



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, May 6, 2019

7:00 PM

Regular

Council Chamber
Columbia City Hall
701 E. Broadway

I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, May 6, 2019, 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 THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP and SKALA were present. The Interim City Manager (left the meeting at approximately 9:00 p.m.), Deputy City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of April 1, 2019 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Pitzer.

The minutes of the regular meeting of April 15, 2019 were approved unanimously by voice vote on a motion by Mr. Pitzer and a second by Mr. Skala.

Mayor Treece asked that REP39-19 be removed from the agenda per the request of the City staff.

The agenda, including the consent agenda with REP39-19 being removed from the agenda, was approved unanimously by voice vote on a motion by Mayor Treece and a second by Mr. Skala.

II. SPECIAL ITEMS

SI6-19

Recognition of MBS Realty Partners, LP for donation of 7.81 acres of land to the City of Columbia.

Mayor Treece asked Bob Pugh of MBS Realty Partners to join him at the podium as the company had recently donated approximately eight acres of land to the City of Columbia.

Mr. Pugh of MBS Realty Partners explained this donation of wooded area was physically located at the corner of Fairview Road and continued to Ash Street and Worley Street. There was not a need for them to keep it so they had decided to give it to the City with the specification that it be retained as a nature area rather than a neighborhood park. He explained MBS Realty Partners involved three people, himself, Dan Schuppan, the President of MBS, and Leonard Riggio, who resided in New York City and had been the founder and Chief Executive Officer of the Barnes and Noble bookstores. He commented that there had been a contest among MBS employees with regard to the name, and Amanda Ford had been the winner with Fairview Hollow. As a result, they asked that this area be named the Fairview Hollow Nature Area.

Mr. Pugh invited the Council to visit the MBS facility and noted it was a combination of technology and people doing hard jobs. He commented that over 20 nations were represented by employees at MBS and thought it might be the most diverse organization in Columbia.

Mr. Pugh presented the deed to Mayor Treece. Mayor Treece thanked Mr. Pugh and stated the City would erect a Heritage Bench so he could overlook Fairview Hollow Nature

Area in his retirement. He stated the City was grateful for the contribution and his prior service on the City Council.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

IV. SCHEDULED PUBLIC COMMENT

SPC25-19 Lillian Davis - Bird scooters and who is responsible for wheelchairs getting broken.

Ms. Davis did not speak as she was not in attendance.

SPC26-19 Steve Callis - International Compost Awareness Week.

Mr. Callis stated he was the State Coordinator for International Compost Awareness Week (ICAW) and explained it was being celebrated the week of May 5 through May 11. The annual program was run by the Composting Council Research and Education Foundation. He noted the goal of ICAW was to raise the awareness of the public of the benefits of using compost to improve or maintain high quality soil to grow healthy plants, reduce the use of fertilizers and pesticides, improve water quality, and protect the environment. Each year a theme was chosen to promote the week, and this year's theme was *Cool the Climate-Compost!*, meaning there were many ways to help reduce the carbon footprint and the effects of climate change. He explained that adding compost to the soil was one tool in reducing climate change. He listed local events this week, to include a residential food waste collection event from 8 a.m. to 8 p.m. at the Capen Park Mulch Site on Tuesday, May 7 and two composting workshops at the Columbia Farmers Market on Saturday, May 11 at 9:00 a.m. and 10:30 a.m. He noted Mayor Treece had issued a proclamation for ICAW and that Mr. Thomas would present it on May 11 at one of the composting workshops. He commented that on May 11 at 10:00 a.m. there would be a compost operations and recycling tour at the Landfill located at 5700 Peabody Road.

SPC27-19 Christopher Farnam - Police officers issuing unjust traffic citations to rideshare drivers.

Mr. Farnam understood rideshare drivers were being issued tickets per Section 14-281 of the City's Code of Ordinances, which referred to the obstruction of traffic. He stated he had recently been cited for it and upon review of the City Code, he had learned that per Section 14-286 of the City Code, vehicles were able to stop momentarily to pick up and discharge passengers. He asked the Council to accommodate them by either providing stands where no one else could park during bar rush times or to adjust the City Code to make the issue less vague. He commented that the term "momentarily" was open to interpretation as a moment to one person might not be a moment to another person.

SPC28-19 David Aguayo - Cultural responsiveness in leadership and public office.

Mr. Aguayo noted he was a trained educator in leadership and policy analysis. He told the story of an outstanding father who had diligently worked over the past 17 years to sustain three children as a single father. The Columbia Public School teachers and principals knew of this gentleman for being an involved father, and his three children were receiving academic and athletic awards thanks to him. He commented that society in Columbia, Missouri had mistreated the gentleman during every step of life. His life had been made difficult by many educators and public officials as they thought he was a deviant man because people assumed the worse in him due to the color of his skin as a black man. Mr. Aguayo stated he had seen it happen. Recently, the father had to fight for custody of one of his oldest children as the child had been placed on medication and in foster care because City officials had assumed he had been aggressive toward the

child even though there had not been proof of aggression. After relentless self-advocacy, the Department of Family Services had given full custody back to the father, and since the child had been placed back in his custody, she was on her way to graduating early from high school. This gentleman had worked tirelessly to prove he was a loving and caring parent, yet public servants and City officials had accused him of wrongdoing without any evidence. It had taken a handful of City employees to check the racial biases and to know him to help address the situation. Mr. Aguayo felt professionals in healthcare, education, and business needed to understand that when racial biases went unchecked it harmed individuals. He understood many in Columbia were beginning to look at racial biases in work, specifically when it came to strategic planning. He commented that when examining the reports of the Strategic Plan, the numbers continued to be staggering against black students, families, and citizens. He understood half of the students suspended from school were black. In terms of academic performance, the reading proficiency of black students was less than students of other races. He noted that in reading the 2016, 2017, and 2018 reports, there had not been anything included about the accomplishments of black citizens or how the City was benefiting them. He believed something was missing from the City's strategic planning efforts, and that they needed to determine how to best support black students and their families and to show the strides black citizens were making. He commented that he felt they were painting them in a very negative and deficient light. As the 2018-2019 Strategic Plan report was being finalized and they were looking forward to upcoming years, he thought they should recognize they had a problem. It was well documented that there was a complex system where people of privilege, including himself, did not let Black Americans excel. It was systemic racism. He suggested they view racism like addiction. Biases, assumptions, silence, and negligence were the drugs that fed the addiction, and the solution was simple, but not easy. He suggested they use problem-solving strategies to tackle systemic racism head on, and understood the City had tried to do this with its strategic planning efforts. In order to problem solve, they needed to recognize the problem, name it, and create a systematic plan to address it. In his review of the report, he believed it was missing cohesiveness. He provided the example of the strategic question of how they created more living wage jobs and understood a goal was to reduce the median wage gap between white and minority households by five percent in three years. He noted one of the items mentioned was that IBM had announced 100 new technology jobs, but he wondered who had received those new jobs. He asked if that information could be provided. Another objective of the Strategic Plan was to reduce biases of City employees. He understood training was being provided, but did not feel there was any measurable data that showed the strides in changing behaviors and biases. If they were to create systemic change, he thought it needed to be done with a racially and culturally conscious mindset to better serve all citizens, especially black families, because the reports were not showing that.

SPC29-19

Peggy Placier - Citizens Police Review Board - the intentions for its operation and its potential to be more influential.

Ms. Placier, 209 S. Greenwood Avenue, commented that at the last council meeting, Race Matters, Friends member Nina Hampton had reported her observations of a training the Columbia Police Department (CPD) had conducted for the Citizens Police Review Board (CPRB) and had indicated she had been troubled and puzzled by the limitations City staff had placed on the CPRB in response to a sincere request of a CPD officer for electronic feedback on policy revisions. She understood the staff person had legal reasons for such limitations, but thought that should have been balanced with suggesting ways to facilitate the CPRB performing one of its official functions, i.e., policy review. Constraints on the CPRB concerned Race Matters, Friends because of their consistent advocacy for community oriented policing in which they felt robust citizen oversight should play a central role. Unless the CPRB was merely window dressing, the words

describing and prescribing its operation meant something. She believed the Council needed to revisit the intentions for its formation and evaluate whether those intentions had been fulfilled, expanded, or systematically thwarted. According the CPRB page on the City's website, the purpose of the CPRB was to provide an external and independent process for review of actual or perceived police misconduct by police officers and community service aides, thereby increasing the CPD's accountability to the community. In 2006, the Frederick Douglass Coalition and the Concerned Citizens of Boone County had conducted a campaign for passage of a City ordinance to establish a citizens review board because of the lack of trust with the CPD. Their significant grassroots work and the resistance encountered was not included in the CPRB history on the website, and it credited the City for initiating the process. She understood the City had hired an external consultant that had not visited with the activists and that the Council had appointed a 14-member committee to study the issue. After this typical delaying behavior, the Council had established the CPRB. Finally convened in 2009, the CPRB had four basic duties, one of which was to review and make recommendations to the police chief and the city manager on police policies, procedures, and training. In 2014, after another extensive public process, the Mayor's Task Force on Community Violence (MTFCV) had made more recommendations affecting the CPRB, to include the CPD implementing a system of accountability with independent verification and public participation in their vision, mission, and goals. She understood the Council had amended the ordinances in response with additional duties for the CPRB. She commented that the language surrounding the CPRB was very strong and any outsider or newcomer to town might be impressed, but despite the strong language, she understood the community considered the CPRB to be weak and nearly useless. Once the CPD's internal process denied a claim, the complainant might not have faith that appealing to the CPRB would make a difference. She commented that former CPRB member, Bill Davis had indicated that when he had applied to join the CPRB, he had believed he would be doing very important work based on the strong language and had been disappointed. At his final meeting, he had argued that the Council needed to revisit the ordinances governing the CPRB. In the same meeting, he had noted he had been deeply offended by Sergeant Brian Tate's contemptuous tweets about Columbia residents along with other officer behavior he had observed on video or in person. She understood he had been unable to discuss these incidents with the CPRB. Based on the ordinance, he would have to take his complaints to the CPD, and as a complainant, he would have to recuse himself from any subsequent CPRB processes. As a result, CPRB members were silenced and the CPRB was constrained from acting in the independent role that had been intended. She suggested the City uphold and facilitate the role of the CPRB in holding the CPD accountable and in its independence. She commented that research had shown the key to the effectiveness of citizen review boards was their independence as it was necessary to ensure unbiased reviews of cases. She understood other cities had resolved this problem and encouraged the Council to read the research and revisit the current ordinances to provide the CPRB more teeth and independence.

V. PUBLIC HEARINGS

PH17-19 Proposed construction of a sidewalk along the east side of McKee Street, between Orchard Lane and Nick Court.

PH17-19 was read by the Clerk.

Mr. Nichols provided a staff report.

Mayor Treece opened the public hearing.

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

Mr. Skala stated this was in line with their policies to address gaps in certain areas. Sidewalks were always welcomed and in some cases they were a relatively inexpensive fix to some of the problems of local neighborhoods. He believed this was attention that was justified for the Third Ward as it was greatly needed. He noted he enthusiastically

supported the project.

Mr. Skala made a motion directing staff to move forward with the construction of the McKee Street Sidewalk project. The motion was seconded by Mayor Treece and approved unanimously by voice vote.

PH18-19 Proposed replacement of the water distribution infrastructure along Ridgemont Road and Highridge Circle.

Discussion shown with B105-19.

B105-19 Appropriating funds for the replacement of the water distribution infrastructure along Ridgemont Road and Highridge Circle.

PH18-19 was read by the Clerk, and B105-19 was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece opened the public hearing.

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

Mr. Thomas made a motion directing staff to move forward with developing plans and specifications for the replacement of aging water distribution infrastructure along Ridgemont Road and Highridge Circle as described. The motion was seconded by Mayor Treece and approved unanimously by voice vote.

