

**CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
701 E. BROADWAY, COLUMBIA, MISSOURI
MAY 5, 2014**

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, May 5, 2014, 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 CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE and MCDAVID were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

Mayor McDavid explained the minutes of the April 21, 2014 Council Meeting had not yet been completed.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

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

SPECIAL ITEMS

None.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

SCHEDULED PUBLIC COMMENT

None.

PUBLIC HEARINGS

B111-14 Authorizing the replacement and upgrade of a water main along Hinkson Avenue, between Old Highway 63 and William Street; determining that the work shall be done by City employees.

The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Ms. Hoppe asked if any of this would supply new development in the downtown, whether it would connect to an eight-inch pipe, and for the supply area. Mr. Johnsen replied there was an existing four-inch line that had provided bad service in recent years. He stated this would not really have an effect on the downtown. He understood there would be a future road project in the area and explained they wanted to get rid of the four-inch line before any road work was done. He noted a new eight-inch line would be placed in the right-of-way and would hook to eight-inch lines on both sides. He stated it was really just a system improvement for the area as there had been failures in the line, and staff wanted to time it with the road project.

Mayor McDavid opened the public hearing.

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

Mr. Trapp commented that he believed it was good to try to do water projects with road projects. He understood it took quite a bit of finagling to make timelines work, and noted he appreciated the extra effort by staff to make it happen.

B111-14 was given third reading with the vote recorded as follows: VOTING YES: CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(A) Construction of the Haystack Acres pump station interceptor sewer project.

Item A was read by the Clerk.

Mr. Glascock provided a staff report.

Ms. Chadwick asked if there was any risk or financial liability for not going forward with this project. Mr. Glascock replied the financial liability was about \$2,000 annually for maintenance, but there was always the risk of a problem with the pump station since gravity sewers were easier to maintain than a pump station in a situation such as this. Mr. Glascock explained the current system had been in since 1997 and the City had maintained it.

Mayor McDavid stated he would likely make a motion to defer this project until the downtown sewer situation was corrected.

Ms. Hoppe understood this was outside of the City limits. Mr. Glascock stated that was correct, but noted it was becoming adjacent to the City limits quickly as people were annexing. He pointed out another reason this project had been planned was because some residents had wanted to get rid of their lagoons and hook on to the sewer.

Mayor McDavid understood the sewer capital improvement projects totaled about \$120 million. Mr. Glascock stated he did not recall, but thought it was in that range.

Mayor McDavid opened the public hearing.

Margaret Booker, 6395 N. Oakland Gravel Road, stated she, her sister, Sarah Booker, and mother, Deborah Booker, were happy with the plan as written. They did not intend to get rid of their lagoon or ask for City sewer service. In addition, they did not intend to annex into the City, but impacted by this connection. She noted, from the beginning, they understood the desire of the City to correct the pump stations to gravity sewers, and pointed out the sewer staff had made every accommodation.

Deborah Booker thanked the two sewer engineers who had come to talk to them about the project as they were very helpful and had walked the area twice with her. In addition, they had accommodated her request to relocate the line from a tree area to the hay area, which she appreciated.

Gary Blakemore explained he owned property at 6401 Redtop Court and asked for clarification regarding what the star at the end of Redtop Court on the diagram represented. Mr. Glascock replied it represented the project location.

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

Mayor McDavid made a motion directing staff to hold off on the Haystack Acres pump station interceptor sewer project until the City determined how it would proceed with sewers in the downtown area. The motion was seconded by Ms. Chadwick.

Ms. Hoppe stated she liked the revised version of the project, but noted she was also supportive of a delay in the project.

Mr. Skala commented that he appreciated the speakers saying how well they had been treated by staff. He agreed it would be prudent to hold off on this project since discussions on how downtown exigencies in terms of sewers still needed to occur.

The motion made by Mayor McDavid and seconded by Ms. Chadwick directing staff to hold off on the Haystack Acres pump station interceptor sewer project until the City determined how it would proceed with sewers in the downtown area was approved unanimously by voice vote.

(B) Construction of the 16-inch Oakland Church Road water main project located in the northeast pressure zone.

Item B was read by the Clerk.

Mr. Johnsen provided a staff report.

Mr. Trapp asked if there was a dollar change from this alignment versus the previous alignment. Mr. Johnsen replied staff was at the route selection phase, but at this time, he did not believe there would be a significant cost difference. It would be dependent upon the easement negotiations.

Mr. Skala understood this project was independent of Item A. Mr. Johnsen stated that was correct.

Mayor McDavid understood this was a \$3.2 million project that would be funded with the 2008 water bond, and those funds could not be used to fix roads, electricity issues, or sewers. Mr. Johnsen stated this was part of the water bond issue that had been programmed for the northeast pressure zone for quite a while. He pointed out it was a needed system improvement.

Mayor McDavid opened the public hearing.

Margaret Booker, 6395 N. Oakland Gravel Road, stated she and her sister, Sarah Booker, appreciated the additional attention staff provided them on this project. She explained they had proposed two options to the original alignment, and staff had come back and suggested an alignment that had been discussed within the family, but rejected because the family presumed it would not meet the needs of the City, so they were happy to hear staff felt the revised alignment would work. It took the project out of the wetlands, reduced the loss of trees, and might not impact the residential area of the farm, depending on the easement process with Central Electric Power Cooperative. She stated all of their goals could be met with this revised alignment depending on how the negotiations and specific details ended up working out. She pointed out they were not seeking City water service, but understood the City's plan in terms of the northeast pressure zone and were supportive.

