>
- B188-13 <u>Authorizing construction of the Christy Welliver memorial project at Stephens Lake Park; calling for bids through the Purchasing Division; appropriating funds.</u>
- B189-13 Appropriating funds for Share the Light Program.
- B190-13 Accepting and appropriating funds from the Missouri Association of Community Arts Agencies to be used by the Office of Cultural Affairs for training purposes.
- B191-13 <u>Authorizing a Second Supplemental Agreement with the Columbia Mall Transportation Development District relating to transportation improvements to the Stadium Boulevard corridor from Broadway to I-70.</u>

REPORTS AND PETITIONS

REP95-13 <u>Southside Trail Estates, Parkside Estates preliminary plat/PUD plan request - authorization of resubmittal.</u>

Mr. Teddy provided a staff report.

Mayor McDavid made a motion directing staff to send this project to the Planning and Zoning Commission for regular review and the hearing process. The motion was seconded by Ms. Nauser.

Ms. Nauser stated she believed there had been considerable change as it was more restrictive. It was a PUD development and accommodations had been made in terms of a conservation easement, etc. She thought it deserved a hearing.

Ms. Hoppe stated she did not believe the changes were substantial, and although they referred to negotiations with the State Park, negotiations did not imply agreement, and she understood there was not an agreement. The two maps were very similar and it was only slightly less dense. Lots 1-8 involved multi-family housing and Lot 57 would house five families. She noted the Bonne Femme Watershed required a low impact PUD, and she did not believe this PUD addressed the concerns and requirements of the Watershed. She thought the project needed to be improved as it was not substantially different.

Ms. Nauser pointed out there was another piece of property nearby that abutted the Park and was zoned R-S in Boone County, and as a result, it would not have any restrictions. She believed this plan went above and beyond the requirements of other property in the area. She felt this project deserved the chance to go back to the Planning and Zoning Commission for vetting, and noted she did not believe the Park System would ever fully approve it.

The motion made by Mayor McDavid and seconded by Ms. Nauser directing staff to send this project to the Planning and Zoning Commission for regular review and the hearing process was approved by voice vote with Mr. Trapp, Ms. Hoppe and Mr. Schmidt voting no.

REP96-13 Parking Issues on Lansing Avenue.

Mayor McDavid made a motion directing staff to prepare an ordinance amending Section 14-324 of the City Code to prohibit parking on the south side of Lansing Avenue from Portland Street to Dene Drive. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

REP97-13 Roots N Blues and BBQ Festival Participant Drop-Off.

Mr. Matthes and Ms. Rhodes provided a staff report.

Mayor McDavid commented that he thought this was a great event downtown and wanted to see it in the downtown again in the future, if feasible, but noted he would defer to the event organizers as he was not putting on the event. He agreed Walnut was not a wide street, but garbage trucks, school buses and fire trucks traveled that street daily. He understood traffic could be controlled by two-way radios in terms of allowing one bus at a time on that stretch. He noted people carried blankets, chairs, etc., so walking that far with those items would be an issue for some. In addition, people would want to come back and forth and not stay the entire day. He reiterated he believed the organizers could control traffic adequately.

Mayor McDavid made a motion to allow shuttle drop-off at the Riechmann Pavilion parking area conditioned upon Thumper Entertainment providing ambulance service during all hours participants were on-site, including strict hold harmless and indemnification language in the contract agreement to cover claims against the City of Columba, and incorporating a one-way traffic management system. The motion was seconded by Mr. Thomas.

Mr. Schmidt thought the festival organizers likely had the expertise with regard to crisis situations and wondered whether it was the City's place to tell them what to do with ambulances. He felt the City should let them decide what was appropriate in terms of ambulance service and insurance.

Ms. Hoppe stated she traveled that section of Walnut frequently, and noted Randy Adams Construction Company and the Crush Orange distributor used to be located across from the Riechmann Pavilion and trucks traveled it frequently. She believed the street was capable of handling this type of traffic, but thought planned timing of the buses would help considerably. She commented that she appreciated the concern of staff, but thought the street could handle the traffic that would be generated by the event. She noted she believed this drop-off location would also be less disruptive to other park users.