B105-19 was given third reading with the vote recorded as follows VOTING YES: THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

PH19-19 Consider proposed options for Flat Branch Park Expansion Master Plan.

Discussion shown with R71-19.

R71-19 Approving the "Flat Branch Park Expansion Master Plan."

PH19-19 and R71-19 were read by the Clerk.

Ms. Schneider and Mr. Griggs provided a staff report.

Mr. Ruffin asked how it would complicate the plans for the development of the park if they were unable to purchase the small parcel of land still owned by Mr. Stevenson. Mr. Griggs replied it would likely not impact it much at all because it could probably be done without it. They would likely just not restore that side of the creek.

Mr. Thomas stated he had participated in an ex-parte conversation with Mark and Carol Stevenson and noted he looked forward to listening to the public input tonight as well.

Mr. Trapp asked if a full restoration could be done if they were able to purchase the Stevenson property. He wondered if there was enough room to fully restore it. Mr. Griggs replied no. They would do what they could to the parking lot retaining wall area, but it would not be like the rest of Flat Branch Park.

Mr. Trapp stated he had also had several ex-parte conversations. He had toured the Ice House and had spoken with some of the tenants of the building along with Mark and Carol Stevenson. He noted he had also talked to Brent Gardner and Tootie Burns.

Mr. Pitzer understood a little over \$124,000 had been spent after the acquisition of the land, and asked if that had been interest earned on money that had been earmarked for this project. Mr. Griggs replied no. He explained it had been from capital project investment income, which had been the same account that had been used to buy the land.

Mayor Treece opened the public hearing.

Brent Gardner, 315 W. Stewart Road, stated he was Chair of the Mayor's Task Force on Bicentennial Celebration Planning, also known as CoMo 200, and noted they had voted to support Option 1 with the caveat that if that option was not approved they wanted to work with the Council to do whatever else might occur. He commented that CoMo 200 had

decided to focus on three elements, which were to create an event, i.e., the bicentennial celebration planned for May of 2021, tell the entire story of Columbia, and leave a mark by reimagining Flat Branch Park, the original settlement location of Columbia. He explained many studies throughout the years had suggested the park be brought out to Broadway, including the Charrette, which had been developed in 2010. Currently this gateway to the downtown contained two surface parking lots, a drug store, and a payday loan business, and bringing the park to the corner would really help beautify the intersection. When they had begun CoMo 200, they had been told the corner property, owned by the City of Columbia, had been assigned to the Downtown Community Improvement District (CID) to create a much needed gateway, and an ordinance had been passed by the Council in 2017 to use all of the land for the project. He stated the Downtown CID had spent many years working on the gateway and had hired Arcturis to design the artwork that would be built there. He noted CoMo 200 had taken that information as factual that the land was available and had decided to connect the park with the corner. Everything seemed to be in place for this to occur. He commented that he felt this was a generational opportunity to create something of value for the City along the lines of Stephens Lake Park and Cosmo Park. It was the entrance to the downtown and was vital for a lot of people to include businesses, in terms of directing traffic in that direction and beautifying the intersection. He pointed out they would be fundraising for the park improvements that had been mentioned by Mr. Griggs and had participated in some good conversations already, but noted they could not really get started until this process was done and they knew what was approved. He stated the plans about the corner had been public and this had not been done in secret. It had been out in the open. He commented that he felt the time for that discussion had been in 2017. He reiterated that they would love to have the opportunity as CoMo 200 to bring Flat Branch Park to the most important intersection of Columbia, and recommended the Council vote in favor of Option 1.

Bob Hohenstein explained he was the Executive Director of the Downtown CID and stated the Downtown CID had worked for a number of years on the Gateway Plaza project. They had welcomed the opportunity to join forces with the City of Columbia to improve a major intersection in downtown Columbia as part of the upcoming bicentennial celebration. Public discussion and planning for gateways had begun in 2013 and the creation of a Gateway Master Plan had concluded in 2014 and it had been well publicized. He noted the Gateway Plaza was a major component of this plan. In December of 2017, a memorandum of understanding between the City and the Downtown CID had been approved by the Council, and it had indicated the City owned an approximate 80-foot by 131-foot lot at the southeast corner of Providence Road and Broadway and that the City intended to coordinate efforts with them to construct a Gateway Plaza. In exchange for that commitment, the Downtown CID had agreed to provide up to \$1 million for the development of the Gateway Plaza. He commented that the Council had been presented with a number of options in terms of the development of the Gateway Plaza and the expansion of Flat Branch Park. The Downtown CID Board had approved the park master plan that was now known as Option 1 at its April 9, 2019 meeting. Option 1 had also been approved by the Parks and Recreation Commission, the Downtown Columbia Leadership Council, and the CoMo 200 Task Force. He believed Option 1 should be approved because it made it possible to create an attractive, unique, and highly visible gateway to downtown Columbia. It allowed for a magnificent and iconic front door to one of Columbia's largest economic engines, its visitors, 600 businesses, 300 individual properties, 5,000 residents, and those that came to work each day. As it was now, someone driving down Providence Road would easily drive right past the entrance to downtown Columbia. He felt decisions regarding the design and layout of the project should be based on the best long-term plan for the property, and Option 1 demonstratively accomplished that. He did not believe an alternate option should be considered if it did not make Flat Branch Park better and dramatically improve the

eyesore that was now the parcel at the southeast corner of Providence Road and Broadway. Option 1 would make the park much better. He stated the Downtown CID felt Option 1 provided for the greatest opportunity for events and pedestrian traffic at the Plaza, which along with the enhanced Flat Branch Park would create revenue and sales tax. He commented that enhanced pedestrian traffic along with events would also make the area safer and increase the usability of the park. If the corner parcel was reduced for parking spaces, the Columbia sculpture would be far less visible from Providence Road and its effectiveness as a downtown Columbia gateway would be greatly diminished. The parking solutions shown in Options 2 and 3 would cut into the proposed Gateway Plaza enough to render the design unusable. He stated the Downtown CID Board voted at its April 9 meeting to review its financial commitment to the project should Option 2 be selected. Option 1 had been approved by many citizens and organizations and had gone through a demanding vetting process. He reiterated that the Downtown CID believed Option 1 was the best option as it was the best use of City property and a very significant improvement to the downtown, and asked the Council to approve Option 1. He commented that if a compromise was necessary, which the Downtown CID did not wish to see, the only reasonable alternative was Option 3 with a few important changes. They asked that it involve one less parking space, the one farthest north and closest to Broadway, the exit from the parking area to be a right turn only on to Broadway for the sake of safety, the parking area to contain public parking spaces and for afterhours access to be for public use as well, and that the parking area include one handicap parking space. In addition, in exchange for access of the parking area, the adjacent property owners would donate property in and along the Flat Branch Creek to the City as had been shown in Option 2, and the City would retain ownership of all land in Lot 183. He reiterated that the Downtown CID did not want a compromise on this very important project, but if a compromise was for some reason deemed necessary, Option 3 with the aforementioned changes was the only reasonable alternative in their opinion. He stated it was time to begin fundraising and park development to ensure the anticipated May 2021 dedication became a reality. He asked the Council to approve Option 1 so CoMo 200 could continue its work.

Nick Peckham stated he was representing the Downtown Columbia Leadership Council (DCLC) on behalf of the Chair, Scott Wilson, and explained the DCLC had reviewed and discussed the Flat Branch Park Expansion Master Plan proposed by the CoMo 200 park expansion working group as well as two other plans. He noted they had not been provided Option 4 during their meeting. He commented that it was the recommendation of the DCLC that the City proceed with the Option 1 plan. He explained they had discussed the alternative plan proposed by the property owner to the east as well as Option 3, but a near unanimous majority of the DCLC believed the Gateway Plaza previously approved by the Council was not suitable for a parking lot given the limited space in the area and its geographic and historical importance, i.e., the place where Columbia was born. The biggest issue for the DCLC was safety. He pointed out that both Broadway and Providence Road were classified as arterial streets so this was one of the busiest intersections in Columbia. Given the short distance to the corner of the intersection, particularly with the lengthened turn lane from Providence Road and the increased pedestrian traffic to the Plaza and park, a parking lot entrance and exit there would be too dangerous for pedestrian/automobile traffic. He stated the DCLC was fully supportive of the Flat Branch Park expansion to create a much more open, attractive, and walkable urban park and historical gateway to the downtown, which would truly be a gemstone for Columbia for the next 200 years.

Tootie Burns, 310 E. Brandon Road, explained she was a member of the CoMo 200 park working group. She pointed out she was also a member of the Planning and Zoning Commission and the DCLC. She commented that she was proud to be a citizen in a community that valued and promoted public art, and was appreciative of many of them that served on the Council and were vocal supporters of the many forms of art they were

proud to have in Columbia. She stated the lobby of this building had at least six different brochures that promoted public and other art opportunities for citizens, visitors, and guests. Columbia had a long and rich history of contributing public art pieces, and that history should be celebrated and encouraged to continue. She commented that as a member of the City's Standing Committee on Public Art and a working artist in the North Village Arts District, she had come to learn that placement, environment, and impact were critical to successful public art. Option 1 clearly satisfied those considerations in the best and most optimal way. The park working group had met for months on this project and public input on art selection had been thorough and extensive. She noted this gateway to the downtown with the proposed Columbia sculpture had been designed and positioned to provide the best possible image while also taking into account traffic and public safety, and the park working group was committed to providing the best possible park plan. The Gateway Park would most likely be there longer than existing buildings and businesses to which it was adjacent. She urged the Council to vote in favor of Option 1 simply because it was the best plan for the space and the best choice for this iconic gateway to the downtown community. As an artist, she believed any significant artwork whose backdrop was a 20-space surface parking lot would lose its significance.

Russ Volmert explained he was with Arcturis, the architecture planning firm that had conducted the master plan in 2013-2014, and they had been working with the Downtown CID since then on the implementation of the master plan. He commented that the Plaza would create a much needed pedestrian space for visitors, students, and others at this very auto-centric and somewhat unfriendly intersection. The idea was for a space to create life's milestones. He referred to the Columbia sculpture and noted the "o" had always been envisioned to be a large sphere of 10-12 feet in diameter. With the bicentennial efforts, the idea was that it would be a great way to recognize notable citizens, events, properties, etc. He stated it was a great opportunity to educate others about the history of Columbia. He commented that if they compromised the space spatially, they had to deal with the Columbia sculpture. Currently, the letters were about five feet high, which seemed to be very high, but it needed to be in order to be visible across the expanse of the intersection. It needed to have scale, and when they began to compromise space, they would affect the scale and proportion of the overall sculpture, and they did not want it to get too much smaller. He pointed out there was a 3-4 foot grade difference and there would be a retaining wall on the west side of any proposed parking. Any retaining wall, whether cast in place or segmental, would take up an additional 2-4 feet horizontally. In addition, they had proposed landscaped screening, which was another five feet at a minimum. As a result, anywhere from 8-12 feet would impact the Plaza space. He stated the master plan had achieved consensus in 2014. He understood this effort had been tried three times since the early 1990s, and it was the only time it had moved this far. He asked the Council to consider all of the different efforts that had taken place.

Mayor Treece asked about the grade if one was standing in the existing parking lot at the property line. Mr. Volmert replied he believed it was about 3.5-4 feet. Mayor Treece understood the retaining wall was already 3.5-4 feet, and if they continued it out, the art landscape would have to be even taller. Mr. Volmert stated it would have to be raised up. He explained the initial master plan had a series of steps and terraces, but due to costs, a thought was that it would be built up with soil and landscaping. He commented that any retaining wall system would take up horizontal space. In addition, there would be landscaping to screen the back side of sculpture so it would stand out more. As a result, they would lose more horizontal space. He stated he was not sure if that was shown on the various options, but felt it needed to be taken into account. They wanted the sculpture in the Plaza to be visible from Providence Road and Broadway. When placing elements in the broader landscape, they shrunk. Five feet high lettering with a 12-foot high diameter sphere sounded very tall and large, but when looking at it from 200-300 feet away, it was smaller. He reiterated it needed to have scale and proportion.

