



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, February 6, 2017

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, February 6, 2017, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members NAUSER, PETERS, TREECE, RUFFIN (left at approximately 11:22 p.m.), TRAPP, SKALA and THOMAS were present. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of January 17, 2017 was approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Nauser.

Mr. Thomas asked that B11-17 be moved from the consent agenda to old business.

Mayor Treece asked that B15-17 be moved from the consent agenda to old business.

Ms. Nauser asked that R14-17 be moved from the consent agenda to new business.

The agenda, including the consent agenda with B11-17 and B15-17 being moved to old business and R14-17 being moved to new business, was approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Thomas.

II. SPECIAL ITEMS

SI2-17

**American Public Works Association (APWA) Leader of the Year Award
Presentation to David Nichols.**

Eric Landwehr explained he and Tod Fagan were past presidents and members of the American Public Works Association (APWA), and the Missouri Chapter was proud to recognize those that did an outstanding job each and every day. Tonight, they were present to recognize David Nichols as the Public Works Leader of the Year for the Public Sector for 2016. The Public Works Leader of the Year Award sought to inspire excellence and dedication in public service by recognizing the outstanding career service achievements of individual public works professionals and officials from both the public and private sectors. The primary focus of the award was on career service to the public works profession rather than on any single event or project. He noted Mr. Nichols had graduated from the University of Missouri in 1984 and had served in many positions for different organizations, but had been with the Columbia Public Works Department for the past ten years and had been the Public Works Department Director since 2015. He explained Mr. Nichols had received the APAW Leader of the Year Award for his dedication to his community in the field of public works and because he was the type of leader they felt their members should strive to become. He thanked Mr. Nichols for his leadership and professionalism, and presented him with the award.

Mr. Nichols thanked Mr. Landwehr and Mr. Fagan for the award. He stated the APAW was a great organization, and noted it meant a lot to receive it from Mr. Landwehr and Mr. Fagan as both had given a lot to the organization.

Mayor Treece congratulated Mr. Nichols and noted the Council's appreciation. He explained Columbia was the beneficiary of Mr. Nichols' experience and expertise, and understood it was a great honor to be recognized by his peers.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

IV. SCHEDULED PUBLIC COMMENT

SPC9-17 Pat Kelley - Report on New Year's Day Festival 2017.

Ms. Kelley, 1007 Grand Avenue, provided a handout and noted she had been a member of the planning committee for the 2017 New Year's Day Festival, which had been held at the Missouri United Methodist Church on January 1. She displayed photos of the event as she spoke, and stated they deeply appreciated the help and encouragement of the City Council and City staff in making the Festival a memorable and far reaching event. She explained the First Day Festival Committee, their many sponsoring neighborhoods, and many attendees had reported the 2017 New Year's Day Festival as a great success, and hundreds of donated hours by many people had made this possible. She wanted to especially thank the Missouri United Methodist Church whose leadership generously allowed them to use the expanse of their building complex, their lobby hallways, kitchen, and gymnasium spaces and provided staff assistance for the event. She pointed out everything had been free. Every performance, all refreshments, all craft supplies, the friend and family photos, wagon rides, etc. had been free. She commented that the wide variety of performances and activities had celebrated the wonderful wealth of local talent, and all were special to Columbia. She listed some of the performers and events. She stated audience members had obliged them during the welcoming program by turning to neighbors to shake hands and say "Happy New Year," and at the closing of the festival, they sang together the invocation of friendship and inclusiveness via a new verse to *Auld Lang Syne*, which was "we pledge that in Columbia we'll care for yours and mine so take my hand my trusty friend and give me a hand of thine." She explained this displayed how Columbia could be an even better place where everyone was welcomed in a diverse atmosphere and everyone mattered. She listed the members of the committee and thanked them for making the Festival possible. She also thanked all of the volunteer performers, moderators, refreshment servers, and those that set up for the event and cleaned up afterwards. She commented that the First Day Festival Committee agreed giving to the community in this way had been and continued to be a gratifying experience. Mayor Treece thanked Ms. Kelley for her volunteer effort and service to the community, and for the update on the Festival.

SPC10-17 John Charles Vitale-Slavens - Budget pay for utility and software problems.

Mr. Vitale-Slavens did not speak as he was not in attendance.

SPC11-17 Curtis Soul - Crime.

Mr. Soul did not speak as he was not in attendance.

SPC12-17 Peggy Placier, Race Matters, Friends - Current status of efforts toward community policing.

Ms. Placier of Race Matters, Friends thanked the Council for the opportunity to once again voice their positions, and noted that tonight she would speak on what constituted evidence of a social problem that warranted a change in policy and/or practice in an

organization, as she believed this question was at the heart of their dialogues with the Columbia Police Department (CPD). They had engaged with two kinds of evidence in racial disparities and police practices, and those were numbers and narratives. She explained their first attempt had been to demonstrate to CPD that racial disparities were a serious problem focused on the hard data as Don Love of Empower Missouri and Tara Warne-Griggs, a Race Matters, Friends member and an expert on data analysis, had spent many hours developing interpretations of the vehicle stops report and internal CPD data. The numbers showed wide disparities in traffic stops between black and white drivers. While Chief Burton liked to debate the meaning of the term racial profiling by other names, she did not feel the evidence could be explained away. She noted Mr. Love had pointed out that Columbia officers asked black drivers for consent searches at a rate twice that of white drivers. The officers had no probable cause or reasonable suspicion that a search would result in evidence of criminal activity, but still asked the driver for consent to search. One might argue the officers were operating on hunches supported by experience, but those hunches were fairly inaccurate. Officers found contraband in black drivers' vehicles only ten percent of the time. It was 19 percent for white drivers. She commented that they believed officers were spending a lot of their limited time pulling over black drivers for minor violations in hopes of finding something major even though pulling over white drivers was a better bet. She noted Chief Burton was not convinced by this evidence, which originated in his own department. She understood some people dismiss the evidence of narratives as anecdotal while others found firsthand accounts more compelling. At the last council meeting, Lynn Maloney of Race Matters, Friends had expressed concerns about the planned January 30 town hall meeting on racial profiling with City Manager Matthes and Chief Burton. The worries included scant publicity prior to the event and whether community members would feel empowered to come to City Hall to tell their stories. She noted attendance was higher than anticipated and people actually told their stories. She explained two news stories followed the event in each of the local papers. The headline for the Missourian was "City Officials Provide Few Answers at Town Hall on Profiling" and reporters noted that while many members of the public had voiced their personal experiences, many questions for Chief Burton had been redirected or avoided. She understood Chief Burton had said racial profiling was a matter of public belief and that he was not yet convinced. The headline for the Tribune was "Columbia Police Chief Reiterates Belief that Officers Do Not Profile by Race" so the issue was presented as an unresolvable matter of dueling beliefs. She stated she would not speculate on whether Chief Burton and City Manager Matthes were moved by the evidence of the brave folks that had provided personal testimony, and did not feel Chief Burton had changed his belief. She wondered if people would continue to come forward to tell their stories in the upcoming listening tour if they were not believed. She commented that Race Matters, Friends remained committed to the possibilities of dialogue. They were still in conversations with police officers expressing their concerns and listening to the concerns of the officers. She noted they had repeatedly heard that if CPD had more funding to hire more officers, community policing could become a reality. She pointed out they would not be lured into supporting an open-ended tax increase as there were already signs the term "community policing" might be used rhetorically to promote a ballot issue. Unless there was evidence of public engagement and planning for funding to support a credible community policing plan, Race Matters, Friends would not be on board.

V. PUBLIC HEARINGS

PH1-17

Construction of improvements at the Indian Hills Park to include renovations to the existing playgrounds, restroom, baseball field and disc golf course, construction of an ADA compliant walkway and the installation of parking lot lighting.

Discussion shown with B13-17.

- B13-17 Authorizing construction of improvements at the Indian Hills Park to include renovations to the existing playgrounds, restroom, baseball field and disc golf course, construction of an ADA compliant walkway and the installation of parking lot lighting; calling for bids through the Purchasing Division.

PH1-17 was read by the Clerk, and B13-17 was given second reading by the Clerk.

Mr. Griggs provided a staff report.

Mayor Treece opened the public hearing.

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

Mr. Skala commented that this was one of the jewels of Columbia as it was a regional park with trails and a disc golf course. He thought this improvement would enhance the nature of this regional park, and noted this was one of the areas of emphasis in the strategic plan. He explained he had attended a meeting in St. Louis recently where there had been discussion regarding the nexus between parks and the perception of crime, and parks were highly correlated with a sense of security in neighborhoods instead of crime. He thanked the staff and others that had worked on this project.

Mayor Treece stated he liked how the City was encouraging community participation and ownership of the park, and asked if they had received any early inquiries or interest. Mr. Griggs replied it was hard to tell. He explained the park rangers were talking to people in the neighborhood encouraging them to apply. They did not know who had gone on-line to apply yet, and there was not a box to check indicating they had seen the sign in the park. He thought there was some interest from those that had conversed with park rangers and Parks and Recreation staff while they were out and about.

B13-17 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

VI. OLD BUSINESS

- B137-16 Vacating a portion of an east-west alley located between 203 E. Walnut Street and 115 N. Providence Road (Case No. 16-93).

The bill was given fourth reading by the Clerk.

Mayor Treece understood the applicant had requested this item be withdrawn.

Mr. Skala understood the withdrawal was contingent upon them working on a policy position with regard to vacations of this sort, and asked if that was true. Mr. Teddy replied a comment had been made by the facilities manager that the bank was somewhat reluctant to withdraw it and wanted to ensure progress would be made on an alley policy. He pointed out the Unified Development Code (UDC) had language pertinent to the uses of alleys. It strongly favored alleys as the preferred method of access to properties, especially for vehicles. He would consider this a component of the policy.

- B3-17 Rezoning property located north of Stadium Boulevard and east of Cinnamon Hill Lane from District A-1 to District PUD-10; approving the statement of intent; approving the PUD Plan of Kelly Farms; granting a variance from the Subdivision Regulations relating to sidewalk construction; approving less stringent parking requirements (Case No. 17-1).

The bill was given third reading by the Clerk.

Mr. Teddy provided a staff report, and clarified this proposal had 73 more apartment units,

but 325 fewer bedrooms than the last PUD plan that had been defeated by Council. He pointed out a revision to a data box involving right-of-way had been identified by a citizen as needing to be made, and as a result there was a new plan and statement of intent with that correction dated for today, February 6. The amendments Council would make would need to refer to the February 6, 2017 date instead of the January 24, 2017 date.

Mayor Treece asked how much grading would be required on the southwest edge and if the steep slope ordinance had been considered. He noted the Crosscreek area, south of this, had involved a dramatic grade change and had impacted the creek. He wondered if they would see the same in the southwest area of this development. Mr. Teddy replied he thought the developer should respond as staff only had the overlay. They did not have any construction drawings that showed specific cuts and fills. He understood there would be a lot of removal of trees, but they would meet the tree preservation requirement.

Mayor Treece asked for clarification regarding the variance for sidewalk construction and what the developer would do as an alternative, and the variance to the parking requirement. Mr. Teddy replied the sidewalk variance was for the west side of the extension from Timberhill Road, north of the hammerhead, so approximately 200 feet of sidewalk would be waived on the west side of the street. He believed the thought was that there was a proposed emergency gate to the connecting subdivision, and it was a low density subdivision, which would not generate a lot of pedestrian trips back and forth. Mayor Treece understood there were not any sidewalks there now. Mr. Teddy stated that was correct. With regard to parking, 687 vehicle spaces were required, and 649 vehicle spaces were proposed to be provided as well as the full amount of the bicycle parking required. He commented that this was not a significant enough reduction to give them pause.

Mr. Skala understood the reduction in parking did not have anything to do with the corrections in terms of units and buildings. Mr. Teddy stated that was correct.

Mr. Skala commented that there had been controversy with the Crosscreek development at the end of Stadium Boulevard as the property had been cleared with the turf being pushed toward the Grindstone Creek in order to maximum the buildable space. The banks of the creek were made much steeper and required engineering to ensure stability. He hoped they had assurances that this would not happen at this location. Mr. Teddy stated he did not foresee something comparable to the Crosscreek experience.

Ms. Peters asked for the number of bedrooms. Mr. Teddy replied 524 for the multi-family portion. Ms. Nauser understood the units were predominantly one- and two-bedrooms. Mr. Teddy stated that was correct.

Mayor Treece asked for the definition of PUD-10. Mr. Teddy replied it involved the net acreage of the property, so everything exclusive of the street right-of-way, and the density in units per acre could not exceed ten. He thought the actual was at 9.9 units per acre. Mr. Skala understood R-1 would allow about 4.5 units per acre. Mr. Teddy pointed out the developer would have to go through a process to get to the 10 units per acre. Ms. Peters understood a unit could have up to four bedrooms and asked how a unit was defined. Mr. Teddy replied each apartment was a unit. A dwelling unit was a self-contained living space, which involved a kitchen, bath, bedroom, living space and utility space. He noted the developer had indicated they would do one- and two-bedrooms per the statement of intent. They could not freely substitute a four-bedroom unit with a two-bedroom unit.

Mayor Treece commented that his inclination on these were to divide the question and have one vote on whether to move from A-1 to PUD or R-1 and another vote to actually approve the statement of intent and PUD plan. He noted they might not all agree that PUD-10 was the appropriate land use, but they all might agree this was the best plan under a PUD-10 scenario. Mr. Skala noted this had been an on-going argument for many years, and explained there were pluses and minuses to each scenario. He pointed out that once someone had received the zoning, they were 80-90 percent there, and the plan then became less relevant. The advantage of discussing it all at once was that they

could discuss the concept and details with the zoning prior to making the zoning decision. The contrarian view was that these were two totally different decisions and one should not taint the other, and the land use decision should be made on the basis of the highest and best use regardless of the plan.

Ms. Peters understood that by rezoning to PUD, the developer was committing to only one- and two-bedroom apartments. If they only changed the zoning without a plan in place, Council discretion would be limited for anything that met the zoning. She thought that was the reason the two came together.