Mr. Skala commented that as long as the City was held harmless as suggested by staff and as long as the traffic could be controlled as suggested by Mayor McDavid, he did not believe there was any reason they could not assist in trying to maximize the chance for this event to succeed. He stated he would be happy to support the motion with those conditions.

Ms. Nauser stated she they might be making an issue of something that was not an issue. She noted Walnut met street standards and had the ability to allow two vehicles to pass with room to allow an emergency vehicle to go through.

Mayor McDavid felt the City had missed the opportunity to showcase and market Columbia Transit. He understood the buses were larger, but thought they could have had 4,000-5,000 people using the app and riding FastCAT for the first time. They could have seen that it went by the parking garages, downtown restaurants, etc. He was disappointed that Thumper Entertainment was renting school buses to shuttle people from downtown to Riechmann Pavilion while they had empty FastCAT buses traveling through Columbia. He felt this was an opportunity lost. Ms. Nauser agreed. Ms. Hoppe asked if it was too late. Mayor McDavid replied he understood it was too late.

Mr. Trapp commented that he understood the Roots 'N Blues festival was the favorite in Columbia. It was liked more than parks and trails and the True/False Film festival, and as a result, he thought the City should support the event by allowing people to get as close to the gate as possible.

The motion made by Mayor McDavid and seconded by Mr. Thomas to allow shuttle drop-off at the Riechmann Pavilion parking area conditioned upon Thumper Entertainment providing ambulance service during all hours participants were on-site, including strict hold harmless and indemnification language in the contract agreement to cover claims against the City of Columba, and incorporating a one-way traffic management system was approved unanimously by voice vote.

REP98-13 <u>Downtown Community Improvement District (CID) Board of Directors - Membership.</u>

Mayor McDavid made a motion to replace Andrew Beverly and Jennifer Perlow with Tony Grove and Tom Schwartz by appointing them to the terms ending February 2015. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

REP99-13 <u>Downtown Community Improvement District - FY 2014 Annual Budget Information.</u>

Mayor McDavid understood this report was provided for informational purposes.

REP100-13 North 763 Community Improvement District Annual Budget.

Mayor McDavid understood this report was provided for informational purposes.

REP101-13 Stormwater Issues - Sexton, Ash and Worley Street Area.

Mr. Matthes provided a staff report.

Mr. Schmidt asked that this report be expanded to include the area between Ash and Broadway as he had received quite a few complaints. Mr. Nichols stated he thought this type of information came out of a database so it could be provided for the expanded area as long as complaints were reported to the City. He noted many people had not reported incidents over the years.

Mr. Schmidt stated he thought the complexity of the inflow and infiltration problem was interesting as there were some responsibilities associated with the owner and other responsibilities that were not that of the owner. He noted the smallest budget group within the CIP Plan was stormwater.

Mayor McDavid thought this was an interesting report because it provided a history of stormwater construction and felt it would be useful if they could be provided the degree of flooding over time, but understood that information likely did not exist.

Mr. Thomas noted the Council had tabled a decision regarding a public housing acquisition project at Garth and Sexton, and asked if there was any way this information could be interpreted to guide what would likely happen if and when that development came forward. Mr. Nichols explained the stormwater would go into the same system that had issues now. Mr. Thomas understood it would not make it any better and might make it worse. Mr. Schmidt thought it might make it better. Mr. Nichols understood they would detain some of the water, so he did not believe it would be worse, but noted he did not think it would correct the problems in the area and intersection. Mr. Skala recalled they had indicated they would make some on-site improvements in terms of water retention. Mr. Matthes stated his sense of the project was for a net improvement on the site, but they would not be able to address the area upstream or downstream from the site.

Mr. Nichols pointed out that as they disconnected the stormwater pipes from the sanitary sewer pipes, the stormwater would flow over land and travel back into the storm system.

Ms. Hoppe stated she believed people would much rather have stormwater in the basement versus sewage. Mr. Nichols noted it was the stormwater that forced the sewage back up.

Mr. Schmidt explained he had some people indicate to him that their check valves were blue and asked if that was possible. Mr. Nichols thought that was possible with the amount of rain they had recently.