Mr. Pitzer asked Mr. Volmert if he had worked on the design for the creek behind the building which had been discussed as part of a potential land swap. Mr. Volmert replied no. He stated that had been conducted by the City's Parks and Recreation Department.

Ms. Peters asked about access to the Plaza and this area for handicapped citizens. Mr. Volmert replied it would have to be ADA compliant. He explained one of the things they had been told was this was a place where Columbia citizens went to protest, and he thought the protesters likely were not seen because they were somewhat hidden by all of the visual clutter out there. The park and plaza would bring some visual calm to the intersection. It was a way to make a great statement for the downtown and entire the City.

Mr. Skala asked Mr. Volmert if his firm had ever been involved in the Providence Road corridor plan. Mr. Volmert replied no. He explained his firm had done the Gateway Wayfinding Master Plan for the Downtown CID looking at how they could make it easier for visitors to find downtown. It was something downtown merchants and citizens had talked about for a number of years. They had come along as effort number four in this regard in 2013.

Mayor Treece asked Mr. Volmert if they had ever incorporated an accessible ramp into a retaining wall. Mr. Volmert replied yes. Mayor Treece asked if enough parking spots could be done with angled parking for the adjacent property owner if the existing ramp on the private adjacent property was removed and incorporated into the plan. Mr. Volmert replied he thought the accessible ramp was an entrance to the building. Mayor Treece agreed, but wondered if it could be incorporated as the accessible ramp and retaining wall to the backside. Mr. Volmert stated anything was possible.

Christina Kelley commented that she owned Make Scents in the downtown and noted she had been on the Downtown CID Board from 2011-2016, on the Gateway Committee from 2013 to present time, and was currently on the CoMo 200 park working group. She explained the Gateway project had begun in 2013 and all board and committee meetings had been open to the public and posted. In January 2014, they had their first preliminary public meeting with ideas put forward by Arcturis after consultation with the Downtown CID Board and committee. There had also been in-person and on-line surveys, and information had been shared on the website and social media outlets. The overwhelming response from the community had been positive, and the Columbia sign had always been popular. The responses from the initial public input had been used to create the Master Plan, which had been presented at an open house in March of 2014. The Master Plan had incorporated the entire corner the City had owned. It had always been a part of the plan so everything had been created with the knowledge it was City-owned property they had the opportunity to use. The Downtown CID had moved forward with funding of the first phase of the Master Plan, which were the three light hubs that had already been installed in downtown Columbia. The renderings and plans for those light hubs had also been presented to the public in 2016 at an open house. Artists, committee members, board members and Arcturis representatives had been present. The light hubs had been installed in December 2016 and January 2017 with a public celebration that had followed in May 2017. She noted the Gateway project had participated in CoMo Gives in 2016 with a goal of raising \$1,000, and they had raised \$1,222. Local business had aided in that fundraising goal by donating percentages of sales and matching gifts. During the entire process, they had been checking in with Downtown CID businesses, property owners, and residents and the community at-large because it was a community project and not just a downtown project. She stated they had received great support for what they had accomplished and she looked forward to what they had the opportunity to build. She commented that Option 1 was the best way to move forward, not only for the downtown but for the community at-large and the greater project.

Logan Dale stated he was the current Treasurer of the Downtown CID and noted they had committed \$1 million in funding toward this project. They felt it was an important project for the betterment of downtown Columbia. He understood there had been some

misinformation regarding the appropriateness of the use of Downtown CID funding for projects such as this. The Downtown CID was funded by sales taxes and property taxes. He understood some felt the funding should be spent on basic services instead of beautification efforts, such as this project. He explained the Downtown CID had several goals, and one was to identify and fund projects that enhanced the downtown experience above and beyond providing essential infrastructure, which was the sole responsibility of the City of Columbia. He stated that goal was not just created by the Downtown CID Board as it was also in State Statute as it indicated the CID had the authority to provide assistance toward construction and installation of plazas, parks, sculptures, and landscaping and that the governing body of the municipality establishing the CID shall not decrease the level of publicly funded services in the CID existing prior to the creation of the CID or transfer the financial burden of providing the services to the CID unless the services were decreased throughout the municipality at the same time. He stated the Downtown CID believed it had the right to use this funding to make and keep a vibrant downtown, and noted its funding was not expected to be used for basic services as that was already provided for by the City. He reiterated the Downtown CID felt this was a good project, and one that deserved their support, to include financial support. He asked for the support of Council as well.

Jeff Page commented that he represented several businesses tonight, to include Columbia Real Estate, whose second location was at 320 E. Broadway, which was at the corner of Providence Road and Broadway. He stated he supported a majority of the Gateway Master Plan and loved the idea of Founders Park. He believed everyone wanted a downtown for which they could be proud. He asked the Council to consider the fact that parking had not been built into the design, and noted he opposed Option 1 and the elimination of the parking lot at the corner of Broadway and Providence Road. It would not only hurt his business and its growth, but it would also hurt many other businesses nearby. He commented that many of those business owners were present tonight, and they had not been engaged by the Downtown CID and had not known about these plans until very recently. He did not believe the elimination of the parking lot did the citizens of Columbia justice. He stated he and those he represented supported Option 2 and believed a good compromise could be made with Option 4. He wondered how the citizens that used the Flat Branch Park extension would get there. If safety was an issue, they would need a safe and convenient place to park. There were more than a dozen businesses in the area, and all of the business owners agreed they needed more customers and more parking. He commented that the demand for parking would always increase. He understood the City owned all of the land identified for Option 1, but noted it would eliminate all of the parking on the Stevenson property. He asked the Council to table this item for 30 days to allow for a compromise on Options 2 and 4, or even a hybrid. He was not sure they would be able to compromise on Option 3, but thought they could come up with something that would allow for some parking there, which would help citizens access the park and monument and not hurt businesses in the downtown. He commented that there were 18 parking spaces in that lot and the lot stayed full most of the time from 7:30-8:00 a.m. to 2:00-3:00 p.m. He reiterated that demand was only increasing and asked the Council to help find a compromise to protect the businesses and citizens. He understood accessibility had been mentioned and was not sure the Disabilities Commission had been asked for input in these designs. He stated they felt Option 2 was the best option because it provided for parking for the park along with safe handicapped parking and access. He believed that needed to be the priority.

Ms. Peters asked if there was a reason people could not park on the east or south side if the parking on the west side was eliminated. Mr. Page replied parking was in high demand on the east and south sides of the building. He commented that the east side likely had a higher demand than the north side at this time. Ms. Peters understood the north side of the building involved angled parking on Broadway. Mr. Page stated that was correct. He noted there appeared to be more access there with people coming and

going, but it seemed to be full most of the time on the east side of the building. Ms. Peters asked about the south side. Mr. Page replied the south side was full a lot.

Tom Atkinson, 1508 Kinloch Court, explained he was the owner and operator of Shiloh Bar and Grill and noted he had leased the property in which the restaurant was located for the past ten years. He stated he dealt with parking issues along with the homeless and those begging for money in that area. He commented that he adamantly opposed Option 1 due to parking. He heard every day from people indicating they could not find parking. Over the past years, he had leased parking from Mark and Carol Stevenson, especially during the time a lot of the property was vacant when they thought the CVS would be constructed there, and those two years were the best years for his business. It had allowed him to create more sales tax for the Downtown CID and Columbia. He stated he had 10-24 employees working at any given time, and almost all of them drove. The Stevensons and their current tenants had been very patient in terms of parking, but it was a mess. He did not feel it was appropriate to remove parking in the downtown. It was too valuable of a resource. He commented that he supported the Gateway plan as he agreed something was needed at that intersection, which was an eyesore. He explained there were seven angled spots on the north side of building and they had been used by him for parking in the past. He reiterated his concern about parking was for not only his patrons but for the tenants of Mark and Carol Stevenson as well. He was not sure where they would park. He thought they had 30-34 people working there and was concerned about parking.

Mayor Treece asked Mr. Atkinson if he leased parking at the Ice House property. Mr. Atkinson replied he had. Mayor Treece asked if he was leasing now. Mr. Atkinson replied not currently because there were more tenants at the Ice House. He commented that after 5:00 p.m. a lot of the tenants were not there and they had been great to work with in terms of parking. Removing 9-16 parking spots would create an issue. He commented that his restaurant was a destination spot for a high percentage of his patrons. People drove to his business. He pointed out they were off the beaten path a bit in terms of students walking to them. He reiterated they relied heavily on parking in that area.

Mr. Ruffin asked Mr. Atkinson where his employees parked. Mr. Atkinson replied everywhere. Mr. Ruffin asked if he had any policies in terms of which parking areas the employees could use. Mr. Atkinson replied no. He explained that in the past when the Ice House was not occupied, he had leased the spots so it was a combination of employees and patrons parking in that location. He noted it was hard to police. Mr. Ruffin asked Mr. Atkinson if his employees could use the parking area in front of his front door. Mr. Atkinson replied he told them not to park in the immediate parking lot. He stated parking was a complaint of employees. A few walked, but not as many as they might think.

Mr. Skala asked Mr. Atkinson if his employees or patrons used the Fifth and Walnut parking garage. Mr. Atkinson replied he did not know. He pointed out he had brought that to their attention, but had not inquired as to its use.

Tyler Nielsen explained he was the owner and operator of the Real Property Group, a local property management company in Columbia, and they were located on the east side of the Ice House. He stated he dealt with all of the parking questions and complaints. He noted they needed that parking, and it was vital to them, their customers, and their tenants. He stated he supported the plan as he believed it was beautiful and a needed community project, but the elimination of the driveway was detrimental to his tenants. Like Mr. Page had indicated, he believed a compromise could be found. He did not want to alienate small business. He explained he wanted to celebrate Columbia, but not at the cost of small business. They had been filling the building consistently over the past few months raising occupancy, and it was still not full yet. He stated they were working hard to fill the building and breathe new life into it, and felt eliminating the parking driveway for the tenants would be a mistake.

John Ott, 212 Bingham Road, commented that he had been on the design group for the park and had been a co-chair of Phases 1 and 2 of the original Flat Branch Park. He explained there were benefits to businesses when there was greenspace and a park nearby, and he believed that was being overlooked. As a downtown property owner with many tenants, he thought a majority would love the idea of having parkland and greenspace. He noted the Parks and Recreation Department sometimes placed parklets in front of businesses and they were heavily used. He commented that there were 4,615 public parking spaces downtown per the City's website. In addition to that, there were multiple church, private, and government parking lots. There were a lot of parking spaces. He pointed out there had been an outcry when Phases 1 and 2 of the Flat Branch Park had been constructed as people felt more parking was needed in the downtown. He thought the Columbia Chamber of Commerce had been a part of that conversation, and in the end, they had provided funding for the Park as they decided it would be a great opportunity for Columbia. He agreed with Mr. Gardner in that this was a generational opportunity. These things did not come up very often, and when they did, they wanted to do them right. He thought a compromise would be horrible. He noted it was an 80-foot by 100-foot lot, and he did not feel they should carve portions out of it. He pointed out a lot of the funding would come from private sources and a compromise plan was not what they wanted to bring to potential donors. He encouraged the Council to vote for Option 1 and to not delay a decision as they needed to proceed with fundraising.