Ms. Nauser commented that there were valid points to both methods, but she did not feel it was fair to arbitrarily address this in a different way than they had historically. She thought that needed to be a community conversation along with the Council weighing the pros and cons and adopting a consistent policy from that point forward.

Mr. Thomas stated he agreed with Ms. Nauser with regard to changing the practice midstream. He commented that he thought one of the goals of the Unified Development Code (UDC) was to try to discourage planned districts. If they had a district that was appropriate for this type of development, they would not be approving a plan. They would only be approving a rezoning and the Code would take care of the actual building plan. He asked why it was difficult to create appropriate districts. Mr. Teddy replied the planned district provided a mechanism whereby concerned neighbors could actually see what was being proposed with the developer being willing to offer those details. He thought they could have done two different zoning districts across this property, a more extensive single-family zoning that would encompass the buffering and a multi-family district. He pointed out the multi-family district that existed today and was proposed in the UDC would have a higher than ten units per acre density. Mr. Thomas thought they could have medium residential zoning that took into account steep slopes or natural resources. Mr. Teddy agreed they could rewrite the ordinance. Mr. Thomas understood there would still be planned districts. Mr. Teddy stated he thought there would still be a demand for it with unique sites and sites with special challenges.

Mr. Skala understood the intent of a planned unit development or a commercially planned development was for challenging topography where the developer might want to create a more dense development and allow more greenspace, but over time everything had become a planned development with negotiations.

Tim Crockett, an engineer with offices at 1000 W. Nifong Boulevard, commented that they had talked to the neighbors early in the process, and the neighbors had indicated they wanted the developer to add intersections, reduce the overall line of sight, include a buffer, and vary the lot sizes. As a result, the original proposal had included a 100-foot buffer to the north, a curved extension of Timberhill Road after the 100 foot buffer, intersections, and divided medians. He noted the developers had been asked to meet with them again after the last council meeting, and the proposal the neighborhood had chosen included the gates to the north and the hammerhead turnaround on the south side of the increased buffer. He explained the error in the density calculation due to the increase in right-of-way, and pointed out they had gone from 9.9 to 9.8. He stated the number of units was 394, and that was written in the statement of intent and was on the PUD plan so that number could not change unless they came back to the Council for approval. He noted they would be one- and two-bedroom units as was written in the statement of intent, and they could not arbitrarily change that. He commented that he believed the grading for this site would be in conformance with the steep slopes section of the proposed UDC. He explained this development would also allow them to step down the hill so it would be higher on the west. He stated they would grade beyond the parking limits, but it would not be to the extent seen with the Crosscreek development. He pointed out they were at a lower elevation than the neighboring properties in order to minimize the impact the neighbors had visually into their development. He displayed a photo of the proposed building being constructed at other locations.

Caleb Colbert, an attorney with offices at 601 E. Broadway, explained this would be

owned by Ben and Pat Kelly, who owned three apartment complexes in Columbia today, Katy Place, Kelly's Ridge, and Kelly Highlands. Those apartment complexes were all well managed and maintained with low turnover and vacancy rates. He stated the Kellys were in this for the long term as they did not flip properties. They were invested in the community and had owned Katy Place for more than 25 years. He noted the Kellys also did not build student housing as they did not have any three- or four-bedroom units at any of their existing properties. They only had one and two-bedroom units, and served a diverse mix of tenants. He described the differences between the previous Park 7 proposal and this proposal, and thought they had addressed the concerns of the neighbors.

Mark Farnen, 103 E. Brandon Road, explained he had worked with the neighbors and this team since August on this project. He noted this property was within the priority infill area per the Comprehensive Plan, and it met the standards of being within the urban service area, within a mile of services, closeness to localized services, etc. Sufficiency of services was always something that had been discussed, and all major infrastructure was either in place or could be built on site at a level that would not impact surrounding development. He stated it was adjacent to a major roadway and their plan was consistent with the CATSO Plan as they had good internal circulation. Every traffic study had indicated they would not overtax existing roads. In addition, there was not conflict with any transportation or trail plan. Connectivity would be in place through each neighborhood, but not always fully for automobiles. He displayed a diagram showing the density of the area. He commented that they had a 43 acre site, and 8.6 acres would be left completely undisturbed, which was about 20 percent of the entire project. In addition, 27 acres would be in greenspace when the project was completed, which was about 62 percent of the site. The minimum requirement was 45 percent.

Katie Kane, 909 Timberhill Road, stated her in-laws had built the house at this location in 1961 and thanked everyone on the Kelly team for taking the time to work with them. She displayed a video of the Shepard Hill neighborhood and explained 43 acres of trees, shrubs, and grass at the highest point in Columbia was the watershed for their neighborhood and the Grindstone Creek to the south. She commented that the Shepard Hills neighborhood was timeless since it was like it had been in the 1950s and 1960s. She understood the Planning and Zoning Commission had recommended the road connection between Kelly Farms and Shepard Hills remain closed with emergency access only. The 20 foot wide road with curves and steep grade would not survive 200-300 cars and trucks traveling on it daily. She asked the Council to allow the road to remain closed.

Mayor Treece asked Ms. Kane if she was happy with the location of the emergency gate. Ms. Kane replied yes, but noted she was concerned that it might be opened at some point and their roadbed could not support too much traffic. Mayor Treece asked if the connection of Stadium Boulevard to Broadway would increase the opportunity to cut-thru traffic, understanding it was dependent upon whether the gate was opened to other traffic. Ms. Kane replied she thought Stadium Boulevard connecting to Highway WW would not increase traffic to their neighborhood.

Greg Suhler, 902 Timberhill Road, commented that he had requested a tabling of this item on January 17, and believed subsequent developments had showed the decision of Council to table was justified. It had provided them time to work further with the developer. He thanked the Council for providing the additional three weeks.

Mayor Treece asked if the neighborhood association had voted to endorse this plan. Mr. Suhler replied in lieu of an actual vote, they had intermediate votes on different parts of the modified plan as it came along. He thought they were at a consensus, but noted he might be surprised.

John Prenger explained he was President of the Shepard Boulevard Neighborhood Association and reminded the Council to keep in mind the traffic issues that affected their neighborhood as there would be added traffic.

Harold Johnson stated he was the President of the Shepard Hills Subdivision, which was just north of the Kelly Farms development, and noted his support of the Kelly Farms PUD. He explained he strongly recommended approval of the Kelly Farms housing development for several reasons. The development has a small single-family housing unit just south of their buffer zone. The Kelly Farms development had conceded to a number of requests over the past few months, to include a larger buffer zone of 200 feet, modification of the road system to avoid excessive removal of trees and ground cover, and a fire hydrant. He understood the City would allow an emergency exit on Timberhill Road to avoid an open road, which would have created a danger for families in the neighborhood. He noted he and others in the subdivision would encourage the Council to approve this Kelly Farms development proposal.

Anne Minor, 919 Timberhill Road, explained her home was directly next door to the proposed development. She thanked the Council for allowing this item to be tabled three weeks ago and noted they were pleased the developers had offered to increase the buffer to 200 feet. She also thanked the Planning and Zoning Commission for voting to keep Timberhill Road closed and hoped the Council would vote the same as the emergency only gate was a critical component of the PUD request for reasons of public safety. She explained Timberhill Road was constructed in the 1950s for 14 homes, and two cars passing each other could be problematic. According to the Vision Zero concepts, which were adopted by the Council in December, top consideration should be given to the things that made roads safe, such as good visibility and road infrastructure. The hairpin curve at the bottom of the road and the 20-foot wide unimproved street made the road unsuitable for any increase in traffic volume. If Kelly Farms was approved tonight, she asked the Council to authorize the gated access and to state it in strong terms for reference by future city councils and city planners. With regard to the development itself, she asked the Council to consider the land for its unique topography as it would be an imposing presence along Highway 63 as it was at the highest elevation in Columbia. She stated she was concerned about the steep slopes, soil erosion, and other environmental impacts with the cutting of so many trees. It would be wonderful if the project would be balanced with much of the planning and conclusions that had gone into the East Area Plan and after the Crosscreek development.

Mayor Treece asked Ms. Thompson how the expectation for the emergency gate was guaranteed. He wondered if it would be recorded on the plat or if it would be a part of the ordinance. Ms. Thompson replied it was currently in the plan as presented, but the Council could not guarantee it because it involved public right-of-way. In the future, if there was a public need or necessity, a future council could make it a thru-street through legislative action. It was never 100 percent since it was a legislative action of the Council.

Doris Littrell, 920 Timberhill Road, commented that she and Anne Minor were the two neighbors that were right next to this development. She thanked the Kellys and their team for meeting with them numerous times over several years to try to take their interests into account. She thought the elimination of one side of the sidewalk on the buffer land and having the emergency only access would allow people to walk or bike to the trail. She reiterated the road had no shoulders or sidewalks, and it was windy with a hairpin curve at the bottom. She understood if the City decided to open up the road, the City would have to pay for it, and she did not feel this would be a high priority. She asked the Council to approve it.

John Clark, 403 N. Ninth Street, stated he believed this process had gone well in that there was enough time for the developer and neighbors to meet. He suggested the Council require developers to not clear the land until they were close to constructing the development. His recollection of the Crosscreek development was that at least half of the property had been drained into the creek. He reiterated he thought the Council could adopt a rule that provided them a certain amount of control in conjunction with construction schedules and seasons to prevent unnecessary destruction.

Mr. Skala noted he was in favor of this project with a caveat in terms of connectivity. He understood the uniqueness of an emergency gate in this particular area due to the nature of the road, but noted that when he had participated on the street standards group, they had recommended a policy of connectivity generally in the City, which had been adopted. He commented that he would have preferred to approach this problem after it had become a problem with the road connection. He explained he would vote in favor of this development for many reasons to include the lesser density and the cooperation between the developer and neighborhoods. He reiterated his view on connectivity and noted he was willing to make exceptions when it made sense. In this case, he suspected it made sense.

Ms. Nauser agreed it was nice to see groups that were vehemently opposed in the beginning of this process years ago to have come to a consensus. She thought this was a good location for this development as it was along the Highway 63 and Stadium Boulevard corridor. She was also thankful this would not be student housing. She believed the changes made benefited the plan as a whole, and noted she would support it.

Mr. Thomas asked if there were design standards that applied to emergency access connections, and if not, he wondered who would design it and how they could influence the look of it. Mr. Teddy replied he did not believe the manual for streets had emergency gates within it. He expected the relevant professionals would get together to design something with the developer that met the intent. There would be some kind of rapid entry or access system for emergency service providers. Mr. Thomas asked if it was done remotely or if someone had to get out of the vehicle. Mr. Teddy replied a Knox-Box was similar to a mini-safe, and thought it could be keypad activated or activated by a magnetic code. Mr. Thomas hoped they could make it an attractive and welcoming connection for pedestrians and bicyclists as the Hominy Branch Trail was at the bottom of the hill on the Timberhill Road side. He also suggested design standards for the future.

Mr. Thomas stated his support for this proposal and agreed it had involved a very good process. He appreciated the extra conservation easement between the old neighborhood and the new neighborhood. He also appreciated the transition in the type of housing, density, and size of the buildings. He commented that he liked the design of the open space between the buildings and the backs of the buildings and the walkways. He thought it would make it a desirable place to live. He hoped the area would become a transit hub in the future with the higher density of population due to apartment complexes on both sides of Stadium Boulevard.

Ms. Peters agreed with many of the previous comments and appreciated the gate and the amount of work everyone had done. She noted she would trust Mr. Crockett in that the steep slopes would not be a problem and that they would be properly and carefully graded and developed. She stated she would support the development.

Mr. Trapp commented that he was also supportive of this project. It was a tough site because it had incredibly high density uses on one side and large estate country style lots of 2-3 acres on the other side. He was pleased they were able to reach some accommodations where everyone was fairly satisfied with the outcome. He pointed out a cost of this development compared to the other was 300 fewer bedrooms, which meant 300 more people would be in the regular rental market. By continuing the restrain supply, it would only cost them with regard to housing affordability, which was something with which they were struggling. He stated he liked this proposal because it brought forward one-bedroom apartments of which there was a critical shortage. He noted the initial Cinnamon Hill proposal had also included a much larger wilderness preservation area as they had a 10 acre buffer zone that joined the existing buffer zone, and these areas were more valuable when they were larger. He reiterated there had been trade-offs with this proposal even though he thought it was excellent in that it moved the community the way they wanted with denser development by the highway. He pointed out the previous developer had also been amenable to making a percentage of the units affordable, which

they did not have with this development. He hoped that as they looked at questions of density, they considered housing affordability as a public good, and one way they could generate more affordable units was to negotiate affordable units within denser developments. This would allow them to mix and integrate low-income citizens and not have large concentrations of low-income people. He noted if one was born poor in Boone County, the person was more likely to stay poor for the rest of his/her life than in other areas of the State of Missouri, and the reason was due to the segregation they had based upon income. He reiterated he hoped they took a hard look at the way they did things and entertained the possibilities of doing things differently so they had a better outcome for housing affordability.

Mayor Treece made a motion to amend the amendment sheet so the dates in Section 2 and Section 3 were changed from January 24, 2017 to February 6, 2017. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Treece made a motion to amend B3-17 per the amended amendment sheet. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

The vote on B3-17, as amended, was recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

R7-17

Approving the Preliminary Plat of Ridgemont Park located on the south side of Ridgemont Drive and west of College Park Drive; setting forth conditions for approval (Case No. 17-8).

The resolution was read by the Clerk.

Mr. Thomas made a motion to allow public comment on R7-17. The motion was seconded by Ms. Nauser and approved without objection.

