

**CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
701 E. BROADWAY, COLUMBIA, MISSOURI
FEBRUARY 15, 2016**

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, February 15, 2016, 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, PETERS, MCDAVID, RUFFIN and TRAPP were present. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of February 1, 2016 were approved unanimously by voice vote on a motion by Mr. Trapp and a second by Mr. Skala.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Ms. Peters asked that B22-16 be moved from the consent agenda to old business.

Mr. Skala asked that R18-16 be moved from the consent agenda to new business.

The agenda, including the consent agenda with B22-16 being moved to old business and R18-16 being moved to new business, was approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Nauser.

SPECIAL ITEMS

SI3-16 City Employee and Citizen Recognition.

Mayor McDavid asked Jim Baker, Rick Baker, Kathy Baker, Ramona Mack, Brian Higginbotham, Dayton Grover, Mohammed Johnson, Janel Twehous, Erika Coffman and Fire Chief Randy White to join him at the podium. He explained the Life Saving Award was presented to citizens who either helped City fire fighters in a lifesaving effort or who were involved in life saving at an emergency scene before fire crews could arrive. He noted on January 11, 2016, Mr. Baker experienced cardiac arrest while exercising at Columbia's Activity and Recreation Center, and Mr. Baker's wife, Kathy, along with citizen Ramona Mack and ARC employees, Dayton Grover, Mohamed Johnson, Janel Twehous, Brian Higginbotham and Erika Coffman, had performed CPR, which was attributed to saving Mr. Baker's life.

Chief White presented Life Saving Awards to Ms. Baker, Ms. Mack, Mr. Higginbotham, Mr. Johnson, Ms. Twehous, Mr. Grover, and Ms. Coffman.

SI4-16 Missouri Park & Recreation Association Public Official Achievement Award.

Mayor McDavid asked Jan Neitzert, the Executive Director of the Missouri Park and Recreation Association, Mike Matthes, and Mike Griggs to join him at the podium.

Ms. Neitzert explained the Missouri Park and Recreation Association was a 501(c)(3) that had been incorporated in 1959 to advocate for quality of life through the effective use of park and recreation opportunities, education, and resources. The premier event in terms of education was their annual conference, which was scheduled for February 23-26 in Columbia. She noted the Public Official Award was presented at the conference to an elected official or volunteer leader that had shown an understanding of and a support for parks and recreation. She listed the benefits of parks and recreation in terms of quality of life, and pointed out that some leaders did not feel it provided the value it did and tended to cut funding to parks and recreation programs when budgets were tight. This was not the case in Columbia. She congratulated Mayor Bob McDavid as the 2016 Public Official Award winner and presented him with the award tonight since he would be unable to attend the conference next week.

Mayor McDavid accepted the award on behalf of his fellow council members and the previous city councils that had made the City's parks system what it was today.

Ms. Neitzert played a video, which would be shown at the Missouri Park and Recreation Association conference next week in recognition of Mayor McDavid.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

COMMISSION ON HUMAN RIGHTS

Dean, Gabriel, 1007 Range Line Street, Ward 1, Term to expire March 1, 2019

Rubin, Zach, 114 Lynn Street, Ward 1, Term to expire March 1, 2019

INTEGRATED WATER RESOURCE PLANNING COMMITTEE

Roper, Robert Jr., 3404 Woodrail Terrace, Ward 5

PUBLIC TRANSIT ADVISORY COMMISSION

Lee, Katherine, 513 Huntridge Drive, Ward 6, Term to expire March 1, 2019

Turner, Alyce, 1204 Fieldcrest, Ward 4, Term to expire March 1, 2019

Zeterberg, Dawn, 608 Hunt Avenue, Ward 1, Term to expire March 1, 2019

SUBSTANCE ABUSE ADVISORY COMMISSION

Smith, Gary, 301 Tiger Lane, Apt. 519, Ward 1, Term to expire October 31, 2016

SCHEDULED PUBLIC COMMENT

SPC5-16 Lynn Maloney – Pillar 2 of the President's Task Force on Policing for the 21st Century.

Ms. Maloney commented that poor communication, lack of transparency, and the lack of trust between front line officers and supervisors were the topics of a 2006 report regarding the Organizational Analysis of the Columbia Police Department (CPD), and were the same topics highlighted in the 2012 Andersen report. She noted the December 2015 report written by six police officers in response to the six pillars of the President's Task Force on 21st

Century Policing cited those two reports as valid descriptions of the CPD today. She believed the lack of congruence between what the six officers wrote and presented orally at the January 4, 2016 pre-council meeting was significant, and wondered if it was a reflection of a continued lack of transparency and poor communication. She understood Mr. Thomas had asked whether the CPD could make its policies and procedures public, and the response was that the CPD did not own its policies and procedures as they were provided by a vendor whose agreement precluded sharing them publicly. Thus, the CPD had not written its own policies and procedures. She noted the officer who had written about Pillar One of the President's Task Force on 21st Century Policing had indicated that while the CPD had training and policy suggesting a guardian mindset, the question remained as to whether the front line officers and supervisors were actually practicing what was in policy and training because if the policy or training conflicted with department culture, behaviors would not change. She commented that the officer had also referred to the 2012 Anderson Report and the 2006 Organizational Analysis and had indicated those reports documented the culture of the CPD as lacking the trust, communication, and department unity required to embrace procedural justice. Although the officer was encouraged training and procedures that supported procedural justice were in place, she recognized more needed to be done to win the trust of the community and suggested the department acknowledge past and present injustices and describe what had been done to correct those injustices. She explained the officer that had authored a response to Pillar Two had referred to the Policy and Procedures Manual of the CPD to demonstrate compliance with Task Force recommendations, but those policies and procedures were not available to the public. She noted the President's Task Force report called for "comprehensive policies on the use of force and stipulated that these policies be clear, concise, and openly available for public inspection" and the officer that discussed Pillar Two had indicated this was a substantial shift for all American law enforcement. She agreed the recommendations of the President's Task Force were paradigm shifts, and felt citing the policies that were not authored by the CPD was hardly a persuasive demonstration that they were anywhere close to fulfilling those recommendations. She believed they needed to follow the suggestions of the officer that had authored a response to Pillar One of reviewing the 2012 Anderson report for ideas on how to begin a cultural shift and explicitly acknowledging the past wrongs, while participating in on-going public conversations about the ways the CPD intended to make amends, as it would be a step in the right direction with regard to building trust with the community. Ms. Maloney provided a handout of her comments after the meeting.