Jay Gebhardt commented that he was a civil engineer with A Civil Group and noted he was representing Mark and Carol Stevenson. He pointed out he had also been the civil engineer that had been hired by Arcturis on the Gateway Plan. As a result, he was intimately familiar with this corner and the issues that existed. He stated the Gateway Plan had been more of a 10,000-foot look at the corner than a detailed look. Now they needed to address the details. He commented that handicapped parking was an issue. The layout they had seen had included handicapped sidewalks, but there was not really handicapped parking in the immediate vicinity. He thought that could be provided with either Option 2 or Option 4. He stated the Stevenson's were willing to allow parking on the east side of their property to enhance the amount of parking that was there so it was not just the three spaces and the handicapped space. He believed there was room for a compromise, and although everyone would give something up with a compromise, everyone would also receive something. He explained his clients were willing to make this a high priority if the Council was willing to table this for even just two weeks to allow conversations to happen. He commented that there had been a large public process, but as always, there were people that came in at the last minute. He understood that might be irritating to those that had been involved for the last five years, but they had real concerns. He reiterated the suggestion of delaying a decision and noted it could be a situation where Option 1 was still the best option for the City, but there were details of the project they could review to determine if a compromise situation was possible. He stated the goal of the Stevenson's was not to create parking for their property. It was to create a better project for the City and the community. The objective was to provide a win/win solution for everyone.

Mr. Skala asked Mr. Gebhardt if he had any involvement in the Providence/Broadway corridor plan. Mr. Gebhardt replied no.

Mayor Treece asked Mr. Gebhardt how long he had represented Mr. Stevenson on this matter. Mr. Gebhardt replied since around last Wednesday. He noted he had been brought in recently.

Linda Harris explained she was the owner of Shurtleff Froeschner Harris, a law firm at 300 E. Broadway, which was on the west side of the building in question. As a small law firm, they were dependent upon their clients being able to get to them to conduct business. She noted they did a lot of estate planning and probate work, which meant they had quite a few clients that were elderly or disabled that utilized the ramp Mayor Treece had referred to earlier. The ramp went directly to the Columbia Real Estate and

their door. She stated they were concerned that parking spaces would be eliminated because handicapped clients would not have a good way to get to their business. She understood parking on the south side had been mentioned and believed that would create additional safety concerns because clients parking there would have to walk around the building and along Broadway to get to their business. She asked the Council to consider the other options, specifically Options 2 and 4.

Mayor Treece asked Ms. Harris if she owned the building. Ms. Harris replied no, and explained she rented from Mr. Stevenson. Mayor Treece asked if parking spots had been included in the lease. Ms. Harris replied yes. Mayor Treece asked which spots. Ms. Harris replied they did not have assigned spots, but they parked in the area mentioned. Mayor Treece asked what the lease indicated. Ms. Harris replied she believed the lease indicated they had access to the lot in front of the building, which was the lot at Providence Road and Broadway. It did not specify specific parking spots. Mayor Treece asked Ms. Harris if she understood that lot was not owned by Mr. Stevenson. Ms. Harris replied she had learned that after moving into the building, which had been in August of 2017. It had been brought to their attention then that half of the lot was owned by the City and the other half was owned by Mr. Stevenson. Mayor Treece asked Ms. Harris how it had been represented to her. Ms. Harris replied they had been told they would have access to the parking lot and it was one of the draws for them to move. Previously, their office had been on Ninth Street, and it was a draw for their clients to have accessible parking to their business. Mayor Treece understood the lease had been signed in August of 2017. Ms. Harris stated that was correct.

Marti Waigandt, 5004 Innsbruck Way, commented that she had served on the Downtown CID for seven years, had chaired the Gateway Committee, and was serving on the park team associated with the Mayor's Task Force on Bicentennial Celebration Planning. She believed Option 1 was the best way to move forward and that the other options would compromise the plan. It was such a small space that the sign would not be as effective. She stated she was also a property owner and parking was a problem for all of the merchants in the downtown. She noted parking on all four sides of her building would be a luxury. She commented that she believed the Stevenson's had done a great job and was pleased they had tenants for their building, but felt this project would bring more business to them. She thought they needed to look to the greater good in terms of what was best for the park and the community as a whole.

Eugene Elkin, 3406 Range Line Street, suggested they consider safety and wondered if there should be a small fence around the property. He did not want the fence to be an eyesore. He was just concerned that kids could get into traffic at the intersection. He stated the sign sounded as though it would be really neat. He wondered if those that were handicapped could travel over the nice bridge that had been depicted and whether angled parking could be considered at Flat Branch Park. He commented that the property on the northeast corner of the intersection could have been a parking garage, but understood it would not be very appealing. He wondered about the lot at Office Depot being used to solve some of the parking issues.

Danielle Little explained she was the Managing Broker of Columbia Real Estate. She noted she was very much in support of the park as it would be beautiful, but was concerned with the fact that it would take parking away from them, the law firm, and other surrounding businesses. She asked those in support of a compromise solution to stand, and approximately 25 people stood. She thought they should be heard and were suggesting Option 2, but were open to a compromise solution.

Mayor Treece asked Ms. Little how long Columbia Real Estate had a leasehold at this location. Ms. Little replied a grand opening had been held in March, but they had actually moved in during January. Mayor Treece asked if that had been in 2019. Ms. Little replied yes. Mayor Treece asked Ms. Little if parking was included in their lease. Ms. Little replied yes. Mayor Treece asked how it had been described in the lease. Ms. Little replied she did not know off of the top of her head.

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

Mr. Ruffin commented that the original plans for the Gateway had included a pedestrian island in the center of Broadway and noted he was concerned about potential users of the area parking across Broadway to gain access to the corner as it was dangerous to cross there. He understood that was not part of the discussion tonight, but hoped it would be revisited at some point because it was an important safety aspect in the terms of the use of that area.

Mayor Treece asked if the City had notified the adjacent property owner that the use of the surface parking lot was changing. Mr. McManus replied he was fairly certain that had been a requirement under the agreement they had for the lot. The City had to provide notice in advance before changing the use. Mayor Treece asked when that had been. Mr. McManus replied he could not remember. Mr. Glascock stated he did not recall either, but noted notice had been provided. Mr. Griggs commented that he believed notification had been provided in June of 2017 and that was to be effective on August 21, 2018. He thought the notification letter was a part of the agenda packet. Mayor Treece asked if the City had any legal obligation to preserve access to those stranded parking spots. Mr. McManus replied no.

Mr. Skala stated he was sympathetic to the ideas this was a generational opportunity for a gateway into the City and was fond of some of the idea, particularly because it would be privately funded. He commented that this went back quite a few years, even before Arcturis was involved. He noted there had been a Broadway and Providence Road corridor plan, and the City had ultimately decided to invest in the McAdam's property. He commented that downtown Columbia was only 8-9 blocks long. He stated he tended to motor around looking for a parking space in front of wherever he was going so he was guilty of waiting for close parking as well. He explained one of the perks of being on the Council was that he had a parking space on top of the police station. He reiterated he understood people wanted to park in front of where they were going, but believed some ideas, such as this park, transcended those types of practicalities. He stated he was inclined to support Option 1.

Mr. Glascock left the meeting.

Mr. Thomas commented that he agreed with Mr. Skala. He noted he supported downtown businesses and wanted them to be successful, but believed the downtown was a little different than the rest of Columbia and the more suburban areas because people parked once and walked in the downtown area. In addition, some people traveled to the downtown via the trail, which came out at Flat Branch Park, i.e., the park they were discussing they would expand to celebrate Columbia's bicentenary. He stated there were a lot of parking spaces around this building. He explained he had been paying attention to the parking in this area for the last few weeks, and the 17-18 space lot on the west side of the building had never had more 4-5 vehicles parked in it. He understood there were seven parking spaces on the north side of building, across the sidewalk, and had not seen any vehicles parked there in the last week. He stated there were spaces on the east side of the building and a parking lot in the back. In addition, there was a lot of metered parking along the streets and acres of unused parking across Providence Road whereby people could use the pedestrian crosswalk system to get to this location. In weighing the burden of businesses whereby customers had to park a little further away and walk versus the integrity of the original vision and design that had been worked on by various community-driven committees, task forces, and boards, he noted he planned to support Option 1.

Mr. Trapp stated he would have liked to have seen a compromise proposal. When the Council had offered the City lot for the Gateway project, he had not realized that would infringe on the private portion of the lot. Shifting the Columbia sign and reducing its size to where it could not be seen from Providence Road, however, did not make sense. The overall Founders Park addition and the Gateway project would have a huge impact on that corner and the first appearance of Columbia. He was not sure there was any way to

preserve the parking there so it would not impinge on that impact. As a result, he would reluctantly support Option 1.

Mr. Pitzer commented that any time they dealt with the McAdam's property or the Ice House, i.e., what could have been CVS, it seemed to generate a lot of tension. He noted he could say that as he had not been on the Council at that time. He believed there could have been room for compromise. He explained he was having trouble envisioning what the sliver of land behind the property where the creek was located would look like if it was not a part of the park because the water did not follow the property line. It seemed as though that had value in opening up access to the existing Flat Branch Park and potentially beautifying it. He understood the space would be tight when talking about the parking lot. He also understood the property owner could have volunteered to move the light pole and do a few the other things if that had been discussed. He was not sure what the compromise would be nor was he going to negotiate it, but he would support trying to figure that out in a way that did not impact the sign and other attractive qualities that had been discussed. He thought there might be a way for both sides to get a little something more than what was currently on the table from a win versus lose situation. He stated he would be willing to ask staff to look into it for a short period of time.

Mayor Treece stated that corner had been owned by the City for about 20 years with a year to year agreement for parking. The City had acquired the balance of the parcel and had provided those dimensions to the Downtown CID, who had then hired a consultant to craft a well-designed gateway project using those dimensions. The City had notified the adjacent property owner in June of 2017 that the parking lot use was changing, but he had still signed leases in August of 2017 and as recently as January of 2019. He felt the City had done everything right to make the notifications and that the tenants had been misled about the use of the adjacent parking. He commented that he was gratified to know Mr. Thomas had monitored it and noted he had looked at it as well. He understood parking was always in demand, but there always seemed to be a spot when needed. He stated he was frustrated because he did not believe it was their responsibility to continue to provide parking there, but he was also sympathetic to the tenants who had assumed that the parking lot would always be there when clearly it would not. He thought the monument would benefit from some accessible parking, but he was not sure they needed to compromise. He believed they had an obligation to maximize the taxpayer's investment in that corner.

Mr. Skala commented that he had not paid much attention to how full the parking lot was, but it had been very full during the last McCaskill campaign, which had been a while back. He stated he was usually willing to compromise, but in this case, he felt they could not pass on this opportunity.

Mr. Pitzer made a motion for staff to look at Option 3 within some of the parameters Mr. Hohenstein had mentioned to determine if there was an opportunity to come to some sort of agreement in the next 2-4 weeks.

Mr. Pitzer explained he believed there were some issues, such as ADA accessibility.

The motion made by Mr. Pitzer for staff to look at Option 3 within some of the parameters Mr. Hohenstein had mentioned to determine if there was an opportunity to come to some sort of agreement in the next 2-4 weeks was seconded by Mr. Trapp.

Mayor Treece stated he was not sure he would support Option 3, but noted he would be more inclined to pass Option 1 and direct the City Manager to take the next two weeks to see if anything better could be achieved. This would allow them to preserve the City's leverage in those negotiations and for there to be a clear time pressure to reach an agreement. Mr. Pitzer asked what would be the City Manager's motivation to reach an agreement if he had a plan in hand. Mayor Treece replied the goodwill for the adjacent property owners.

Mr. Trapp commented that he would trust Mr. Glascock to enter in good faith after listening to the discussion and hearing the concerns of Council and others. He thought it was an appropriate way to move forward.

Mr. Pitzer stated he would support that approach.

