

**CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
701 E. BROADWAY, COLUMBIA, MISSOURI
JULY 15, 2013**

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, July 15, 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 SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT and TRAPP 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 July 1, 2013 were approved unanimously by voice vote on a motion by Ms. Hoppe and a second by Ms. Nauser.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

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

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.

BICYCLE/PEDESTRIAN COMMISSION

Boyd, Elke, 2004 N. Parklawn Court, Ward 2, Term to expire July 31, 2016

Burden, Mike, 1011 Again Street, Ward 1, Term to expire July 31, 2016

BOARD OF ELECTRICAL EXAMINERS

Andrade, MacKenzie, 1608 Whitburn Drive, Ward 5, Term to expire August 1, 2016

Malicoat, Fred, 4101 N. Wappel, Ward 4, Term to expire August 1, 2016

Shanker, Richard, P.O. Box 10202, Ward 6, Term to expire August 1, 2016

BUILDING CONSTRUCTION CODES COMMISSION

Jackson, Robert, 3854 E. Franklin Road, Boone County, Term to expire August 1, 2016

Malicoat, Fred, 4101 N. Wappel, Ward 4, Term to expire August 1, 2016

Weber, David, 2804 Wild Plum Court, Ward 6, Term to expire August 1, 2016

Young, Matthew, 5600 N. Pintail Lane, Boone County, Term to expire August 1, 2016

COLUMBIA LIBRARY DISTRICT BOARD

DeVore, Shelly, 2 Lucerne Court, Ward 5, Term to expire June 30, 2014

COLUMBIA VISION COMMISSION

Fazio, Venita, 8693 W. Brennen Drive, Boone County, Term to expire December 15, 2013

PUBLIC TRANSIT ADVISORY COMMISSION

Droege, Nick, 1616 Anthony Street, Apt. 102, Ward 6, Term to expire March 1, 2014

Quinn, Christiane, 719 W. Broadway, Ward 1, Term to expire March 1, 2014

SCHEDULED PUBLIC COMMENT

Jordan Derrick – Constitutionality of a youth curfew as it pertains to the 4th Amendment of the U.S. Constitution and the Missouri Constitution.

Jordan Derrick, 203 Manor Drive, commented that he was concerned with the potential of a youth curfew as he did not believe it was compatible with the U.S. Constitution, Bill of Rights, 4th Amendment or the Missouri Constitution since it required the identification of people for doing nothing except for being on the street. He noted everyone had the right to be secure in terms of persons, papers and effects, and no one had to identify themselves to police unless there was probable cause. He thought those issues should be considered when discussing a potential youth curfew. He quoted Benjamin Franklin, who said “those that would sacrifice essential liberty for a small amount of safety deserved neither liberty nor safety.”

Linda Green – Speaking for the local Osage Group of the Sierra Club regarding the National Sierra Club report on fracking for natural gas.

Linda Green, 206 Anderson, explained she represented the local Osage Group of the Sierra Club and thanked the Council for requesting a staff report on fracking and related issues. She provided the Council a copy of the National Sierra Club report on fracking and stated an upwards of 80 percent of natural gas production within the next ten years was expected to come from fracking. She noted natural gas production was environmentally damaging and harmed public health, and fracking was the most common way to extract natural gas today. It involved injecting millions of gallons of chemically treated and toxic water underground to break up shell formations to release natural gas. She pointed out it was exempt from key federal and state environmental regulations, to include the Safe Drinking Water Act, the Clean Air Act, the Clean Water Act, the Resource Conservation and Recovery Act, the Superfund Law, the National Environmental Policy Act and the Toxic Release Inventory, and as a result, the public was kept in the dark about the dangerous chemicals that negatively affected the health of everyone. She commented that polluted fracking water was discharged into rivers and pointed out the Missouri River was downstream from “fracking country.” She stated six percent of the new natural gas fracking wells leaked, which was in addition to the older wells that tended to leak over time, and noted these leaks caused irreversible contamination of underground aquifers and water supplies. She explained the total greenhouse gas emission from natural gas was nearly identical to that of coal when leakage of methane was taken into account. She stated she believed fracking also caused earthquakes and the low cost of natural gas discouraged the development of solar and wind power. She felt they needed to phase out coal and nuclear power, bypass natural gas, and advocate for clean energy like solar and wind. Wind power had grown 30

percent per year over the last decade worldwide and its costs had been cut over 80 percent in the last 20 years, and solar power was the fastest growing industry in the United States and a local job creation source. She stated she thought now was the time to embrace solar, wind and electric cars, and pointed out natural gas was not a part of the clean energy future.

PUBLIC HEARINGS

B188-13 Authorizing construction of the Christy Welliver memorial project at Stephens Lake Park; calling for bids through the Purchasing Division; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Griggs provided a staff report.

Mayor McDavid opened the public hearing.

Anne Moore explained she was speaking on behalf of Ruth Welliver, the mother of Christy Welliver, who was unable to attend tonight and wanted to publicly express her gratitude to those involved in the project. She noted Ms. Welliver had been particularly moved at the groundbreaking ceremony that had been recently held and hoped everyone in Columbia would enjoy the beautiful improvements to Stephens Lake Park.

Dan Viets, 15 N. Tenth Street, thanked the City for moving forward with this project as he felt Christy Welliver was deserving of this recognition and an inspiring example for all Columbians.

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

Ms. Hoppe stated she believed this would be an excellent and beautiful addition to Stephens Lake Park and was also a fitting memorial and tribute to Christy Welliver, who had done so much for Columbia and its citizens.

Mr. Thomas noted Christy Welliver had turned her disability into a positive by being an advocate for people with disabilities and a community builder, and was a great icon for the community. He thanked staff for the design and noted it would be a wonderful location to visit and remember Ms. Welliver.

Mayor McDavid stated this memorial would be located at the west entrance, which was fundamentally the front door to Stephens Lake Park, and noted the design was striking.

Mr. Skala commented that he believed this was a wonderful project and noted Christy Welliver, who was a friend of his, was missed, and this would help in the remembrance of her memory.

B188-13 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT, TRAPP. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(A) Considering the 2013 Parks, Recreation and Open Space Master Plan.

Item A was read by the Clerk.

Mr. Griggs provided a staff report.

Mr. Schmidt asked if the Council would accept the commission comments when they accepted the plan. Mr. Griggs replied yes and explained the various commission comments were primarily positive. The Historic Preservation Commission had indicated they were

happy items, such as special purpose parks being used for historic preservation, had been added to the plan and the Parks and Recreation Commission had suggested moving the North Fork of the Grindstone Trail from a secondary to a primary trail. Mr. Schmidt asked if parklets had been discussed by any of the commissions. Mr. Griggs replied no. Mr. Schmidt wondered if staff had considered including it in the plan. Mr. Griggs explained they had not as the parklet idea had been developed more recently.

Mr. Skala asked for clarification with regard to the classification of trails as secondary or tertiary. He asked if it was based on staff review and public comment and wondered if development issues were taken into consideration. Mr. Griggs replied they had met with all of the user groups and worked with City planners with regard to future utility easements.

Mr. Skala noted the parklet could be included in trends. Mr. Griggs agreed.

Mr. Snyder explained only three trail projects had been moved up in priority from secondary to primary, and those were the North Fork of the Grindstone Trail per the Parks and Recreation Commission recommendation, the Cosmo Trail due to the construction of the converging diamond in the area, and the trail from Clark Lane to the north at the end of Phase 2 of the Hominy Trail since other connectivity was occurring in that part of town.

Mr. Schmidt asked if there was a map that showed distances from trails similar to the map that showed distances of neighborhoods from community parks. Mr. Snyder replied they did not have a map of that nature at this time, but thought it could be easily generated. Mr. Schmidt suggested that be added to this plan or to a future plan if it could not be added to this plan.

Mr. Trapp asked if any of the skate parks would include multi-use facilities so BMX bikers could also use them. Mr. Griggs replied they hoped to enlarge the one at Cosmo Park so it could be a multi-use facility. They also planned for the smaller neighborhood facilities to be able to be used by both.