Tim Crockett, an engineer with offices at 1000 W. Nifong Boulevard, explained this was a single-family residential development of slightly less than two units per acre. He displayed the revised preliminary plat, which removed one lot and constructed a cul-de-sac off of Ridgemont Drive per the discussion at the January 17, 2017 Council Meeting. This would leave Ridgefield Road in its current state west of this development. The total acreage, the open space, stormwater management, and trail network stayed the same. He understood there was concern with regard to the access to Ridgemont Drive and noted the proposed intersection of Coachlamp Court had been located to provide an adequate sight distance in both directions. He pointed out they met the AASHTO standards, which was utilized by MoDOT and the City of Columbia, in terms of sight distance in both directions. He commented that there was a lot of vegetation that had grown out onto the existing right-of-way, and with the development of this property, a lot of the honeysuckle would be trimmed or removed from the site, which would also increase the sight distance going around the corner to the west. He noted the sight distance from Coachlamp Court to the County House Trail crossing was 280 feet, which met the sight distance requirement for a design standard for a new intersection for vehicles. The stopping sight distance was 155 feet in that location. He commented that at the January 17, 2017 Council Meeting, it had been discussed that no additional traffic calming would be included, but the ordinance before them tonight still had that included. He asked that the ordinance be revised accordingly. He noted they had reduced the density on the site, had lost a residential lot, and the traffic patterns would be greatly different in this plan than with the thru-street. As a result, they felt the removal of the traffic calming was a justified request.

Mayor Treece referred to the amendment sheet and noted the traffic calming devices within the Ridgemont Park subdivision at the Ridgefield Road entrance and Ridgemont

Drive entrance had been stricken, but there was also the requirement of installing two off-site traffic calming devices. Mr. Crockett stated he was referring to the two off-site traffic calming devices.

Mr. Trapp understood this had originally been designed as a cul-de-sac and staff had requested the connectivity. Mr. Crockett stated that was correct. The original proposal for this site was a cul-de-sac similar in nature to what was before the Council tonight, but it had been a PUD development at the time as they had wanted to provide lower priced attached single-family for sale units. He noted it had not panned out as there had been a lot of opposition to a multi-family nature of an attached single-family structure. As a result, they then went back to an R-1 development with the through street. Mr. Trapp understood that development would have been denser than this one. Mr. Crockett stated that was correct. Mr. Trapp asked if that had included off-site traffic calming. Mr. Crockett replied he did not believe it had, but if it did, it might have included one.

Mr. Ruffin understood the cul-de-sac would be designed to facilitate emergency vehicles. Mr. Crockett stated that was correct, and explained the design standard in Columbia for a standard cul-de-sac was a 38-foot radius of pavement located within a 47-foot radius right-of-way. This allowed for school buses, emergency services, snow plows, etc. to turnaround. Mr. Ruffin asked about the dimensions of this cul-de-sac. Mr. Crockett replied it would meet the standard of 38 feet and 47 feet.

Mr. Thomas asked if there was pedestrian and bicycle access between Coachlamp Court and Ridgefield Road. Mr. Crockett replied yes, and noted they would grant a pedestrian and trail easement from their cul-de-sac to Ridgefield Road. Mr. Thomas understood that if a sidewalk or trail were to be built, it would be on the City to pay for it. Mr. Crockett stated that was correct. They would preserve the right-of-way or easement on the final plat so it was there.

Mr. Skala asked if it was fair to say a cul-de-sac did not contribute to the distribution of traffic across the whole area. He understood there would be some additional load, and generally, connectivity tended to distribute traffic better. He thought there should still be some responsibility for the additional density in the region, and understood Mr. Crockett felt it was not fair to request traffic calming. Mr. Crockett commented that a previous Council had identified R-1 as the appropriate zoning for this piece of property, and believed the street network there should accommodate the existing zoning on the property. If it had been a higher density PUD, he thought it might be more appropriate.

Marty Katz, 1304 Fieldcrest, respectfully asked that the Council vote no on this resolution in the interest of public safety, and adopt an alternative plan, which he would present to them. He displayed a diagram showing the traffic patterns with the proposal they had in front of them, and explained all of the traffic from the entire neighborhood converged on a small area of Ridgemont Drive where the proposed new connection to the development would be located. It was by far the highest density traffic area in the entire neighborhood as people used it to get in and out of the area and others used it to cut-thru from Forum Boulevard to Fairview Road. He believed the location of the proposed intersection was dangerous. He suggested flipping the proposal so the entrance to the development was an extension of the existing cul-de-sac on Ridgefield Road, and the cul-de-sac was at the other end of the development. It would only add 20 new houses to the existing cul-de-sac on Ridgefield Road. He displayed pictures of the danger of the proposed location of the connection on Ridgemont Drive and noted there was a constant flow of traffic through the area. He continued to describe the traffic patterns in the neighborhood feeding on to Stadium Boulevard and the cut-thru traffic. He displayed a photo of the blind curve and noted his parked car could not be seen. He commented that the speed limit was 25 mph, but the City's traffic engineers had indicated the average traffic speed in the neighborhood was 41 mph, and the speeds on Ridgemont Drive were the fastest. He thought people were going 50 mph and pointed out people were passing on the street. He understood one of driveways of a house would be located right at the blind curve.

Chuck Bay, 2516 Ridgely Road, explained he and his wife had lived there for 20 years and all of the cut-thru traffic traveled by his house. He commented that he did not feel it was fair to say the development would create a lot of traffic when the connection was to Ridgely Drive, and that it was only 24 homes when the connection was to Ridgely Road. He felt it had to be a lot of traffic in both directions or not much traffic both directions. He believed even with a connection to Ridgely Road, vehicles would come back around through the intersection. He did not believe it would lessen the amount of traffic. It would only change the point at which they entered the particular area. Since the amount of people affected in the City by this was small, he felt it came down to the neighbors and those living in the area, and connecting to Ridgely Road was a much more negative solution to those people that lived on Ridgely Road.

David Malloy, 2311 Ridgely Drive, commented that a benefit to connecting to Ridgely Road was a conforming cul-de-sac so emergency vehicles and buses could turn around. He understood there was talk that the traffic would simply come out at Ridgely Drive and exit College Park Drive to Stadium Boulevard, but noted that would only be the eastbound traffic. The westbound traffic would go up Overhill Road or Ridgely Road to Middlebush Drive. He agreed some of the traffic would come down Ridgely Drive, but some of the traffic would travel down Ridgely Road to Fairview Road if the cul-de-sac was extended. He understood it was a quiet street so adding a little more traffic to it would not be detrimental whereas Ridgely Drive was already a congested area so it would be detrimental to it.

Christine Wallace Bay, 2516 Ridgely Road, commented that people traveling down the hill came down at 40 mph at the very least, and if the road was connected, people would pick up even more speed. She did not want to add any traffic to her Ridgely Drive neighbors, but their hill was a little longer. She hoped traffic calming could help with the problem instead of adding the connection at Ridgely Road.

Marilyn McLeod, 2307 Ridgely Road, stated she believed any proposal that brought traffic to Ridgely Road would create more traffic on Ridgely Drive as the traffic would end up on it. She explained the traffic would back up in the subdivision to get to Ridgely Road and there was a blind hill at Ridgely Road and Woodhill Road. She did not feel it would solve anything for the connection to be at Ridgely Road. Those on north side of Ridgely Drive had alternate ways out, but those that lived on Ridgely Road had to go out of their way to get out if they did not take the Ridgely Drive exit. She reiterated she did not feel a connection at Ridgely Road would make any difference in terms of the cars on Ridgely Drive. It would simply force them to go up a steep hill and a blind intersection. She believed traffic calming would be needed in any situation.

Bradd Anderson, 2306 Ridgely Road, commented that when leaving the proposed new development under the current plan, there were three choices. The person could travel to Forum Boulevard by turning right, Stadium Boulevard by going straight, or Fairview Road by turning left. Once one got to Woodhill Road, close to where they turned left, they had a choice of going toward the destination of Fairview Road by traveling on Ridgely Road or going away from the destination of Fairview Road and adding another stop sign to the trip. He felt it was an obvious choice to take Ridgely Road. He did not believe connectivity at Ridgely Road would lessen the load as it would only shoot people down the path they would travel anyway. The plan offered by the developer would slow down traffic by requiring them to make a couple extra turns. He viewed this as a positive. He commented that he had started out being vehemently opposed to this development, but had been impressed with the developer. It was a sad situation because no one would be happy. He noted over 90 households supported the proposed plan of the cul-de-sac connection off of Ridgely Drive.

Kim Kraus, 2304 Ridgely Road, stated she represented approximately 100 neighbors and noted she had e-mailed their names and addresses to the Council on Thursday. She explained she was also President of the Ridgely Park Association and pointed out

extending the dead end of Ridgefield Road would make the road more than 750 feet long, which did not meet city ordinances. In addition, it would not solve the traffic problem. She believed the compromise plan the Council asked for at the last meeting, which was being voted on tonight, did not add to existing traffic problems on either street. She commented that she believed their neighborhood needed more than one speed hump on Ridgefield Road and another on Ridgemont Drive, which was why she and her neighbors had opposed that suggestion. They were still on the City's list for traffic calming, which would involve more than one speed hump on each street. She hoped they would get traffic calming sooner than the five years currently anticipated due to the Vision Zero policy. She commented that Bray Avenue from Fairview Road would be connected to Scott Boulevard in the future and there would be a bypass from I-70 to Scott Boulevard. She felt some of the neighbors were forgetting that once Bray Avenue connected to Scott Boulevard, it would be the new route choice from Scott Boulevard to Stadium Boulevard. She reiterated she and her neighbors were in favor of the cul-de-sac compromise and asked that the Council approve it.

Alyce Turner, 1204 Fieldcrest, stated she was disappointed that smart growth concepts of connectivity would not work in this neighborhood for this development. She believed people would go north on Woodhill Road if there was an exit on Ridgefield Road as she often did to get out on Bourn Avenue, which would cut the traffic in half. She encouraged the Council to vote no on the proposed preliminary plat. She did not feel the connection to Ridgemont Drive should be at the pedway as it was not safe. She commented that she believed the developer should still provide the two off-site traffic calming devices due to the speeds. People did not travel 25 mph. They traveled over 40 mph. She wondered if the standard considered the higher speeds. She did not believe the pedway would be safe. She supported additional traffic calming and preferred a connection at Ridgefield Road. She commented that she and some of her neighbors had been left out of some of the discussion so she hoped she had not been included in the 100 people Ms. Kraus represented.

John Clark, 403 N. Ninth Street, commented that the proposal before the Council tonight which he was more in favor of than previous proposals meant Ridgemont Drive would lack the adequate level of service. He felt the Council should direct staff to deny any necessary permits for this project until adequate traffic calming was in place. At a minimum, he believed the developer should provide the same level of service with traffic calming because it was an area problem. He thought the City's portion could be funded via the public improvement fund, which was in addition to the traffic calming budget. He felt the Council could utilize its police powers to protect the health, safety, and welfare of the public as this segment of streets was not safe. He commented that he did not believe they had the plans to appropriately balance connectivity with safety. He suggested Mr. Skala sponsor area-wide transportation plans for the entire city so they had adequate information to appropriately balance safety and connectivity.

Stacie Schroeder, 1401 Ridgemont Court, explained she was at the top of the hill that everyone traveled down at 45 mph, and encouraged the Council to leave in the stipulation for traffic calming along Highridge Drive and Ridgemont Drive. She agreed walking down the hill to the pedway was treacherous. She noted she supported the current cul-de-sac proposal as she did not feel connectivity with Ridgefield Road was necessary, but thought the traffic calming was a necessity as she believed someone would be killed on the hill.

Mr. Thomas stated he supported the most recent plat the applicant had brought forward as he believed it was the best layout of roads and lots. He noted he agreed with all of the speakers that felt there was a traffic problem and believed it was reasonable to ask the developer to contribute to the safety of the neighborhood. He commented that the City charged a transportation development impact fee of \$0.50 per square foot for new development, which was supposed to mitigate the effect of additional traffic on the street system as the result of any new development. Any evaluation of that amount showed it did not come close to how much they spent on improving and expanding the road system

for additional traffic due to development. As a result, he did not feel it was unreasonable to ask the developer to contribute either one or two off-site traffic calming devices. He sensed the highest priority location was where the new development would exit onto Ridgemont Drive. If they did not do this, he felt they needed to find money someplace else to create adequate safety in the neighborhood.

Mayor Treece explained there was a pre-existing traffic problem and he was not sure the proposed development of 20 homes would contribute to the traffic problem proportionate to the cost of those two traffic calming devices.

Mr. Thomas asked for the cost of traffic calming. Mr. Teddy replied it was stated as the equivalent of two speed tables. Mr. Thomas asked for an approximate cost. Mr. Teddy replied he understood it would be about \$15,000-\$20,000 for both. Mr. Thomas did not feel that was unreasonable.

Mr. Crockett commented that he felt the issue of traffic calming had been discussed at the last council meeting. He pointed out they had conceded a residential lot with this proposed cul-de-sac option and had not deferred any construction or land costs. The residential lot was a \$55,000-\$60,000 concession in this area. Having that additional lot afforded them the ability to provide off-site traffic calming in certain locations. This was not an issue of greed. It was an issue of making the numbers work. He asked Council to reconsider requiring traffic calming in this location. He reiterated the other layout with traffic calming was more lucrative.

Mr. Thomas asked for clarification as to why going from the thru-street to the cul-de-sac resulted in the loss of a lot. Mr. Crockett replied it was because there was a loss of land. He explained a better layout and use of property could be developed from a straight street as lots could be lined up on both sides. With a cul-de-sac, the street length was lost, which resulted in less density. He reiterated they had started with a PUD, which had the density to afford them to do a lot of things. He noted they had also made a concession to provide parkland because they had a plan that worked, and it was not something they could require payment for or take back to create more lot now. He commented that they had to draw the line on concessions at some point, and this was it due to the economics of the development.

Mr. Thomas understood if they did not like the condition they could revert to the previous plat with the thru-street. Mr. Crockett stated he thought they could.

Mayor Treece stated he would prefer to preserve the cul-de-sac plan. Mr. Thomas commented that he would withdraw his suggestion of including the traffic calming. Mayor Treece stated he believed the City bore the responsibility as it was a pre-existing traffic condition. Mr. Thomas understood it was at 11 or 12 on the list, which might change with this new development.

Mayor Treece made a motion to amend R7-17 by deleting Section 3. The motion was seconded by Ms. Nauser.