Deborah Booker, 6101 N. Oakland Gravel Road, commented that the map displayed showed the project going through the yard and taking out some huge oak trees and other mature trees, and City staff had indicated it would cross the creek and go north, directly to the area of the Central Electric high power line. She stated she was concerned because the diagram was incorrect and because communication with staff on this project had not been ideal. Mr. Johnsen explained this was a conceptual route and he believed the intent of staff

was to go around vital trees on the property. He stated they had the ability to do that and did not foresee any problems.

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

Ms. Nauser stated she believed this was a much better designed plan than had originally been presented, and noted she fully supported the changes.

Ms. Hoppe thanked staff for working with property owners to come up with a plan that worked for everyone.

Mr. Skala stated he appreciated the efforts of the land owners and City staff.

Ms. Nauser made a motion directing staff to proceed with developing plans and specifications for construction of the 16-inch Oakland Church Road water main project. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

R90-14 Approving an amendment to the FY 2014 Annual Action Plan for CDBG and HOME funds.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Skala understood the City had a 16 percent administration cap and the Department of Housing and Urban Development (HUD) allowed 20 percent, and asked if staff had benchmarks for other similar communities. Mr. Teddy stated he believed the cap was in existence to ensure resources were used efficiently in terms of getting more money into the community. He pointed out the source of the 16 percent, along with minimum and maximum program percentages, was a policy resolution the Council reviewed from time to time.

Mayor McDavid opened the public hearing.

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

Mr. Trapp stated he knew the department was tightly run, and noted he would be supportive of re-visiting the policy resolution as administrative expenses were usually higher than 16 percent based on his experience with grant-funded organizations. He pointed out those funds were used for monitoring, program development, and oversight, which were also important. As a result, he would consider a request for a higher percentage that was more in line with national requirements. He noted those involved did great work as all of the metrics continued to rise with less staff, and he believed they could do more with more administrative funds.

Ms. Chadwick asked Mr. Teddy if he felt the community could be better served if administration funding was increased. Mr. Teddy replied the issue was that HUD funding had been trending downward. They wanted to grow staff and have more experienced staff that should be paid for their experience, but only a percentage could be used, and as grant funding decreased, they would have to find ways and consider program cuts since that was a way to simplify administration.

Mr. Skala commented that benchmarks from other communities with comparable demographics would be useful. Mr. Teddy stated that data could be gathered.

The vote on R90-14 was recorded as follows: VOTING YES: CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

OLD BUSINESS

B103-14 Rezoning property located on the southeast corner of Coats Street and North Boulevard (1200 and 1206 Coats Street, 808 North Boulevard) from District C-P to District C-3.

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Nauser noticed dirt work in a photo shown and asked what it involved. Mr. Teddy replied he thought the Boys and Girls Club owned property that extended from Coats to Seventh, and they had been very active in terms of permits this past year. Ms. Nauser understood that project had been built. Mr. Teddy replied yes, and stated he thought it included a basketball court among other things.

Ms. Chadwick asked what currently resided on the subject property. Mr. Teddy replied it was an auto business.

Ms. Hoppe understood this property had been zoned R-3 before Council approved a rezoning in 2011 to C-P. Mr. Teddy stated that was correct. He explained it had been zoned C-P in two stages. The corner piece, which had been zoned C-1 was rezoned to C-P in 1992, and the vacant lot, which previously had a home on it and had been zoned R-3, was rezoned to C-P in 2011.

Thomas Kardon, 4103 Hartfield Drive, provided a handout of photos of his property and shop, and explained he had been in Columbia for 44 years and was the owner of Thomas Imports. He commented that the Auto Zone lot next to his lot was zoned C-3 as were the two lots behind Auto Zone. The other side of the street was zoned C-3 as well. He stated he wanted C-3 zoning because it would allow him to do more. It would allow him to make access and other changes to the building without having to obtain approval from the City every time. He understood his property was the only C-P zoned property on the Business Loop from I-70 to Stadium Boulevard. He thought the neighborhood association should thank him for investing money as the area was nice, quiet and friendly during the day, but was a warzone at night due to all of the bars. He explained he paid his taxes, and had built the structure properly without cutting corners. He noted he had recently been told his property would be worth 20-40 percent less because it was zoned C-P and felt that was discrimination. He stated the building would not be sold as his son would take it over in time, and asked the Council to support his small business.

Pat Fowler stated she was speaking on behalf of the North Central Columbia Neighborhood Association (NCCNA) and explained the NCCNA opposed this rezoning. She noted they had supported the rezoning of the R-3 lot to the south to C-P in 2011 in order to address the parking situation along Coats Street as Mr. Kardon needed more space in order to move his cars off of the street so the neighbors could park. The NCCNA had also gone over the uses, and an addendum in the packet showed the list of uses they had agreed to with Mr. Kardon. The 2011 rezoning from R-3 to C-P had been a negotiated agreement. They felt C-P was appropriate as the property was surrounded by vibrant neighborhood homes. She explained they loved the fact the neighborhood consisted of mixed-uses and

was vibrant, but pointed out they could not be supportive of further encroachment on the residential nature of the neighborhood. She asked the Council to deny the request.