PUBLIC HEARINGS

PH6-16 Determining if the Regency Hotel tax increment financing redevelopment plan and project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such project.

PH6-16 was read by the Clerk.

Mr. St. Romaine provided a handout and gave a staff report.

Mayor McDavid opened the public hearing.

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

Mayor McDavid stated he had been on the City Council for six years, and this was the only tax increment financing (TIF) project that had been approved during that time. He thought it was unfortunate the City was facing a lawsuit by the Boone County Commission because he believed this Council had been very judicious and cautious in its use of TIF. The Tiger Hotel was the only other TIF project, and it had been approved prior to his terms in office. He commented that the TIF had been successful in that it allowed for the demolition of the Regency Hotel, and he hoped the next City Council and the next County Commission could put an end to this dispute as he felt it had been used fairly and appropriately by the City of Columbia.

Mr. Skala stated he too hoped the City and County could come to a reasonable agreement for some of their differences. He noted he had been on the City Council when the TIF Commission had been established, and the Tiger Hotel was one of the first TIF projects that had come forward. He believed TIF was a useful tool when evaluating projects on a case by case basis. He commented that politics had gotten in the way of the two governing institutions. He regretted the hard feelings and wished they could work things out as TIF was a useful tool on a case by case basis.

Mayor McDavid understood no action was required.

PH7-16 Construction of the Douglass Park - Phase II improvement project to include construction of shelters, replacement of playground equipment, construction of a skate spot, ADA walkway improvements, the installation of new signage and park lighting improvements.

B23-16 Authorizing construction of the Douglass Park - Phase II improvement project to include construction of shelters, replacement of playground equipment, construction of a skate spot, ADA walkway improvements, the installation of new signage and park lighting improvements; calling for bids for a portion of the project through the Purchasing Division.

PH7-16 was read by the Clerk, and B23-16 was given second reading by the Clerk.

Mr. Griggs provided a staff report.

Mr. Skala commented that he was happy a skate spot had been included as an amenity for this project, and asked when the skate park at Cosmo Park had been constructed. Mr. Griggs replied the early 1990s.

Mr. Trapp asked if the skate spot would be dual use so BMX bikes could utilize it as well. Mr. Huffington replied no due to its size. The skate spot would be about 4,500 square feet, and BMX bikes required more space.

Mr. Trapp asked if there were any plans to create a facility for BMX bikes as he understood they could build skate spots with larger metal platforms that BMX riders could utilize as well. Mr. Griggs replied it could be looked into for other parks, but this park was space constricted. He commented that skate spots could be built so they could handle BMX bikes, but they would not want the facility to be used by skaters and bikers at the same time as it would create a safety issue. He thought it could be handled like the skate park at Cosmo in that park rangers currently notified bikers they had to stop using the facility when a skater arrived.

Mr. Thomas asked if the City had received positive responses to the plan through the interested parties meeting at Douglass High School and the surveys. Mr. Griggs replied the

night of the interested parties meeting was a very cold night, so they were really only able to talk to kids going to the gym to play basketball, but they had indicated they were for it. They did not get the community attendance as they had hoped. He noted the entire plan represented almost two years of planning where they had design charrettes involving police officers, parks and recreation staff, and neighbors.

Mr. Thomas understood some of the work would be done by contract labor, and asked if there was an opportunity to hire contract labor from the neighborhood. Mr. Griggs replied he did not know, and explained a portion of the contract labor would be for concrete walkways whereby the City had already awarded a bid for that type of work. He commented that they were making an effort to move in that direction for the part-time staff the City hired as they understood those that lived near where they worked and played had a greater sense of accomplishment and pride in what they did. Mr. Matthes explained part of the strategic plan had them looking more closely at hiring local people and companies, and noted Jim Whitt had recently agreed to assist the City in reviewing the barriers. He stated it would be a focus over the next year. Mr. Thomas stated he appreciated the fact the City was looking into the issue as he believed there were a lot of benefits.

Mr. Ruffin stated he thought this was a great plan, which sent a message to the community of the importance of Douglass Park to the City at-large and the residents nearby. He asked when the work would be done. Mr. Huffington replied they intended to start in the spring, and thought they would be done in August or September.

Mayor McDavid opened the public hearing.

John Clark, 403 N. Ninth Street, commented that the Parks and Recreation Department had a good model in terms of a planning process, and noted he had participated in the early planning meetings for the park. He was happy they would soon be constructing Phase II of the project and pointed out there were also two other future phases. He understood there would eventually be room for a building in one of the future phases, which would likely not be owned by the City, but would house various year round programs. He stated he looked forward to that being completed in the next 5-7 years. He commented that many graduates of Douglass High School came back to Columbia every 2-3 years, and thought the City should notify and include them to honor their history, contribution, and the contribution of Douglass Park to the central city.

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

Mr. Skala stated they tended to be effusive with their praise of the Parks and Recreation Department as their model was a good one, but noted they were allowed the independence for creative thinking due to having a specific revenue stream. They did not have this luxury with other items, such as roads. He commented that he agreed with Mr. Thomas in that local and minority contracting would be beneficial to the community. He noted Orlando, Florida had a very successful program whereby they were able to break up contracting jobs into smaller jobs to allow minority contractors to do the work. He stated he would endorse any effort to focus on underserved areas of town.

Mr. Trapp thanked the voters for the parks sales tax as they would otherwise not have a dedicated source of funds.

Mayor McDavid congratulated the Parks and Recreation Department staff as they had earned the respect and confidence of the citizens. They made promises and kept them, which allowed them to go back to the voters that showed their satisfaction by continuing the revenue stream.

Mr. Thomas commented that the Parks and Recreation Department authentically engaged the community to help design the park, trail, or program, which he thought was important and the reason the parks sales tax continued to be passed by the voters.

B23-16 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

OLD BUSINESS

B21-16 Approving the Final Plat of Sam Subdivision, a Resubdivision of Part of Lots 92 & 93 of the Original Town of Columbia, located on the west side of Tenth Street between Locust Street and Cherry Street.

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid asked why this was not on the consent agenda. Mr. Teddy replied he thought it had been removed at the request of a citizen.

Mayor McDavid understood legal counsel had indicated these issues were ministerial acts and asked what that meant. Ms. Thompson replied she thought many people were confused between the zoning code and the subdivision code, which were totally separate in terms of land use and how land use was governed. The zoning code governed the true use of the land. The decision before the Council tonight was not a zoning decision. This was a decision that fell underneath the subdivision code. Council had a great deal of discretionary authority when it came to a legislative zoning act, but had limited discretion when it came to a subdivision code decision. As long as the plat met the standards set forth in the Code of Ordinances, the general rule in Missouri was that there was limited discretion to deny it. The requirements were set forth in the subdivision code, and staff reviewed the plat to determine if those technical requirements had been met.