REP102-13 Obstruction on Downtown Sidewalks - Ordinances and Enforcement.

Mr. Teddy provided as staff report.

Ms. Hoppe made a motion directing staff to bring forward an ordinance to include the sandwich board signs rules listed in Section 23-12 of the Columbia Code of Ordinances in Section 24-2 of the Columbia Code of Ordinances as well. The motion was seconded by Mayor McDavid.

Mr. Schmidt noted The District had recommended they be allowed to work with the merchants. Ms. Nauser understood they could work it out, but thought it was better to clarify it for the public as well.

The motion made by Ms. Hoppe and seconded by Mayor McDavid directing staff to bring forward an ordinance to include the sandwich board signs rules listed in Section 23-12 of the Columbia Code of Ordinances in Section 24-2 of the Columbia Code of Ordinances as well was unanimously approved by voice vote.

REP103-13 Tornado Sirens.

Mayor McDavid understood the staff recommendation was for the City to continue to test the siren as they did now, and not move to a silent test. Mr. Matthes stated that was correct.

Ms. Nauser understood another recommendation was to coordinate with Region F agencies for consistency, utilizing a different sound effect depending on the situation, and to only sound the siren in the affected area versus the entire county, and suggested they look into these recommendations.

Mayor McDavid asked for the coordinating agencies. Mr. Matthes replied the emergency management function was with Scott Olsen of the Boone County Fire Protection District. Those that activated the system were the 911 call takers.

Mr. Skala felt they would risk desensitizing people if they made changes unless there was a really good reason for the change. Mayor McDavid agreed.

Ms. Hoppe noted Mr. Olsen had recommended an intermittent siren when there was an actual tornado and had also asked for feedback, so she thought it was worth looking into further.

Mr. Skala asked for clarification of the situation now. He wondered if there was a difference between the alarm system and an actual event. Mr. Matthes replied he did not believe there was a difference.

Mr. Schmidt understood the sirens were not tested during inclement weather. Mr. Matthes stated that was correct.

Mayor McDavid asked if Council wanted a letter written to the Boone County Fire Protection District since they had jurisdictional authority over the sirens.

Ms. Nauser thought they should follow up on whether the population was paying attention to the sirens as her experience was that people did not take shelter during a real tornado event.

Mr. Schmidt commented that the tornado siren testing helped him to know how loud it was in various locations, and he believed he benefited from it since he knew what it sounded like.

Mr. Skala understood the real question was whether the testing should be different than an actual weather event, and thought they might ask that question for someone to consider.

Mayor McDavid suggested they ask staff to have the conversation and provide recommendations to Council. Mr. Matthes stated staff would provide recommendations.

REP104-13 Tools and Strategies for Addressing Youth and Gang Violence.

Mayor McDavid believed the Council wanted a community discussion via a Youth Anti-Violence Task Force to address all of the issues mentioned in the report, and suggested they be ready to establish a 13 member task force in about a month. Mr. Skala noted some of the most powerful boards and commissions the City had involved single digits in terms of membership. Mayor McDavid pointed out many organizations were involved in this issue, and listed some of those groups.

Mayor McDavid suggested each Council Member consider the composition of this task force, its mission, etc. over the next two weeks so they could discuss it for ten minutes or so at the next Pre-Council Meeting. He thought the goal should be to appoint the task force in a month. He did not believe Mr. Trapp and Ms. Nauser should be appointed to the task force, but thought they should be ad-hoc members.

Ms. Nauser stated she was pleased they were moving forward in this direction, and thought they should make this task force as community-centric as possible and define what they wanted to solve. She thought they needed to narrow it down to a couple issues and ensure the necessary stakeholders were involved. She noted they had a lot of good resources they could utilize as they did not need to reinvent the wheel.

Ms. Hoppe thought if they came up with a mission, they would then have a better idea of who needed to be on the task force. She thought the members would still need to reach out to other groups and organizations in the community as they would not be able have a representative of all of those groups on the task force.