Lenore Danziger, 805 Fairview, stated her home was around the corner from Coats Street, and although they were close to the Business Loop, they tried to maintain a neighborhood feel. She believed this rezoning would place businesses closer into the neighborhood, which would impact the feel of the neighborhood she wanted to keep intact.

Mr. Trapp commented that he would like to be able to support the economic endeavors of Mr. Kardon, but felt that could not be done without infringing upon the neighborhood. He believed it would be best for the City as a whole to maintain the agreement made with the neighbors two years ago. He stated he would deny the rezoning request in order to maintain the integrity of the neighborhood.

Ms. Chadwick asked if C-1 zoning was more or less restrictive than C-P zoning. Mr. Teddy replied it was more restrictive from the view of someone wanting to operate an automotive repair business. He explained automotive repair first appeared in the C-2 zoning district for Columbia, so C-3 or C-P would be needed at this location. C-1 would not accommodate an automotive repair facility.

Ms. Hoppe recalled that the City Council had tried to balance the commercial on Business Loop 70 with the neighborhood through some transitional buffering when this had been rezoned in 2011. She stated she would stand by that decision as she felt it was a good one.

Mr. Skala noted the Planning and Zoning Commission had recommended denial by a 7-1 vote as well.

Ms. Chadwick stated Clarion, an outside organization, was currently looking at the City's zoning codes, so it was possible zoning would become a bit more flexible in the future. At this time, however, she felt the zoning for this property was correct.

Ms. Nauser stated she did not believe it would be prudent for them to change the decision they only made three years ago after extensive negotiations, so she would also vote against this rezoning request.

B103-14 was given third reading with the vote recorded as follows: VOTING YES: NO ONE. VOTING NO: CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID. Bill declared defeated.

B104-14 Authorizing an annexation agreement with Davis Rentals, LLC for property located on the northeast corner of Wagon Trail Road and Highway 763 (5951 Wagon Trail Road); directing the City Clerk to have the agreement recorded.

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Nauser asked if the applicant would pay for the cost to install sewer. Mr. Teddy replied yes, and explained there was not a cost to the City to extend sewer to that property. Ms. Chadwick asked how any continued costs for maintenance would be addressed. Mr. Teddy replied he was not aware of any costs for which the City would be responsible, and felt if there were any, they would not be anything extraordinary that would not be covered by fees collected. There was a connection charge and incremental property taxes would be levied from the property.

Mr. Thomas understood this property was outside of the urban service area. Mr. Teddy stated that was correct. Mr. Thomas asked for clarification as to why staff was supportive of the pre-annexation agreement. Mr. Teddy replied the developed impacts of the property already existed as it was currently contributing trips to the road system and would continue to do so. He believed it was better to deal with the public health issue and noted the property was adjacent to the urban service area boundary.

Mr. Thomas wondered if there would be a fiscal element to this. He understood the property owner would build the sewer connection. Mr. Teddy stated that was correct and noted there was an interconnection agreement with the Boone County Regional Sewer District as they had the collection system in the area. By that agreement, this property would be a customer of the City since the City was ultimately treating the wastewater stream.

Ms. Hoppe stated this property appeared to be immediately adjacent to Prathersville, so she was surprised to see Council consideration of a pre-annexation agreement that far away. Mr. Teddy explained the area was developed, and the Council would consider a nearby annexation at one of its next meetings. He noted he viewed these types of developed properties as a fiscal gain for the City because they impacted certain City services already, such as the roads. In addition, there was value to the abatement of a public health nuisance.

Ms. Chadwick asked Mr. Matthes to describe a map he provided her earlier in the day and to explain whether this property fell within the areas identified in that map. Mr. Matthes replied the map he had provided included an outline of the sewer boundaries, and this property was inside the natural topographical bowl and was a natural fit for the City's sewer treatment facility. He stated he believed this was consistent with the Comprehensive Plan because it suggested the applicant would pay for the infrastructure and service.

Mr. Skala understood the urban service area was not inviolable and was a guiding principle. He also understood there was an imposition of a higher bit of responsibility on those that annexed beyond the urban service area boundary. He agreed it was good to retire sewage lagoons in terms of public health. He asked if the property owner had done anything extra to help the City in its decision to annex the property since it was beyond the urban service area boundary. Mr. Teddy replied he did not know, but explained the City was operating according to policies. He noted he had misspoken earlier in that this property would be a customer of the Boone County Regional Sewer District by the interconnection agreement. They would not be a customer of the City. This annexation would not change the fact they were a customer of the Boone County Regional Sewer District, and they would pay an amount to compensate the City for the wastewater. Mr. Skala understood there was no extra agreement. Mr. Teddy stated that was correct. He commented that he did not believe staff was authorized to negotiate above and beyond the fee schedule.

Mr. Trapp asked if this would come back to Council for zoning if it became contiguous. Mr. Teddy replied it would. He explained a decision on the appropriate zoning would be made at the time the property became contiguous. Although he could not predict what would be requested due to the potential for redevelopment, it would likely be placed in a commercial category if it remained the same use.

Mr. Thomas commented that he was struggling with how to best interpret and implement the concept of the urban service area, and thought it would be helpful if staff could

provide some factors Council should consider when looking at an annexation that was beyond the urban service area. Mr. Teddy stated they would try to provide a higher level of analysis for those properties that were outside of the urban service area, such as dollar figures and the percentage of sewer charge received, etc. Mr. Thomas stated that would be helpful and asked if they could tie it to the part of the Comprehensive Plan that discussed the City not committing so much in infrastructure funds to connections outside of the urban service area.