Mayor McDavid understood limited discretion was not the same as no discretion, and asked what could happen if he did not like the apartment complex. Ms. Thompson replied the limited discretion could not be based on use. There had to be a reason under the subdivision code for denial of a subdivision plat. It could not be based on the use of the property as that was a zoning consideration. This was not a request for rezoning. They were only asking the Council to approve the physical layout of the lines on a piece of paper. The Council's decision-making had to be focused on how the lines were laid out, and whether it was an appropriate configuration of the lot based upon where it was located, whether it had sufficient street layout, whether right-of-way or public improvements were needed, etc. Mr. Teddy noted there were improved streets fronting the property so it had met the test. Ms. Thompson explained this was a part of the original town of Columbia so the streets were already laid out. If the Council was considering a plat on a greenfield, the Council should take a closer look at the traffic patterns and the layout of the lots to determine if they made

good sense. Limited discretion was based upon the application that came before the Council. She noted she had not reviewed the specifics of this plat, but staff had indicated it met the requirements of the subdivision code.

Mayor McDavid asked what would happen if they did not like the apartment building and the plat was voted down. Ms. Thompson replied use was not a consideration when determining whether or not they would approve a plat. Mayor McDavid stated he understood, and asked what would happen if they voted against it. He wondered if there was a potential liability. Ms. Thompson replied there would be potential liability on the part of the City. Mr. Matthes understood the liability was not necessarily as a group, and could be individual as well. Ms. Thompson stated that was correct, but noted it was rare individual council members would be subject to liability for those actions. It was, however, always a possibility.

Mr. Skala commented that he respected the opinions of attorneys, but there was a reason why they were called opinions and why they said “generally speaking” or “almost always” as part of their opinions. He noted he understood the distinction between use and the lines on the map, but felt public health and welfare trumped the lines on the map. He explained the lines on the map tonight would lead them down the path to a decision where there was a good deal of resistance from the public. He also understood there was a 45 day window. Ms. Thompson stated that was correct. There was a provision within the City Code that required the Council to act within 45 days, and if it was continued, by operation of law, it would be deemed approved unless they had the consent of the applicant for a continuance. Mr. Skala understood the continuance applied to the potential for a tabling if the tabling went beyond the 45 days. Ms. Thompson stated that was correct unless the Council had the consent of the applicant. Mr. Skala asked where they were with respect to these 45 days. Mr. Teddy replied he was not entirely sure. The application had been submitted last year, and the applicant had taken a delay on it by their own option, so it had been well past 45 days since the application was submitted.

Ms. Nauser asked if this property was on the Flat Branch sewer. Mr. Teddy replied he believed it was on the Flat Branch sewer. He explained they would have to rehabilitate some sewers from the site for the large half-block project. Ms. Nauser understood the capacity issue was resolved. Mr. Teddy stated that was correct. They had to address the condition of the immediate adjacent sewers. Ms. Nauser understood they had to take care of what abutted their property, which was typical of any other development. Mr. Teddy agreed some off-site work would be required. Ms. Nauser understood the electric capacity issue had also been resolved. Mr. Teddy stated the electric utility had indicated they did not believe there was a problem, but they wanted to review the load calculations based on building data, which was not yet available as building plans had not been submitted at this time. Ms. Nauser understood any plan would have to conform to the existing capacity. Mr. Teddy stated it would have to meet capacity or they would have to remediate the issue themselves. Ms. Nauser asked about stormwater. Mr. Teddy replied since it was redevelopment, he thought the amount of impervious was almost negligible. He believed it would be 0.51 while the existing was 0.49, so they would be required to do some water quality measures. She understood anything built on this property would have to conform to the recently amended C-2 zoning rules. Mr. Teddy stated that was correct, and noted the applicant would have to

submit building plans that showed that conformance. Ms. Nauser understood any argument of public health in terms of sewer, electric, and stormwater was negated since they had the capacity and the ability to have those essential services. Mr. Teddy explained adding 31 feet to the length of lot did not impose an infrastructure issue and was a very minor change. He stated it, however, was a part of a larger process, which he sensed the Council and public wanted to be more a part of, and reiterated this action was really just the reconfiguration of a lot.

Mr. Thomas understood there had discussion about the construction of a building on this property, and asked if it had been referenced in the item they were voting on tonight. Mr. Teddy replied no, and explained this would be neutral as to use. He noted the former owner of the James Apartments could have added the 31 feet previously if he had wanted. Mr. Thomas understood the adding of the 31 feet was the reason for the replatting. Mr. Teddy stated that was correct. He explained they would have had to have replatted if they had located a small structure in the rear area. Mr. Thomas understood they could have also done it to add a small structure, but they could have done it without any plans for any additional structures. Mr. Teddy explained it was really creating a different unit of real estate. It was converting two lots into one lot, and making the last 31 feet buildable.

Ms. Peters understood this was expanding the James Apartments lot further west. Mr. Teddy stated that was correct. Ms. Peters asked why it had been subdivided in this manner. Mr. Teddy replied the surveyor had shown some of the details on the plat for the block. He thought the dashed lines approximated the original three 80-foot lots of the original town plat of Columbia. He explained many of the downtown blocks in the original town of Columbia had been subdivided into three lots with an alley in between. They had all been uniform, but over time, the lots had been assembled and divided in separate ways. He noted Engineering Surveys and Services (ESS) had been able to provide information of recorded surveys documenting all of the transfers with the exception of the 31 feet, and that was the part that did not qualify as a legal lot per the City's Code of Ordinances.

Ms. Peters understood whoever built on the lot would have to connect their sewer to the City sewer line that went down Flat Branch, and asked if the improvement to that sewer line would be completed and in place by the time this building was ready for occupancy. Mr. Teddy thought the development project was scheduled to be done the summer of 2017. Mr. Matthes stated he believed the sewer would be done by then. Ms. Peters asked if it would accommodate the addition of these 400 toilets and the other 900 toilets for the ACC development as she understood they would all go to the same sewer line. She wanted to ensure they would have capacity and would not get in trouble with the Environmental Protection Agency (EPA). Mr. Teddy stated he understood they had the capacity.