Ms. Peters asked for clarification. Mayor Treece replied he would suggest they adopt Option 1 and direct the City Manager to take the next two weeks to negotiate with the interested parties to see if they could achieve something with regard to the backside of the creek, the ramp, the adjacent parking, whether angled parking was an option, etc. Ms. Peters understood it would also include discussion on moving the light pole, drainage, etc. Mayor Treece stated that was correct. Ms. Peters understood they would vote in favor of Option 1 so they would not make the corner any smaller. Mayor Treece stated that was correct as they wanted to preserve the City's lot lines.

Mr. Thomas understood the original design of the exhibit would be preserved exactly as proposed by the Mayor's Task Force on Bicentennial Celebration Planning. Mayor Treece stated that was correct unless the Downtown CID and the adjacent property owner wanted to cut a corner here or there. He thought they needed to preserve the City's interest in the lot. Mr. Thomas understood it would have to come back to Council if they did that because it would not be consistent with the passage of Option 1.

Mayor Treece understood this was not a plat. It was only a schematic. He asked if staff would come back with final specifications and a design. Mr. Griggs replied this would approve the master plan. Mayor Treece stated the resolution was to approve the master plan and the public hearing was on the parking issue. Mr. Griggs explained negotiations could occur, but they would likely not bring anything forward until the first meeting in June since they would not have a full Council on May 20 and to allow more time.

Mr. Pitzer withdrew his motion for staff to look at Option 3 within some of the parameters Mr. Hohenstein had mentioned to determine if there was an opportunity to come to some sort of agreement in the next 2-4 weeks and Mr. Trapp agreed to withdraw his second to that motion.

Ms. Peters understood they were talking about approving R71-19, which was Option 1, and directing the City Manager to see if there was any other option for improving access to Mr. Stevenson's west side parking lot and for something to be brought forward during the first part of June.

Mr. Ruffin asked for that to be expanded to include a parking study for the area to determine if it was possible to reconsider angled parking or metered parking and create more handicapped accessible spots so the businesses were not as adversely affected. Ms. Peters understood that would be a part of the direction to the City Manager to determine what might be available. Mr. Ruffin thought they should specify a parking study as opposed to saying options that were available. Mr. Skala understood that might take longer.

Mayor Treece commented that he did not want to impair the Downtown CID and the Mayor's Task Force on Bicentennial Celebration Planning in terms of the fundraising process. Mr. Thomas understood the clock was ticking. Mayor Treece stated they had a rendering, but needed some certainty as did the tenants of Mr. Stevenson. He commented that the more they could do to enhance that section of Broadway would help.

Mr. Ruffin stated he thought they should move forward with Option 1. He was only saying that there might be a more systematic way of looking at the parking issue.

The vote on R71-19 was recorded as follows: VOTING YES: THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

Mayor Treece made a motion directing the City Manager to take the next two weeks to explore potential parking solutions for the area. The motion was seconded by Mr. Skala.

Mr. Thomas commented that he did not want to support this unless they had the full support of the Downtown CID, the DCLC, the Mayor's Task Force on Bicentennial Celebration Planning, and the Parks and Recreation Commission on any change to Option 1. He stated he would support the motion if that was a part of the motion. Mayor

Treece commented that he thought that was a part of reaching an agreement. Mr. Pitzer noted he was not sure they would have veto power. Mr. Thomas explained he would not support this direction if what was negotiated by the City Manager was not what those community-driven committees wanted. Ms. Peters stated they had passed the resolution indicating they were supportive of Option 1. Mr. Thomas commented that he agreed and was not sure of the purpose of this exercise. Ms. Peters noted the entrance for Mr. Stevenson's parking on the west side involved City property. Mr. Thomas understood Mr. Stevenson could participate in discussion with regard to moving the light pole and building a new driveway, and was not sure they needed to direct the City Manager to do anything. Ms. Peters stated that was what they were asking the City Manager to do. Mr. Thomas commented that he was fine with it as long as it did not infringe on Option 1. Ms. Peters stated she did not think it would.

Ms. Amin understood the motion had involved two weeks, but she had heard Mr. Griggs indicate he could bring something back at the June 3, 2019 Council Meeting and asked for clarification. Mr. Skala understood he had asked for a month because people were gone. Mayor Treece asked for the deadline for putting it on June 3 meeting agenda. Ms. Amin replied a week from the Friday prior to that meeting. Mayor Treece stated that date would work. Ms. Amin understood the Council expected something for the June 3, 2019 Council Meeting, and asked Mr. Skala if he agreed to that change since he had seconded the motion. Mr. Skala replied yes.

The motion made by Mayor Treece and seconded by Mr. Skala directing the City Manager to explore potential parking solutions and to report back to Council at the June 3, 2019 Council Meeting was approved unanimously by voice vote.

PH20-19

Voluntary annexation of property located on the south side of St. Charles Road and south of Talon Road (5200, 5202 and 5210 E. St. Charles Road) (Case No. 113-2019).

PH20-19 was read by the Clerk.

Mr. Teddy provided a staff report.

Ms. Peters understood if the property was to be redeveloped a larger waterline would need to be installed even though it was currently serviced by Public Water Supply District No. 9 because it was not up to City standards. Mr. Teddy explained the Fire Code would govern any new construction on the property. If there was insufficient water pressure, some water infrastructure upgrades would be required, and it would be the responsibility of the developer.

Ms. Peters understood there had been discussion about the sewer line too. She asked for clarification about the urban service area because it appeared as though the Boone Electric Cooperative serviced this area along with Public Water Supply District No. 9. Mr. Teddy replied there were areas within the urban service area that were served by Boone Electric Cooperative, to include a good portion of the east side of Columbia. It was not meant to be coextensive with the electrical service territory. It was really designed to address what areas they were capable of serving with sewer and what ought to be the more priority areas for development. He commented that there was an off-site sewer project that would be required if there was new development. In addition, a project called Hawks Ridge, which was to the west down St. Charles Road, was from where the sewer would come.

Ms. Peters asked what the urban service area meant. Mr. Teddy replied it did not mean shovel ready for any and all projects. It just meant it was a priority area. The City was already established in the area as there were boundaries around most of the perimeter of this property. It was really a little pocket that had not yet been annexed.

Mr. Skala commented that this was one of the unique areas in town that had little County islands within the City boundaries.

Mayor Pro Tem Skala opened the public hearing.

Jay Gebhardt explained the purpose of the annexation was to gain access to sewer. The three properties did not have proper sewer and they needed to get a City main to the property.

Ms. Peters asked if City sewer would be needed when the property was redeveloped or if it was needed now. Mr. Gebhardt replied both.

There being no further comment, Mayor Pro Tem Skala closed the public hearing.

VI. OLD BUSINESS

B99-19 Authorizing the issuance of Water and Electric System Revenue Bonds, Series 2019A.

The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece understood the amendment sheet had been emailed to Council.

Mayor Treece made a motion to amend B99-19 per the amendment sheet. The motion was seconded by Mr. Skala.

Mr. Pitzer asked what the bonds had been rated. Ms. Talbert replied they had a credit rating of A+. Mr. Pitzer understood that was different from prior water and electric bonds. Ms. Talbert replied a review had been done in January, and it had been A+ then so it had not changed.

Mr. Pitzer asked for the average yield they would pay on the bonds. Ms. Talbert replied the lowest had been just under 3.1.

Mayor Treece understood this bond was for voter approved projects from August of 2018. Mr. Johnsen stated that was correct.

The motion made by Mayor Treece and seconded by Mr. Skala to amend B99-19 per the amendment sheet was approved unanimously by voice vote.

B99-19, as amended, was given third reading with the vote recorded as follows

VOTING YES: THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP, SKALA.

VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B101-19 Approving the Final Plat of "Tandy's Addition Plat 2" located on the southwest corner of the College Avenue and Wilkes Boulevard intersection; granting a design adjustment relating to street right-of-way (Case No. 72-2019).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Thomas asked when College Avenue had been designated a major arterial and for the state of development of the corridor at that time. Mr. Teddy replied he did not know. He noted it was a state route and had originally been identified as Tandy Avenue with a 50-foot right-of-way. Mr. Thomas asked if it had been a total full-width of only 50 feet. Mr. Teddy replied yes, and explained Tandy's Addition had been laid out in 1898 or around that time frame. He thought 10 feet in right-of-way had been taken for roadway purposes.

Mr. Thomas commented that from the applicant's information in the packet, it seemed as though there were a tremendous number of buildings on the corridor that were not compliant with the 106-110 feet of full-width right-of-way. Presumably, they pre-existed the designation of major arterial. Mr. Teddy explained the designation of major arterial was done based on its function. He noted Broadway was a major arterial, but it also had right-of-way of far less than 106 feet in the older sections of the roadway. He pointed out that was not unusual for older roads that traveled through the middle of the community. The idea was to make incremental improvements. He commented that it was currently a five lane road, and did not have bike lanes, but had a center turn lane and substandard lane widths. He stated lanes were normally 12-feet wide, and those were closer to 9.5 or

10 feet. He commented that the City might do a reconstruction some day in the future, and the additional right-of-way would create opportunities. He explained that a factor with regard to their recommendation was that the lot was vacant. There was not the same kind of impact to an existing building they would have further north where there were some houses that were closer than 20 feet to the right-of-way line.

Mr. Thomas stated he planned to argue he did not think that was a good long-term vision for College Avenue during discussion on this item.

Mr. Thomas asked if there was a second design adjustment involving the radius of the corner with Wilkes Boulevard or if there was just the one design adjustment. Mr. Teddy replied there was the only one on which the Planning and Zoning Commission (PZC) had voted. He explained there was a curved radius at the corner and that right-of-way had been granted. The idea there was to facilitate intersection improvements. Mr. Thomas stated he believed that was over-engineered. He did not think the curve radius needed to be that large and felt it was very pedestrian unfriendly. Mr. Teddy pointed out it was right-of-way dimension and not the actual pavement dimension. He noted the two could differ. A 30-foot radius on a corner truncation would provide the ability for a larger curve radius.

Mr. Thomas understood the design adjustment had been requested by the applicant to override the 106-foot full-width right-of-way and that the PZC had rejected it by a vote of 7-2. It was now contingent upon the City Council to have a super-majority. Mr. Teddy stated that was correct as that was how the Code had been written. Mr. Thomas commented that he was not sure that was logical. Mr. Teddy pointed out it was only in situations where there had been a denial of a design adjustment. Mr. Thomas understood they needed a super-majority vote for the design adjustment, but not the overall plat. Mr. Skala stated that was correct.

Mayor Treece understood that if other properties along the corridor sought to replat, staff would impose the same right-of-way dedication. Mr. Teddy replied he thought they would to the extent it was practical. There were some buildings that were as close to 18 feet from the right-of-way. He thought they would have to make a decision as to the impact on the existing property. Mayor Treece asked if that same dedication would be imposed in a situation whereby three non-compliant inconsistent properties were combined into one plat. Mr. Teddy replied he thought it would in general, but pointed out they would likely settle for something less if they had a situation where the additional right-of-way created an encroachment situation with an existing building.

Mr. Pitzer understood College Avenue was a MoDOT road. Mr. Teddy stated that was correct. Mr. Pitzer understood MoDOT had not asked for the right-of-way, and asked if that was correct. Mr. Teddy replied yes. He noted this was reminiscent of the Providence Road situation they had a few meetings ago. He commented that it was the feeling of City staff that they ought to bank as much right-of-way as possible on the major corridors even if MoDOT indicated it was not needed. Mr. Pitzer asked if it would be MoDOT's responsibility to obtain the right-of-way if they decided to do something with that corridor. Mr. Teddy replied not necessarily. He also noted the opportunity might not be available in the future. Ms. Peters thought they should also consider the fact they had the opportunity to do this during the platting process versus having to pay the property owner for the easement in the future. Mr. Teddy stated that was correct and agreed the property owner would lose 18 feet of property since it was property they would not be able to use.