Mr. Trapp explained he would vote in favor of the motion because they had discussed this at the previous meeting. He noted he had argued for the connectivity and the off-site traffic calming, but had not prevailed. He felt that once they made a decision they should move forward on that course. If they were to zigzag around, it would open them up to criticism. He believed they needed to make decisions and move forward with them.

Mr. Skala commented that he too had been in favor of connectivity, and agreed they had lost that vote. He noted he also agreed with Mayor Treece in that this was a pre-existing condition that needed to be addressed by the City.

Ms. Nauser stated she recalled part of the problem was that there were not stop signs along many of these streets, which would require people to stop and reduce traffic speeds. She thought they should approve what they had agreed to at the last meeting, but suggested the City evaluate where stop signs could be placed.

Mr. Skala pointed out that the engineers tended to be vehement in their view that stop signs were not a way to calm traffic, and that they could cause more accidents.

Mr. Thomas stated he would support the motion to amend the resolution, and noted there

was a good report later in the agenda about how stop signs were not effective in slowing traffic if they were not warranted at an intersection. He pointed out he did not always agree with conventional traffic engineering philosophy, but in this case he did. He thought they needed proper traffic calming that really changed the geometry of the street and created different sight lines. He commented that he did not feel they had agreed not to do the traffic calming at the last meeting as he had asked for it and said he hoped they would still be able to provide it. The engineer then stated he did not think they should provide it. Since they had not had a discussion, he thought it had been reasonable to ask again. He reiterated he was willing to drop it and appreciated the support he heard for doing something more systemic with regard to the traffic calming program. He understood they could only accommodate 1-3 per year, and believed they needed to find a way to build streets to the design speeds they wanted and to fund the program to correct the mistakes of the past.

Mayor Treece made a motion to amend R7-17 by changing the date in Section 1 from November 10, 2016 to January 19, 2017. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

The vote on R7-17, as amended, was recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

B10-17

Authorizing a purchase agreement with AOD-MO Holdings, LLC for property located on the northeast corner of Paris Road and Waco Road.

The bill was given second reading by the Clerk.

Mr. Matthes, Ms. Button, and Mr. Andrews provided a staff report, and showed a video.

Marc Peperzak, the Founder and Chief Executive Officer of Aurora Organic Dairy (AOD), explained this business had started in the 1970s with conventional dairy cows and farms. He pointed out they were not building a dairy farm in Columbia at this time. In the early 1990s, they had discovered organic milk, and in 2003, they had decided they needed to be a fully integrated business in order to do it properly by building a plant in Platteville, Colorado. He commented that they were very involved in the community where the plant operated in Northern Colorado, and had lots of programs, to include scholarships to Colorado State University, and were hopeful to replicate that once they were underway in Columbia. As the video had indicated, it was a business about people, and they looked forward to being in Columbia.

Mayor Treece asked Mr. Peperzak what percentage of the operation was organic. Mr. Peperzak replied they were 100 percent organic today. He noted they had become 100 percent organic in the 2004-2005 timeframe. In 1992, they were the first large producers of organic milk. He thought they played a large part in developing the market, but in the end, they were only one of the players. He explained they had been a part of a brand at that time, and were now exclusively a private label. This meant they made store brands and were the manufacturers for the large retailers with which people were familiar. He stated they produced most of their own milk, but did have some suppliers from the outside. In the future, he expected to have more, but would continue developing their own production as well. Mayor Treece asked if that was a silage operation. Mr. Peperzak replied they were a forage based operation, which included silage, hay, and grasses, and had substantial silage operations close to their farms.

Scott McGinty, President of AOD, commented that this would be their second manufacturing plant. They had started about 13 years ago as AOD, following the history of Mr. Peperzak, who had been in dairy production for over 30 years. As a result, this was a big milestone for them and they very carefully considered where they wanted to locate. He noted they were happy for Columbia, Missouri to be one of the top options for them at this point, and hoped they would support approving this project tonight. He explained they hoped to be operational by the end of 2018. They would start

commissioning the processing of dairy products and the plant by that time. Once they ramped up, they would likely use about 30,000 cows worth of milk. He pointed out they planned to have in the upwards of 150 jobs in both phases of the project. When they started at the end of 2018, they would be close to 100 of those jobs with expansion plans within 3-5 years thereafter. He noted they would build about a \$90 million capital project and there would be room in that scope for additional capital equipment to go into the existing structure. He explained Columbia became their top pick due to being friendly to manufacturing, having a tremendous incentive plan, and being a tremendous location for their supply chain on an east-west thoroughfare. He stated transportation lanes were very important to their supply chain as they moved milk from the center of the country to both coasts. The attractive work force had been another factor in terms of Columbia's commitment to the healthcare and education sectors. He thought they had a very unique opportunity to tap the growing sector of natural and organic foods in Columbia. The organic dairy business had grown from \$2 billion ten years ago to almost \$6 billion in national revenue potential today, which was a strong growth rate. He pointed out the New York Times had profiled this type of growth and food innovation this past weekend with regard to the impact on Boulder, Colorado in terms of economic power, creativity, investment, and excitement, and felt that was a potential for Columbia.

Mr. Skala stated he assumed AOD had their own distribution fleet, and asked if natural gas powered any of their fleet as that was an asset in Columbia. Mr. McGinty replied they did not use their own fleet today as a company owned asset. They utilized external resources, but would look at that option as they continued to explore ways to conserve resources.

Ms. Peters understood AOD would only need 25-30 acres for their manufacturing plant and asked why they were looking for a site of 100 acres. Mr. McGinty replied their first plant footprint in Colorado had covered a similar acreage. They had just recently acquired 150 acres next door for the purposes of having options for expansion down the road. He noted dairy facilities involved truck traffic and the predominant amount of acreage would involve parking spaces, paved lanes, roadways, etc. In addition, they expected to grow. He understood this parcel would be surrounded on all sides with some restrictions so it was nice to have room to grow in the future.

Ms. Peters asked where their milk came from today and where it would be coming from when it came to this plant. Mr. McGinty replied they were an integrated milk business, which meant they owned the cows and the manufacturing. They supplied about 80 percent of their own milk from their own company-owned farms today. They also had some very select producer partnerships with outside businesses that supplied milk to them for the remaining 20 percent. He explained they anticipated that model to be replicated going forward to supply milk to this plant. He stated they had plans for additional farm locations that were more suited to this geography, but it was too soon to tell exactly from where the supplies would come. They expected to replicate the advantages and quality control in their model whereby they continued to invest in their own organic dairy operations and look to select partners in the local area to add to that supply.

Mr. Ruffin asked what percentage of their 100-plus employees would be transferred from out-of-state. Mr. McGinty replied they expected 5-10 people in the first phase to be advance trainers and bring the knowledge and culture to the new facility. Some would stay and hopefully become a part of the community, while others might be a part of an advanced team that would go back to the operation.

Mayor Treece understood it was not the intent of AOD to run cattle on the balance of the acreage here. Mr. McGinty stated that was correct.

Mayor Treece asked if this plant would hurt small dairy farmers in Missouri, create opportunities for dairy farmers, or have no effect on the Missouri dairy industry. Mr. McGinty replied he would hope it would create opportunities for dairy producers in Missouri that had an interest in going organic. He noted there were other parts of the

organic dairy supply chain that were needed to support milk production on a farm, such as crop production and other type of livestock activities.

Mr. Thomas asked Mr. McGinty if he could describe the operation in a little more detail. He assumed milk would come to Columbia in tanker trucks to be processed for a finished product. Mr. McGinty replied the tanker trucks would come in with raw milk that had been produced elsewhere. The process for this proposed site would start with the receipt and processing of the raw milk, which meant pasteurization and other steps that made fluid milk suitable in terms of a shelf life, food safety, and customer satisfaction. After processing the milk, they would package it. He noted they would have various sizes of the products available and might also entertain different products that could be made from raw fluid organic dairy. The finished product would then be prepared for warehouse distribution and shipped off in refrigerated trucks to grocery stores. It would be the finished consumer goods packaging.

Mr. Thomas understood AOD had quite a high demand for water and asked if that was required for the pasteurization process. Mr. McGinty replied the primary need for the water involved sanitation. Running food product like this through stationary lines involved highly regulated requirements. They had to keep the dairy facility clean and product quality at a high and safe level. They essentially had to keep the lines clean, and water use primarily assisted them.

Mayor Treece understood Mr. McGinty had indicated they would have the equivalent of 30,000 cows of milk when the plant opened, and asked if that involved two eight-hour shifts, 24 hours a day shifts, etc. He also asked what Mr. McGinty thought the peak capacity might be for the plant. Mr. McGinty replied he thought of that number as the full capacity after phase two. He felt phase one would likely be closer to 20,000 cows. He also thought it would be very close to three shifts per day, six days per week.

Scott Dye, 2222 Bluff Boulevard, explained he was the Field Representative for the Socially Responsible Agricultural Project and noted he would provide a handout at the end of his testimony as well as a book on factory farms, which had been authored by one of their Board of Directors. He understood this was a difficult decision, and believed it was one whereby the Council had not been provided enough information. He commented that testimony of Mr. Weitkemper, which had already been provided to the Council, had indicated an already overloaded sewer system, inflow and infiltration problems, and the exacerbation of existing problems. He understood Mr. Midkiff would also speak with regard to open and transparent government. He explained they were never in favor of secret courtships, such as Project Cadre, followed by a rush for rapid approval. He believed the Council had considerable information of the record of AOD with regard to compliance with federal organic standards. This included a USDA consent agreement in 2007 for 14 willful violations of the federal organic standards for which AOD received one year of probation, and a \$7.5 million class action settlement in 2012 alleging similar violations. They were concerned by the fact Mr. Matthes and Mr. Alias were not concerned about the company's past record. He commented that these were nothing more than huge industrial factory farms with massive, metal, free-stall barns with limited access to bare-dirt feedlots, which could be viewed by aerial photographs from Google Earth. He believed AOD had been purposely vague about the use of the property and whether it would include livestock, and although it had been addressed tonight, he was not sure if they could be taken at their word. He wondered if they would indeed erect a factory farm within the city limits of Columbia, and whether the City would support it, which he hoped they would not. He did not feel the milk source would come via 7,000 gallon tankers at a time from their factory farms in Colorado and Texas. He believed this would drive a massive expansion of factory farm dairies within a 50-75 mile radius of Columbia, and that the infrastructure did not currently exist. In addition, he did not feel rural Missourians had any desire to live by 2,000-5,000 head industrial dairy factories due to the smell, flies, water pollution, lost property values, and lost quality of life. The impacts of such an unprecedented factory dairy expansion would have grave impacts on

sustainable farming operations in Missouri and nationwide. He understood the average herd size of an organic dairy in the Midwest right now was 67 cows, and the need for 30,000 cows would put 470 traditional sustainable family dairies out of business. He noted those traditional family dairies supported the tax base, i.e. the schools, the roads, and the services of their communities, and believed the co-opting of these family dairies was a disaster for rural America, similar to how it had been for hogs and poultry. He hoped proposals, such as this, were not the dystopian vision city officials would promote for rural American, and pointed out his organization would fight this proposal every step of the way if it were to pass. He urged the Council to vote no on this land sale and to stop the dubious courtship of AOD immediately.

Subash Alias stated he was with the Missouri Partnership, which was a non-profit economic development group that was charged with business attraction on behalf of the Missouri Department of Economic Development and the State of Missouri. He noted AOD was looking to create 140-150 family sustaining jobs for the State and Columbia, and to make a substantial investment in the community. He pointed out AOD had spent the last 14 months evaluated Missouri for its operations so they had gotten to know the company and individuals pretty well. He believed it was important to note this was their second opportunity with this company. In 2012, AOD had evaluation Missouri along with other states and had decided to locate adjacent to their existing facility. He stated it was rare to get opportunities like this and even rarer to get a second opportunity as they had today. In late September 2016, he explained he had the opportunity to visit the AOD facility in Platteville, Colorado. He commented that it was an impressive operation, and any community would be thrilled to have an operation like this along with a company like AOD. Currently, they were strongly considering Columbia, but they had also secured property adjacent to their site in Colorado in case this project did not materialize. He explained phase one would be a \$90 million project, and for comparison purposes, he noted CertainTeed Roofing facility in Jonesburg, Missouri was a \$100 million manufacturing plant that had been announced in 2013 and had opened last year. This would be a significant operation and the company would be invested in Columbia and Missouri. He believed this was an amazing project and noted he was excited to be able to compete for it. He stated he looked forward to AOD calling Columbia and Missouri home.

Mayor Treece asked Mr. Alias if he had gone through a due diligence period with AOD as part of his review of this project. Mr. Alias replied yes. Mayor Treece asked if there had been any items that had caused him to doubt their voracity or if he thought there were any potential barriers to them creating the jobs or investments they had represented. Mr. Alias replied no.

Jo Fey noted she was the Dean of Career and Technical Education at Moberly Area Community College (MACC) and explained MACC prided itself on the ability to act quickly and responsively to the needs of the community. They had a tradition of working closely with REDI when industry approached them with regard to specific training needs. When AOD made its initial visits to Columbia, the MACC President had met with them and was able to express their willingness and ability to provide the training and certification needs of the company. She stated several years ago, they had responded to a REDI request for technicians trained in electrical, mechanical, and computer skills, which were skills needed for automated manufacturing today. They had met with local industries, including many industries that were in the area AOD would locate, such as Kraft, 3M, Quaker, and Pepsico, and they helped design a program to serve the needs of local industry. In the past three years, they had grown the program from five students to 60 students. They saw this as a potential for students that could not afford or did not want a four-year college degree. She pointed out that everyone that had gone through the program thus far had obtained a job prior to graduating. She commented that responding to the need for people trained at entry-level skills was something they prided themselves on doing, and explained they had created a production technician certificate that could be

accomplished in one semester. They were also looking at a logistics certificate that would also support this company. She expressed their excitement of partnering in any way with this project. She stated Columbia was a vibrant, growing community that recognized the importance of workforce development for its economic health and MACC was eager to fulfill the need to foster and grow that workforce development in the community.