Mr. Thomas asked for an explanation of the process to assess infrastructure capacity and compliance with the zoning codes when a building permit application was submitted. Mr. Matthes replied the plans were reviewed by each utility division, and those plans were either approved or disapproved as a whole by City staff. He noted Mr. Teddy's staff then communicated with the applicant, and the expectation was for the applicant to resolve any problems or to abandon the project. Mr. Thomas understood an applicant could fix the problem by reducing the amount of use. Mr. Matthes stated that was correct, and noted

some applicants might be willing to build water lines or other items at their expense for the additional capacity. Mr. Thomas understood the City had data showing how much capacity it had for the area, how much was currently utilized, and how much was available to be allocated, and the information was updated when a building permit was issued. Mr. Matthes stated that was correct. It was done on a case by case basis so each site had a different number. He pointed the role of staff was to indicate whether they had the capacity or not. In this situation, there were a lot of hypotheticals, and they did not have specific building plans. There was capacity on a hypothetical level on what they heard might be developed. Mr. Thomas understood staff would go through a specific process if and when the request for a building permit was received. Mr. Matthes stated that was correct.

Mr. Ruffin asked if there was a possibility of the City Council having any say about what was built on the site if the plat was approved tonight. Mr. Matthes replied it was dependent upon whether they followed all of the rules previous Councils had established for zoning and use. If they followed all of the rules, it would not come back to the Council, but if they wanted to vary from any of the rules, it would come to the Council. It was up to the applicant, so if they followed all of the rules, the staff was bound by ordinance to issue the building permit. Staff did not have decision-making power, and could only say whether or not it met the rules. If the applicant received approval, they would likely come back to Council with a sidewalk and street closure request, which was a common request.

Mr. Ruffin asked staff to review some of the criteria that was in the subdivision code so he had a better idea of how they had complied with the criteria. Mr. Matthes replied subdivision at its core was what they had here, which were the lines on a map. They tried to organize the community through lots. In this situation, they had a parking lot behind an apartment building. The area had traditionally been used as the parking lot for the building although they had never bothered to combine the lots or had never created a lot for that area. This would create one lot so it was buildable property. Mr. Teddy explained the survey information had to be accurate, and every plat review included an exchange between staff and the surveyor to correct errors, inaccuracies, or omissions or to operate with a different understanding of how the standards were calculated. In this situation, staff was reporting to Council that all of the standards had been met for accuracy and what would be recorded was to their best judgement an accurate representation of a piece of real estate. If an applicant chose not to make a change suggested by staff, he believed there would be a conversation with Council explaining they disagreed with how the boundaries were described and were recommending denial of the plat. Other standards involved lot area and width, but the C-2 zoning district did not prescribe a minimum or maximum lot width or a minimum area. He noted the presence or absence of services in terms of whether infrastructure was available was reviewed. This was an improved property so they viewed that standard as being met. He pointed out they were not looking at this two-tenths of an acre parcel as the entirety of the development site. They were reviewing it for only the apartment building site and the parking lot behind it. Ms. Thompson explained this was a resubdivision and noted the City Code indicated a resubdivision of land should not be approved by the Council if the Council determined the replat would eliminate restrictions on the existing plat on which neighboring property owners or the City had relied or the replat would be detrimental to other property in

the neighborhood, and the detriment to the property and neighborhood outweighed the benefits to the subdivider and the public. She stated this did not have anything to do with the ultimate use of the property and whether they felt the ultimate use would be detrimental. It had to do with whether the physical layout of the property was detrimental, meaning it would not be advisable to combine the two tracts for the benefit of public health, safety, and welfare. She did not believe staff had any indication to any detriment that would be provided by combining the two properties.

Mr. Skala asked if they would get accused of a taking if they did not allow these two lots to be combined because the owner could not do what they wanted to do. Ms. Thompson replied she would not presuppose the causes of action. Mr. Skala understood it could happen. Ms. Thompson stated it could. She noted there were a number of causes of action, and she would not want to opine as to them in a public setting.

Mr. Skala understood the electric was being handled through the Rebel Hill substation and asked if the recent hold on the transmission lines had any bearing on how the Rebel Hill substation would supply energy to the downtown in the future. Mr. Matthes replied the City was in good shape at the moment with regard to supplying electric to the downtown. Mr. Johnsen explained this project had been analyzed with what was in place at this time so there were enough resources currently to allow this project to move forward. He pointed out they still needed the load calculations and riser diagrams. Ms. Thompson commented that Mr. Johnsen needed to see the calculations and could not opine tonight with regard to adequacy of infrastructure. She noted the developer should also not rely on any comments made by staff tonight as staff needed the opportunity to review the actual building permit application and the projected utilizations. She stated the subdivision regulations required staff to determine whether infrastructure was available to the site in terms of access, and not whether infrastructure was adequate to any particular project at any particular point in time.

Mr. Thomas understood when Mr. Johnsen had indicated the electrical connections were there, he was not speaking to any particular building plan, and was merely speaking to access to electrical service. Mr. Johnsen stated that was correct.

Mr. Skala asked for clarification regarding the demolition process. Mr. Teddy replied the City had received a demolition permit application for the James building and the building that housed Britches and Quinton's, and there would be a 30-day notice to the Historic Preservation Commission (HPC). He commented that he thought there had been communication between a member of the HPC and Mr. Fields, the principal of the development. He stated he did not know if they would demolish the building at the end of the 30 days as they might allow time for some of the leases to end. Ms. Peters explained Pat Fowler, a member of the HPC, had told her she had spoken with Mr. Fields, and Mr. Fields had been agreeable to allowing the HPC to take photos and salvage any items necessary.

Matthew Kriete, 1113 Fay Street, stated he was an engineer with Engineering Surveys and Services and represented the property owner. He explained they had delayed bringing this forward, and were already 30-35 days into the process now. The plat met all of the guidelines and requirements of the subdivision ordinances. He noted his client was not interested in continuing the item. He commented that he was not a lawyer, but did not feel a ministerial duty allowed for the exercise of discretion.

John Clark, 403 N. Ninth Street, commented that he recalled the Council attaching a condition to the final plat for the Parkside development, and suggested that be done in this situation. He stated the new pipelines and relief sewers would provide adequate dry weather capacity. They would not provide adequate wet weather capacity. As a result, he suggested the Council add a condition to the approval of this plat that the measure of adequate capacity for stormwater and sanitary sewer be based upon wet weather. He commented that this would allow the determination to be that there was a lack of capacity if it was reasonably foreseeable that sewer backups in basements and manholes would continue in the Flat Branch basin. He reiterated his suggestion of adding a condition to the approval of the plat that the capacity of sanitary sewer and stormwater be measured to the wet weather standard as he believed that would solve the problem.