Ms. Nauser understood with pre-annexation agreements the customer hooking on to the City's sewer system paid those costs, so citizens were not paying for the initial infrastructure as they would for any other extension or addition within the City limits. She asked if it would be fair to say they were paying for all of the initial costs and the continued on-going costs as part of the monthly service charge or fee. Mr. Teddy replied yes. Ms. Nauser thought this benefited the citizens of Columbia because they had not paid for that infrastructure.

Mr. Thomas understood the property owner paid if it was outside of the urban service area, but it was provided by the utility, if the property was inside City limits. Mr. Matthes stated that was not always the situation. Each utility had a different establishing philosophy so there was not a consistent answer. In this case, that was an accurate description. The applicant would incur the capital expense to hook up to the sewer and they would be a customer. An arrangement with the Boone County Regional Sewer District accommodated this. The City did not charge a fully loaded fee because there was not a capital investment, but the applicant paid more than they would for the sewer if they were within the City limits because they were paying that capital to the other entity.

Mr. Skala agreed with Mr. Thomas in that they needed more information to assist in the decision-making process. In addition to the justification and the numbers, he thought it would be helpful to know the differences between the different regional entities. Mr. Teddy stated he understood, and thought a map of the sewer facilities might be beneficial. He explained there was a sewer line on the back of the lots that fronted Prathersville, and thought seeing the connection point would be helpful to the Council.

Ms. Chadwick asked if the topography had been considered when lines were drawn for the urban service area in the Comprehensive Plan. She also thought it would be useful to know if the subject property fell within the sewer boundary as part of the additional information staff would provide in the future. Mr. Matthes replied the topography had not been considered in drawing the urban service area lines. He pointed out topography was critically important to the sewer utility, but unimportant or less important to other utilities, such as electric.

Mayor McDavid commented that he loved the historical portion of the Comprehensive Plan as he felt it was useful and very robust in illustrating how Columbia became to be as it was today, but noted he was not confident with the planning portion of the Plan. He understood former City Manager Ray Beck had pushed the policy of those wishing to be connected to the City sewer to be in the City or to annex into the City because granting sewer service without annexation meant less control. He provided the example of Country Woods and Georgetown as those areas were connected to the City sewer, but were not located

within the City limits and did not have any intention of being annexed into the City. This meant the City had lost control of that land. He believed the flaw of the Comprehensive Plan was that Columbia would grow faster than the Plan allowed for because it was not in unison with University of Missouri plans. He pointed out the Metro 2020 Plan completed in 2000 made assumptions regarding growth, while the University of Missouri independently planned to grow its student body, and because the University was successful in its effort, the City was blindsided by that growth, which resulted in the growth of the City, and was represented by all of the student housing. He understood the University was now focusing on economic development, and believed they were an economic juggernaut. He commented that since 1960, the City's historical growth rate through 2010 was about 2.4 percent annually. If this continued, the City would have a population of 200,000 in 2040, which meant 85,000 more people. At a one percent increase, the population would be at 160,000, which meant 45,000 more people. He felt it was short-sighted to have a restrictive growth plan for Columbia, and did not believe they could hold to the urban service area. He believed there would be growth, and felt it would either happen within or outside of the City limits. He thought it would be a mistake if they allowed a West Columbia or South Columbia to develop similar to West Des Moines. As a result, he stated he would continue to advocate the policy of Ray Beck, which was to tie annexation to sewer use.

Mr. Skala stated the urban service area was only recently enacted as the Comprehensive Plan was a product of many years of visioning and a reaffirmation of the intent of citizens in terms of what they wanted for Columbia. This did not mean the Comprehensive Plan was inviolable as it could be changed. He believed the City had a tremendous amount of property within the urban service area without going beyond some of the edges. In terms of this property, he understood there was some legitimacy with regard to retiring a lagoon for public health and there were other mitigating factors the Council would need to consider. He did not agree with adopting a Comprehensive Plan and then stating they would obviously grow faster because they did not know that for sure. In addition, he believed the Plan was amenable to growth.

Ms. Hoppe commented that she believed the Comprehensive Plan and the urban service area boundary were in the interest of the community as it looked at where the City should grow. It helped to ensure growth was not willy-nilly, sprawl was limited, and good use was made of the center-city area. She felt this was intrinsically connected to infrastructure and the cost of infrastructure. Cities that did not plan for growth often could not pay for or maintain infrastructure. She explained this did not mean the urban service area would not be adjusted in the future, but it was a focus on how they wanted Columbia to grow now. Given the additional information from Mr. Teddy, she believed this property was immediately adjacent to the urban service area boundary, and for all of the reasons noted, she planned to support the annexation. If it had been five miles further without those aspects, she might not feel the same as it would be a different situation. She appreciated the suggestion of Mr. Thomas with regard to staff providing factors to consider when they were asked about property outside of the urban service area.

Mr. Thomas agreed with the comments made by Ms. Hoppe. He stated he believed the Comprehensive Plan was an excellent document created through an excellent process. It

involved all of the people in Columbia that really cared about how the town grew, and the Plan had captured those feelings. He noted they had the ability to interpret features of the Comprehensive Plan, and in this instance, that feature was the urban service area. He stated he was happy to support this pre-annexation agreement for the reasons that had been explained.