Ken Midkiff, 1005 Belleview Court, provided a handout and stated he had several serious concerns regarding AOD. He understood AOD owned and operated organic factory farms in Texas, Colorado, Florida, and Maryland. The Florida and Maryland operations served their own areas, but the Texas and Colorado operations provided organic milk for the Colorado operation. He did not believe there was any way milk would be transported from Colorado or Texas to Columbia. AOD needed 26 acres for its production plant, but was proposing to buy 102 acres. This left 76 acres unused. He noted this site was zoned correctly for a factory farm as it was zoned agricultural. Even if one was not established here, many would be established within 75-100 miles. Until tonight, it was unknown how many millions of gallons would be processed and how many factory farms of 3,000-4,000 cows would be needed. He understood AOD had estimated a need for 9 million gallons of water per month and would generate 6 million gallons of waste. He wondered what would happen to the other 3 million gallons. Considering there were already sewage overflows on the Bear Creek sewer line and City's water plant had just been upgraded to ensure current needs were being met, it was doubtful water and sewage needs could be achieved. He commented that this had been kept from citizens and the Council until two weeks ago when it was presented as a done deal. All negotiations were done behind closed doors. Questions that should have been answered years ago since AOD had first contacted Columbia in 2012 were still unanswered. He noted this was the reason for his Sunshine Act request. He was seeking answers as secrecy was his biggest concern. He pointed out all citizens would be paying for AOD to locate to Columbia and would provide a sewage line, and noted this had not been a transparent process. He asked the Council to reject this proposal. He hoped the Council would direct city staff to be much more transparent in the future.

Steve Wyatt stated he was the Associate Vice Chancellor and Vice Provost for Economic Development at the University of Missouri and that role included working with various companies to leverage resources at the University of Missouri for the benefit of the State's economy and to ensure they were good stewards of those resources. He commented that he worked with several different economic development organizations and wanted to share his personal support for this project. He understood there was concern with secrecy, and explained generally site consultants did not provide any information so it was not necessarily that information was withheld. He pointed out this was a significant project attraction for the State of Missouri, and most communities within Missouri would love to have a project of this size. He believed this was a win for Columbia in relationship to other deals involving Missouri Partnership as it was a \$90 million investment. He thought the project was exciting when including approximately 150 jobs and an average wage of approximately \$42,000, which was significantly higher than the average wage in Boone County. He explained he also saw this as providing unique opportunities for collaboration with the University of Missouri. The University ranked fifteenth in the world in animal and plant science research, which included expertise in the dairy industry. In addition, they had degrees in food science and nutrition, which also prepared students for production supervision, food technology, product marketing, quality assurance, flavor and color science, food safety inspections, quality control chemistry, and global foods trends research. He thought the opportunities for research, in terms of advance research or enhancing the organic milk industry, was exciting. He believed this was a unique opportunity for the community and for collaboration.

Steven Smith, 1603 Canton Drive, stated he was the President and CEO of Job Point, but

was speaking on behalf of himself tonight and in support of this proposal. He explained they needed more jobs without degrees and felt this was a good for the community. He believed it would fit well since Columbia was within the agricultural corridor and due to the agricultural nature of the State. He understood this company had a proven track record so they were not dealing with a start-up company, and they were an industry leader in a growing field of organics. While it was too early to say whether Job Point could refer people to them directly, he thought the level of jobs that would be provided would allow for a great number of opportunities for those in poverty to enhance their lives and those of their families. He urged the Council to look favorably on this request.

Peter Stiepleman noted he was the Superintendent of the Columbia Public Schools, which included about 18,000 students, of which about 46 percent were on free or reduced lunch. Fifteen years ago, only 25 percent of their students were on free and reduced lunch. He explained he had recently been asked about the role a Superintendent played in the economic development of a community, and he believed his role was to help reduce the number of students on free and reduced lunch. He pointed out the City Manager had indicated in his State of the City that 78 percent of the white community believed it could thrive in Columbia, but only 54 percent of the African-American community felt the same. In addition, 90 percent of the African-American students were on free and reduced lunch. He understood this company had stated it would support jobs for the African-American community, and thus, believed they should support this project. He commented that he was present personally as he believed this was an endeavor to support the community. He recognized the City would be asked to support a Chapter 100 bond, and those should be done judiciously. In a community where the three big industries were healthcare, education, and finances, and everyone else was in the service industry, he felt they needed manufacturing jobs as well.

Matt McCormick, 300 S. Providence Road, stated he was the President of the Columbia Chamber of Commerce and noted he was in support of this project. The project would bring well over \$100 million of investment into Columbia and the area over the next five years. Ultimately, 140-150 jobs would be created over those years with annual wages higher than the current Boone County average wage. The impact on the work force by adding available jobs when the plant opened in addition to the jobs it would create when it was constructed would be great. He believed these were the types of jobs and companies that Columbia needed as it filled the gap in two areas, light manufacturing jobs and jobs above the living wage. He asked the Council for their approval and support of the project.

Jeff Echelmeier, 2005 W. Broadway, explained he was the Chairman of Williams-Keepers, an accounting firm, and the Chair of the REDI Board, and was in favor of this project. He felt those that had the foresight to make this land available for this type of project would likely not have thought of a more desirable project than this. He commented that the manufacturing numbers had been declining in Boone County over the last decade. He believed this was a good opportunity to add quality jobs and felt 100 people would be happy to have these jobs. He encouraged the Council to support the project.

John Clark, 403 N. Ninth Street, asked the Council to table this item as he believed there were enough issues that warranted additional thinking on this project. The biggest issue he had heard tonight was the effect of this project on the entire area. He noted another issue was the fact they would not get their money back from the purchase of the property. He found that problematic. He commented that he was not convinced they actually had adequate unused capacity for the public infrastructure services involving water, and believed all of the business along Waco Road should pay for that road improvement. He explained he was on the Integrated Water Resource Planning Group and this was a significant amount of water usage. He understood the reliable water capacity the City had right now was likely 22-24 million gallons per day, and some upgrades would be needed. He suggested they ask AOD to consider drilling water wells.

He asked the Council to give serious consideration Mr. Weitkemper's recommendation to ask AOD to slow down production during wet water conditions, and noted he thought they should detain wastewater and only release it after the rain storm since they had major health, welfare, and safety issues from back-ups. He stated the Council had the opportunity to make this a better deal from various points of view, but only if they did not approve it tonight.

Peter Norgard, 1602 Hinkson Avenue, commented that he thought factory farming would come to Columbia due to this development, and felt it would negatively impact their neighbors, which he believed should be considered.

Rita Fleischmann, 1602 Hinkson Avenue, asked the Council to table this item until they had the opportunity to look at it via a community-wide aspect.

Ms. Nauser understood AOD had the USDA organic stamp on their milk so they had met all of the requirements necessary to be considered organic. Mr. McGinty stated that was correct. Ms. Nauser understood one of the requirements to be considered organic was that the cows had to get plenty of fresh grass and spend at least four months per year grazing in pastures. Mr. McGinty stated that was correct. He noted there were specifics with regard to the pasture rules. Ms. Nauser understood they were in the pasture and not just on a feed lot. Mr. McGinty stated that was correct. Ms. Nauser understood the cows were not raised with chemical fertilizers, pesticides, genetically modified seeds, hormones, or antibiotics. Mr. McGinty stated that was correct. Ms. Nauser asked if it would be fair to say AOD would not place cattle grazing operations in the middle of industrial property, so the comments that some of this land would be used to raise cattle were likely inaccurate. Mr. McGinty replied it would not be feasible for a number of reasons. He explained it was false to assert the milk must come from within 50-75 miles. They currently had a large-scale dairy supply chain, and their average distance from the farms to the processing points was well over 300 miles. Organic milk was different than conventional dairy supply chains because there were fewer producers and fewer plants packaging milk and making other dairy products in a national market that demanded it. He noted organic milk started from fewer places and had to get to more places, which was why organic milk traveled further distances. It had been this way for the last 25 years. Their manufacturing in Columbia did not require milk to be produced locally or nearby. He pointed out it was an opportunity, but it was not a plan or need as their current supply chain showed. He commented that when they had come into this iteration of their business 13 years ago, there were far less than half of the producers involved in organic dairy production than today. The growth rate nationwide had been substantial. They had come in with their contribution of production and scale, but at the same time, the number of certified organic dairy producers that had come into the market had more than tripled. He noted they had not kept anyone else from coming into the business. The demand had outstripped the ability of the industry to supply organic dairy, and they were only one of the participants to help the supply into the market. He stated they respectfully disagreed with the suggestion they put other farmers out of business. They actually supplied their feed products to their own dairy cows from over 100 independent family farmers that were certified organic crop producers. As a result, their expansion would allow for the expansion of their supply chain partners as well.

Mayor Treece asked whether AOD had ever lost their organic status. Mr. McGinty replied they had not, and explained their organic certifications had been maintained as a continuously valid certification status since they were first certified.

Mr. Skala commented that he was not on the Council when the Sutter property was purchased, but had been on the Council when it received State certification as a shovel-ready site. He understood that meant there was a nexus of adequate infrastructure to deal economic development opportunity, and asked for clarification in terms of sewer, water, and electricity. Mr. Matthes replied in its simplest form, a shovel-ready certified site was a smart growth concept in that they would use the infrastructure that was already there instead of adding to the system. It was a State

certification whereby the City had to prove the capacity was there in terms of electricity, sewer, and water. He commented that all of the infrastructure was available and there were capacities to handle this project. The Bear Creek sewer had three million gallons of unused capacity per day, and this project would put about 200,000 gallons into it per day, which amounted to a very small portion of the capacity available. He stated rain events occurred over the entire system and sometimes randomly throughout the City, and they had been working inflow and infiltration issues for a long time and had made terrific progress. They could handle more than they previously could, and had taken downspouts off of the system where found. He explained they could absolutely handle the day-to-day sewage this project would produce, and this company would not create any inflow and infiltration issues as that was the result of rain. He viewed these as two separate issues and noted they had diligently been working on the rain problem. Mr. Skala understood water and electricity were not issues. Mr. Matthes stated that was correct, and noted major transmission lines were near this site.

Mr. Skala understood their last major economic development acquisition involved IBM. He agreed it had added jobs to the community, but some promises had not been met. He asked about claw-back provisions for the City with regard to the AOD project. Mr. Matthes replied there were really two claw-backs that were unique to the transaction. He noted one involved the sale of the land, so if the project was not constructed, the City had the right to give the money back and get the land back. He pointed out it was a bit more complicated as they would calculate the amount of investment made, etc. It was not a scenario whereby the AOD would receive the discount and could then flip the land. The other involved the \$500,000 escrow and it had a total employee benchmark that was utilized to trigger the \$100,000 available annually.

Mr. Thomas asked for clarification regarding the escrow claw-back. Mr. Matthes replied AOD would pay a little over \$2 million for the land, and the City would place \$500,000 of that amount in escrow. If AOD met their targets, \$100,000 per year for five years would be returned. Mr. Thomas understood the eventual land sales price would be \$1.5 million, and not \$2 million. Mr. Matthes stated that was correct. Mr. Thomas understood if they failed to deliver on the jobs, the City would retain some of the \$500,000. Mr. Matthes stated that was correct.

Mr. Thomas asked if there was a maximum distance over which raw milk could not be shipped to a facility such as this. Mr. McGinty replied the limiting factor was time. They needed to reasonably get the milk from a farm to a dairy plant such as this within 72-96 hours, which was about 3-4 days. Mr. Thomas understood they could theoretically get across the country in that amount of time.

Mr. Thomas asked Mr. McGinty if the milk would come from their Colorado and Texas cattle operations, if they would develop new providers closer to the Columbia facility, or if it was unknown. Mr. McGinty replied the plans for suppliers were still being developed and were not yet certain. They planned to bring at least some of the volume from the existing supply chain to this plant in order to seed the operation. They expected to find more efficient routes by the time they were operating normally.

Ms. Peters understood the Council had approved a sewer upgrade in the area and asked when it would be expected to be completed in relation to when AOD began its operations. Mr. Matthes replied AOD had discussed phases. Phase one would involve the Bear Creek sewer. Depending on how fast the Hinkson Creek sewer extension was completed, it might involve that sewer. Future phases would definitely use the Hinkson Creek trunk versus the Bear Creek trunk.

Mr. Thomas stated he had concerns regarding the lack of transparency with these types of arrangements and the general heavy press they felt on the Council to approve something they did not know much about. He also felt there was an exaggeration of the benefits of a new company moving to town. He commented that he had recently seen quotes about the benefit of the future taxes the City would receive from a new business occupying land, but whenever they collected taxes on land or sales, they also provided

more services. As a result, he did not feel future taxes should be considered a benefit. He also did not feel future electricity and water sales should be considered as a benefit because they would be supplying those items. Since the City did not charge adequate impact fees to account for the expansion of the infrastructure to create and deliver these services, he believed they lost money. He pointed out they did not have a connection fee for electricity and any new company or housing development required an increase in the capacity of the electric system, which was paid for by all of the ratepayers throughout the City. While water had a connection fee, it was not adequate enough to cover the true costs of expanding the water system to accommodate the development. Although he did not find those arguments compelling, he understood this would create new jobs, and was pleased there was some kind of financial linkage between the City and purchaser with regard to the creation of jobs. The type and quality of jobs seemed to be what this community needed and he was impressed by the number of people whose judgement he respected that had spoken in favor of this project. He commented that there was also a benefit in that they were getting rid of a non-performing asset the City had owned for a long time and receiving some cash for it. He stated he was inclined to support the proposal, but had concerns regarding the entire economic development strategy.