Ms. Hoppe understood Mr. Devine, a member of the Parks and Recreation Commission, had indicated he wanted to see mandatory park donations by large developments by ordinance, and asked how the Council should proceed. She wondered if they should refer the development of an ordinance to the Parks and Recreation Commission. Mr. Griggs explained he believed Mr. Devine had wanted to revisit mandatory land dedications as it had been discussed about ten years ago. He thought staff could provide information to the Parks and Recreation Commission for its review. He pointed out the Community Development Department staff reviewed potential development areas against the Parks Master Plan and pointed out needs to the developers. As a result, developers were more willing to work with the City in terms of donating land or allowing the City to purchase land. Ms. Hoppe wondered if a policy was needed so this was equitable among developers. Mr. Griggs thought equity was the reason Mr. Devine had brought up the issue.

Mayor McDavid opened the public hearing.

Scott Butler, 805 Norman, thanked staff for including a BMX track in the Master Plan as he felt it would be a revenue generator and the lynchpin for a comprehensive bike area at Cosmo Park since Rex Run, a popular mountain bike area, was already located there. He stated he had spoken with USA BMX and they had indicated they would donate design, in-kind costs, and construction proceeds, as one of their priorities was to build another BMX

facility in Missouri. He explained he hoped to develop a coalition to help with funding so this could be placed on the CIP Plan.

Doris Phifer stated she loved the trails and the wonderful parks system, but cautioned the Council about providing or allowing campsites along the trails as she felt consideration needed to be given to their placement due to crime and other related issues.

Monta Welch, 2808 Greenbriar Drive, stated she was speaking on behalf of People's Visioning and eight other organizations, and understood many in the community liked greenspaces, trees, parks and trails so there would be support for more of those amenities. She agreed campgrounds were a good idea, but felt they should be thought out in terms of location. She commented that she believed the community would be supportive of acquiring more greenspace land.

Tyree Byndom, 501 N. Providence Road, commented that the Parks and Recreation Department had reached out to the Douglass Park Neighborhood Association to obtain input on the plan about a year ago, and asked about the allocation of facilities for the Douglass Park and Central City area compared to the rest of the community. He noted a lot of the homeless population used the parks after hours and wondered if this plan included a way to address the homeless since there were not many places for them to go.

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

Mr. Schmidt commented that he believed Flat Branch Park might be utilized more heavily if it was not occupied by a lot of people drinking, etc., and although it did not bother him, he understood it bothered many other people. He commended staff for including skateboard parks and wondered if they had communicated with the users. Ms. Godon explained staff had met with the local skateboard groups quite often, and they had asked for lights and an expansion of the existing skateboard park in addition to skate dots around the community so there was more than one location for them to skate. Mr. Schmidt stated he liked the idea of the tourism facilities and partnering with other entities and groups as it created an exciting possibility.

Ms. Hoppe stated she appreciated the expansiveness and comprehensiveness of the plan, and commended the Parks and Recreation Department staff for how well they interacted with and listened to the public in the development of the plan. She commented that the Grindstone Nature Area off of Old Highway 63 included a highly used off-leash dog area and allowed bow hunting, which she believed were incompatible uses and would create a problem as the area became more popular, and asked staff to review whether it was still appropriate to allow bow hunting in that area.

Mr. Thomas commented that he believed this was an excellent and professionally produced document and guide for the future. He agreed the Parks and Recreation Department staff did a great job of planning and building parks and trails, operating recreational programs, and interacting with the public as there was a high level of trust as shown by the success of funding ballot initiatives.

Mr. Skala agreed the Parks and Recreation Department had a tremendous reputation and this document was an extension of that reputation. He asked if the plan could be tweaked to incorporate the parklet and to address the bow hunting situation at the Grindstone Nature Area once the Council accepted it. Mr. Griggs replied the bow hunting and alcohol

use in parks were management issues that were not in the plan unless they were considered a trend, so those could be addressed separate from the plan. In addition, based upon Council comments, he planned to include the parklet in the trends section of the plan.

Mr. Skala noted the plan included alternative surfaces for trails and asked if those were provided to guide the Council in its policy decisions in the future. Mr. Griggs replied it was available to guide staff as well. He explained they felt each trail was unique and the surface needed to be selected based on the individual trail, and noted a trail in a flood area, for example, might be better suited for concrete instead of gravel.

Mr. Skala asked if high or low water bridge information had been included or would be included in the plan. Mr. Griggs replied the cost of bridges had been discussed, but he did not believe specifics in terms of low water or clear span bridges had been included as that was dependent on the area.

Ms. Hoppe understood the plan showed the different types of trails, such as equestrian trails, bike trails, hiking trail, etc. Mr. Griggs stated that was correct.

Mr. Schmidt asked if there were equestrian trails in Boone County. Mr. Snyder replied the nearby horse trails were at Mark Twain National Forest, Three Creeks Conservation Area and Rock Bridge State Park.

Mr. Thomas noted there had been discussion about paving the MKT Trail approximately 6-7 years ago, and it had not been popular with the vast majority of trail users at that time. Bike commuters in the Fourth Ward had communicated their concerns about not being able to use the trail for weeks or months during the winter since it could not be swept like a concrete trail and because there was a lot of mud even after the snow melted. As a result, he wondered if they wanted to designate some trails as commuter trails that would benefit from a hard surface. Mr. Griggs pointed out this would create much debate and stated they would look into how to address the situation. He noted they had received calls from commuters as well. Mr. Skala agreed the idea of hybrid trails, etc. was a difficult question.

Ms. Nauser made a motion approve the 2013 Parks, Recreation and Open Space Master Plan. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

(B) Route selection for the 161kV transmission line to the Perche Creek substation and system transmission improvements.

Item B was read by the Clerk.

Mr. Matthes, Mr. Johnsen and Mr. Williams provided a staff report.

Mr. Thomas asked if the respondents outside of the City limits were paying the electric utility for service. Mr. Johnsen replied no. He explained some people outside of the City limits would be affected by the transmission lines and had been invited to participate in the interested parties meetings. He reiterated that for the most part those that were not within the City limits would not be within the City's electric service territory either. Mr. Thomas understood they would not be affected by a cost increase in the rate. Mr. Johnsen stated that was correct. He explained they could not guarantee all of the people identified to be

within the City limits were a utility customer or that all of the people identified as being outside of the City limits was not a utility customer as there was some overlap.

Ms. Hoppe asked if staff could provide the number of respondents that would correspond with the percentage by wards. Mr. Johnsen replied they had hoped the map which showed the location of all of the respondents with dots would provide a visual of that data.

Mayor McDavid commented that he felt the cost estimate for undergrounding was substantially understated. He noted the City had 40,000 students and students tended to live in smaller apartments, which likely resulted in lower utility costs. The average home built in 2010 in the United States was 2,100 square feet. He did not believe the median utility bill was \$88. He thought most people were paying double that amount and a ten percent increase in the utility bill would be \$15-\$20 per month instead of \$8 per month. As a result, he was not sure people would vote for a ten percent increase, especially those that did not live in this area and already had distribution lines in their yards.

Mayor McDavid understood a vote was not needed to increase utility rates to reflect the cost of service, so Council could select Option A or Option B without a vote of the people. Ms. Thompson stated that was correct. Mayor McDavid asked if the vote of the people was required if the Council wanted to increase everyone's utility bill by ten percent. Ms. Thompson replied not if it was reflective of the increased cost of providing the service. Mayor McDavid understood the Council could hypothetically vote to underground everything which would impose a ten percent increase in utility rates. He also understood the citizens could initiate a petition to require a vote of the people if they were not happy with the decision of Council. Ms. Thompson replied that would depend on the expenditures that had already been made at the time and where they were in the process.

Mr. Johnsen explained he understood the point made by Mayor McDavid in terms of the average versus the mode, but staff involved with rates and finance had assured him it ended up in the ten percent range due to the number of smaller properties. If this was based on the average, he agreed the higher bills could sway the average.

Mr. Schmidt thought this was at least bi-modal distribution, and could be tri-modal distribution. He also understood everyone that paid a Columbia Water and Light utility bill was a stakeholder and thought those outside the area where the transmission lines would be located were underrepresented in the survey.

Ms. Nauser understood the Council was being asked to choose a route and to then determine whether or not the route chosen would have overhead lines, underground lines or be a hybrid with some overhead and underground lines. She also understood that regardless of the route or design chosen, the City would have to go to the voters for a bond. Mr. Johnsen stated the intention of staff was to go to the vote of the people for a bond once the route was chosen and the design was finalized.