Mayor McDavid stated he would follow the advice of legal counsel and would view this as certifying the plat was a legal plat. He commented that it remained to be seen if staff felt this project would comply with the interim C-2 zoning rules and regulations or whether the necessary infrastructure capacity existed. They also did not know the thoughts of the HPC. Although the HPC had limited ability to stop demolition, they had previously used public opinion to save the Niedermeyer building. He reiterated he thought this was a legal plat and would vote to approve it.

Mr. Ruffin stated he thought this was a legal decision, and asked if it was possible to place a requirement as suggested by Mr. Clark on this decision. Ms. Thompson replied any condition placed on a plat had to be definable and reasonably related to the plat itself. She commented that adequacy of the sanitary sewer and the stormwater structures were addressed at the time of building permit issuance, and not at platting.

Mr. Trapp noted he agreed with Mayor McDavid and Mr. Ruffin. He commented that when they became council members, they had taken an oath to support the law, and he believed the law was clear on this issue.

Ms. Nauser agreed with the comments of Mayor McDavid, Mr. Ruffin, and Mr. Trapp.

Mr. Skala stated he was not sure the law was clear on this issue as they had only received the opinion of the City Counselor. He commented that he took his responsibilities as a representative very seriously, and understood the difference between the zoning and subdivision regulations, but noted he wanted to make a decision he was comfortable with regardless of the risk of a lawsuit. He stated he did not like this process in that they had to base their decision on hypothetical situations whereby someone else, who was not an elected official, would make the decisions. He explained many of the people he represented were concerned with what was going on downtown and whether there would be anything left for adults. He understood that had nothing to do with this, but noted he would vote against this bill so he was able to sleep at night.

Mr. Thomas commented that he would vote in favor of this, and explained he had been very confused early in his term on the City Council when the East Walnut project had come forward. It was clear to him the vote they were being asked to take tonight was completely separate from any discussions of use on the property. As a result, he felt very comfortable approving the replatting that had been requested from a process point of view as he thought it was important for them to follow the processes they had. If they did not like those

processes, he believed they needed to change the processes instead of attacking individual projects. He agreed there were concerns about the proposed 10-story project in terms of whether it complied with zoning, infrastructure capacity, historic preservation, etc. He commented that the proposal he had seen appeared to comply with the C-2 interim zoning rules in that it was not higher than ten stories, included parking spaces of 25 percent of the number of beds proposed, and had retail on the ground floor. He noted two-thirds of the units would either be studio, 1-bedroom, or 2-bedroom apartments, which did not generally cater to the undergraduate student market, and would have some appeal to non-undergraduate student markets. He explained infrastructure capacity was not a question at this time. If and when a building permit was submitted, the staff would review it to determine if there was infrastructure capacity in each of the different utility systems. He understood there had been some mixed messages with regard to infrastructure capacity in the downtown, but believed those had been clarified over time. He commented that he was interested in the suggestion of Mr. Clark, but not in regard to the platting process, and asked if sewer capacity would be reviewed based upon wet or dry weather capacity if and when a building permit application was submitted. Mr. Matthes replied staff reviewed it for both as it needed to have enough capacity when it rained without resulting in more sanitary overflows. He commented that with the Flat Branch projects, it was very likely it would pass the test. Mr. Thomas understood the wet weather capacity would be reviewed if and when a building permit application was submitted. He noted the developer had been cooperative with regard to historic preservation and the opportunity to recover items. He understood the building at 121 S. Tenth Street had been the Winn Hotel and Elks Lodge No. 594, and had been built around 1903. It was a highly intact two-story colonial revival four-square with a hipped roof and brick walls. He agreed there was a lot of value to preserving historic buildings throughout the community, and had been in communication with members of the HPC with regard to possible ways to move forward. He thought there needed to be a clear definition of a historic building that could be written into ordinance. He understood the entire downtown district was part of a historic district, but it included a lot of buildings that were not historic buildings. He stated there were a number of good suggestions from the HPC that he wanted to pursue. He reiterated he was happy in this very technical legal case to support the replatting as proposed.

Ms. Peters stated she was also happy to support this as it appeared to be only a legal replatting, but noted she would also be supportive of ensuring there was enough sewer capacity when it rained.

B21-16 was given third reading with the vote recorded as follows: VOTING YES: THOMAS, NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP. VOTING NO: SKALA. Bill declared enacted, reading as follows:

B22-16 Approving the Discovery Office Park North C-P Plan for property located on the northwest corner of Ponderosa Street and Philips Farm Road; authorizing an intergovernmental cooperation agreement with Discovery Park Transportation Development District and P1316, LLC.

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Peters asked who was responsible for the monies collected by the transportation development district (TDD), and if they also had to come back every five years with any kind of accountability in terms of what it acquired and when it would end. Ms. Thompson replied she did not have all of the information with her and did not recall when this particular TDD actually expired. She explained the TDD was a separate taxing jurisdiction, and did not have an actual five year report to the City Council. This was the intergovernmental agreement that governed where the priority of the funds they collected would go and what expenses would be paid first in terms of public infrastructure improvements.

Mayor McDavid understood the City did not oversee the TDD. Ms. Thompson stated that was correct. Ms. Peters asked about the money the TDD collected. Mayor McDavid replied they had to keep track of it and report to whatever agency was responsible. Ms. Nauser thought the State had jurisdiction over all TDDs as it provided the statutory authority to create a TDD. She understood they were governed by State statutes. Ms. Thompson stated they were a governmental entity similar to the City, and was subject to Sunshine laws and other laws that governed the operation of a TDD. Mr. Matthes explained they had Board requirements, meeting requirements, etc. They also had the power to tax, so they were generally used for retail developments where there was a transaction that could be taxed. The tax could only be used to build roads, and in some cases, to build into the parking lot. He noted a good example of a TDD project that had worked well involved Stadium Boulevard. He explained a series of TDDs had funded the repavement and reconstruction of Stadium Boulevard from the Columbia Mall to Broadway.

Mr. Skala commented that some TDDs did not work quite as well, and for a long time, there had been a historical promise to keep the taxing level at about one-half percent, but some had since raised the tax to one percent. He noted the City was only responsible for about two percent of the sales tax as some of these independent groups, such as TDDs, CIDs, etc., were responsible for the rest. Ms. Peters asked if they had a limit. Mr. Skala replied they had a one percent limit.

Ms. Thompson pointed out Exhibit C of the agreement had come from the order of the circuit court creating the TDD and set forth the transportation projects that would be constructed by the TDD.