Mr. Trapp explained he was very much supportive of this proposal. He noted Columbia had a lot of college students that looked poor on paper, but might live in luxury housing that had a lot of amenities. A good measure of poverty was the fact 46 percent of Columbia Public Schools students were on free and reduced lunch now, when 15 years ago, it was only 25 percent. Not coincidentally, Columbia had lost half of its manufacturing jobs in that interim. He believed the fact that the African-American unemployment rate was several times higher than the general unemployment rate could also be the result of the decline in manufacturing jobs. He understood a lot of this was due to increases in technology, and noted he was very much appreciative of Moberly Area Community College filling the workforce development gap, which was a major part of the City's economic development and employment strategy. Creating living wage jobs did not require a college education. He commented that he did not like providing incentives as they then taxed some places different than others, but it was how things were done. He noted real estate transactions had to be done privately, and pointed out Council had been briefed significantly. They had not been provided the business name, but they were given some level of advance notice. He explained the professional staff had been hired to engage in these types of activities. He stated his appreciation for the REDI partners that had rallied to make this happen as these things did not happen by accident. It took a concerted effort to bring in a large employer. Buying local was what he would recommend for their best health and their best products, but there were people that would shop at Wal-Mart and fill their carts with what they could afford, and organic products had some levels of superiority in terms of not having growth hormones, etc. Large scale organic agriculture brought organic to a much lower price point, and it was an expanding market in which many people could participate. He thought there were social fabric advantages to family farming, and hoped that as AOD expanded, they took in all kinds of dairies. He commented that even if AOD had not been an organic producer, he would be supportive because it would create 150 high wage jobs. It was not up to the Council as to whether this facility was built. It was a matter of where it would be built. He noted he wanted to see this happen in Columbia and looked forward to a great relationship with AOD.

Mr. Skala stated he was very supportive of this agreement. He understood a good deal of negotiations still needed to be worked out as other entities, such as Boone County and the State of Missouri were involved. He noted it was the nature of economic development work to keep things confidential, and pointed out he did not like that facet either. He preferred to have it be transparent. He commented that nothing had been presented tonight that he had not understood prior to the meeting as he had done his due diligence. He agreed this project had the potential for a massive impact, but felt that was a positive

massive impact. He commented that Columbia needed jobs, and jobs of this quality. He also agreed they needed to balance that need against the information and incentives, and believed this was a positive proposal.

Ms. Nauser noted she was on the Council when the Sutter tract had been purchased and having a work-ready site was a great accomplishment. She commented that she was a consumer of mostly organic products, and had a family farm that was contracted out to a farmer that was working on moving to organic as he saw the value of it. She believed AOD's philosophy of sustainability, being good stewards of the land, and providing organic products was welcomed in Columbia. One could not receive the USDA organic seal without following the necessary rules. She thought having 100 jobs in the community would be a benefit. She noted she worked with many people without high school or college educations, and this would provide good living wage jobs for those types of people. She stated she believed AOD would be a good fit for the community. She pointed out this facility would be located near her and her husband's business so she would be able to view its progress.

Mr. Ruffin stated he planned to support this proposal. He commented that he had learned during his time on the Council that every decision they made had the potential to impact lives of ordinary citizens. He noted he was impressed by the potential of AOD to connect with their institutions of higher learning. He explained he was an educator and knew education occurred at all levels, so one did not need a bachelor's or master's degree, but did need training in order to access good jobs. The support of the schools for this project was impressive. He commented that he was also impressed by the ability of this company to be a viable player in the community. They had so many community projects and needs that would benefit by their presence. He pointed out that every day he encountered so many families and children that would benefit by having someone in their home making a decent salary. He believed the decision they would make tonight would touch the lives of so many people and change the lives of so many children, and for that reason, he noted he was not in favor of tabling the issue. He wanted to move forward as quickly and decisively as possible.

B10-17 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B11-17 Authorizing construction of improvements to the intersection of Waco Road and State Route B to include the installation of mast arm traffic signals and the modification of existing driveway access locations, and construction of raised islands and a pedestrian crosswalk; calling for bids through the Purchasing Division.

The bill was given second reading by the Clerk.

Mr. Nichols provided a staff report.

Mr. Thomas understood one of the reasons this improvement was needed was due to expansion at Kraft Foods nearby. Mr. Nichols explained at the public hearing they had estimated 30-32 additional semi-trucks would be entering the intersection. Mr. Thomas understood the expansion of the Kraft Foods' footprint had led to this. Mr. Nichols stated he thought they were still underway on the expansion. Mr. Thomas asked if Kraft Foods would pay the 50 cents per square foot in the process of expanding for arterial and collector road improvements. Mr. Matthes replied yes, and explained it was the development fee. He noted this improvement was essentially the City's contribution to that expansion project.

Ms. Nauser commented that her and her husband's business warehouse site was nearby and there had been a lot of serious accidents at that intersection. She believed it was a

public safety issue. Mr. Nichols noted it met warrants for an intersection as a traffic study had been completed.

B11-17 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B15-17 Amending the FY 2017 Annual Budget by adding positions in the Information Technology Department; amending the FY 2017 Classification and Pay Plan by adding a classification; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Chapdelaine provided as staff report.

Mayor Treece asked if the NERC/CIP recommendation had been made on July 1. Mr. Chapdelaine replied that was the date the City had to meet the requirements. Mayor Treece asked why this had not come up during the regular budget process. Mr. Chapdelaine replied they had been building the two data centers over that time period, and when they put everything in place, they found out there was a 35-day program to fix patches and conduct the 35-day review again. He noted it had not been clear as to what was really needed or required until it had been put into place. He pointed out they had gone from less than 10 regulations to over 150 regulations with which they had to comply. They had not known what was required, which was why it had not been a part of the budget process. Mayor Treece asked how many Information Technology professionals were recommended for a community the size of Columbia. Mr. Chapdelaine replied the recommendation was eight people for the NERC/CIP requirements. Some of those people would be on the Water and Light side while others would be on the Information Technology side. With the addition of these two people, they would be at seven people. He explained they believed four people would be needed to ensure the activity was done properly, but thought they would start with only two people to test it out first. Mayor Treece asked what the numbers of people were based upon. Mr. Chapdelaine replied it was based upon the activity required for the data center. They needed to ensure all of the endpoints were being managed, and the policies and practices were in place along with patch management and change management. It required a lot of manual work at this time. He pointed out they did not know what they did not know at this time.

Mayor Treece commented that the Council continued to hear that the NERC was requiring them to do things, and that was the argument made for Option A of the transmission line project in south Columbia. They were told if they did not do it, they would be fined \$1 million per day. The Council had directed staff to move forward with another option, and had not yet heard back on it. In addition, this rule had been promulgated on July 1, 2016, and they were now requesting additional full-time employees at a time when they were not adding full-time employees via the consent agenda. Mr. Matthes stated the simple explanation was that it was a requirement by the federal government and the City was complying with their requirements. They had been deliberate and did not just react or do what had been recommended in terms of the number of people needed. He noted staff was cognizant of where they would prefer to have the new employees added. These were Information Technology roles for the Utilities so it was appropriately shared. He commented that the City had an exposure to fines, which was a concern. In terms of the transmission line project, he explained staff had been responsive to the request of Council. They had entered into a contract with Ameren to study the route so that was in progress. He noted they were trying to find out the status to provide an update. He commented that they were responding as they could, but some things were not in their control, such as how far Ameren had proceeded in its analysis.

Mayor Treece asked if these two full-time employees would be subject to the temporary

hiring freeze. Mr. Matthes replied no because they were not funded by the general fund. There was not a wait outside of the general fund.

Mr. Chapdelaine pointed out other regulations would need to be met by April 1, and they were concerned about those as well, so the positions were needed.

Mr. Trapp stated he thought there was a compelling case to add these positions. He believed mitigating risks should be a primary goal of the Council with alacrity and a sense of urgency. In some aspects, they had been letting things slide since 2008, and there were costs to patches. He felt they needed to come up with a plan and move forward quickly. He thought they should approve this tonight.

B15-17 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, PETERS, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: TREECE. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

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| B12-17 | Authorizing a sidewalk improvements agreement with the Missouri Highways and Transportation Commission relating to the MKT to Parkade Bike Boulevard Project. |
| B14-17 | Accepting conveyances for water main and underground electric purposes. |
| B16-17 | Authorizing application to the United States Department of Transportation Federal Aviation Administration and the Missouri Department of Transportation for airport capital assistance grants. |
| R8-17 | Setting a public hearing: proposed construction of the Sinclair Road at Mill Creek Culvert Replacement Project. |
| R9-17 | Appointing associate municipal judges. |
| R10-17 | Authorizing Mayor Treece to sign the National Wildlife Federation's Mayors' Monarch Pledge; authorizing participation in the Missourians for Monarchs collaborative. |
| R11-17 | Authorizing an agreement for professional engineering services with Allstate Consultants, LLC for the West Central Neighborhood Traffic Calming Project. |
| R12-17 | Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. relating to the reconstruction of Taxiway C (west of Taxiway A) and development of a pavement management program at the Columbia Regional Airport. |

R13-17 Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. relating to the design for the relocation of Route H to allow for the extension of Runway 2-20 at the Columbia Regional Airport.

R15-17 Authorizing a consent to assignment of a licensing and maintenance agreement with Burton & Associates, Inc. for use of the FAMS-XL© financial forecasting model for the Sewer Utility and Storm Water Utility cost of service and rate recommendations study to Stantec Inc.

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

VIII. NEW BUSINESS

R16-17 Setting a public hearing: consideration of the Unified Development Code (Case No. 16-110).

The resolution was read by the Clerk.

Mayor Treece explained he handed out some suggested guidelines for the Unified Development Code (UDC) hearings as he believed it would be helpful if they as a Council decided how they wanted to handle it. Today, February 6, they would set the public hearing dates. At this moment, they had a regular council meeting in two weeks whereby he would suggest a 15 minute staff presentation, 15 minutes of Council questions of staff, and about 1.5 hours of public comment. Instead of the three-minute time frame, he suggested six minutes, and that they have a sign-up sheet in the back of the room at the beginning of the council meeting for people to sign up. This would allow people to line up in order and allow for more efficiency with testimony. Fifteen people could be heard with six-minutes of testimony in 1.5 hours. Ms. Nauser asked if they ended the hearing and if they could have other speakers at the end of the meeting. Mayor Treece replied they could allow additional public comment for those that wanted to stay at the end of the meeting. By cutting it off, they would be allowed to complete the balance of the agenda. He wanted to be respectful to everyone, those there for the UDC and those there for other agenda items. On February 25, they would have a special council meeting beginning at 9:00 a.m. He suggested two hours of public comment via six-minute increments and a sign-in sheet. They could then have Council discussion to talk about the input received and to visit with staff with regard to specific questions or technical requirements. Afterwards, they could allow for more public comment. He anticipated another two hours or they could stay all day. At the March 6 meeting, they would continue the public hearing. He suggested they discuss and vote on any amendments at the beginning and then open it up for public comment. The hearing would then be continued to March 20 for any final public comment, council discussion, and vote. He stated it was important to him to provide an extensive period of due process and public input on these changes. They would have one hearing spread across four meetings to provide everyone an opportunity to testify. He noted written comments would be encouraged and entered into the record. He stated he was inclined to have everyone speak once during those four sessions. Additional comments could be incorporated if needed after amendments were made. He thought it would be helpful for them as a Council to decide what they wanted, and to provide staff the chance to provide this information to the public in advance of the February 20 meeting.

Mr. Ruffin left the meeting.

Mr. Skala stated he liked this a lot as he believed it was very thorough. He wondered if 15 minutes was enough for an introduction to the UDC and if 15 minutes was enough time to address Council questions. Mayor Treece thought the Community Development staff had provided input with regard that 15 minute introduction. He explained he did not want to replicate the work of the Planning and Zoning Commission. He also did not want to discount anyone that had come into this late, but was hopeful that a lot of the issues had already been addressed, corrected, and mitigated. Mr. Skala agreed the Council did not need the same type of introduction as the Planning and Zoning Commission, and was not sure the Council would take less than 15 minutes of time with questions and answers. Mr. Teddy explained he and Mr. Zenner had spoken and they were prepared to yield their time to a very brief summary and to answer questions. Mr. Zenner stated he thought the Council would be informed by the memo associated with the UDC document.

Ms. Peters asked if the hearings would be handled via sections of the UDC or if people would be allowed to speak on any of the 400 pages. Mayor Treece replied he was inclined to allow the public comment to guide them. Although they could break it up into the six sections, he preferred not to replicate what had been done at the Planning and Zoning Commission level. He pointed out he intended to meet with the Chair of the Planning and Zoning Commission to determine what the top concerns were and whether those concerns had been addressed.

Mr. Thomas asked for the rationale for granting people six minutes instead of three minutes as he was not sure they would receive more quality input. He thought they might want to allow more people to speak instead of allowing each person to have a longer time frame. Ms. Peters understood they would only allow people to speak once until everyone else had a chance to speak. Mr. Thomas stated he was concerned about that as well as he believed people should be given the opportunity to speak again as the process evolved in terms of amendments, etc.

Ms. Nauser asked if they had any idea of the number of people that might speak based upon the Planning and Zoning Commission meetings.

Ms. Thompson explained there would be a fundamental difference in the way staff would present the document to Council than it had been presented to the Planning and Zoning Commission. At the Planning and Zoning Commission meeting level, staff walked the Commission through the document section by section, and each and every section had been debated. The Council would receive the document as a whole document, and they would review it as a holistic document. She understood there were 30-40 separate individuals that had spoken at the Planning and Zoning Commission meetings on the UDC, but they had spoken multiple times and for longer periods of time.

Mr. Zenner commented that two processes were actually held at the Planning and Zoning Commission level. They started with an information and comment session involving six two-hour meetings. Those generated 208 comments resulting in thirteen work sessions of the Planning and Zoning Commission and the public hearing document. The Planning and Zoning Commission then held 6-8 hearings on the UDC beginning in October, and there were likely about 40 individual speakers. He pointed out the information and comment sessions were more relaxed in terms of speaking times. They, however, followed a similar process to what Mayor Treece was recommending for the public hearing. Since the UDC had been rolled in segments, individuals were allowed to speak related to those segments. The last public hearing held at the Planning and Zoning Commission level was a wrap-up for comments to be made on the entire UDC and only about six people spoke at that meeting. He felt a lot of the detailed questions had been answered, and the Council would be dealing with broad, policy-related questions. He reiterated he thought the memo would provide a good outline of what they felt the scope of discussion would be at the Council level.