Ms. Nauser stated she agreed with Mayor McDavid as she believed the urban service area should be viewed as a guideline. She noted government tended to try to predict market conditions and was usually not very good with its predictions. The concept of the urban service area was an attempt to guide development in certain areas, but the Council really could not control where people wanted to develop and live. She felt it was reasonable to allow this individual to pay for infrastructure and to connect to the City sewer with the promise of annexation once the property became adjacent to the City limits. She stated she subscribed to the Ray Beck theory as well, and did not believe they wanted pockets developing outside of Columbia as they added to infrastructure costs, but did not help pay for that same infrastructure. She believed these types of issues should be reviewed on a case by case basis and there needed to be flexibility in terms of the urban service area and the Comprehensive Plan.

Mr. Trapp commented that he believed this case was illustrative of what Council could and could not control in terms of how Columbia grew. Even though this property was outside of the City limits, it still impacted and utilized City resources, and with all things being equal, he believed it was better for them to be within the City paying their fair share. He stated he was not sure they could stop growth from occurring, and pointed out it was one of the better problems a community could have as communities that had reached their peak growth were not as economically viable or healthy as Columbia. He felt if people wanted to tie into the sewer system, they needed to agree to annexation to help pay their fair share of City area resources used. He noted he would be happy to support this proposal.

Ms. Chadwick thanked staff for pointing out this was a public health benefit to the community, and thanked Ms. Hoppe for explaining the Comprehensive Plan process.

Mr. Skala commented that he believed there was a way to help assist growth in the City. He noted he did not expect the government to control the free market, but thought they could utilize the concept of growth management planning. The purpose of the Comprehensive Plan was to encourage growth in certain areas in terms of infrastructure. He agreed the urban service area was not a line in the sand, but did not believe Columbia would continue to grow at 2.5 percent. He noted growth had been controlled by the amount of tax dollars generated, and that was how planning had occurred in Columbia for many years. He stated he saw the Comprehensive Plan as a step forward in terms of planning, and thought it should be utilized.

B104-14 was given third reading with the vote recorded as follows: VOTING YES: CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B112-14 Authorizing an agreement with American Public Power Association, Inc. for a Demonstration of Energy and Efficiency Developments (DEED) grant as it relates to the feasibility of using manufactured biomass fuel product at the City's Municipal

Power Plant; authorizing an agreement with Missouri Corn Merchandising Council, Inc. for professional and grant management services relating to the DEED grant; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Ms. Hoppe asked how this fit and related to Ingenuity. Mr. Johnsen replied Ingenuity was tied in very closely as this grant would study the fuel produced. The three reports generated would discuss how much biomass was available, if there was carbon neutrality, whether any recycled goods could be used with it, and the outcome of the test burn.

Ms. Hoppe asked if this would look only at corn sources for biomass since it was being conducted and tested by the Missouri Corn Merchandising Council, Inc. Mr. Johnsen replied it would look at switchgrass and other fuels. The first phase would study biomass supplies and the carbon neutrality of those supplies. The focus of the second report would be whether any recycled materials from industrial settings could be incorporated into the fuel stream that were environmentally-friendly and did not have any air issues, etc. He noted the studies were also needed because if they found they could incorporate something new into the fuel stream, they would have to obtain approval from the State.

Mayor McDavid stated he thought it would be terrific if the City could grow its own carbon neutral biomass. He understood there were obstacles since it was not very dense compared to coal or gas, but thought it would be great if they could come up with a way to use natural resources from Missouri.

B112-14 was given third reading with the vote recorded as follows: VOTING YES: CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B116-14 Authorizing a right of use permit with BMT of Columbia, LLC for installation, construction, improvement, operation, use, keeping, maintenance, repair and replacement of approximately 350 lineal feet of two-inch PVC sewer force main to extend in portions of an alley right-of-way located north of Broadway, between Tenth Street and Short Street; authorizing a right of use permit with BMT of Columbia, LLC for construction, improvement, operation and maintenance of private storm sewers in portions of the Tenth Street and East Broadway (1007 E. Broadway) rights-of-way.

R91-14 Authorizing the temporary closure of a sidewalk on the east side of Tenth Street between East Broadway and the alley north of Broadway, and the temporary closure of the alley between East Broadway and East Walnut Street, and the periodic closure of Tenth Street between East Broadway and East Walnut Street to allow for construction of a commercial and residential building located on the northeast corner of Tenth Street and Broadway.

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

Mr. St. Romaine provided a staff report.

Mayor McDavid asked who was responsible for fixing the two-inch connection under Short Street and repairing Short Street if the line failed. Mr. Glascock replied it was under private ownership until the City could provide another line in the area to take this one out of service. Mayor McDavid understood the property owner would be responsible for repairing Short Street. Mr. Glascock stated the property owner was responsible for the force main.

Ms. Hoppe asked for the length of time for the passes for the 40 spaces they would reserve at the Short Street garage. She wondered if it was an annual pass. Mr. Glascock replied he assumed it would be paid for annually. Ms. Hoppe noted there was a concern with the amount of hourly parking at the Short Street garage, and asked if the number of hourly parking spaces would be increased. Mr. Glascock replied they could remove signs and provide as much hourly parking as the Council wanted as long as the reserved parking spaces already sold were still available. He noted it could be adjusted on the fly by programming the computer, so they had the ability to provide as many hourly parking spots as were available.