B22-16 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, NAUSER, PETERS, MCDAVID, RUFFIN, 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.

- B20-16** Approving the Final Plat of Hamilton Acres, Plat No. 2, a Replat of Lots 1 and 2 of Hamilton Acres, located on the southwest corner of McKee Street and Alan Lane (1611 McKee Street); authorizing a performance contract.
- B24-16** Authorizing an agreement with AssurX, Inc. for energy and utility enterprise management software to comply with NERC reliability standard requirements; authorizing a support and consulting services agreement with AssurX, Inc.; appropriating funds.

- B25-16 Accepting conveyances for water and utility purposes.
- B26-16 Accepting conveyances for sewer, drainage and utility purposes.
- B27-16 Amending Chapter 2 of the City Code as it relates to membership requirements for the Bicycle/Pedestrian Commission.
- B28-16 Amending Chapter 2 of the City Code as it relates to term end dates for the Youth Advisory Council.
- B29-16 Authorizing a Memorandum of Understanding with the Missouri Department of Health and Senior Services for STD testing and treatment services.
- B30-16 Amending the FY 2016 Annual Budget by adding and deleting positions in the Utilities Department - Solid Waste Administration Division; amending the FY 2016 Classification and Pay Plan by adding and deleting positions and by making a classification market adjustment.
- R15-16 Setting a public hearing: construction of improvements to the historic Maplewood Home building located in Nifong Park.
- R16-16 Setting a public hearing: consider the FY 2015 Consolidated Annual Performance and Evaluation Report (CAPER).
- R17-16 Authorizing an agreement with The Curators of the University of Missouri, on behalf of its Mizzou Rec Services & Facilities, for sports development funding under the Tourism Development Program; authorizing an agreement with Show 'em Comedy Festival for festival and events funding under the Tourism Development Program.
- R19-16 Approving the Preliminary Plat of Somerset Village, Plat No. 2 located along both sides of Battle Avenue, north of St. Charles Road.
- R20-16 Authorizing an agreement for professional engineering services with Allstate Consultants, LLC for design of a replacement culvert under Sinclair Road at Mill Creek.

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

NEW BUSINESS

- R18-16 Authorizing the installation of street lights along portions of Whispering Pine Way, Providence Road and Derby Ridge Drive.

The resolution was read by the Clerk.

Mr. Johnsen provided a staff report.

Mr. Skala commented that low pressure sodium lights were historically inefficient and LEDs were much more efficient, and asked if they had looked at the possibility of shifting to LEDs for effective and safe street lighting. Mr. Johnsen replied yes. He explained the City typically used LED lights when replacing street lights within the City's service territory, but these were within the Boone Electric Cooperative service territory so their lights would be used. He understood Boone Electric Cooperative did not have an LED option at this time. He thought they would have an LED option someday, but did not have it at this time.

Mr. Trapp noted two of these projects were in the Second Ward, and there had been a long time request for the ones on Providence Road as it was very dark in that area. It would add to safety at the intersection of Providence Road and Brown School Road. He commented that the seven lights along Derby Ridge Drive gave him hope in the efficacy of the Strategic Plan as that request was only 2-3 weeks old. This was near Arbor Hills Park where there were dim areas and troublesome elements congregating in the dark. He believed the Strategic Plan meant something as they were looking at the way they did things across the board.

Mr. Skala stated he agreed street lights were needed for safety, but noted the idea of brighter being better was paradoxical. He thought the Police Department would even suggest to some degree that lights that were too bright were not useful and could thwart witness identification. He understood that was not being done with streets lights, but felt they needed to keep brightness in mind in terms of other lighting and crime prosecution.

The vote on R18-16 was recorded as follows: VOTING YES: SKALA, THOMAS, NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

INTRODUCTION AND FIRST READING

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

- B31-16** Vacating the remainder of an east-west alleyway located within the block bounded by Sixth Street, Locust Street, Seventh Street and Elm Street.
- B32-16** Authorizing an agreement with TranSystems Corporation for professional engineering services for the design and limited construction administration of the Shepard Boulevard to Rollins Street East-West Trail Connection GetAbout Columbia Project (Phase B).
- B33-16** Appropriating non-motorized transportation (Round 2) grant funds for capital projects and/or activities.
- B34-16** Accepting a conveyance for street purposes.
- B35-16** Authorizing construction of the Flat Branch Watershed Relief Sewer Project No. 3, the Ninth and Elm Pedestrian Scramble Project and the Ninth and Elm Storm Drainage Replacement Project; calling for bids through the Purchasing Division.
- B36-16** Authorizing an agreement with The Curators of the University of Missouri as it relates to coordination of construction disturbance and landscaping as part of the Flat Branch Watershed Relief Sewer Projects No. 1 and No. 3.
- B37-16** Authorizing a utility agreement with the Missouri Highways and Transportation Commission as it relates to the relocation of City-owned water facilities in conjunction with proposed I-70 bridge improvements at Business Loop 70 and Creasy Springs Road.
- B38-16** Authorizing construction of the Rollins at Rockcreek Culvert Replacement Project; calling for bids through the Purchasing Division.
- B39-16** Authorizing the acquisition of easements for construction of the Rollins at Rockcreek Culvert Replacement Project.

- B40-16 Authorizing the construction of improvements to the historic Maplewood Home building located in Nifong Park; calling for bids for a portion of the project through the Purchasing Division; appropriating funds.**
- B41-16 Authorizing acquisition of a trail easement for construction of the Chapel Hill connector to the County House Trail.**
- B42-16 Amending the FY 2016 Annual Budget to add and delete positions in the Human Resources Department; amending the FY 2016 Classification and Pay Plan by adding a position.**
- B43-16 Accepting a STOP Violence Against Women Act (VAWA) grant from the Missouri Department of Public Safety; authorizing an Award of Contract and Certified Assurances and Special Conditions.**
- B44-16 Authorizing an agreement with Boone County, Missouri for public health services.**
- B45-16 Authorizing an agreement with Boone County, Missouri for animal control services.**
- B46-16 Authorizing Amendment No. 2 to the memorandum of understanding with the Missouri Department of Corrections to provide tuberculosis screening and testing services.**
- B47-16 Authorizing an agreement with Wyman Center, Inc. for Teen Outreach Program (TOP) activities; appropriating funds.**

REPORTS AND PETITIONS

REP12-16 Board membership of the City of Columbia New Century Fund.