Mr. Johnsen and Mr. Williams continued with the staff report.

Ms. Hoppe asked if Joplin, Missouri was moving forward with overhead lines or underground lines while reconstructing from the tornado damage. Mr. Johnsen replied he thought they had reinstalled overhead lines since it could be done relatively quickly.

Mayor McDavid asked if staff planned to show photos of the overhead lines so they understood how it would look as he thought there was a concern that placing the lines above ground would scar the landscape. He wondered if it would look worse or better than what was currently on Vawter School Road. Mr. Johnsen displayed a photo. Mr. Skala understood the newest technology would look somewhat different than what was shown. Mr. Johnsen pointed out it would look similar to what was shown on the photo. Mayor McDavid understood there would be less visible lines than what was currently on the poles along Vawter School Road. Mr. Johnsen replied that was correct. He explained the distribution lines would be placed underground and only the transmission lines would be above ground.

Mr. Schmidt wondered if they could do something similar to Percent for Art to add some design features. Mr. Johnsen stated he understood some environmentally sensitive areas had poles that looked like trees, but he was not sure how that would work in Columbia. Mr. Skala noted a cell tower being installed on Providence would be designed to look like a tree. Mayor McDavid felt that was beyond the scope of discussion tonight. Mr. Johnsen agreed.

Mr. Johnson continued with the staff report.

Ms. Hoppe asked if the City having intensive solar and energy conservation programs would affect the need or duration of this system. Mr. Johnsen replied loads affected the time frame in terms of how long this would last as a solution, but pointed out most net metering or in front of the meter type renewable resources did not necessarily work when they were needed in terms of high load/peak times. Technology that would economically store energy could impact the way the City operated, but that had not yet been developed. He noted the current infrastructure was inadequate for an expanding community and this project did not prevent a focus on more renewable energy or conservation in terms of the power supply. This project allowed them supply energy to those that needed it whenever they needed it. Mr. Skala understood net metering or distributive power generation could assist in the life span of the grid needed to supply the current demands and would serve as a function for reliability when distributive power generation was lacking. Mr. Johnsen explained the main focus from an import perspective was how much power they needed to be able to accommodate, and what power plants they needed to invest in to be able to supply the energy and capacity. It was a geographical issue in terms of hooking up customers to the system.

Mr. Johnsen completed the staff report.

Mr. Schmidt asked if this project needed to be done by 2015 or 2018 in order to avoid load problems. Mr. Johnsen replied the issues would start to show up around 2016. He noted some of the issues could be addressed with operational changes when they were at peak load conditions as had been done in the past, but it would cause the system to operate in a less reliable fashion. Staff felt they were at a point where they needed to make progress on addressing the situation.

Ms. Nauser thought this needed to be addressed by 2016 in order to avoid fines issued by federal regulatory agencies and asked for clarification. Mr. Johnsen agreed they needed to avoid fines, but pointed out those overloading fines could be avoided by making operational changes. He pointed out the agencies were concerned with the integrity of the

grid, which they could accommodate with operational changes, but those changes made the system less reliable.

Mr. Skala understood the time frame was dependent on the option chosen and whether the lines would be above ground or not, and asked what would happen if they ran into problems around 2016. Mr. Johnsen replied one of big pieces was the 161 kV feed on the western side of the service territory and he thought it had a similar time frame regardless of which option was chosen since the number of miles was almost the same. Mr. Skala understood the undergrounding would extend the construction time appreciably. Mr. Johnsen replied he assumed it would, but was not positive. He thought it was more likely a cost issue as they could likely get it done if they paid more.

Mr. Thomas asked if they would have to do something of this magnitude again, based on existing growth projections, if they moved forward with Option A in 10-30 years. Mr. Johnsen replied Option A was over a 20 year solution. He pointed out the Columbia Water and Light had a service territory for electric service with Boone Electric so theoretically the area they needed to serve would not change unless the agreement was renegotiated and they ended up with a larger service territory, which he thought was unlikely.

Mr. Thomas asked for clarification regarding the funding plan. Mr. Johnsen replied most of their infrastructure was bond funded, but they could fund it with enterprise revenue funds as well. He thought they would want to consider who would pay for it and noted they would likely want future users of the system to pay for future infrastructure instead of the past users, which bonding allowed. Mr. Thomas understood bonding would require the vote of the people, and if it passed, it would be paid for by an increase in utility bills. Mr. Johnsen stated that was correct.

Mayor McDavid opened the public hearing.

Eleanore Wickersham, 3632 Augusta Drive, stated she believed Option A was a poor choice and felt many people voted for it because they believed it could be undergrounded, which it likely could not since it was cost prohibitive. She noted she was one of those that had indicated she would be willing to pay more for undergrounding, but had envisioned a hybrid approach, whereby they would underground the lines in sensitive areas, such as schools. She understood the most recent estimate did not include undergrounding by Mill Creek Elementary School, which she felt was a poor choice and would be questioned since the lines were underground near Rock Bridge School. She commented that she believed the survey led people to vote for Option A since it indicated both B options would only be good for ten years. She wondered why that was the case and suggested staff be required to complete a new estimate for Option B based on it being 161 kV the entire way.

Jennifer James, 605 Sudbury Drive, stated she was the President of the Bedford Walk Homeowners Association and explained their subdivision bordered the Option A route on Nifong between Bethel and Forum. In addition, the children in the subdivision would attend the schools that were impacted by Option A. She asked Council to mitigate their concerns of health, property values and aesthetics by burying the high voltage lines as they passed the residential areas and schools, and noted more than 50 percent of the citizens who chose to have their voices heard in the survey offered were willing to pay more for buried power lines. She pointed out the survey did not provide for a hybrid version, but felt most were in favor of

a hybrid version. She commented that she did not believe anyone would win if the Council made a decision that compromised the health of citizens, devalued hundreds of homes and disturbed the aesthetic nature of the community regardless of whether one lived in the directly impacted area or in another area of the community.

Ron Magsamen, 4200 Baurichter Drive, explained he was opposed to Option A because he felt Nifong would eventually become four lanes and wondered how much room would be needed if the lines were placed above ground. He was also concerned about the aesthetics and noted everyone traveling the roadway would see it everyday when going to and from work. He understood the lines would be placed through a golf course, 3-4 subdivisions, which currently had underground utilities, and Mill Creek Elementary School. He wondered who would decide what portions were above and below ground, or if it would all be above or below the ground.

Tyree Byndom, 501 N. Providence Road, commented that he was uncertain of the priority areas in this plan, but thought there was a benefit to a hybrid approach. He noted there were areas in town in which there was disparity in terms of poles, above ground power lines, etc., and asked that consideration be given to underground in areas within the First Ward.

Monta Welch, 2808 Greenbriar Drive, stated she was speaking on behalf of nine different organizations and commented that buried lines provided advantages in terms of allowing for more trees to align the streets creating more shade. She thanked Ms. Hoppe for discussing renewables earlier and noted she could provide a specific plan for decentralized renewable energy within 2-3 weeks, which she believed would allow the City to bypass natural gas and go directly to renewable energy. She asked for the support of Council in that initiative and provided a handout with links describing the negative effects of fracking.

Jon Larson, 4303 Esther Lee Court, explained he had attended almost every meeting held on this subject and the most interesting one had been held at Gentry Middle School when a tweaking of Option A had been presented. Three Council Members had attended that meeting, and he had spoken with two of them after the meeting, and they had indicated they thought the transmission lines should be moved away from people. He noted he was opposed to Option A, but was in favor of Option B as it followed the MKT, which was open ground, and stated he believed there were health issues associated with power lines that had not been adequately addressed as there was a definite risk even if it was not conclusive. He hoped Council would review these options diligently. He understood Option A might be best for Columbia Water and Light, but did not believe it was best for those living in the area. In addition, he believed the survey was flawed as those in the affected area felt differently than those outside the area.