Mayor McDavid commented that there were many unused spaces at the Fifth and Walnut parking garage, and suggested they change the parking rates at the various garages to move clients from the high demand parking garages to the low demand parking garages. Mr. Glascock stated the Council had that ability. Mr. Skala suggested discounting the rates for the upper level parking spaces as an incentive for people to park on those levels.

Ms. Chadwick asked if any project that had fit within the C-2 zoning requirements had been rejected or postponed, and whether this project had been moved ahead of any of those projects. If that had been done, she stated she would like to know the reason. She was concerned about the City picking and choosing projects based upon what they liked instead of what was in conformance with the zoning ordinances. Mr. St. Romaine replied a lot of development projects had come forward recently, and the Council had been debating on how those fit into the City's infrastructure problems. He explained this project had been brought forward because it was a small-scale project. It would only have about 36 beds so its impact on the sewer was very minimal. He pointed out if there had not been an infrastructure issue in the downtown, this project would likely not have even come to Council as it would have been approved administratively. Mr. Matthes pointed out the City had said no to a couple of projects based on the infrastructure issues, and provided ACC as an example. In this situation, there was an approach that could be used to accommodate the project on the site, and the developer would provide a contribution to the eight-inch fix down the alley in addition to the force main.

Ms. Chadwick asked how that additional fee had been calculated and how the City was making that fair across developments. Mr. St. Romaine replied there was only one other precedent as this was not the way they normally operated. He explained they had determined the cost to replace one block or 230-250 feet of sewer was about \$250,000, and estimated the development had about one-fifth of the frontage on the block, and therefore charged them 20 percent or \$50,000 for the sewer.

Mr. Skala understood this issue did not only have to do with capacity and the size of the main, but also the qualitative nature of who was connected to the sewer lines. He noted a lot of the buildings to the west were restaurants where grease traveled down the sewer despite the attempted use of grease traps, and felt that really decreased capacity. He also understood this project did not have any other infrastructure requirements, such as water or electric, since it was a modest development. Mr. St. Romaine stated that was correct. He noted the line had to frequently be maintained for the build-up of grease, and there had been private overflows due to the build-up. Although it was likely the line could have supported 36

bedrooms, they felt a safer approach was for a force main so the sewage would be sent to a line with more capacity until such time the development could connect to the replacement line.

Mr. Thomas asked if there was an agreement involving bus passes. Mr. St. Romaine replied the bus pass came with the parking.

Mayor McDavid understood two million gallons of wastewater traveled through Flat Branch when it was dry, and asked how much this would add. Mr. Glascock replied Mr. Kriete, the engineer for the developer, would be able to tell the Council how much was being added.

Ms. Hoppe commented that it was helpful to see how the \$50,000 had been calculated. She noted this was a 36 bed development while Opus was a 256 bed development, so it appeared BMT was paying a lot more than it should or Opus was paying too little.

Mr. Matthes explained staff had thought a lot about how to make it fair. This was a very different project from Opus, which was also very different from the Collegiate Housing Partners development, in terms of location, the exigencies of each infrastructure piece and the use of the building. He did not believe they could assume residential use as they wanted mixed-use, so they needed something different than just a bed count percentage. As a result, they decided on an infrastructure perspective, which resulted in the linear foot calculation. They felt that was a fair way to determine the cost as it was not dependent on the type of use. Mr. Thomas stated he believed the height of the building should be considered as well.

Ms. Hoppe understood the factor in terms of retail and office had been considered. Mr. St. Romaine stated that was correct, and reiterated this was only about one-fifth of the block. They were trying to plan for 20 or 30 years into the future and there was no way to determine what might be developed on the remainder of the block. They felt this was the fairest way to determine the cost.

Ms. Chadwick understood the bus passes were allocated with the parking passes, so when they purchased a parking pass, they also received a bus pass. Mr. St. Romaine stated that was correct.

Dan Simon, an attorney with offices at 203 Executive Building, stated he represented the developers of this project and explained the process involving this development had been the same for as long as he had been in Columbia. He noted they applied for a building permit, which he felt they were entitled to obtain, and staff had some reservations due to the sewer as was normal. They reviewed the plans and made some requirements, and since they respected staff, they elected to comply with the requirements and spend the extra money for the force main and contribute \$50,000 to be used by the City to improve downtown infrastructure. In addition, they would rent 40 parking spaces for as long as the building existed.

Mr. Thomas understood the developers had committed to purchasing the parking spaces for as long as the building was in operation. Mr. Simon stated the agreement stipulated that they had to provide 40 off-street parking spaces in a City facility. Mr. Thomas understood the development would only have 36 beds, so they were renting spaces for every

tenant to include a few guests. He also understood everyone would get a bus pass as well. Mr. Simon stated that was correct.

Mr. Thomas asked if an analysis had been done with regard to whether all of the renters would have cars. Mr. Simon replied they assumed most of the renters would have cars, but they planned to encourage them to not use them.

Matthew Kriete, an engineer with offices at 1113 Fay Street, explained this project would create 23 gallons per minute while the entire length of the sewer from Tenth Street to Fourth Street on the alley along Broadway handled 420 gallons per minute. In addition, its impact on the entire Flat Branch system would be about one-tenth of one percent.