Mayor McDavid commented that he was a member of this Board, and there was not a lot of activity with it at this time as the Community Foundation had taken over a lot of the larger philanthropic issues for the City. He understood the Board wanted to be reduced back to seven members by attrition.

Mayor McDavid made a motion directing the City Clerk to cease advertising for new members of the City of Columbia New Century Fund until further notice. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

REP13-16 Neighborhood Traffic Management Program (NTMP) 2015 Year End Report.

Mr. Nichols provided a staff report.

Ms. Nauser asked if things that did not cost as much could be done, such as solar powered speed signs that could be moved around periodically. Mr. Nichols replied the report listed the Level 1 “low hanging fruit” attempts made. These were done through a petition process. Some interim measures had worked, but if they did not, staff continued with Level 2 and Level 3 analyses. Ms. Nauser thought it might be beneficial to purchase more of those types of items and leave them in longer as behavior would likely not change in a week, but might change over a month. She felt that might help the areas in the Fifth Ward since they scored lower than many other projects as she believed the scoring matrix was the most fair and unbiased way to address problems.

Mr. Skala asked how much revenue staff expected to generate above and beyond what they used to generate for these types of activities. Mr. Nichols replied it was slated for \$1.8 million over ten years. Mr. Skala asked for the average cost of a speed table. Mr. Nichols replied speed humps tended to cost about \$10,000 and a speed table would be a little more expensive since it was longer. He noted they had been able to do most of the past projects in-house. He explained they had gone out for bid through a term and supply contract, but had not had any bidders. He pointed out how and where they would be placed would have to be done on a case-by-case basis because a lot of people did not want them in front of their houses.

Mr. Thomas asked that they not provide approval to proceed with this particular proposal or to change it at this time because there were people in the audience that wanted to speak on it during public comment at the end of the meeting.

Mayor McDavid suggested bringing it back as a resolution to allow for public comment. Mr. Matthes explained the typical approach was to tell staff what they wanted to see come back to the Council.

Mr. Thomas stated he liked this program as staff had worked hard to come up with a fair way to take into account a lot of factors. He understood they were conducting 2-3 Level 2 or 3 projects per year, and asked how many Level 1 projects were done. Mr. Nichols replied 15-20. Mr. Thomas thought that was a nice balance.

Mr. Thomas asked how the speed score was calculated. He understood the 85th percentile for Stewart Road was 40 mph, and was surprised by it. Mr. Nichols stated he thought Stewart Road moved up in ranking due to the number of accidents on it. Mr. Thomas asked how they had got from the 85th percentile speed to the speed score because some projects had high 85th percentile speed with higher speed scores, and how the collision score was calculated. Mr. Nichols replied he thought the collision score was the actual number of reported collisions, and noted he did not have the specific information regarding the changes to the collision scores. Mr. Thomas understood Stewart Road had a collision score of 10, but Rollins Road, near Maplewood Drive, which was a crash hot spot for many years, only had a collision score of 2.67. Mr. Nichols explained it was a three year rolling collision history, so it changed annually. Mr. Thomas asked to be shown the formulas for those numbers when this came back before the Council. Mr. Nichols replied he would.

Mr. Thomas understood staff had reviewed projects for which citizens had petitioned, and some projects had been re-evaluated, which was why Rollins Road had moved from 27 to 4. He asked if they had a system to routinely re-evaluate the projects as things changed all of the time. Mr. Nichols replied he understood counters were generally not set out during the summer, and they only had four counters. The re-evaluations occurred as they had resources. If they decided to hire a consultant, they would be able to do a lot of the field work and engineering to bring forth recommendations more quickly.

Mr. Thomas asked if Level 2 and Level 3 projects continued to be evaluated once they were completed. Mr. Nichols replied they had conducted follow-up and thought the report had indicated the speed limits had dropped 6-8 mph, so they would be deemed effective. Mr. Thomas stated he thought it would be nice to see those as part of the table as well with all of

the criteria and a notation indicating Level 2 or Level 3 work had been completed because it was evidence the program was working.

Mr. Skala commented that he was appreciative of seeing Kelsey Drive included, and asked if there was a way to factor in safety concerns beyond traffic issues. He wondered if they could consider problem areas in terms of crime. Mr. Matthes replied he thought some communities had used bollards by closing the street to through-traffic, but did not believe they would want to do that here. Mr. Nichols thought a destination study could be conducted by reading license plates to determine if people lived in the area or were using it as a cut-through street, but that was very intensive work.

Mr. Trapp stated he liked the idea of expanding the Rice Road project to involve Kelsey Drive and the scope of the Sexton Road project to include the local planning process. He thought they should consider other factors as well, and noted Rollins Road had scored high and involved a death, which was significant in his mind. He pointed out Bodie Drive had some existing traffic calming in the form of mini-roundabouts, but it was ineffective because people took them the opposite way. He explained he had been asked by staff if there was a local champion in that area, and suggested those assisting with the implementation of the Strategic Plan identify a local champion on that street. He did not want to add to this list, but thought speed humps were a priority if they could play a factor in terms of public safety for shots fired incidents whereby people flee quickly afterward. He requested Bodie Drive be added to the list.

Mr. Matthes understood the Council wanted this come forward as a resolution so the public could comment. Mr. Thomas stated that was correct.

REP14-16 Administrative Public Improvement Project: Chapel Hill Connector to County House Trail.

Mayor McDavid understood staff planned to proceed under the administrative public improvement process unless Council had an objection.

Mr. Thomas asked if the reason was because it was more efficient. Mr. Matthes replied it was faster.

Mr. Thomas noted someone had contacted him today indicating they thought it was a waste of money, but he personally supported it. Mr. Matthes commented that it would be a slower waste of money if they decided to object to this process unless they changed their mind with regard the overall project.

Mayor McDavid stated he did not live in the area, but had ridden on the County House Trail and thought access was needed there. Mr. Thomas agreed, and noted he would not object.

REP15-16 Downtown Noise Enforcement.

Mr. Matthes provided a staff report.

Mr. Skala understood the noise ordinance went beyond the downtown area. Mr. Matthes stated that was correct.

Mr. Thomas commented that there had been numerous complaints, particularly from a resident of the Niedermeyer whose room was right across the street from Harpo's. As a

result, he had asked for a clarification of the rules. Shortly after he had made the request, another complaint had been received and the police had issued a summons in that instance. He asked if it was because he had raised the issue or if it had been a more egregious violation. Mr. Matthes replied it was the number of complaints along with Mr. Thomas' comments. Mr. Thomas asked what the consequence was for Harpo's in terms of the summons. He wondered if they had to pay a fine. Mr. Matthes replied he was not sure about a fine, but they generally discussed the issue with the business in terms of how to be a good neighbor and the path that would be taken if they were not a good neighbor. Mr. Thomas stated he had heard from the resident of the Niedermeyer that things had dramatically improved around that same time. Mr. Matthes pointed out most people wanted to be good neighbors.