Karen Smith, 601 Sudbury Drive, commented that the decision to place the substation in a developed area in March, 2010 had created a domino effect of routing the transmission lines next to schools and existing neighborhoods. The decision at this point was whether and where to bury the 161 kV transmission lines. She understood there was a plan to bury the lines in the commercial corridor per the supporting documentation instead of the residential areas, so the schools and residents, from Bethel to Scott Boulevard, would be adversely impacted while the grocery stores and fast foods restaurants would not have that same

impact. They were concerned with were the negative impacts on property values, health issues and the aesthetics. She believed different parts of the City had differing needs, and felt the Council could take a leadership role by not pitting parts of the community against each other. She suggested those with sewer, transmission line and stormwater issues all be supported and accommodated.

Doris Phifer, 3901 Wakefield Drive, asked if the McBaine Substation had already been built. Mr. Johnsen replied it had already been built. Ms. Phifer stated she was afraid of that as it was in the floodplain and really only met the needs of those people to the north. It would not meet the needs of those in south Columbia.

Diane Meeker, 2401 W. Broadway, Apt. 1120, stated she was in support of Option A because it was the longest lasting solution based upon the information provided, and recommended that the lines be buried due to health and environmental concerns. She thanked Ms. Hoppe for bringing up the solar issue as she felt it was important to focus on renewable energy.

Larry Schilke stated he resided outside of the City limits and would be directly impacted by a route down Route K with Options B or B-2. He believed Option A was a no-brainer from an engineering and economic standpoint as they were comparing a 10 year solution to a 20-plus year solution for only a couple million dollars difference. He explained he was concerned with everyone's property and thought the issue was involved 24-36 inch diameter poles in backyards versus the aesthetics of the lines. He noted many people had their net worth in their homes and thought this would make it more difficult for someone to sell their home. He suggested the Council consider undergrounding the lines regardless of the option chosen to protect property values and net worth.

Cory Ridenhour stated he represented the Cascades Homeowners Association and explained they felt Option A was the most palatable. He noted they did not support Options B or B-2 due to the location of the lines and the lower longevity of the lines. Due to the service territory, they felt Option A would last longer than 20 years. He stated they supported a hybrid approach of burying lines in sensitive areas for Option A as well. He pointed out the Cascades was not served by the City for electric consumption, but had been asked to take the brunt of the visual impact.

John Loyd, 2304 Vancouver Circle, explained his home was in the Cascades and he was a member of the Board of the Cascades Homeowners Association, and noted his home was at Route K and the entrance to the Mill Creek substation. He stated he and most of his neighbors were in support of Option A, and commented that it was not just due to wanting to keep the lines away from his house as he felt he would see the lines regardless of where they were located. He was in support of it due to economics and its feasibility for the long term. He pointed out he was not served by the City in terms of power, but understood it was a good decision to make the grid better. He explained there were lines on one side of Route K and telecommunication lines on the other side, and asked if all of those lines would be buried so there was only one set of poles. Mr. Johnsen replied they intended to bury the electric distribution lines. They could encourage the telecommunication providers to bury their lines, but could not require it. Mr. Loyd understood the distribution lines along Route K did not belong to the City and asked if the City could still bury them. Mr. Johnsen replied yes, and

explained those were likely Boone Electric lines and the City worked well with them. Mr. Loyd commented that since Route K had poles on both sides currently, he thought it would be hard to find a yard along it that did not already have a pole on it, and believed Option A would reduce the number of poles in the area in the long run.

Tom Elliot, 3151 Vawter School Road, commented that he would be sleeping within 50 yards of the line if Option A was chosen, and noted it would impact a very large area in terms of the number of people and students. There were three schools, two churches and numerous multi-family and individual family homes that would be impacted. He felt Option B-2 was a better route because it went through an area where there would never be development. He understood people used the nearby trail, but pointed out they would pass by it briefly when on a bike or by foot, and it impacted less people than Option A. He noted he had some concern about the City and Boone Electric working together, and provided an example of a project the City started with regard to tree removal that Boone Electric finished. The City had promised replacement trees for those that had been removed, but when they came to collect the trees, they were told they could not be provided because they were not served by Columbia Water and Light, and Boone Electric did not assist as they indicated the City had cut them down. As a result, they did not receive any trees. In addition, this year, they had indicated they would spray a small swath of herbicide there, but it ended up being a 50 foot swath, and grass still did not grow there. He was skeptical of the result of the City and Boone Electric working together on this issue due to past experiences.

Russell Crane, 3809 Timber Run Drive, stated he was in Boone's Pointe Subdivision, which was located in the Fifth Ward, and asked that the City follow the current electric highways regardless of the route chosen as he did not feel it would be fair to switch the route to the other side of the road just because the property was within the City versus the County. If Options B or B-2 were chosen, he asked that they follow the existing power lines. He noted he was in favor of Option A and was supportive of a hybrid approach. He commented that he felt this project had disenfranchised many County residents, and suggested allowing them to have a vote on projects that impacted them. He understood the Boone County Commission was in support of Option A and noted he could provide a copy of the letter if they wanted to see it.

John Clark, 403 N. Ninth Street, commented that he found too many logical gaps in the analysis of the options presented to allow the Council to make a good decision tonight. He asked for a list of the 161 kV lines that currently came into Columbia along with the ones that were being proposed. He asked if there was currently a 161 kV line to Perche and where it came from if there was one. With regard to Options B and B-2, he wondered why they could not run a 161 kV line from McBaine to Perche and Mill Creek for a maximum increase in power and system reliability. He thought that needed to be evaluated since the lack of that was the reason its life expectancy was shorter. He commented that he was confused about the undergrounding of the lines as there was likely a difference in the cost of burying the different sizes of lines. With regard to funding the project, he asked how the City would ensure the portion that was benefiting the new people was paid by the new people versus everyone as everyone paid on the bond issues. He also agreed with the comment of keeping these lines away from people and suggested the lines not be placed along Nifong.

Sharon Larson, 4303 Esther Lee Court, stated she was confused as they were discussing undergrounding the distribution lines along Vawter School Road and asked how much that was estimated to cost. She also asked if the transmission lines would be buried. Mr. Johnsen replied staff was proposing to underground some of the distribution lines as the City currently undergrounded many distribution lines and the associated cost was substantially different than the cost to underground transmission lines. She asked if that was part of the cost estimate or if it was another cost, and how it would be funded. Mr. Johnsen replied the undergrounding of the distribution lines was another cost and noted the City currently allocated about \$1 million per year to underground distribution lines. The estimated costs provided for these options only involved the costs associated with construction. He was not sure how much of the distribution lines could be underground until the project was designed. Ms. Larson understood the portion along Scott Boulevard had already been undergrounded, but consideration was not being given to undergrounding the southern end where her property was located. She also did not see how they could underground the lines unless they went to the other side because the utilities were already packed in where they were currently located. She was also not sure how the City could place poles along the street due to the area involved. Mr. Johnsen explained he would need to be more familiar with the location to discuss the undergrounding of the lines that already existed. He pointed out “on the side of the road” type poles would be used and would overhang in the right-of-way. The goal was to impact the property owners next to the road as little as possible. Ms. Larson stated she felt it would still be close to houses on Scott Boulevard regardless of what they did. She also noted they had been promised trees along there and asked if that would be held up by this project. Mr. Johnsen replied he was not sure of the tree and road issues along there, and noted these issues would need to be addressed with the final design of the project. Ms. Larson understood there was not a plan at this time and that there was only a route. Mr. Johnsen explained it was expensive to design the project, so the design would be done after the route was selected. Ms. Larson stated she was opposed to Option A.

Lori Schilke, 7000 S. Sebine Drive, explained she resided outside of the Columbia City limits and was not a Columbia Water and Light customer. Options B and B-2 would be directly next to her property on Route K, and even though they would not benefit from this project, there was a possibility this would negatively impact the value of her property as the poles that would be utilized were very large. She did not believe anyone should be required to have those poles in their backyard. She noted she was in favor of a hybrid approach to Option A.