Mayor Treece commented that the difference between this property and the property on Providence Road, whereby he had voted in favor of the design adjustment, was that they had just finished a major 15-year Providence Road improvement project that had acquired all of the right-of-way needed for it.

Keenan Simon, 210 Park Avenue, explained he was an engineer with SSE and commented that currently the right-of-way on College Avenue was 70 feet throughout most of the corridor. There were a few places where it varied. He noted College Avenue

was five lanes with two northbound lanes, two southbound lanes, and a turn lane. He reiterated MoDOT, who maintained this roadway, had not required additional right-of-way. He understood there were not any future plans to expand College Avenue and there were numerous existing homes, commercial structures, and institutional buildings significantly close to the existing 70-foot right-of-way. Acquiring full right-of-way width meant the City valued a potential roadway project that might never happen over its citizens' homes and businesses and the University's buildings that defined the community. He displayed a diagram of the College Avenue corridor and explained the interior red line represented the existing right-of-way line, the blue dashed line represented the 106-foot right-of-way width, and the green dashed line represented the ten-foot utility easement. The blue arrow identified every structure that would be within that boundary. He commented that approximately 87 structures would be within in the proposed 106-foot right-of-way and ten-foot utility easement, which was the City's standard. By requiring the full dedication of right-of-way and utility easement, he felt the Council would be saying they supported the removal of these structures. He did not feel the standard being in the City Code was justification as there were situations when codes did not fit existing conditions, and he believed that was the case tonight. He stated 28 feet was too much. He reiterated the existing constraints made 106 feet of right-of-way on College Avenue not feasible, and he did not think, as a community, they wanted to remove numerous structures whenever a new plat was required. He asked the Council to think about the impact to this corridor. He commented that he was looking for a resolution to this and had come upon College and Walnut Plat 1-A, which had been recorded in 2012. It had dedicated a ten-foot right-of-way of College Avenue and not anything for a utility easement. It had made the corridor approximately 80 feet wide with about 45 feet of right-of-way at the frontage of the property. That was the half-width for the west side and it was about a 35-foot half-width on the east side. He felt that made more sense as it would remove 81 structures from being within the right-of-way. He commented that it would also allow for significant room for improvements on College Avenue, such as a bike lane or room to widen the existing lanes. He asked the Council to approve the final plat contingent on a ten-foot right-of-way dedication for College Avenue and no ten-foot utility easement. He reiterated it would provide more than enough room for future improvements and would allow for the utilities to be placed within that right-of-way dedication. He believed it was a good compromise. He commented that before this had been submitted to the PZC, the City staff had been supportive of no additional right-of-way dedication on College Avenue. He understood there had been a change in policy about a week or so prior to this item going before the PZC in terms of capturing the most right-of-way possible. As a result, the staff had shifted its support of the project.

Mayor Treece asked if that had been represented to Mr. Keenan in writing. Mr. Keenan replied it had been represented in a phone call. He stated the comments on the plat originally had indicated support for the reduction of right-of-way and that had been in some emails. He stated he did not believe it would have been appropriate to submit those.

Mr. Keenan commented that tabling this item would be an option he would be open to in order to revise the plat in a manner that fit the situation. He believed the answer was somewhere in the middle and not the full 18 feet. He thought an appropriate solution would be the dedication of an additional ten feet of right-of-way along with not providing anything extra for a utility easement.

Ms. Peters asked about the plans for this plat and if the plan was to place a building at the property line on College Avenue. Mr. Simon replied the lot had originally housed a car wash, but it had been demolished a few years ago. The owner the property wanted to ensure he could do something there when the time came instead of waiting six months to replat the property. Knowing it did not meet the definition of a legal lot per the new City Code, he had asked for the property to be replatted so it could be developed in the future without having to go through the platting process then.

Mr. Pitzer understood the plat in front of them tonight would only require the ten-foot utility easement and no additional right-of-way. Mr. Simon replied it was currently showing no additional right-of-way on College Avenue and only a ten-foot utility easement along College Avenue.

Mr. Pitzer asked if any additional setbacks would be required. Mr. Teddy replied it was an industrial zoned property so there would be a front yard requirement and the easement would fit within it.

Mr. Teddy commented that Mr. Simon was correct with the Brookside example that he had cited, i.e., the College and Walnut plat, in terms of the right-of-way that had been taken for College Avenue and the overall width, but pointed out that was C-2 zoning so they had the ability to place the property on the property line. He wanted to ensure they understood that important difference. He thought 90 feet had been the overall width projected on that section.

Mr. Pitzer understood they would not want the utility easement overlapping the right-of-way if it could be avoided. Mr. Teddy agreed and noted staff felt there needed to be a utility easement within the property. He pointed out that was also a City standard.

Mayor Treece asked if it was true that staff had not objected to the right-of-way design adjustment prior to the PZC meeting. Mr. Teddy replied it depended on how far out they went, i.e., if it was the first inquiry with the City or not. Mayor Treece asked if staff had changed its mind a week before it had gone to the PZC. Mr. Teddy replied he did not believe they had because this item had come in after they had done the item associated with the Providence Road corridor. There had been a learning curving there in terms of having a conversation about state routes. Mayor Treece asked if there had been representation and conversation with the applicant. Mr. Teddy replied he did not know what conversation had taken place or when it had occurred. He just knew that as it had gone through the review process the comment had been made that additional right-of-way would be required by Code.

Mayor Treece asked when that requirement had been included in the Code. Mr. Teddy replied the 106 foot standard had been in place since the street standards had been approved in 2004. That had been recodified as it had been approved as part of the Unified Development Code (UDC).

Jay Gebhardt stated he was an engineer with a Civil Group and explained he was present to support Mr. Simon in his request for the design adjustment. He commented that this was a change in policy. He noted he had been surveying in Columbia for 30 years. When MoDOT had requested right-of-way, they had been asked to give it and they had, but when MoDOT had indicated they did not need any right-of-way, it had not been asked of them. He was not sure when the practice had changed, but it had likely occurred within the last six months. He stated this was the first instance of an item such as this coming forward, and felt it would have a huge impact as it would take a suburban arterial design standard and shove it through the City. He noted they had just discussed Providence Road being the entryway to Columbia, and if this was required there, Douglass Park would lose its swimming pool as it would be within the right-of-way. He commented that the UDC required replatting for just about any situation and that was the reason for his concern. He hoped they could go by what MoDOT requested. He stated this instance was likely not the best example since it involved a vacant lot and would have a 25-foot setback at the corner, but asked the Council to consider the impacts along all of the state routes within Columbia. He understood the City was trying to be forward thinking in terms of MoDOT giving the City the roads in the future, but if that was the case, the engineers would be capable of designing and taking what was needed and preserving what was there rather than taking a carte blanche 106 feet of right-of-way.

Mayor Treece asked if it was not easier to obtain the right-of-way prior to something being built as opposed to condemning for the 10-18 feet needed later. Mr. Gebhardt replied it was in this case. He asked him to consider the Columbia Housing Authority (CHA) properties as the apartments along there were being rehabilitated. He noted the CHA did

not have a legal lot there since the adoption of the UDC. As a result, it needed to be replatted, which meant he had to come before the Council asking for a design adjustment. Instead of doing that in a piecemeal manner, he suggested they go back to the old policy of obtaining the right-of-way only if MoDOT wanted it.

Mayor Treece asked if there had been a change in policy. Mr. Teddy replied staff was looking at these situations a little differently so that was probably a fair description. He commented that he also did not want Council to think they were telling people they would displace properties through right-of-way takings. They would look at redevelopment opportunities to gradually upgrade the right-of-way. They were not asking permission from Council to begin acquiring right-of-way all up and down the corridor, but it was possible there would be redevelopment elsewhere on College Avenue that would involve the removal of some of the structures that Mr. Simon had indicated would be encroached upon by the right-of-way. In those cases, they might get fairly intense development and it might make sense to obtain the additional right-of-way. He reiterated this was looking ahead into the future.

Mr. Thomas stated he supported the design adjustment. He did not think the 30-50 year vision for Columbia included a 106-foot right-of-way suburban arterial through the middle of downtown or the University. He did not believe that was appropriate for College Avenue or Providence Road, and if that was what the City's Code was saying, he felt it should be changed. He noted this was completely inconsistent with the Climate Action and Adaptation Plan as they would need to reduce carbon emissions by 80 percent by 2050, which was just over 30 years from now. He pointed out the transportation piece, which was 30 percent was all about reducing driving and car use, increasing mass transit, walking, and biking. He stated they were trying to increase density in the downtown and make it a more walkable place. If they started to incrementally push buildings back with the ultimate goal of getting all of the buildings along the entire corridor removed to widen the roadway, he believed it would be a blight on that part of Columbia. He proposed supporting the design adjustment and then working on the policy as they did not need the additional right-of-way. He suggested it be a three-lane road with protective bike lanes on both sides and agreed the one drive lane on each side and the center lane needed to be a little wider. He believed that would be consistent with their goals for traffic reduction over the next few decades.

Mayor Treece stated he completely disagreed. He believed passing this tonight did not create a precedent for the rest of the corridor, but felt not passing it would. He explained if they did not do it here on a prime corner lot with no existing structure, they would not do it on any other lot. He commented that College Avenue was a potential entrance to the downtown, and because this lot was on a corner, it had the potential for a widened sidewalk, turn lane, or another access that partnered well with the existing City-owned railroad corridor or a road extension to the downtown. He stated there was so much that was happening around there and felt they would be foolish to not bank the right-of-way consistent with what the City Code had said for decades.

Mr. Trapp commented that MoDOT was not requesting the right-of-way as it was sufficient for their purposes. He noted this was a built out urban corridor and the corridor was sufficient. By taking the increased setback with the utility easement, it would be smaller and less intense. It would be a more suburban style development in the heart of the greater downtown area. He stated he was in support of the design adjustment.

Mr. Skala explained he was intrigued by the prospect of not micromanaging this on the dais and instead having the staff consider the suggestion that had been made by Mr. Simon. He understood they might receive the same answer, but preferred they not close on the potential. He noted Mayor Treece had made a persuasive argument as well in that since this was on a corner, it would be a reasonable place to bank some property. He stated he was torn.

Mayor Treece commented that just because they did this here did not mean they would start taking down all of these houses. If the properties were replatted or if they were

consolidating plats into a major block, he thought they should because they would be creating additional demand.

B101-19 was given third reading with the vote recorded as follows VOTING YES: THOMAS, PITZER, TRAPP. VOTING NO: PETERS, TREECE, RUFFIN, SKALA. Bill declared defeated.