Mayor McDavid stated he envisioned presentations being made by the Strive Coalition, the Columbia Public Schools, clergy, youth, etc. to the task force. Mr. Thomas suggested they find some youth to serve on the task force as well.

Ms. Hoppe commented that she would be interested in hearing from people they might not know, but would be valuable in terms of serving on the task force. Mayor McDavid stated he would invite the general public to contact their Council Member to volunteer or submit ideas. Mr. Skala noted some of this was already happening.

REP105-13 Intra-Departmental Transfer of Funds Request.

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

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Dale Roberts stated he was the Executive Director of the Columbia Police Officers
Association (CPOA) with offices at 1301 Vandiver Drive, and noted there was not a
consensus within the CPOA on the curfew issue. Some believed it was great to have another
tool, but others were concerned they would be blamed if something involving a 16 year old

happened. All members of the CPOA, however, did agree that there were not enough officers to enforce a curfew. Officers currently worked 12 hours on and 12 hours off, and were frequently required to stay 2-4 hours longer to wrap things up. In addition, they were required to do mandatory overtime and mandatory training on days off. He explained an officer that picked up a juvenile was off of the street for two hours by the time everything was said and done. He asked that the Council provide more officers if they implemented a new requirement for the additional duties involved.

Mary Hussmann, 5306 Rice Road, stated she believed curfews were repressive and would only cause more rebellion and lengthen the distance to a solution. She felt humans had a strong tendency to resist, rebel and test limits when belongings or places were newly restricted, and city mandated curfews created a prison-like atmosphere at homes. Curfews raised a lot of questions, such as whether police would give chase or use lethal force if the child was doing nothing wrong, and whether it would increase the number of 911 calls, how it would affect relations between police and residents, etc. She did not believe they should mandate laws that altered the definition of wrong-doing based on age and location. She felt a curfew would only result in more problems and wasted money. She thought they could better engage families by opening up all of Columbia's publically funded events, recreational facilities, etc. free of charge, so low and middle income families were able to participate in all of the activities.

Eugene Elkin, 3406 Rangeline, agreed with the comments of Ms. Hussmann as kids needed something to do. In terms of natural gas, he thought the City needed to be more concerned with its safety, and noted he had spoken to a retired Columbia firefighter who could not believe the City's decision to move forward with a natural gas station. He believed natural gas was too volatile to allow.

Monta Welch, 2808 Greenbriar Drive, commented that the People's Visioning would like to see more opportunity for discussion regarding the move toward natural gas as well as the consideration of other options. They also had ideas in terms of renewable energy, and would love to talk to the Council about those ideas. In addition, they had some solutions in terms of gang violence, such as gangs to gardens, and wanted the City's support in creating gardens in neighborhoods. Although they had not discussed curfews, she thought the comments of Mary Hussmann were appropriate. She noted they felt their renewable energy initiatives would bring lots of jobs to the community, which could help many situations.

Ben Jacob, 1 Liberty Plaza, stated he had been waiting 50 years for the City to get rid of additives in the water supply, and to consider using hydrogen peroxide instead of an ammonia-based solution. He asked the Council to ensure the fluoride and chloride were removed from the City's water supply, and to be careful with the use of natural gas.

Mr. Thomas explained he was a partner in a study with regard to how a change in infrastructure affected the behaviors of people living in the area, etc. and had data associated with the median and crosswalk on Providence Road that replaced the pedestrian bridge at that same location for the first week of June last year and this year due to the assistance of

the Public Works Department. There was virtually no change in the total volume of traffic and the average speed, but prior to the change, 46 percent of vehicles exceeded the 35 mph speed limit, and after the change, only nine percent of vehicles exceeded the 35 mph speed limit. The control site of College Avenue between University and Rollins also had a reduction in the amount of speed in traffic from 48 percent to 23 percent. He noted he was only providing the data at this time as they would continue to try to understand it.

Mr. Thomas stated he had received comments from residents of Garth Avenue and East and West Parkway regarding concerns with regard to the speed of traffic on those streets. The residents of West Parkway had raised money for a 25 mph kids area speed sign, but would prefer at 20 mph speed limit as did many residents of Garth Avenue, south of the school and the library, where it was residential on both sides. They were interested in speed bumps and other traffic calming measures as well. He asked if a report with options could be provided. He understood Garth was a 30 mph street because it was not considered residential, but he and residents felt it should be at least 25 mph if not 20 mph.