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

Mr. Trapp stated he was in favor of Option A due to the additional transmission capacity, the system reliability and it lasting longer than the other options. He understood burying power lines increased and reduced some EMF radiation, and noted he could not support the undergrounding of the lines as they would have to pick and choose which subdivisions, schools and businesses they favored, which was an unfair situation. He pointed out they would all benefit from this if they were on the grid in terms of the overall electric system regardless of whether their service provider was Boone Electric or Columbia Water and Light, and noted there was a cost to not having electricity. He explained they were

blessed to have reliable power and hoped it continued because there would be real negative impacts if it was ever not reliable. He commented that solar and wind were not reliable at this time and the necessary technology did not exist. He noted he would not second guess the decisions of previous Councils, but going forward he wanted to ensure they had reliability and thought they needed to base that on what was possible right now. He pointed out that sometimes there were not any good solutions. He reiterated he supported Option A with no undergrounding.

Ms. Hoppe commented that she was concerned that people voted for Option A believing that undergrounding a part of the route was a possibility, so she was reluctant to agree to no undergrounding when that was a part of the presentation to the public. She thought they should underground the lines in the residential and school areas because she was concerned about its negative impact on the lives of those in the area and their homes.

Mayor McDavid understood no one wanted power lines next to their homes, but noted they had to move forward with this project so the lines would be next to someone. He pointed out the cost to underground 161 kV lines would be bore by all Columbia Water and Light customers and was not something that had been commonly and extensively done so the maintenance and longevity were unknown, which was risky. He stated there was a problem that needed to be solved, and it appeared to be best solved with Option A, so he would support Option A with no undergrounding.

Ms. Nauser stated she agreed with Ms. Hoppe in that there had been discussion of a hybrid option at most of the meetings she had attended so there was an expectation of it by the public. She felt Option A was the best in terms of benefiting the community financially due to its longevity as it would not require them to revisit the issue in 10-15 years. She commented that this had always been promoted to the public as a potential hybrid project and thought they should be provided more information on a hybrid approach to Option A prior to making a decision. She agreed this was a community issue and not just an issue for those in the Fifth Ward even though it directly impacted only those in the Fifth Ward, and that there needed to be community buy-in regardless of the option chosen since the citizens of Columbia would have to approve the bond in order to fund the project. She understood there would be problems if the bond issue was not approved and asked if that was correct. Mr. Johnsen replied it would need to be funded through the enterprise fund revenue or a bond issue so the decision was not a permission issue. It was a funding issue. Ms. Nauser stated she supported Option A with a hybrid approach and noted she felt the lines needed to be buried near the schools at the very least.

Mayor McDavid commented that he felt if they moved forward with a hybrid approach, a not to exceed dollar amount would need to be provided. Ms. Nauser stated she was not sure they had enough information to provide a not to exceed amount. She asked if the cost estimate provided for undergrounding included both the 161 and 69 kV lines. She assumed the estimate provided included the cost to underground all of the lines. Mr. Johnsen replied the \$92 million estimate was the cost to underground all of the lines. He noted that cost was based upon mileage and each transition would affect the cost. He pointed out they needed to get to the design phase and the direction of Council would help them determine whether to design for above ground and/or underground lines. Ms. Hoppe stated she wanted

information on the cost to underground the major residential areas. She understood, by issuing a bond, they would not require existing residents to bear the entire burden of providing for future residents, and that the future residents would pay for this project as well. As a result, she thought they needed to address the concerns of the present residents while placing more of the costs on future residents, and wanted to know how that would be attributed and balanced. She did not feel they had enough information to make a decision now.

Mr. Thomas understood this issue was moot if a majority of Council decided against undergrounding, and noted he did not believe there should be any undergrounding. He noted they City currently had 161 and 69 kV lines along Paris Road with plenty of neighborhoods and schools in the area. If they chose to underground for this project, he thought they also needed to consider those residents as well.

Mr. Thomas made a motion to eliminate the option of undergrounding transmission lines. The motion was seconded by Mr. Schmidt.

Mr. Skala believed there was a consensus to move forward with Option A, but felt there was some controversy regarding undergrounding in terms of whether or not that had been implicitly promised when it was discussed by the community. He commented that he was leaning against undergrounding and felt it was really only an aesthetic issue. In the health sense, he thought the harmful effects of overhead power lines had been discredited. He pointed out this would be a pilot project for undergrounding as there were not many communities that had buried 161 kV lines, and staff had provided information on how undergrounding those types of lines could be problematic. Although he was leaning towards voting against undergrounding, he was not entirely convinced because he was somewhat persuaded by the arguments made by Ms. Hoppe and Ms. Nauser.

Mr. Schmidt asked if there was any way to make the overhead lines and poles look better. Mr. Johnsen replied the intention of staff from the beginning was for the lines associated with Option A to be overhead, and for only the distribution lines to be placed underground because they did not want to place distribution lines on the same poles as transmission lines. He pointed out that even if the transmission lines were decided to be overhead lines, staff intended to bury a lot of the distribution lines. In terms of communication utilities, the City would try to provide access for conduits to place those lines underground, but could not require those utilities to be placed underground.

Ms. Nauser understood the cost to underground the distribution lines was not a part of the cost estimate. Mr. Johnsen stated that was correct, but pointed out the cost for it was on a different scale. He noted it was common practice to bury distribution lines now. Ms. Nauser understood staff would provide a cost proposal to underground distribution lines in the future. Ms. Johnsen stated that was correct. Mr. Thomas noted they were saying no undergrounding of transmission lines. Mr. Johnsen stated that was correct as they would underground some distribution lines.

Ms. Hoppe asked if it was clear to the people that voted for the options in the survey that there would not be any undergrounding of transmission lines or if they thought that was a possibility. Mr. Johnsen replied they had tried to separate the choosing of the route option from the option of undergrounding to the best of their ability. He was not sure how they could

have better separated the two unless they had asked the questions through two different documents.

The motion made by Mr. Thomas and seconded by Mr. Trapp to eliminate the option of undergrounding transmission lines was approved by voice vote with only Ms. Nauser and Ms. Hoppe voting no.

Mr. Trapp made a motion directing staff to proceed with the plans and specification for Option A. The motion was seconded by Mr. Skala and approved by voice vote with only Ms. Nauser and Ms. Hoppe voting no.

OLD BUSINESS

B152-13 Authorizing a neighborhood stabilization program operating agreement with the Columbia Housing Authority for the transfer of title to properties located at 106, 108 and 110 West Sexton Road; authorizing the City Manager to execute a general warranty deed to transfer title to properties located at 106, 108 and 110 West Sexton Road.

The bill was given third reading by the Clerk.

Mr. Teddy provided a staff report.

Pat Kelley, 1007 Grand Avenue, explained she was the Vice President of the Ridgeway Neighborhood Association and noted the Association felt this was a good project as they supported affordable housing, but believed several items were needed to make the project better. They thought it was important to have a small park area north of Oak Towers where Kinney Point would be located as there was a park in that location now. In addition, they felt more greenspace was needed to address stormwater issues. The neighborhood also wanted to be a NetZero neighborhood and hoped that design would be incorporated into the six homeownership houses. They suggested local architects and builders be utilized as well to help address the 20 percent unemployment rate in the neighborhood. They suggested the Columbia Housing Authority (CHA) request a variance to the 25 foot setback requirement for the Kinney Point development as they believed its placement near the street would make the area more walkable and allowed for more greenspace. They were also asking for a 38 unit development with community space instead of a 40 unit development, a non-impervious parking lot, and no blank and/or windowless walls facing the street. The neighborhood felt their suggestions could be accommodated and that this was a community project since it would be funded with tax credits and some of the land was donated by the City. She asked the Council to delay the transfer of the properties so these issues could be worked out with CHA.

Phil Steinhaus stated he was the CEO of the Columbia Housing Authority (CHA) with offices at 201 Switzler Street, and noted the issue before the Council tonight was the donation of three properties on Sexton Road that would be a part of the McQuitty Square development. He pointed out Kinney Point was a completely different development and there would be discussion regarding it at the next Planning and Zoning Commission meeting. He noted they would be asking the Council to endorse their application for low income housing tax credits to build affordable housing at that site after it came before the Council. He reiterated the discussion tonight involved the donation of three properties toward their proposed development on the southwest corner of Garth and Sexton. He believed this was a

great investment in the neighborhood and allowed for comprehensive planning. He commented that affordable housing could only be built with affordable land and a development of a workable size. He explained the Columbia Community Development Corporation (CCDC) owned three lots, the CHA had purchased six lots, and the City owned the three lots they were discussing for transfer to CHA. They planned to make the development as energy efficient as possible and for the development to fit in with the neighborhood. He pointed out four neighborhood meetings had been held with the most recent one being held on July 8, and at that time, seven people had been supportive of the donation, three people were somewhat supportive and no one had indicated they were not supportive. In addition, this had been discussed at six CHA Board meetings and two Columbia Community Development Commission meetings, which were open to the public. He explained he needed to know if the Council was supportive or not at this point, so they knew whether to plan to include the properties in the larger development or not.