VII. CONSENT AGENDA

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

- B100-19 Rezoning property located on the southwest corner of the Vandiver Drive and Mexico Gravel Road intersection from District PD (Planned District) to District M-C (Mixed-Use Corridor District) (Case No. 71-2019).
- B102-19 Approving the Final Plat of "On The Ninth at Old Hawthorne, Plat No. 1-A" located on the east side of Bunker Loop and east of Old Hawthorne Drive West (Case No. 65-2019).
- B103-19 Authorizing a memorandum of understanding with the Missouri Department of Social Services - MO HealthNet Division for Medicaid reimbursements as it relates to the provision of paratransit services to qualified individuals.
- B104-19 Authorizing an administrative services agreement with the Mid-Missouri Solid Waste Management District for administrative and grant coordination services.
- B106-19 Authorizing a first amendment to commercial mobile radio service antenna agreement with Sprint Spectrum Realty Company, LLC, successor in interest to Sprint Spectrum L.P. (successor by merger with Alamosa Missouri Properties, LLC), relating to the lease of property and space on the Shepard Water Tower (1160 Cinnamon Hill Lane).
- B107-19 Amending Chapter 2 of the City Code to reduce the number of members on the Mayor's Council on Physical Fitness and Health.
- B108-19 Authorizing a Memorandum of Understanding with the Missouri Department of Health and Senior Services for STD testing and treatment services.
- B109-19 Appropriating Share the Light funds for the purchase of dental supplies and training materials and tobacco cessation materials.
- B110-19 Appropriating funds for the redesign, printing, storage and distribution of the Convention and Visitors Bureau area guide.
- B111-19 Appropriating funds received from the Community Foundation of Central Missouri to provide for reimbursement of the additional costs associated with temporary administrative assistance.
- R62-19 Setting a public hearing: proposed construction of the Shannon Place PCCE #22 Sanitary Sewer Improvement Project.
- R63-19 Setting a public hearing: voluntary annexation of property located on the north side of St. Charles Road and approximately 400 feet west of Grace Lane (5305 E. St. Charles Road (Case No. 123-2019).
- R64-19 Setting a public hearing: consider approval of the design concept

- proposed by artist Beth Nybeck for the Molly Bowden Neighborhood Policing Center Percent for Art Project.
- R65-19 Authorizing various Adopt a Spot agreements.
- R66-19 Consenting to the issuance of a state license for the sale of intoxicating liquor to 260 Bar, LLC, d/b/a Brookside Poolside, located at 260 S. Tenth Street.
- R67-19 Authorizing a first amendment to the social services provider agreement with Wilkes Boulevard United Methodist Church for homeless drop-in center services.
- R68-19 Authorizing a license agreement with Oldways Preservation and Exchange Trust, Inc. for the use of the "A Taste of African Heritage" (ATOAH) cooking and nutrition curriculum.
- R69-19 Authorizing an agreement for professional services with Gabriel, Roeder, Smith & Company for actuarial services related to the administration of the City of Columbia Police and Firefighters Retirement Plans.
- R70-19 Authorizing staff to proceed with the preliminary design and expenditure of funds associated with the proposed construction of the Glenwood Avenue and Redbud Lane Private Common Collector Elimination Project (PCCE #25); directing that a public hearing be held upon completion of the preliminary plans.

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

VIII. NEW BUSINESS

None.

IX. INTRODUCTION AND FIRST READING

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

- B112-19 Voluntary annexation of property located on the south side of St. Charles Road and south of Talon Road (5200, 5202 and 5210 E. St. Charles Road); establishing permanent M-N District (Mixed Use-Neighborhood) and District M-C (Mixed Use-Corridor) zoning (Case No. 69-2019).
- B113-19 Approving the PD Plan of "Bearfield Plaza Plat 1-B, Lot 1B-1" located northeast of the Grindstone Parkway and Bearfield Road intersection (Case No. 74-2019).
- B114-19 Approving the Final Plat of "Bristol Ridge, Plat No. 1" located on the east side of Bearfield Road and approximately 1,400 feet north of Gans Road; authorizing performance contracts (Case No. 73-2019).
- B115-19 Changing the name of "Baxley Court" to "Baxley Drive" (Case No. 87-2019).
- B116-19 Authorizing an annexation agreement with Kenneth A. Stauffer for property

- located on the south side of Mexico Gravel Road and west of Lake of the Woods Road (5704 E. Mexico Gravel Road) (Case No. 94-19).
- B117-19 Accepting a conveyance for tree preservation easement purposes from Christian Fellowship Church of Columbia, Missouri, Inc.
- B118-19 Authorizing an intergovernmental cooperation agreement with The Curators of the University of Missouri for integrated shuttle bus service on campus.
- B119-19 Authorizing a right of use license permit with Stephens College for the construction, installation, maintenance and operation of signage on the pedestrian bridge located over a portion of the East Broadway right-of-way.
- B120-19 Authorizing a right of use permit with Missouri Network Alliance, LLC, d/b/a Bluebird Network, for the installation and maintenance of fiber optic cable within portions of the Stadium Boulevard, Worley Street and Old Highway 63 rights-of-way.
- B121-19 Amending the FY 2019 Annual Budget by appropriating funds to provide for limited Go COMO transportation services on Saturdays and three (3) University of Missouri home football games.
- B122-19 Amending Chapter 2 of the City Code as it relates to membership and attendance requirements, and duties and responsibilities of the Youth Advisory Council.
- B123-19 Amending Chapter 27 of the City Code to establish a water rate structure for community food gardens.
- B124-19 Amending Chapter 27 of the City Code as it relates to winter average consumption water rates.
- B125-19 Authorizing an electronic signature agreement with the United States Environmental Protection Agency in compliance with the Risk Management Plan (RMP) Rule of the Clean Air Act as it relates accident prevention and emergency response practices at the McBaine Water Treatment Plant.
- B126-19 Accepting conveyances for sewer purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B127-19 Authorizing a first amendment to the facility usage agreement with The Curators of the University of Missouri for the development and construction of a cross country course and associated amenities at the Gans Creek Recreation Area.
- B128-19 Authorizing an inspections participation agreement with the Missouri Department of Health and Senior Services for the summer food service program for children.
- B129-19 Authorizing The Right Time initiative participation contract with the Missouri Family Health Council, Inc. for family planning services; amending the FY 2019 Annual Budget to add a position to the Department of Public Health and Human Services; appropriating funds; amending the FY 2019 Classification and Pay Plan.
- B130-19 Amending the FY 2019 Annual Budget by appropriating donated funds to

be used by the Department of Public Health and Human Services for the healthy families home visiting program.

B131-19 Authorizing a Fixed Account Amendment to the Group Flexible Purchase Payment Deferred Variable Annuity Contract with Nationwide Life Insurance Company.

B132-19 Amending the FY 2019 Annual Budget to add positions to the Municipal Court to provide for increased costs due to changes in the administration of parking tickets; appropriating funds.

B133-19 Amending the FY 2019 Annual Budget by appropriating funds to the Law Department - Prosecution Division to provide for increased costs due to changes in the administration of parking tickets.

B134-19 Amending Chapter 14 of the City Code relating to parking tickets and towing.

X. REPORTS

REP35-19 Central Bank of Boone County Time Capsule Certificate of Deposit.

Mayor Treece noted Central Bank of Boone County had made four \$100 certificates of deposit, and after fifty years, they were each worth \$1,199. The City Manager had suggested the money be used as part of the bicentennial for the development of the park they had discussed earlier tonight.

Mr. Pitzer asked who had made this recommendation. Mayor Treece replied Mr. Glascock had mentioned it to him. He thought it was appropriate to dedicate it for that, but noted he did not believe there were any strings attached.

Mr. Pitzer asked if the City had a general account for charitable funds. Mayor Treece replied he did not believe so. He pointed out they had the New Century Fund. Mr. Pitzer felt that various items came across and referred to an item associated with the Public Health and Human Services Department. Mayor Treece thought that had been a specific grant. Mr. Skala understood there were contingency reserve funds they could dedicate to any particular cause.

Mr. Pitzer stated there were a lot of things this money could go toward. Mayor Treece explained the suggested action was to request an ordinance to come back and asked Mr. Pitzer if he wanted to suggest something different or change where those funds go when an ordinance was brought before them. He thought there was a nice nexus between the time capsule and the bicentennial. Mr. Pitzer stated that was fine.

Mayor Treece asked for an ordinance to be brought forward.

REP36-19 Growth Impact Study and Annexation/Sewer Policy.

Mr. Teddy provided a staff report.

Mr. Thomas commented that he wanted to know the cost in terms of public infrastructure capacity expansion of the systems and noted he would be interested in including the school system as well as that was the biggest cost, but was not sure they could afford a study to cover everything. If they had to select a few, he thought roads, electricity, and public safety, which included fire and police, were likely the most important as he felt they were providing very large subsidies to new development in terms of building out the infrastructure and charging current taxpayers and ratepayers.

Mr. Skala stated they might want to look at the interaction with the urban service area boundaries in terms of the cost of growth inside and outside of the city limits along with incentives and disincentives. Mr. Teddy explained there was territorial growth, growth in infrastructure, growth in physical structures, and growth in population. They would all have some characteristic impacts.

Mr. Pitzer commented that there were also benefits to growth, particularly when talking about economic opportunities, employment opportunities, and increased wages. He pointed out there were also costs to not growing such as property values if the population grew, but the physical boundaries did not grow. He understood Mr. Teddy had mentioned city-initiated annexations and noted he would be interested in exploring that further. Mr. Teddy stated that was tied to the second topic and the way they did it now was by voluntary annexation. There had been a time when the City did large scale city-initiated annexations and some places in Missouri were still doing that. He thought they could have that discussion. The City would be in more control of the sequence. Right now, the City received requests for annexation everywhere along the border.

Mayor Treece understood this would be discussed at the June 17 work session.

REP37-19

Administrative Public Improvement Project - Sinclair Road and Southampton Road Sidewalk Gaps.

Mr. Nichols provided a staff report.

Mayor Treece asked whose responsibility it would have been to complete the sidewalk. Mr. Nichols replied the property owner. He understood Southampton Road had been a dead-end many years ago, but there had been an addition recently. He was not sure of the decision at the time as to why it had not been constructed to the property line. Once the new roadway was extended, the sidewalk had been built from that point as it was not the responsibility of the new developer to fill in the gap. As a result, they now had a gap that needed to be addressed. He noted they had received a lot of concerns and complaints asking for it to be resolved. The one on Sinclair Road had involved a difficult drainage area. The school had constructed a sidewalk all of the way to the property line, and they now had a 60-foot gap. While they were addressing other sidewalks in the area, staff felt that gap needed to be addressed as well.

Mr. Pitzer commented that he was not sure anyone knew there had been a gap on Southampton Road until there had been new construction and a sidewalk associated with it. He did not know why that had not been caught 30 years ago.

Ms. Peters understood it was not the responsibility of the developer of the new construction to build the sidewalk. Mr. Pitzer explained they had constructed their sidewalk to the property line. The gap was on the existing home that had been constructed 30 years ago. Mr. Nichols stated the City could tax bill the owner, but it would be a long process. In addition, the current property owner was not the property owner that had been responsible for the sidewalk. He believed they were fortunate in that the property owner was willing to work with them in granting the easement and the connection.

Mayor Treece asked if there was any objection to using the administrative public improvement process instead of the standard one, and no one objected.

REP38-19

Additional Payments Audit Report.

Mayor Treece asked if they had reviewed this audit and if it was what they had in mind in terms of format, response, etc. He stated he believed it was a good start, but wanted Council to consider how they might monitor the recommendations of the auditor along with the response of management. He commented that one of the findings of the Internal Auditor involved the reporting process for department directors assigning certain allowances and the fact the person that had monitored that had retired. As a result, even though there was a policy, it was not being followed. He wondered how they, as a Council, could monitor this. In addition, if there was not a policy, he wondered how they would know the recommendations were addressed. He suggested an annual compendium of all of the audit recommendations and whether they had been implemented by management. If they had not, he thought they should be told why. He believed that was important because otherwise these were just reports that they never saw again.

Mr. Skala stated he agreed with Mayor Treece. He believed this was a good first step, but there had to be some accountability. This type of information being brought to the City Council would help them keep track of some of the gains made and help to ensure these things did not fall by the wayside. He understood that might require some policy changes on the part of the Council to maintain that documentation so they knew where they stood in terms of some of this work.

Mayor Treece pointed out this was costing the City \$866,000 per year. He had heard anecdotally that anyone wanting a pay raise would just receive a car allowance without any consideration as to whether that person needed a car to conduct City business.

Mr. Skala reiterated he agreed another set of eyes were needed and that the Council had to deal with those fiscal responsibilities.

Mr. Pitzer stated he thought this was a good first step as well. He commented that he believed it was a fairly standard process to have a follow-up to determine if the recommendations were implemented and if they were effective in addressing the issue if they were implemented. He pointed out it was incumbent upon them to ensure the City Manager made it happen. If they had oversight of the Internal Auditor, it would be on them.