Mr. Thomas noted the State of Oregon had passed a law allowing municipalities to declare any streets that were 18 feet wide or less as pedestrian priority streets, which meant drivers had to yield to pedestrians anywhere on those streets.

Mr. Thomas explained he could not ride his bike due to recent surgery and would be walking home tonight since the transit system did not run at 11:15 p.m. on Monday nights. He hoped they could extend hours on Monday evenings in the future to allow people to attend the Council Meetings.

Ms. Hoppe stated Portland used attractive mid-block speed tables to reduce traffic speeds in a gradual manner, and noted she would obtain and provide a picture for City staff.

Ms. Hoppe explained she had done some research regarding curfews and found a Curfew Violation Literature Review that had been prepared for the U.S. Department of Justice in October 2009, which she would share with the task force. The results indicated most studies that had reviewed the impact of curfew laws on juvenile crime had generally concluded there was little evidence that curfew laws made a significant impact on juvenile crime rates. In addition, most crime, during the school day, occurred during the hours after school, and on non-school days, most crime occurred 8:00 p.m. to 11:00 p.m.

Ms. Hoppe stated she had been contacted by someone indicating the "no parking" sign on Dorsey was pulled out of the ground from the base and a car had been parked on that street for about a week. She asked that the sign be replaced.

Ms. Hoppe commented that the High Street sign had been placed high on a telephone pole to reduce its ability to be stolen, but recently the sign had been removed. She asked staff to look into the possibility of painting "High Street" on the pole in order to solve the problem.

Ms. Hoppe assumed staff would discuss partnering with the University in terms of its parking areas as was mentioned when the Collegiate Housing Partners rezoning project was discussed earlier.

Ms. Hoppe asked Council to consider allowing public comment for certain reports as some reports addressed important issues, and she believed input was important prior to making a decision. She suggested a two-tiered report system as some reports were routine while it would be helpful to obtain comment prior to discussing other reports.

Ms. Nauser commented that she received an e-mail from a gentleman regarding the definition of family and asked that it be reviewed while the City was revisiting the over occupancy issue. She noted she would forward the e-mail to staff.

Mr. Skala stated a couple of his constituents had contacted him regarding the fee schedule for utility payments. He understood there would not be a fee for those that paid with cash or check by mail, in person or automatic bank draft, but customers choosing to pay by credit card or e-check via the internet or telephone would be charged a \$4.60 convenience fee for each payment up to \$1,000. He assumed this was a cost of service, but thought this was a bit excessive. He also wondered if they could use their banks to pay the bill without being charged the fee. Mr. Matthes stated staff would look into it and provide a response to Council.

Mr. Skala asked if the parking by permit area issues could be finalized by August when students returned in order to incorporate more areas. Mr. Matthes replied the idea of these areas was very popular and four neighborhoods had requested something similar. The City had one staff member that was professionally qualified to figure it out so they did not have the ability to do more than one at a time. If they went by how they had been approached, East Campus would be addressed first, and then Benton Stephens, Garth and Stewart.

Mr. Skala thanked staff regarding no parking on the one side of Lansing and for cleaning up the trail head he had mentioned in a quick manner.

Mr. Skala pointed out several Council Members held office hours, and he held office hours twice a month on the Saturday before the Monday Council Meeting from 9:30 -11:00 a.m. at the Coffee Zone and on Tuesday evenings from 4:30-5:30 p.m. He welcomed anyone to attend those sessions or to contact him by phone or e-mail.

Mr. Trapp asked for a time frame for when the double gate would be completed at the Garth Nature Area Dog Park. The existing gate kept the big dogs out, but little dogs could still escape at this time.

Mr. Trapp suggested changing the name of High Street to Recovery Way or something similar to address the issue of the sign being stolen. Ms. Hoppe noted a change in street name required a lot of paperwork.

The meeting adjourned at 11:27 p.m.

Respectfully submitted,

Sheela Amin City Clerk