Ms. Nauser understood the CHA would manage the properties. Mr. Steinhaus stated that was correct. Mr. Schmidt asked if the CCDC would build all of the houses there. Mr. Steinhaus replied no, and explained the CCDC had acquired property over time and would work with the CHA in the development of this area and those properties. They would create a master plan with all of the properties and the funding would likely be layered. They had developed some preliminary designs, but more planning needed to be done, which could be done once they knew whether these properties would be included. Mr. Schmidt understood the stormwater issues would be addressed with the final designs. Mr. Steinhaus stated that was correct, but pointed out they could not solve the stormwater problems for those upstream or downstream from them. They could only ensure their development did not negatively impact their neighbors. He commented that if the City was to provide funding for a stormwater detention basin or something similar, it could likely be incorporated if that decision was made prior to building the homes.

Mr. Thomas asked for an anticipated time line for design and construction if the Council approved the transfer of these properties tonight. Mr. Steinhaus replied they planned to submit a RAD application, a four percent tax credit application for public housing and a nine percent tax credit application for Kinney Point in September.

Mr. Thomas understood Kinney Point was not part of the project for tonight's discussion, but asked for a response to the suggestions of Ms. Kelley. Mr. Steinhaus pointed out he had only received this information from Ms. Kelley immediately prior to her proposing them to Council. He explained they wanted the properties to be energy efficient as it was part of the affordable housing equation. The granting of the variance for a 25 foot setback was a decision of the Planning and Zoning Commission. They wanted to provide for as much greenspace behind the development as possible and noted they had requested a variance so the parking lot could be moved as close to the property line as possible. He pointed out affordable housing had to be built within a budget and a non-impervious parking lot or NetZero design would cost money. If others wanted to donate money to the project for these additional amenities, he would be open to trying to accommodate them. He noted they were not in support of a small park as they tended to create problems in terms of people who did not live in the area hanging out on the property.

Mr. Schmidt asked if energy efficiency and other design features could be considered in the design phase. Mr. Steinhaus replied yes and pointed out they were already looking at those types of items for Kinney Point. Mr. Schmidt understood they could have a conversation regarding the alley and setback at a later date. Mr. Steinhaus noted those items were associated with Kinney Point and the Planning and Zoning Commission would hear their request. It would likely come before the Council on August 19. He pointed out they needed to submit their applications for funding soon. Mr. Schmidt understood the design would occur after they received funding. Mr. Steinhaus stated that was correct.

Monta Welch, 2808 Greenbriar Drive, explained she had been invited to the Ridgeway Neighborhood Association meeting that had been held Saturday and some of their interest in a NetZero home came from the fact the People's Visioning had designed an affordable NetZero home at 413 W. Ash. She understood the neighbors were concerned with saving some park area and having some community space. She asked Mr. Steinhaus to consider asking the architect involved in the NetZero design at 413 W. Ash to visit with current architect in the design of the project.

Kathleen Weinschenk, 1504 Sylvan Lane, stated she would like to see these homes built with universal design features so everyone could live there and thought it would be easier to incorporate those features now versus after it was built. Mr. Schmidt understood universal design standards were planned for the developments.

Tyree Byndom, 501 N. Providence Road, commented that the CHA had communicated with a lot of members of the community and had held a meeting at Oak Towers on July 8 with about 20 people in attendance. He had shared his concerns then and noted the Douglass Park Neighborhood Association was in favor of the transfer of these three properties.

Ms. Nauser stated she felt this would serve a tremendous need in the community and noted she could not find any reason to not support it.

Mr. Schmidt commented that other projects had been proposed for this area in the past that had not made it to fruition and this seemed to provide the best chance to build affordable housing in an area with a lot of vacant land and stormwater problems, which he hoped could be addressed. He thought it was an excellent project and wanted to see the City submit an application for funding.

Mr. Trapp stated he believed this was a great project as Columbia had huge need for one bedroom apartments, and this allowed for the opportunity to provide one bedroom units with supportive services along with owner-occupied homes. He understood there was no NetZero home in Columbia at this time. Mr. Teddy replied that was correct and noted they hoped to have one or something close at 413 W. Ash. Mr. Trapp understood staff was reluctant to call that a NetZero home because that designation was dependent upon the user of the property. He commented that the technology associated with pervious parking lots was lacking as a lot of care would be required for that type of parking lot in light of the fact cars in affordable housing areas tended to leak oil and have other issues. He stated he believed Mr. Steinhaus would do everything possible while ensuring the developments were affordable as he had shown that with past projects, and did not feel they should burden the affordable housing developers and those needing affordable housing with these types of

requests. He thought this was a great project and one the neighborhood and community needed.

Mr. Skala commented that he appreciated the partnership involved and felt Mr. Steinhaus had addressed the issues, which included affordability, energy efficiency, stormwater and universal design. He stated he would support the project.

Ms. Hoppe noted this project would help meet the need of affordable housing, which was lacking in Columbia, and stated she appreciated the fact they would try to make it as energy efficient as possible since that was a part of affordable housing. She commented that the NetZero design could be affordable and understood the CHA would look into its possibility. She pointed out the user was a factor in everything, and not just the NetZero design.

The vote on B152-13 was recorded as follows: VOTING YES: SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT, TRAPP. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B180-13 Amending Chapter 23 and Chapter 29 of the City Code as it relates to animated and digital signs.

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid asked if it was the intent of the ordinance to ban time and temperature signs. Mr. Teddy replied no, and explained that was exempt by another part of the ordinance as long as they were not larger than 30 square feet. Mayor McDavid understood gas price signs would not be banned either. Mr. Teddy stated that was correct and noted numeric signs were also exempt.

Mr. Thomas asked if the reason time and temperature signs were not being outlawed was because there were so many of those types of signs or because they felt it was a different category. Mr. Teddy replied they were exempt in other sign ordinances and noted it was felt they were a part of Americana. Ms. Thompson pointed out they did not provide a commercial message either. Mr. Thomas understood commercial signs were being outlawed. Mr. Schmidt noted gas stations were exempted. Mr. Thomas understood those signs were informational.

Karl Kruse, 2405 Lynnwood Drive, commented that he would he would not repeat the points included in the memo they had received from Mr. Dudark, the former City Planning and Development Department Director, as it included almost everything he had planned to say. He emphasized the fact that if the City did not adopt this tonight, there was nothing in the current ordinance that would prevent a billboard company from placing a 600 or 800 square foot digital billboard behind plate glass in Columbia. He also understood signs were as large and gaudy as permitted, so they would see more of these signs if they did not move forward with this ordinance change, and asked the Council approve this ordinance.

Mr. Skala stated he understood this was in response to an animated sign at the corner of College and Business Loop and a few others that had been erected since then, and noted this had come before the Planning and Zoning Commission for initial discussion when he was a member. He agreed these precautions needed to be put in place to ensure Columbia did

not look like Highway 54 in Osage Beach. He pointed out Mr. Dudark's letter addressed gas stations signs, the signs on buses, etc. He noted he planned to support this ordinance.

Mr. Schmidt commented that there was a digital sign across from his office, which was very distracting, and at Ash and Providence. He felt the original ordinance would have included this restriction if these signs had existed at the time, and stated he would support this ordinance.

Ms. Nauser stated she did not like bans on legal products and felt this would eliminate innovation and diversity in advertising. She noted she would not support this ordinance.

Mayor McDavid stated he was conflicted. He understood this type of ban was fairly common in other communities, but was concerned this would ban informational signs at schools and other locations. He noted he would support it even though he believed there was some overreaching with this legislation.