Mayor Treece suggested they try to incorporate some of these comments into the audit policy and procedure report when it came back to them so they had some sort of accountability or process in place. He commented that some of the recommendations might require a new FTE which they might not agree to do, and believed that was valid as well. He thought they should measure the processes they had in place.

Mr. Trapp understood Ms. Bryce indicated in her letter that since the internal audit function had been recently established it did not yet have a quality assurance and improvement program as required by standards, and thought that might be where they wanted to begin. He felt that should be tied into their existing quality improvement programs, such as the Missouri Quality Award. He suggested they establish that structure and build systems of accountability first.

REP40-19

Social Services Funding Allocation Process Report.

Ms. Browning provided a staff report.

Mayor Treece asked if the recommendations were always provided as part of the budget cycle. Mr. Hollis replied they were actually on the calendar year so they typically came to Council in December with the recommendations.

Mayor Treece asked if the ratio used here was part of the open house he had attended, which had involved community driven input of where the priorities needed to be, or if it had been evidence based. Ms. Browning replied the Human Services Commission (HSC) took the funding Council had allocated for social service agencies and had divided them up by parameters that had already been vetted.

Mr. Thomas understood the main thrust was to go from a three-year cycle to a two-year cycle, and asked if that meant the grants would be awarded for two years instead of three years and that the organization would come back in two years if they wanted to renew or evolve the program. Mr. Hollis explained that about ten years they had gone from an annual cycle to a three-year cycle, which involved a one year contract and two renewals. By going to two years, they would be able to be a little more responsive. He pointed out there had been times they had wished they could have reacted more quickly to community needs. The other thing it did that he thought was nice was that it aligned them with the County's two-year cycle, and they shared a lot of processes with the County these days. By sharing processes, they had reduced the administrative burden on the providers significantly. The only down side was that it was a bit more work for staff, the HSC, and the providers, but overall, they felt the positives outweighed the negatives.

Mr. Trapp stated he thought the adaptability and responsiveness was important and worth the extra work as new issues emerged and priorities shifted. He felt it was good to align with the County as well. He noted he had spoken with Ray Beck, the former City

Manager, earlier today and the social services program had been federally funded in the past, and when those federal funds had been removed, almost every city had retreated from providing those services. The City of Columbia had found the money in its existing budget, which unfortunately was similar to the amounts utilized today. He stated he had been curious about the fee for service model, which was unique when talking to other communities. If they were not going to expand resources, making it more adaptive and responsive made sense.

Mr. Skala noted they had been provided a lot of good information and appreciated the alignment with the County. He stated he was satisfied with them moving forward as had been indicated.

REP41-19 Contract Compliance and Other Information Related to Bird Scooters.

Mr. Nichols provided a staff report.

Mayor Treece commented that he believed they needed to enforce the agreement they had with Bird. He was not sure stern warnings were effective as they had already tried that. Mr. Nichols stated the check had been received a day late as it had arrived on May 1, but was due April 30. Mr. Skala agreed they needed to enforce the contract. Mr. Nichols stated the time of 8 p.m. was being enforced now. He noted he had received a lot of excuses with regard to how it was programmed and that countrywide communities were going to midnight. He commented that he had the attention of the contact person and would determine if they complied. If they did not, he would let the Council know they were still having problems.

Mr. Pitzer asked how much time staff was spending on these issues. Mr. Nichols replied more than they should as Bird needed to take ownership. He did not feel it should be the City's role to make them comply with what they had agreed to do in the contract. He commented that Bird had given him the impression they were working through the issues, but they might have said that to other communities as well. He stated he was not sure how long this would go and how much effort he would be able to put into it. Mr. Pitzer believed that was an important consideration in this as well as staff was stretched thin enough.

Ms. Peters suggested giving Bird another quarter to see how it worked. She asked about the injury rate with Birds. Ms. Browning replied the City did not have any hard data from the emergency rooms. It was mostly anecdotal. She stated the emergency room recording system did not necessarily capture that someone was on a Bird. She understood the City of Austin had determined a way to find that data and noted she could explore that if they would like. Mr. Trapp stated the Center for Disease Control (CDC) had done an analysis of the Austin emergency room data. He understood helmet use was important and drinking contributed to a lot of injuries. He thought having and enforcing the 8:00 p.m. shut-off was wise in terms of safety considerations.

Mr. Thomas stated he was interested in compliance of the user behavior in terms of how the scooters were parked, if they were ridden on the sidewalk, etc., and asked if staff had any information. Mr. Nichols replied he did not have that data. He explained he had just gotten into the portal, which had a lot of data, but it was overwhelming at this time to make sense of it. He noted he would work with Bird to understand what he might be seeing. He understood the app would reveal who used it last and that they could communicate with them. He pointed out Spin required a person to take a photo before using the scooter and after finishing. Mr. Thomas asked if the user was forced to do that. Mr. Nichols replied Spin had that feature. It was not a feature of Bird. He understood Bird would be able to determine the last user if there was an issue. If someone was systematically bad, Bird could take them off of the system and not authorize them to use the scooter. Mr. Thomas asked about someone riding on a sidewalk as it was against the City's rules. He wondered what the options were for a member of the public. Mr. Nichols replied he thought it could either be noted in the app or the person could call the City's contact center. Mr. Thomas asked if police officers would stop someone riding a scooter on the sidewalk. Mr. Nichols replied he was not sure. He pointed out they still

had problems with people riding their bicycles and skateboards on the sidewalks even though they had stickers on the sidewalks.

Mr. Nichols explained the Birds had arrived in November, were essentially gone in January and February, and had started back up in March so they had not had much time. He noted they had only received a report in April and that he would be happy to bring back a report at the next quarter regarding any issues they might still have. He pointed out the contact center had only received nine calls so people might be contacting Bird directly or people might not know what to do since it was so new.

REP42-19 Amendment to the FY 2019 Annual Budget - Intra-Departmental Transfer of Funds.

Mayor Treece understood this had been provided for informational purposes.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Eugene Elkin, 3406 Range Line Street, commented that he had recently witnessed three young ladies on three separate scooters following each other on the sidewalk and had wondered about the policy. He suggested a fine for noncompliance to lower the stress level of City staff in attempting to get the company into compliance. He thought a fine might influence them.

Mr. Elkin stated a new street had been constructed in the White Gate area and assumed that work had been contracted for by the City. He noted it was very smooth and had not had the usual odor. He hoped that technology could be used again if it had any longevity.

Mr. Elkin understood there was an abandoned nursing home in the area and wondered if it had been considered for use by the homeless.

Mr. Elkin understood there was a group connected to the Veterans Hospital and that 300 people had been placed this year. He wondered if they were homeless, low-income, veterans, etc. He commented that shelters were needed.

Mr. Trapp explained the nursing home had been looked at by a number of nonprofits for a homelessness project. It ended up going to the United Community Cathedral as a church. He noted they also had a nonprofit and provided some social services. He understood they were primarily geared toward at-risk kids.

Mr. Trapp referred to the comments of Chris Farnam earlier in the meeting, and asked if they could be provided some clarity on the statutes in terms of rideshares and what a brief stop might encompass or if the answer was for something equivalent to taxi stands. He thought some policy or direction was needed to provide clarity to police officers. He felt they wanted to facilitate people getting safe rides home from downtown drinking establishments.

Mr. Trapp asked if the remarks of David Aguayo related to strategic planning could be forwarded to the Vision Commission. He thought they were collecting input with regard to the strategic plan process.

Mr. Trapp stated he appreciated the attempts of Interim Chief Jones to bring in the citizenry and involve them in the policy review process. He felt that was the mission of the CPRB and hoped they could overcome any technical hurdles to provide timely feedback so they could fulfill their mandate. He thought they could win the support of the community through an open and transparent process, and reiterated his hope to use that body for a thorough review of police policies.

Mr. Pitzer commented that in November of 2017, the Council had passed a right-of-way permitting program for utilities and had delayed the implementation until May 1, 2018. He asked for an update since a year had passed. He understood there had been a couple of

implementation concerns so he wondered how those had been addressed. He also wanted to know the number of permits and the amount of money associated with those permits along with how that entire permitting program was working.

Mr. Skala understood they had ten candidates for the PZC. He noted that in the old days they had interviewed all of the applicants. He suggested a matrix process to reduce the number of candidates to interview to a manageable number, such as 4-5, so they could conduct the interviews within an hour. He stated it was important to him to have a face-to-face meeting with the finalists. He understood another suggestion had been for written questions, and he was not interested in that. He thought interviews could be held on May 20 if they were to narrow the number interviewed.

Mr. Thomas stated he did not have a problem with that process even though he would be absent on May 20.

Mr. Skala pointed out he only wanted to do this with the rule-making bodies, such as the Board of Adjustment (BOA) and the PZC.

Mr. Pitzer understood Mr. Skala was suggesting the interviews be held prior to the May 20, 2019 Council Meeting even though some folks would be gone. Mr. Skala stated that was correct. Mayor Treece noted he was not available prior to the May 20 meeting.

Mr. Skala commented that if it could not be done that was fine, but suggested this be a policy decision they discuss for implementation in the future.

Ms. Amin noted that according to a past pre-council agenda, it appeared as though the May 20 work session included two agenda items so that time frame was already booked. One of those items would either have to be moved or the Council would need to come in even earlier or do it during the day.

Mayor Treece stated he liked the suggestion of narrowing down the number of candidates to interview through some sort of matrix and they could proceed in that manner. He noted next week was the only week before May 20 so it could be done then. The next challenge would be to find a date for interviews. Mr. Skala asked if they could proceed pending the finding of a date. Ms. Amin suggested setting the interview date now even if it was after May 20.

Mr. Pitzer explained his concern was with the work of the PZC as they were doing a lot of work and holding a lot of meetings. Mr. Skala stated he felt that was always the case. Mr. Pitzer noted his concern was with asking three members to continue serving past the end of their terms when they might not be reappointed, and he was not sure that was fair to them. He also did not feel it was fair to the rest of the PZC members to leave them shorthanded. He pointed out he was not necessarily opposed to the suggestion of Mr. Skala, but felt they might want to set up a policy and do it next time.

Ms. Peters asked how many positions they needed to fill on the PZC. Ms. Amin replied three. Ms. Peters thought they should either not interview this time or decide on interviewing more than four people. She suggested they move forward without interviews this time and come up with a plan for the future. Mr. Skala stated that was fine. He just hoped they implemented it at some point in the future.

Mr. Trapp commented that he thought they should move forward with appointments at the next meeting and then look to develop a process. He suggested Mr. Skala submit something to start from in terms of discussion. Mr. Skala stated he would be happy to do that.

Mr. Pitzer asked if appointments would be made at the May 20 or June 3 meeting. Mayor Treece replied the regular board and commission appointments would be at the next meeting. Mr. Pitzer understood there would be five council members and asked if four votes in favor would be needed for anyone to be appointed. Ms. Amin replied yes. If for some reason, they could not get to four in favor of three candidates, the appointments could be delayed to June 3 when everyone would be in attendance.

Mayor Treece asked if there was a council policy about board and commission appointments. He wondered if they were always done at a public meeting. Ms. Amin

replied there was no reason she was aware of that they could be closed since it was not a personnel matter. Mayor Treece asked if that was by ordinance or a policy resolution. Ms. Amin replied the policy resolution only addresses the application process, such as how long to keep it open, if a late application was received, etc. She did not believe it addressed the actual appointments. She reiterated she thought that had to be done at an open meeting as there was not a reason they could close the meeting for that action per the Sunshine Law.

Mr. Skala stated the Ballenger Lane improvements had begun and he was happy it was forthcoming.

Mr. Skala explained he had been given the honor of speaking to the Japanese delegation from Hakusan, Japan earlier in the day. They had been very interested in the board and commission process and were envious that Columbia had a capacity for volunteerism. He stated he was glad Columbia had a sister city relationship with a community like Hakusan.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 10:58 p.m.