Mayor Treece asked Mr. Thomas if that provided him any more comfort with the proposed process. Mr. Thomas replied it gave him comfort with regard to the 15 minute

presentation, and commented that he did not mind that it was six minutes instead of three minutes. Mayor Treece pointed out some people had asked for 60 minutes, so he thought six minutes was preferable over three minutes. Mr. Thomas stated he was okay with it.

Mr. Thomas asked when the clean copy of the UDC would be available to them. Mr. Matthes replied when the packet for the next meeting was published. Ms. Thompson stated they were hoping to get it to the Council sooner. Mayor Treece asked if it could be printed for the Council. Mr. Matthes replied yes.

Mr. Thomas stated he liked the idea of having people line up and thought that should be encouraged all of the time. Mayor Treece noted that having people sign up prevented people from waiting toward the end too.

Mr. Skala commented that he did not feel the six minutes was unreasonable. Mr. Zenner noted the Planning and Zoning Commission had yielded six minutes to each speaker at their December 15 meeting when looking at the document holistically.

Mr. Zenner asked how the Council planned to handle written comments. Mayor Treece stated he would encourage them to be submitted the Wednesday prior so they could be made a part of the record, but he would accept them up until the meeting date. He noted he anticipated receiving e-mails up and through the vote. Ms. Amin clarified if she received comments by Wednesday, she could include it in the packet, which was published on Thursday.

Ms. Thompson pointed out any substantive changes needed to be made at the March 6 meeting rather than the March 20 meeting. They were encouraging people to provide any written comments by Wednesday, March 1 at noon. Mayor Treece understood they would dispose of any amendments at the March 6 meeting so they could lie for two weeks prior to adoption at the March 20 meeting.

Ms. Amin commented that if Council had any comparison questions, it might be helpful to provide those questions in advance so staff is prepared to answer them. Mr. Zenner noted the binders Council would receive would have the public hearing copy of the UDC the Planning and Zoning Commission had reviewed, and it included comparison data along with a master errata sheet that had all of the changes made by the Planning and Zoning Commission on January 5. The clean version, which was being developed for Council consideration, would not have the comparison. It would only have what was proposed to be adopted.

Mr. Thomas commented that the one thing he was uncomfortable with was denying people a second opportunity to testify during the four meeting process. Mr. Matthes stated his read on this was that they wanted to ensure everyone was able to speak once before a second comment would be allowed. He did not feel it ruled out a second comment. Mayor Treece noted item 3 indicated each person could speak once during the public hearing or any continuation thereof, unless leave was requested and consent was granted to address Council a second time. He stated he was not sure how they could maintain some decorum because they had one continuous public hearing across four dates. He did not feel that created an opportunity to testify four times. Mr. Thomas commented that he thought it was reasonable to allow everyone that wanted to speak that had not spoken before to speak first. If they agreed with that, he did not feel they had to prohibit people from speaking a second time at a separate meeting if everyone in the room had been provided the opportunity to speak. Mr. Zenner noted the Council would ideally make final amendments at the March 6 meeting, and if one of the amendments elicited the desire of an individual that had previously spoken to speak again on the amendment, he thought the Council might want to afford that opportunity. Mr. Skala understood Mr. Zenner was suggesting restricting those comments to the amendments.

Mayor Treece pointed out the Council could not have any substantive changes between March 6 and March 20. Ms. Thompson stated that was correct if they wanted to have a final vote on the UDC on March 20. Ms. Peters noted they had a meeting on April 3 if

there was a glitch. Mayor Treece suggested they proceed with the proposed process as he thought they would know by February 25 if an adjustment to the time line was needed.

The vote on R16-17 was recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. ABSENT: RUFFIN. Resolution declared adopted, reading as follows:

Mayor Treece asked that this process be promoted to the interested parties and the public so the expectations of the Council were known.

R17-17

Accepting the Neighborhood Traffic Management Program 2016 Year End Report Summary; authorizing a comprehensive study for a traffic calming project on Sexton Road in conjunction with the West Central Transportation and Infrastructure Priorities Plan; authorizing staff to complete installation of proposed traffic calming devices on Rice Road and Kelsey Drive; authorizing the Stewart Road traffic calming project to proceed; authorizing staff to pursue a traffic calming project on Rollins Road.

The resolution was read by the Clerk.

Mr. Nichols and Mr. Stone provided a staff report.

Mr. Thomas asked how many new streets had been built since 2004 as two were a part of this program. Mr. Stone replied about 195 centerline miles of total streets had been built since 2004, and about 180 miles of those were residential streets. About two miles of the 180 needed to be addressed. Mr. Thomas stated that was encouraging.

Mr. Thomas understood new streets were coming into the program because neighbors were filing a petition or because staff had recognized a problem, and asked how many streets had been added to this list in the last year. Mr. Stone replied he thought about ten different streets had been added.

Mr. Thomas understood they were able to address 2-3 per year. Mr. Stone stated that was correct when looking at individual projects, but explained one of the projects they would work on, Sexton Road, would incorporate a grid so some streets might be added to that discussion. He commented that they wanted to allow the opportunity for people to state their concerns with traffic calming, and pointed out that impacted the time frame. They could obtain less public comment in order to shorten the time frames, but that meant there would likely be more discussion at council meetings. Mr. Thomas stated he did not think they should change the process as he felt it was good. Mr. Skala agreed. He noted a project in his ward had taken a considerable amount of time, but it was well worth investing because the neighbors were much more empowered. Mr. Nichols explained a consultant would soon be taking on the role of staff, and if there was good success, they could expand the consultant opportunity. He noted they had the funding, and the issue was timing. He pointed out there were also times the result was not hard infrastructure when working with the residents. Mr. Stone explained about 30 level-one type projects had been completed. Mr. Thomas understood those never made it on to the list. Mr. Stone stated they were in the report so they were still on the list, but staff was trying to address the concern internally.

Mr. Thomas stated he believed this was a well thought-out program and noted he had heard from many satisfied residents. He also liked receiving the annual report.

Mr. Thomas understood a map associated with the West Central Neighborhood Plan had a note to upgrade every major intersection to reduce traffic congestion delays and conflicts, and asked what that meant. Mr. Stone replied there had been a list of desires as part of the West Central Neighborhood Plan, which had been directed by the Council, and traffic calming was one of those desires. Staff was working within that context. He pointed out traffic calming on Sexton Road could lead to traffic moving to other streets. Mr. Thomas asked what was imagined with regard to the note involving upgrades to major

intersections to reduce traffic congestion, delays, and conflicts. He wondered if they were thinking about widening intersections and adding turn lanes. Mr. Teddy replied there had been a lot of input on a diverse array of topics so it was really at a conceptual level. Included in the plan was that testimonials recorded had indicated the need for upgrading the intersection, but they had not programmed any one of those intersections. Mr. Thomas understood these were the same intersections the zoning plan showed as potential mixed-use and higher density overlay nodes. Mr. Teddy stated that might be the case, but he would have to review the plan to verify it. Mr. Thomas understood that would involve a different kind of upgrading than widening the lanes. Mr. Teddy stated that was correct, and provided a turn radius as an example.

Mr. Stone pointed out Lee White, who was a Public Works staff member, was the person responsible for this report, and was the person ensuring this was progressing.

Mr. Skala thanked staff for the report and their work to assist with traffic calming.

The vote on R17-17 was recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. ABSENT: RUFFIN.

Resolution declared adopted, reading as follows:

R18-17

Authorizing an exception to Ordinance No. 022992, which established an administrative delay on the processing of applications for a building permit relating to the construction of new multi-family units in specified areas, to allow the issuance of a building permit for construction of a three story, multi-family structure containing 18 one-bedroom units on property located at 2406 Boulder Springs Drive.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Tim Crockett, an engineer with offices at 1000 W. Nifong Boulevard, explained this development had started ten years ago and this complex was predominantly 1-2 bedroom units. He stated this was the last building in the complex, and would involve 18 one-bedroom units. He commented that this complex had been built over time, one or two buildings at a time.

Mayor Treece asked if the demand was strong for one-bedroom units. Mr. Crockett replied yes.

Ms. Peters stated she thought it was reasonable to allow this as it was an on-going project.

The vote on R18-17 was recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. ABSENT: RUFFIN.

Resolution declared adopted, reading as follows:

R19-17

Authorizing an exception to Ordinance No. 022992, which established an administrative delay on the processing of applications for a building permit relating to the construction of new multi-family units in specified areas, to allow the issuance of a building permit for the construction of a three-bedroom apartment unit on the first floor of an existing apartment building located at 260 S. Tenth Street.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Thomas asked if this property was located within the interim C-2 zoning district due to the parking requirement. Mr. Teddy replied it was subject to the C-2 rules, and noted they had indicated a place for a parking space within the quarter-mile limit. If the letter had indicated 2.5 parking spaces, it was in error as it should have said 0.25.

Ms. Peters asked what had been there before and whether the use had to be commercial

since it was on the first floor. Mr. Teddy replied he thought it had been a common space previously.

Jack Cardetti stated he was representing Brookside Apartments at 260 S. Tenth Street, and explained last August they had moved their leasing center from this location to the Shakespeare's building at the corner of Ninth Street and Elm Street. Since this space had opened up, they wanted to put a front-facing student study center to Tenth Street. The 1,200 square foot space behind it that faced the alley was being proposed for a one three-bedroom unit. He pointed out this would comply with the current proposed UDC, but if they had intended to place the unit facing Tenth Street, it would not comply.

Mr. Skala asked if there was urgency to this change since the administrative delay would soon expire. Mr. Cardetti replied they would like to have it ready by August 1 when residents traditionally moved.

Mr. Thomas asked if the unit would have an alley address or if it would be accessed from inside the building. Mr. Cardetti replied it would be accessed from the alley. Mr. Thomas asked if it would have a street address for the alley. Mr. Cardetti replied he did not know. He pointed out there was already an access in the alley so it would utilize that existing entrance.

The vote on R19-17 was recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. ABSENT: RUFFIN.

Resolution declared adopted, reading as follows:

R20-17

Approving Creek Ridge, Preliminary Plat #2 located at the western terminus of Waltz Drive and at the southern terminus of Heath Court (5420 Heath Court); granting a variance from the Subdivision Regulations regarding maximum terminal street length (Case No. 16-145).

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Trapp asked if this cul-de-sac provided the preferred access to the future park. Mr. Griggs replied this location would meet the need for a neighborhood park, and access would always be tough when it was surrounded by lots. He explained they would like to eventually have easements across some of the lots so people could get to the park. In this situation with a street on one side and future development down the road, access here could be worked out. Mr. Trapp understood the park would be accessed from the overly long cul-de-sac that would require a variance. Mr. Griggs stated that was correct. Mr. Trapp also understood the platting action was necessary for the sale of the park. Mr. Griggs stated that was correct.

Tim Crockett, an engineer with offices at 1000 W. Nifong Boulevard, explained this was an R-1 development involving just over 22 acres in size and 98 lots. The variance before the Council tonight was due to the cul-de-sac length, but it was not a permanent situation because they would stub to the property to the south. He commented that they had exasperated all options with regard to adjacent roadways in the area. They had pleaded with Boone County to tie to Waltz Drive, even if for emergency services only, and were told no because Waltz Drive did not go to the property line. Ridgewood Road came up to a certain portion on the south side, and contrary to the County maps, there was no right-of-way in place for the entire length, so they did not have access to it. If the property to the south was to ever develop, it could tie Waltz Drive, the extension of Heath Court, and Ridgewood Road together. He commented that the proposed development would not create an unsafe situation. The Fire Department did not have concerns as to the grades on the property. The entire development came off of a 10 percent grade street at the entrance, and this extension could potentially provide a safe situation long term if there was concern. He noted there would be two locations where one could turnaround on the south side. He described the location of the park, the property where the stormwater BMPs would be located, and the connection of the park to the cul-de-sac.

He stated the Parks and Recreation Department staff wanted access there and would have access along the entire south property line. As a result, if the property to the south were to ever develop, it would have direct access to the park. He pointed out there were not any sidewalks on Old Plank Road so access from there would not be safe. This access would provide an improved street with sidewalks leading up to the park and filter back into the residential developments. He asked the Council to approve this resolution.

Mr. Skala asked if the extension of the County road would have been an expense to them. Mr. Crockett replied Boone County was saying they did not have the legal right. He understood the western terminus of Waltz Drive was a prescriptive use, meaning there was no right-of-way or easement in place. The only right Boone County had involved the fact they had perpetually maintained that roadway. In the past, it had gone to and even beyond the property line, but they had since pulled back their maintenance to the east away from the property line. The County had indicated that because they had no right-of-way or easement and had not maintained it, they did not have the right to go beyond the limit of current maintenance. The developer had offered to extend it at his expense even for emergency only purposes, but the County would not agree to it.

Ms. Peters asked if the cul-de-sac was a true cul-de-sac or like the stub on Ridgefield Road. Mr. Crockett replied there were two turnarounds. The teardrop turnaround with the lots off of it would be the primary turnaround. At the end of the terminal street where there was a dead end, there would be a temporary turnaround, which would be the same size as a cul-de-sac bulb, so the vehicles could turn around there as well. It would have a full width turnaround, but it was being prepared for a future extension.

Mr. Trapp asked Mr. Crockett if he wanted a vote on this tonight or when there might be a full Council. Ms. Thompson pointed out a two-thirds vote was required to override the disapproval decision of the Planning and Zoning Commission. Mr. Crockett replied he wanted to know the thoughts of Council and if there was a consensus, he would prefer it be voted on tonight.

Ms. Nauser stated she planned on supporting this as she had done previously.

Mayor Treece asked for the length of the cul-de-sac. Mr. Crockett replied 1,500 feet. Mayor Treece asked for the length that would be allowed. Mr. Crockett replied 750 feet. He noted the County allowed 1,000 feet and there were cul-de-sacs of this length or longer in various locations throughout the City.

Mr. Trapp understood they had topographical and geography issues with regard to access. Mr. Crockett stated that was correct. He noted they had looked for other options, and described some of those.