Rick Shanker, 1829 Cliff Drive, asked if the force sewer was powered by electricity. Mr. Glascock replied it was powered by electricity. Mr. Shanker asked if there was a back up generator. Mr. Glascock replied yes. Mr. Shanker asked if the flow was being redirected to Flat Branch. Mr. Kriete replied yes.

Dan Cullimore, 715 Lyon Street, explained he was the President of the North Central Columbia Neighborhood Association (NCCNA), and commented that over the last decade at least five public planning processes facilitated by outside consultants and financed with public funds had created a remarkably consistent image of what Columbians wanted to see for the downtown even though all five remained visionary. He stated all of these plans intoned the virtues of increasing density and the intensity of use in the downtown, most often in terms of residential growth and infrastructure use. The plans also recommended what might be a contrapuntal change in zoning that would allow for increased public control while offering developers the assurance of more consistent and reliable development policies. Each plan proposed a harmony of voices produced by the variety of commercial and residential properties, a multiplicity of public and private activities, and a mix of residential structures and populations. In addition, the plans recommended assessing the capacity of public utility services. In spite of this, he felt most of the development seen recently was contrary because Columbia did not have a development policy or governing principal. He commented that the public had placed their hopes in the review of the zoning codes, which was two years out, and wondered what would be done in the meantime. He believed both the citizens and developers were angry, and felt this was the only proposal that came close to carrying out the harmony of the plans.

Pat Fowler, 606 N. Sixth Street, stated she supported this project, but noted she also had concerns about sewer capacity as a downtown resident. She understood this development would contribute \$80,000, which was about \$2,222 per bed, to provide for a remedy to its sewer problem, and would contribute another \$50,000, which was another \$1,300 per bed to address the overall downtown infrastructure needs. The Opus development had been asked to contribute \$250,000, which was about \$976 per bed, and did not contribute any more to the overall sewer needs. She noted this concerned her greatly. She also asked the Council to keep in mind how the sewer issues affected the neighborhoods, her friends and the public health of the community. She reiterated her support of this development.

Monta Welch, 2808 Greenbriar Drive, stated she was speaking on behalf of People's Visioning and commented that this project was a good example of local developers caring

more about the community than those from out of town. She also suggested the use of green building opportunities as it would further reduce demand and costs in term of electricity, water, and sewer.

Eugene Elkin, 3406 Range Line, commented that he and others were tired of seeing construction in the downtown as it was a mess. In addition, he was concerned about some of the new construction as it did not appear to be structurally sound.

Jeremy Root, 2417 Beachview Drive, asked whether the eight inch line or the re-routed line to Park Avenue had experienced more wet weather backups over the last few years. Mr. Glascock displayed a list for the line in the alley and noted the most recent backups were there. He also explained properties on Hubbell Drive were connected to a private common collector, and the City was proposing a project to address that issue in the future. Mr. Root understood the immediate plan for this project was to route the sewer a longer distance and through lines that fed people's homes in a neighborhood that had been disrespected for a long time in terms of infrastructure. He commented that he liked the look and scale of this particular project, and noted he remained concerned about the infrastructure impacts and problems, and adding to those problems without a solution.

Holly Henry, 410 Hirth, understood earlier in the meeting staff had indicated gravity was preferred over pumping in terms of sewers, but this project proposed the less preferred solution, and asked for clarification. Mr. Glascock explained earlier in the meeting they were building a new line of the right size, etc., but the eight-inch line down the alley did not necessarily have the capacity to handle this project. The lines in the other direction had been lined or would be lined next year and the sewer would be replaced so there would be better service on Hubbell. Mr. Thomas understood the fix was also a short-term fix. Mr. Glascock stated that was correct. Ms. Henry understood the sewers would eventually be gravity sewers. Mr. Glascock stated that was correct.

Kathleen Weinschenk, 1504 Sylvan Lane, commented that she and her husband were downtown yesterday and he had pointed out a building on Ninth Street that did not have an elevator, and noted she felt all buildings should have elevators for people in wheelchairs.

Mr. Skala explained one of the reasons he voted against the Opus development was due to overtaxing an overtaxed system. He believed this proposal was qualitatively different. It was modest in that it had 32 units of mostly one or two bedrooms, and it was smart growth compatible. He noted it did not require any general infrastructure fix beyond the sewer, which had been addressed by an \$80,000 temporary fix and a \$50,000 contribution for the sewer infrastructure exigency in the downtown. He commented that the Flat Branch sewer needed to be repaired, and the City would need to come up with a way to repair it since it was a requirement of various development agreements. In addition, in terms of economic development, keeping local dollars in Columbia was important, and this project involved local developers. He commented that he understood the development community felt Columbia was closed in terms of development due to its downtown infrastructure exigencies, and noted he did not want that perception to persist as he felt there were ways to address the issues. He agreed the City was heavily dependent on students in terms of economic development, but believed they needed to pay attention to what the downtown meant to others in the community, which went beyond taverns and entertainment businesses. He also agreed

housing in the downtown was important, which was why the infrastructure exigencies needed to be addressed. He stated he was not anti-development or anti-growth, and noted he was only selective. He believed this project was exactly what they wanted and stated he would advocate for it.

Ms. Hoppe commented that this development was of a modest size as it included 28 one-bedroom units and four two-bedroom units. In addition, it had retail on the bottom floor and would replace a surface parking lot. The developers were not only paying for the local sewer fix, but they were also contributing to the overall downtown infrastructure problems. She stated the project was in accordance with the Visioning and Columbia Imagined processes, and noted she was happy to support it.