Ms. Hoppe commented that she believed this was a natural extension of the sign regulations because at the time the sign ordinances were developed, the technology of digital signs was not to the point it needed to be regulated. She stated she would prefer to pass this ordinance and adjust it later for some minor issue, such as time and temperature, if they felt that was necessary. This ordinance addressed the problem and allowed the community to control how Columbia looked. She noted she would support it.

B180-13 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, HOPPE, MCDAVID, SCHMIDT, TRAPP. VOTING NO: NAUSER. Bill declared enacted, reading as follows:

B186-13 Amending Chapter 27 of the City Code to establish an electric service rate for data transfer and communication structures.

The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Ms. Nauser understood the Council had approved a rate structure for data centers several years ago and asked if this was similar for smaller entities. Mr. Johnsen replied this was public impact related as small equipment did not justify the need or cost of the installation of a meter base. In addition, there were a lot of them causing meter bases to be scattered throughout the community. He thought this was more of an aesthetic issue and efficiency issue as they had to send meter readers to these locations where there was low usage and expenses. This ordinance would allow one meter to be a surrogate to cover them all. Mr. Skala asked if the meters were interconnected. Mr. Johnsen replied no. He explained one site would be metered and it would be multiplied by the number of devices that were connected within the community. This allowed them to account for seasonal changes. Mr. Skala understood the assumption was that all of the devices would behave in the same manner. Mr. Johnsen stated that was a requirement and explained if it did not operate in the same manner, another surrogate would be required for the other type of equipment.

B186-13 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT, TRAPP. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

- B178-13 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.
- 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.
- B181-13 Approving the Final Plat of Delta 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.
- B182-13 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 Appropriating special fuel tax rebate funds for the Fleet Operations Fuel and Facilities Upgrade project.
- B187-13 Accepting conveyances for utility purposes.
- 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 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.
- R131-13 Setting a public hearing: consider the issuance of Sewer System Revenue Bonds for the purpose of constructing improvements to the City’s sewerage system.
- R132-13 Setting a public hearing: voluntary annexation of property located on the southeast corner of St. Charles Road and Demaret Drive (700 Demaret Drive).
- R133-13 Setting a public hearing: voluntary annexation of property located on the west side of Scott Boulevard, between Brushwood Lake Road and Bellview Drive (Jay Dix Station).
- R134-13 Authorizing an agreement with Second Chance for festivals and events funding under the Tourism Development Program for Paws in the Park.
- R135-13 Authorizing an agreement for transportation services with CCAL 301 Campus View Dr, LLC.

R136-13 Authorizing an agreement with Stephens College for the installation of Stormwater Best Management Practices for education and outreach purposes.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT, TRAPP. 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.

- B192-13 Vacating a waterline easement located on the southeast corner of North Cedar Lake Drive and Commercial Drive (100 East North Cedar Lake Drive).**
- B193-13 Vacating an access easement located on the southeast corner of Forum Boulevard and Forum Katy Parkway.**
- B194-13 Calling a special election relating to the issuance of Sewer System Revenue Bonds for the purpose of constructing improvements to the City's sewerage system.**
- B195-13 Authorizing construction of the Douglass High School sewer relocation project; calling for bids through the Purchasing Division.**
- B196-13 Amending Chapter 14 of the City Code to prohibit parking on a portion of the south side of Lansing Avenue, between Portland Street and Dene Drive.**
- B197-13 Authorizing a right of use permit with 1101 East Walnut, LLC to allow construction, improvement, operation and maintenance of balconies and awnings to extend within a portion of the Orr Street and Walnut Street rights-of-way.**
- B198-13 Authorizing acquisition of easements for construction of the Rustic Road bridge replacement project.**
- B199-13 Appropriating funds to the Street Division FY 2013 operating budget to offset expenditures for snow removal.**
- B200-13 Accepting conveyances for sidewalk, temporary construction and sewer purposes.**

REPORTS AND PETITIONS

REP106-13 Right Turn Lane from Keene Street to St. Charles.

Mayor McDavid stated he felt a northbound right turn lane on Keene to turn on to St. Charles Road would be beneficial because stacking at that location was sometimes to Highway WW during rush hour, but did not feel a left turn lane west bound on St. Charles

would help because there was no place for that traffic to go. He also did not believe a round-a-bout would help the situation at this time, and might make things worse at Highway WW.

Mr. Glascock commented that staff felt some traffic would move to Highway WW instead of St. Charles once Rolling Hills Road was open. He noted one of the problems in the area was that there was currently no east-west flow anywhere except for St. Charles Road. In addition, there would be continued growth at the Columbia Regional Hospital so they would have problems at both ends of Keene Street.

Mr. Skala pointed out another issue was that St. Charles was never improved since there was not enough money in the 2005 capital improvement project bond issue. He agreed with Mayor McDavid in that they should do what they could at that intersection as anything would help. He thought the right turn lane and round-a-bout were viable options as growth in the area would result in the need to improve Ballenger, Clark Lane and St. Charles. The conservative approach at this time would be to move forward with the right turn lane. The round-a-bout would likely make more sense in the future with the improvement of St. Charles.

Mayor McDavid understood that staff was asking for a motion to include whatever projects they wanted to the CIP as a placeholder since funding was not yet available. Mr. Glascock stated that was correct.

Mayor McDavid made a motion to add the northbound right turn lane on Keene Street to St. Charles Road project to the CIP Plan. The motion was seconded by Mr. Skala.

Mr. Thomas understood the estimated cost was \$180,000. Ms. Hoppe stated that was correct with the pedestrian signals. Mr. Skala felt the pedestrian improvements were necessary.

Mr. Skala made a motion to amend the motion made by Mayor McDavid and seconded by Mr. Skala so the northbound right turn lane on Keene Street to St. Charles Road project included the pedestrian signal upgrades. The motion was seconded by Mayor McDavid.

Mr. Thomas asked if the pedestrian signal upgrades included a signal east-west across Keene. Mr. Glascock replied yes.

The motion made by Mr. Skala and seconded by Mayor McDavid to amend the motion made by Mayor McDavid and seconded by Mr. Skala so the northbound right turn lane on Keene Street to St. Charles Road project included the pedestrian signal upgrades was approved unanimously by voice vote.

The motion made by Mayor McDavid, seconded by Mr. Skala and amended by Mr. Skala to add the northbound right turn lane on Keene Street to St. Charles Road project with the pedestrian signal upgrades to the CIP Plan was approved unanimously by voice vote.

REP107-13 Blue Ridge Road Parking Prohibition in Conjunction with Prairie Lane Project.

Mr. Glascock provided a staff report.

Mr. Trapp made a motion directing staff to bring forward an ordinance amending Section 14-324 of the Columbia Code of Ordinances to prohibit parking on Blue Ridge Road in conjunction with the Prairie Lane project. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

REP108-13 Planning and Zoning Commission Member Attendance.

Mr. Teddy provided a staff report.

Mr. Skala made a motion authorizing the Planning and Zoning Commission to prepare an ordinance amending Section 20-38 of the Columbia Code of Ordinances. The motion was seconded by Ms. Nauser.

Mr. Skala stated he believed the provision regarding a conference was a good idea.

The motion made by Mr. Skala and seconded by Ms. Nauser authorizing the Planning and Zoning Commission to prepare an ordinance amending Section 20-38 of the Columbia Code of Ordinances was approved unanimously by voice vote.

REP109-13 Update on Building Codes.

Mr. Teddy provided a staff report.

Mayor McDavid asked how the points of contention would be addressed. Mr. Teddy replied it would be laid out in the memo to Council with the first read of the ordinance in September along with a summary of proposed changes. This draft ordinances provided tonight provided the entire Chapter 6 language and did not identify the changes.

Ms. Hoppe noted she planned to propose an amendment as she wanted to adopt the unamended 2012 International Residential Code including the full chapter on energy efficiency requirements, and asked if that could be prepared for September as well. Ms. Thompson replied yes. She understood Ms. Hoppe meant the text amendments that dealt with construction standards and not necessarily the administrative portions. Ms. Hoppe stated that was correct.

Mr. Skala understood there were three positions, and those included the Building Construction Codes Commission position, the Environment and Energy Commission position, and the option to adopt the codes as written. Ms. Thompson pointed out each code book contained some administrative provisions as it related to the structure of the appeals process and local amendments as well as performance standards. As a result, it would be unamended as it related to performance standards, but would be amended as it related to the administrative provisions.