Mr. Thomas asked how common exceptions were to the rule on the length of a cul-de-sac. He thought it happened quite a bit. Mr. Teddy replied Mr. Crockett or another representative had described a number of cul-de-sacs around the City that exceeded the maximum length previously.

Mr. Thomas thought the applicant had done everything possible to try to connect the road, and it was just not possible at this time. He stated he was supportive of approving the variance and the plat.

Mr. Trapp commented that they needed the platting action for the park, and the park would need access. He thought they appreciated the recommendation of staff to not approve cul-de-sacs that were too long because they caused difficulties, but those decisions were ultimately brought to Council because there were exceptions for particular situations. He felt this was needed to facilitate the park transaction for an area where there was a need, and there might not be another opportunity. He noted this was a chance to get ahead on park infrastructure, and explained he appreciated his neighborhood parks and wanted people in that area to have similar options.

Mr. Skala stated he was supportive of this, and was willing to change his mind as they had been provided new information in terms of the park and the attempt to work with Boone County on a road extension. He commented that he was not huge fan of long cul-de-sacs, but felt this was a worthy exception.

The vote on R20-17 was recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. ABSENT: RUFFIN.
Resolution declared adopted, reading as follows:

R14-17

Authorizing an agreement with Apogee Interactive, Inc. for utility bill analysis and customer education software.

The resolution was read by the Clerk.

Mr. Windsor provided a staff report.

Ms. Nauser understood there had been billing issues recently with the new billing system. Mr. Windsor agreed, and noted most of the issues had been resolved, but there were still a couple of outstanding issues. There were also a few things they had not yet offered to customers, such as allowing people to sign up for budget billing. They were testing the system with a couple of volunteers. They anticipated offering budget billing for new customers in April. He explained they also did not have a web portal for customers to see their bills yet. He believed they would be coming to Council in the future to purchase that module as it had been offered as an option in the original contract, but the company had advised them to wait for the new release as it would be completely different. They hoped this would be available in the spring. He pointed out they had not been turning customers off due to issues with notices, and the Council would likely start getting calls when that changed.

Ms. Nauser stated she had received a call from a constituent that had received a notice indicating her account was delinquent, but money had been taken out of her account. Mr. Windsor commented that if this was the same person he knew about, he had been told the bill had been generated the day before payment had been scheduled to be pulled from her account. Technically, the bill was delinquent. He pointed out the notice would not have said anything about a collection agency. They had not sent any delinquent notices to collection agencies recently.

Ms. Peters asked if the system would be fixed to know when the money would be taken out of the account so a delinquent notice would not be generated or if this would be an ongoing problem. Mr. Windsor replied in this situation the issuance of the notice had not been incorrect. On the date the delinquent bill was generated, the bill had not been paid. It was paid the following day. As far as the system was concerned, that amount had not been paid and was delinquent.

Ms. Nauser asked if one could set up a payment to come out of their account on the day after the bill was due, and if the payment due date fluctuated every month. Mr. Windsor replied there was a bit of a variation. The same date did not occur every month so there was variation. There was also an option to do a fixed date, but there were issues with it, which they were working to address. Once that was corrected, people would be able to select the date the bill was paid.

Mr. Skala understood they were almost ready to restart the disconnection policy, and asked if there was a fixed date or if they would wait until it was warmer. Mr. Windsor replied there was a winter rule whereby they would not turn the electricity off. He explained one issue was communication with the IVR telephone system that would call and give the final turnoff warning, and they were working to correct it. He did not feel this would start in February. He thought it would likely be March.

Mayor Treece commented that he was surprised by the price of this product and asked if it was a software product. Mr. Windsor replied yes. Mayor Treece asked if it would reside on the City's system, the cloud, or their system. Mr. Windsor replied it resided on the cloud and the City then accessed it. Mayor Treece asked if there was a claw-back in the contract that compensated the City for any minute or second the software was down. Mr. Windsor replied yes. He explained there was an annual licensing of the software and the period was extended in those situations.

The vote on R14-17 was recorded as follows: VOTING YES: NAUSER, PETERS, TREECE, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. ABSENT: RUFFIN.
Resolution declared adopted, reading as follows:

IX. INTRODUCTION AND FIRST READING

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

- B17-17 Approving a major amendment to the CP Plan for Discovery Park Lots 301, 302 & 303 located on the southeast corner of Ponderosa Road and Nocona Parkway (Case No. 17-11).
- B18-17 Approving the Final Plat of Discovery Park Subdivision Plat 3C, a Replat of all of Lots 301 and 302, located on the southeast corner of Ponderosa Road and Nocona Parkway; authorizing a performance contract (Case No. 17-12).
- B19-17 Repealing Ordinance No. 022104 which approved the C-P Plan of Columbia Safety and Industrial Supply located on the northeast corner of Highway 763 North and Bodie Drive; approving the Centerpointe Hospital of Columbia C-P Plan (Case No. 17-34).
- B20-17 Rezoning thirty-five (35) parcels in the Benton-Stephens neighborhood from R-3 to R-1 and R-2 (Case No. 17-23).
- B21-17 Approving a revision to the PUD Development Plan of The Highlands Phase 8-Revised located at the terminus of Stonehaven Road and southwest of the Forum Boulevard and Old Plank Road intersection; granting variances to the Subdivision Regulations; setting forth a condition for approval.
- B22-17 Approving a major amendment to the O-P Plan for Americare at Heritage Village located on the southeast corner of Sinclair Road and Southampton Drive (Case No. 17-32).
- B23-17 Approving the Final Plat of The Vineyards, Plat No. 6 located between Howell Mountain Drive and Rolling Hills Road; authorizing a performance contract (Case No. 16-183).
- B24-17 Approving the Final Plat of Mikel's Subdivision Plat 3, a Replat of Lot 25, 26, 27 and 55 of Mikel's Subdivision of Lots Number 86 and 87 in Garth's Addition to the City of Columbia, located on the east side of Sexton Road

and on the west side of Jackson Street (703, 707 and 709 Sexton Road and 602 Jackson Street); authorizing a performance contract (Case No. 17-27).

- B25-17 Approving the Final Plat of Fox Lair, Plat No. 1A located at the southern terminus of Dolly Varden Drive and approximately 1,000 feet south of White Fish Drive; authorizing a performance contract (Case No. 16-214).
- B26-17 Approving the Final Plat of Alpha Phi Subdivision, a Replat of Lot 30, and Part of Lots 19, 20 & 21 of La Grange Place, located on the east side of Providence Road and south of Burnam Avenue (906 Providence Road and 911 Curtis Avenue); authorizing a performance contract; granting a variance from the Subdivision Regulations regarding dedication of street right-of-way (Case No. 17-31).
- B27-17 Vacating a utility easement located within the Elm Street right-of-way (525 Elm Street) that previously contained a storm sewer (Case No. 17-38).
- B28-17 Appropriating Federal Aviation Administration (FAA) grant funds and Transportation Sales Tax funds for engineering costs related to the reconstruction of Taxiway C, relocation of Route H to allow for the extension of Runway 2-20, and the development of a pavement management program at the Columbia Regional Airport.
- B29-17 Authorizing a transportation alternatives funds program agreement with the Missouri Highways and Transportation Commission for the Carter Lane sidewalk project; appropriating funds.
- B30-17 Appropriating cost share funds received from the Missouri Highways and Transportation Commission relating to intersection improvements at Route 740 (Stadium Boulevard) and Old Route 63.
- B31-17 Authorizing construction of the Stewart/Ridge/Medavista PCCE #3 Sanitary Sewer Improvement Project; calling for bids through the Purchasing Division.
- B32-17 Authorizing construction of the Thilly, Lathrop, Westmount PCCE #8 sanitary sewer, water line replacement and electric line burial improvement project; calling for bids through the Purchasing Division.

- B33-17 Amending Chapter 22 of the City Code relating to the establishment of solid waste container and compactor sites within the Downtown Community Improvement District Solid Waste District.
- B34-17 Authorizing a first amendment to the agreement with PNC Bank, National Association, Lexington Steel Corporation and LexWest, LLC relating to the warehouse storage of carbon steel.
- B35-17 Authorizing an agreement for professional services with CDG Engineers, Inc. for architectural and planning services for future site usage of the water and electric distribution complex located on the south side of Business Loop 70 East; appropriating funds.
- B36-17 Authorizing a contract with General Electric International, Inc. for repair of three (3) natural gas combustion turbine generators located at the Columbia Energy Center; appropriating funds.
- B37-17 Accepting conveyances for sewer, drainage, utility and temporary construction and access purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B38-17 Accepting and appropriating donated funds for the Parks and Recreation Department's Holiday Toys for Columbia's Youth Program.
- B39-17 Authorizing a program services contract with the Missouri Department of Health and Senior Services for HIV Prevention services.
- B40-17 Authorizing a memorandum of understanding with the Missouri Department of Corrections to provide tuberculosis screening and testing services.
- B41-17 Authorizing rapid HIV and Hep C testing programs agreements with the Audrain County Health Department, Macon County Health Department, Saline County Health Department, Pettis County Health Center and Randolph County Health Department.
- B42-17 Authorizing agreements with the Missouri Highways and Transportation Commission relating to the installation of traffic signals at the intersections of Providence Road and Burnam Road, Providence Road and Forest Avenue, Providence Road and Turner Avenue, and Route B and Waco

Road.

X. REPORTS

REP5-17 Columbia College Pannell Street Right-of-Way Vacation (Case #17-57).

Mr. Teddy provided a staff report.

Ms. Nauser stated she was glad to see Columbia College expanding.

Mayor Treece asked Mr. Teddy if he had anticipated something there similar to what had been done on Range Line Street. Mr. Teddy replied he did not know. He understood Columbia College would provide updates to their master plan, and it might provide more specificity about the plans for this part of the campus.

REP6-17 Parking and Traffic Management Task Force Final Report and Recommendations.

Ms. Christian provided a staff report.

Mayor Treece thanked Mr. Trapp and Mr. Skala for co-chairing this Task Force and holding eleven meetings in six months.

Mr. Skala stated the thought this would require some discussion by the Council and suggested they continue this report to another meeting.

Mr. Matthes understood one goal of the Task Force was to have something to the Council prior to discussion on the UDC. He suggested the other issues be discussed at a future pre-council meeting. Mayor Treece thought it deserved a work session. Mr. Skala agreed.

Mr. Thomas asked Ms. Christian if she had a chance to look at the per parking space costs. Ms. Christian replied the estimated cost to build a parking space in downtown Columbia based on the fee in lieu of discussion had originally been \$14,877. In their haste, they had not included the Short Street or Fifth and Walnut construction costs. The actual cost was about \$18,400 to build one parking space in Columbia, and this was similar to the national average of \$18,599.

REP7-17 Property Assessed Clean Energy (PACE).

Mr. Skala stated he wanted staff to prepare a draft ordinance if Council was amenable.

Ms. Nauser noted she was amenable.

Mayor Treece asked if the Missouri Clean Energy District was in competition with PACE or if they worked together. He also wondered if there might be another product.

John Maslowski explained there were two statewide districts, and those were the Missouri Clean Energy District and the Show Me PACE District. They worked collaboratively together. He thought the proposal would be for the City to join both districts as it would provide more options to the community. Mayor Treece assumed the platform was the same. Mr. Maslowski stated they were comparable. Renovate America and the Missouri Clean Energy District had the largest residential PACE platform. Today Show Me PACE only had commercial as that had been their focus. Mayor Treece understood they could have both in one community. Mr. Maslowski stated that was correct, and noted the City of Kansas City was a member of both districts.

Mayor Treece agreed an ordinance should be brought forward.

Mayor Treece asked if Boone County had to approve this. Mr. Maslowski replied no, and explained he was working with the County Collector.

REP8-17 Appointment of North 763 Community Improvement District Board of Directors Due to Resignation.

Mayor Treece stated he would appoint Megan Steen to the vacant position with the advice and consent of Council. He explained he took these appointments seriously and felt the North 763 Community Improvement District (CID) was unique in that almost all of

its revenues went toward debt service. They did not have any paid staff or operation or administration costs. The appointment was made without objection.

- REP9-17 North 763 Community Improvement District - Report on Services, Revenues, Expenditures for Fiscal Year 2016 (October 1, 2015 - September 30, 2016).

Mayor Treece understood this had been provided for informational purposes and acknowledged receipt of the report.

- REP10-17 Citizens Police Review Board 2016 Annual Report.

Mayor Treece understood this had been provided for informational purposes, and thanked the Citizens Police Review Board (CPRB) for their work.

Mr. Trapp stated he thought the CPRB was doing a great job. Although the number of cases had held steady, their workload had increased with the advent of video. He appreciated the fact they took the time to watch the video in order to make an informed decision.

Mr. Skala agreed with Mr. Trapp and noted he thought it was great for people to have an appeals process.

Ms. Thompson pointed out the CPRB had done a lot of community outreach and educational programs in order to expand their reach. Mr. Skala understood they were also active in professional development.

Mr. Trapp stated he would be interested in information on the next NACOLE conference.

- REP11-17 Intra-Departmental Transfer of Funds Request.

Mayor Treece understood this had been provided for informational purposes.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Ms. Peters understood blue bag vouchers had gone out, but black bag vouchers had not, and asked for clarification. Mr. Trapp replied he thought they provided blue bags three times per year and black bags only two times per year. He believed that resulted in 75 blue bags and 50 black bags. He recalled this being done in lieu of a rate increase a couple of years ago.

Ms. Peters asked when they would receive a report regarding the parade permit process. Mr. Matthes replied two key staff members were unable to attend tonight, so it had been delayed. He noted he anticipated it to be on the next agenda.

Mr. Skala asked for an update on the sidewalks on the east portion of Clark Lane. Mr. Matthes replied he would need to look into it and get back to him.

Mr. Trapp complimented Mayor Treece on his singularly good work on time management and keeping them moving forward. Even though it was late, he thought Mayor Treece had run a tight meeting. He noted he also liked the approach for the UDC. He pointed out political space was finite, and they had to use it carefully. He understood his words could sometimes be lengthy, but noted he would try to limit it.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 12:58 a.m.