Mr. Trapp stated the Downtown Community Improvement District (CID) had partnered with the Responsible Hospitality Institute for a comprehensive review. He not read the entire report, but noted it was interesting. It had referred to an Ann Arbor, Michigan law that required a cell phone number to be listed when obtaining a permit so the Police Department could simply send a text asking for the noise to be decreased. He thought that might be worth looking at here in Columbia.

REP16-16 Intra-Departmental Transfer of Funds Request.

Mr. Thomas stated he had noticed some of the consulting fees for Jim Whitt, Carl Kenney, Glenn Cobbins, and Judy Hubbard had been referenced for a transfer from one account to another, and asked from where the money for their services had come. Mr. Matthes replied it was all from the 2014 savings and had been programmed in the last budget for Strategic Plan implementation. This just moved the money into the account from which payment would be made.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Richard Hayes, 1411 W. Rollins Road, stated he had lived in this location for 26 years, and as a result, he had seen a definite increase in the amount and speed of traffic on West Rollins Road, particularly in the blocks between West Boulevard and Maplewood Drive. He noted West Rollins Road was the main conduit between Stadium Boulevard to the south and Broadway to the north. The neighbors had initiated a petition that had been signed by about 40 people in November, and everyone except for two people he had contacted had signed the petition. Many had voiced concern about the volume and speed of traffic with regard to automobiles, bicyclists, and skateboarders. He pointed out there had been a lot of accidents, and provided some examples. He stated they were pleased with the high rating on the priority list, and hoped traffic calming measures could be installed this year as they did not want any more fatalities.

Jacob McFarland explained he lived near at the corner of Westridge Drive and Rollins Road, and had been paying attention to the traffic on Rollins Road due to his 10-month old daughter. He stated he had been disappointed when he had moved in about 1.5 years ago with the velocity of traffic on the road. He hoped the outliers would be taken in consideration

in the speed study as the problem was not necessarily with the average speed. It was with those few high velocity cars that traveled during the night as they were the scariest. He pointed out many of the residents had young children, which was another reason many of neighbors were becoming more active in the process. As a bicycle commuter himself, he had a big problem coming down the road with on-coming traffic not yielding and coming at him at 40-45 mph at the bridge where it narrowed. He would be supportive of speed humps or another instrument that would force drivers to think about slowing down. He did not feel installing signs would change behavior due to the hills.

John Clark, 403 N. Ninth Street, commented that he had a wonderful conversation with Ginger Owens regarding a book titled *A Pattern Language*, and suggested the Council read it.

Mr. Clark stated he disagreed with Ms. Thompson's characterization of the condition he had proposed for the final plat. He did not see a difference between what he had suggested and the 15 percent impervious surface condition on the Parkside final plat as it could have been easily definable and measureable. He believed this was a significant tool under the current subdivision regulations and hoped it would not be outlawed with the proposed revisions to the code. He thought he would have been able to draft language that would meet the test of definability and measurability if he had been provided more time.

Mr. Clark understood a group would soon propose an ordinance to the Council that defined how City staff would evaluate sufficiency of resources for sanitary sewer and stormwater. This type of ordinance would put the appropriate pressure on staff to allocate their time better or to ask Council for more resources.

Ms. Peters commented that the Council had requested a report with regard to whether something could be done at the curve on Creasy Springs Road, and asked for the status of that report. Mr. Matthes replied staff was working on it.

Ms. Peters asked for a report regarding the status of Rolling Hills Road and Highway WW, near Old Hawthorne. Traffic had increased in the area and a school would soon be built there. She understood the developer was required to install either a roundabout or a traffic signal, and wondered what would be installed and the time frame for it. She also wanted to know what the City's traffic engineers thought in terms of whether it should be a roundabout or traffic signal.

Mr. Thomas understood a work session would be scheduled with regard to the transmission lines, and asked if a tentative date had been set. Mr. Matthes replied it would likely be held after April. Mr. Thomas asked if they needed to move forward more quickly. Mr. Matthes replied no. He explained it was a critically important project, but they had some time to work on it.

Mr. Thomas stated there was a large group of young people in the audience toward the back of room, including his friend Gabriel Gassmann, and noted it was great to see them at the Council Meeting.

Mr. Skala stated he recalled discussion with regard to the six crossings of the Hinkson Creek in terms of whether they needed to be trenched or bored, and Mr. Glascock had explained it was necessary to clear a large path for a sewer line for the safety of people in the trench as they did not want it caving in on anyone. He agreed 45 feet seemed like a lot, but understood they were talking about a large sewer trunk. He commented that growth had a lot of benefits, but it also had many costs, and this was one of the costs. He asked for a report regarding the amount of space necessary and what the remediation would be in terms of replacing vegetation. He suggested they needed to inoculate the public in the future prior to removing any trees. He thought they should explain what they would do and how they would then try to undo what they had done afterward. He clarified he wanted a report on the notification process, the clearance with regard to what was necessary, and what they could do in terms of remediation for both the MKT Trail and the Hinkson Creek with its sewer crossings.

Mr. Trapp commented that he had asked for a report or ordinance with regard to pawn shop reform. He explained the drug trade drove burglaries and the need for this reform. He understood the Police Department had drafted an ordinance, which was being reviewed by the Law Department, but he thought it needed to come forward for the Council to review and discuss. He had seen too many overdose deaths, and as a result, he would push to do what could be done administratively and through policy to support the police and undercut the drug trade. He asked for an ordinance to be brought forward so they could vote it up or down.

Mr. Ruffin explained the traffic on Worley Street across from Smithton Middle School in the mornings and evenings during drop-off and pick-up times was terrible. There were a lot of cars moving very fast, but there was not a crosswalk for children to get across the street to the school from the north side of Worley Street. He thought something needed to be done to slow traffic to allow children to get across the street, and suggested a painted crosswalk or something that was not very expensive.

Mr. Thomas suggested he start a petition with the signatures of residents so they could get into the traffic calming program for a quick evaluation.

Mr. Skala noted the pedestrian activated flashing lights had been successful on Clark Lane, and suggested that be considered for Worley Street as well.

The meeting adjourned at 9:37 p.m.

Respectfully submitted,

Sheela Amin
City Clerk