Ms. Nauser stated she had been asked to address some innovative building methods and understood it would be better to bring that up in September. She noted she had also been contacted about hard cover waste trash bins and receptacles being outside of buildings, as some felt it was a precursor to the roll carts. Mr. Teddy understood that was in the Property Maintenance Code and it was a model provision that indicated one had to contain its trash.

REP110-13 City of Columbia Receives Silver Environmental Health Services Certification.

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

Ms. Nauser commented that every time she came to City Hall, she saw these employees working very hard and diligently, and commended them as it was not an easy job.

REP111-13 Intra-Departmental Transfer of Funds Request.

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

COMMENTS BY PUBLIC, COUNCIL AND STAFF

James Gray, 1806 N. Charleston, commented that the lead story for the news tonight was another murder in Third Ward and gang violence affecting other parts of the community as well, and noted, as a chaplain, he has had to notify parents about the death of their child. He stated there were problems in Columbia, and pointed out a vigil was held at McKee where they discussed potential solutions to these problems. He explained the community had to come together as everyone had a responsibility and this type of activity was happening in every ward of the City. He challenged the Council and City staff to walk the First Ward with him and experience downtown at midnight. He also suggested they come to Midnight Basketball at Douglass Park because there were great kids in the community as well. He noted he loved Columbia and felt more needed to be done, and stated he would support the City in its efforts. He reiterated the entire community would need to participate in order for change to occur.

Tyree Byndom, 501 N. Providence Road, stated he had been approached by a young man today who had indicated he and his friends were being terrorized and were afraid to go out. Earlier in the evening, 8-9 people that had never been to a Council Meeting had attended the Pre-Council Meeting because they had advertised it as a rally. He believed the fact steps were being taken made it easier to talk to the youth, and noted the youth wanted to do something to assist in the problems as well. He thought it was historic for them to attend and understood they were optimistic in light of the Anti-Violence Task Force that would be created, which meant they would talk to their friends to galvanize a way to participate. He invited the Council to a vigil tomorrow to hear the thoughts of the community in a different way.

Mr. Byndom noted he had witnessed a near accident at Providence and Worley, which was one of the busiest intersections, and suggested a crosswalk be installed at that intersection as he was concerned about the pedestrians that used that intersection.

Mayor McDavid asked for a resolution to form an Anti-Violence Task Force to be placed on the August 5, 2013 Council Meeting agenda. He envisioned this Task Force to consist of thirteen members and to be led by Ms. Nauser and Mr. Trapp.

Mayor McDavid asked for a report encompassing the first six months of the year in terms of violent crimes involving guns in Columbia and the year to date information on the same topic for the previous couple of years.

Mayor McDavid noted the Council had received a lot of e-mails regarding the occupancy disclosure ordinance and understood they would receive a report in the near future. He thought they might want to go ahead and amend the portion of ordinance that discusses the items that had to be presented to a police officer and inspector so only the

disclosure form was required to be shown, which would address some of the concerns with regard to providing financial information, and suggested that amendment.

Mayor McDavid commented that they had received a lot of information recently regarding compressed natural gas. He pointed out the Kansas City Star had indicated a 300 bus fleet was moving to natural gas as that community believed it would save \$100,000 per bus over the life of the bus. He noted he thought they should try to save as much money as they could so they could put more busses on the streets.

Ms. Nauser stated she thought there was more of an issue to the occupancy disclosure ordinance than just the disclosure and noted another concern was the conflict between that ordinance and the Missouri Statutes for realtors. She noted she was disappointed a report addressing all of the issues raised had not been provided tonight as she thought she had asked that it be brought back for this meeting, and requested it be on the August 5, 2013 Council Meeting agenda.

Ms. Nauser thanked Mayor McDavid for asking for a resolution to begin addressing the youth violence issues. She noted today was a sad day as another child was dead and another child plead guilty to a murder that happened last year. As a result, the community lost two children in one day. She hoped they could work toward mitigating these situations in the future.

Mr. Skala stated he was not sure there had been a date, but understood they were waiting from comments from the City Counselor regarding the occupancy issues brought forward by the Board of Realtors. He understood the ordinance language could likely be tweaked to address the issues and noted he had relayed that to those he had spoken with regarding this topic.

Mr. Skala commented that the Council had received a couple of documents regarding crime statistics, which included the UCR for 20 years for the Columbia Police Department in comparison to other areas and violent crimes by weapon types.

Mayor McDavid noted the report they had received from Eric Anderson, a consultant the City had hired, had information that went back to the 1980's with the same information, so he thought a 30 year record could be provided.

Mr. Skala stated the Council and staff was working tirelessly in trying to resolve some of the crime issues. It was very much on their minds and something they thought about all of the time. He noted McKee Street was about six blocks from his home and these tragedies needed to be prevented.

Mr. Skala understood the parking permit program in North Village had been wildly successful and Benton-Stephens and East Campus were both interested in these programs being established for their neighborhoods by August. He understood there were financial considerations and thought those issues should be discussed in the context of the budget. He suggested a report on how they fund the parking utility for enforcement operations, etc.,

so they could prepare to move in that direction because he believed there would be parking issues in those neighborhoods when the students returned due to the new apartments in the downtown.

Ms. Nauser suggested the City look into the SMART tracking program associated with the Office of Juvenile Justice Delinquency Prevention and noted Kathy Lloyd, the administrator, understood she might be contacted. She believed the data they could obtain from that would benefit the Police Department and Task Force as it would show the areas of the community with higher juvenile crime incidents.

Ms. Hoppe asked the Parks and Recreation Commission and City staff to review whether bow hunting at the Grindstone Nature Area should be eliminated due to the increased use of the area and the fact it was a leash-free area for dogs.

Ms. Hoppe understood a recommendation of the Parks and Recreation Commission during the review of the Master Plan was for a policy for park donations by developers in areas parks were designated to be considered, and asked for staff to provide recommendations for legislation regarding this issue.

Ms. Hoppe noted an interested parties meeting would be held on Wednesday, July 17 regarding the Grindstone Trail. She understood a sign had initially indicated the meeting would be held Thursday, and wanted to clarify it was to be held Wednesday.

Mr. Schmidt asked staff to review the possibility of a crosswalk at Worley and Providence and understood they would have to discuss the issue with MoDOT.

Mr. Thomas noted the ordinance calling for a special election for a \$32 million sewer bond had been introduced tonight, and asked if a specific project list would be provided prior to or at the public hearing prior to the vote. Mr. Matthes replied there was a somewhat specific list and stated more inflow and infiltration would be included. He noted they only explained what inflow and infiltration was and could not be any more specific than this prior to conducting the tests and identifying the areas of concern. It was not a list of projects and locations as much as descriptions of the type of work that would be done. Mr. Thomas understood the funding would initially be used for evaluation in order to identify projects. Mr. Matthes stated they had a list, but it was not specific. Mr. Thomas asked if that would be available for the public hearing. Mr. Matthes replied yes.

Mayor McDavid made a motion for the City Council of the City of Columbia to meet on Monday, August 5, 2013 at 6:00 p.m. in Conference Room 1A/1B of City Hall, 701 East Broadway, Columbia, Missouri for a closed meeting to discuss personal information relating to the performance or merit of individual employees as authorized by Section 610.021(3) RSMo, individually identifiable personnel records or performance ratings as authorized by Section 610.021(13) RSMo, and the purchase or sale of real estate as authorized by Section 610.021(2) RSMo. The motion was seconded by Mr. Skala and the vote was recorded as

follows: VOTING YES: SKALA, THOMAS, NAUSER, HOPPE, MCDAVID, SCHMIDT, TRAPP. VOTING NO: NO ONE.

Mr. Matthes explained the City had one qualified employee for the parking permit program so he did not want Mr. Skala to think they would be able to develop parking permit programs for the Benton-Stephens and East Campus neighborhoods by the end of August as four neighborhoods had asked for this. He noted there were some simple things they could do that might help the situation, such as banning parking in certain places. Mr. Skala thought they should do what they could because he felt the parking situation would be worse that it had been in the past this school year.

The meeting adjourned at 11:48 p.m.

Respectfully submitted,

Sheela Amin
City Clerk