Mr. Trapp stated he believed this was a great project as it would turn a surface parking lot on Broadway into a mixed-use building, and noted he appreciated the developer providing extra money toward the City's long-term infrastructure fix. He pointed out a new trunk line within the Flat Branch area would be needed regardless of this or any other project. He commented that his colleagues had indicated this could be done without Tax Increment Financing (TIF) funds, and he took them at their word because the downtown could not be closed for business. He stated he believed people would still move to Columbia, and it was a matter of whether they would move to the downtown area or elsewhere in the community, such as the outskirts of town. He felt it was important to facilitate downtown infrastructure improvements so housing could be added to the downtown. He agreed this was a very smart growth project as were all of the downtown density-increasing projects. He commented that he believed it was a question of whether the City could direct growth and where the growth would occur, and not whether or not Columbia would grow. He stated he planned to support this project.

Ms. Chadwick stated she agreed with Mr. Trapp in that it was important for the City to come up with a solution for the downtown infrastructure problem, and believed it was imperative from a public health perspective. She commented that she felt growth in the inner-city was very important. She noted she would continue to challenge staff to find what ways to fix the downtown infrastructure issues.

Mayor McDavid stated he challenged City staff and the Council to have a fully funded solution for the downtown sewer issues in place by the end of the year.

Mr. Thomas commented that he really liked this project, and noted it was consistent with the Comprehensive Plan and many other community plans. It accurately anticipated the new downtown zoning regulations, increased the diversity of the residential population in the downtown, removed a parking lot, and supported a walkable and vibrant downtown neighborhood. He reiterated he had no hesitation in supporting the concept of this development. He pointed out the City was in a very difficult situation with regard to infrastructure and in trying to be fair to different developments. He felt the City had outdated codes and lacked an adequate funding plan for infrastructure, and noted they were trying to resolve these problems at the same time. There was also misinformation and suspicion from many people who felt disrespected by the process. He believed they needed to come together as a community moving forward, and thought it was important to listen to one another and respect each other in order to address the problems.

Ms. Nauser stated she believed this was a good project with a temporary sewer solution, and noted she was glad Columbia had a growth problem because it was better than the alternative.

B116-14 was given third reading with the vote recorded as follows: VOTING YES: CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on R91-14 was recorded as follows: VOTING YES: CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

CONSENT AGENDA

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

- B102-14 Voluntary annexation of property located on the east side of Forum Boulevard and north of Old Plank Road; establishing permanent R-1 zoning.
- B105-14 Approving the Final Plat of Wyndham Ridge, Plat No. 3 located on the east side of Scott Boulevard, west of State Route KK and north of Astoria Way; authorizing a performance contract.
- B106-14 Approving the Final Plat of Bedford Walk – Plat 9 located on the southwest corner of Nifong Boulevard and Bethel Street; authorizing a performance contract.
- B107-14 Authorizing a right of use permit with Katy Lake Estates Homeowners Association for construction, improvement, operation and maintenance of two (2) decorative subdivision entrance signs in a portion of the Cedar Crest Lane right-of-way.
- B108-14 Authorizing a license agreement with Stephen A. and Nicole A. Johnson to allow installation and maintenance of a fence on City-owned property located on the southwest corner of Worley Street and Woodlawn Avenue.
- B109-14 Authorizing Amendment No. 2 to the general cooperative agreement with Boone County Regional Sewer District relating to sewer service within Abilene Acres Subdivision.
- B110-14 Appropriating funds for the construction of traffic calming devices on Elleta Boulevard.
- B113-14 Accepting conveyances for utility purposes.
- B114-14 Authorizing a program order to the Statewide Transportation Improvement Program (STIP) agreement with the Missouri Highways and Transportation Commission for work zone enforcement activities; appropriating funds.
- B115-14 Authorizing a summer food service program inspections participation agreement with the Missouri Department of Health and Senior Services.
- R76-14 Setting a public hearing: construction of the Westwood-Glenwood Avenue Sanitary Sewer Improvement Project.
- R77-14 Setting a public hearing: construction of the Thilly, Lathrop, Westmount PCCE #8 sanitary sewer, water line replacement and electric line burial improvement project.

- R78-14 Setting a public hearing: construction of pavement improvements on Keene Street, from I-70 Drive SE to East Broadway (Route WW).
- R79-14 Setting a public hearing: construction of the MKT to Parkade Bike Boulevard Project.
- R80-14 Setting a public hearing: installation of a solar photovoltaic (PV) pilot project behind the West Ash Pump Station located at 1917 West Ash Street.
- R81-14 Setting a public hearing: annexation of property located on the north side of Prathersville Road and east of State Highway 763 (1339 Prathersville Road).
- R82-14 Expressing support for application for low-income housing credits for the renovation of townhomes to be known as the Stuart-Parker Apartments located on Lincoln Drive, Unity Drive, Worley Street, Oak Street and Hicks Street; expressing support for low-income housing credits for improvements to public housing units in Paquin Tower.
- R83-14 Expressing support for application for low-income housing credits for the renovation of the Bear Creek Family Site Garden Apartments located on Elleta Boulevard.
- R84-14 Expressing support for application for low-income housing credits for the renovation of the building located at 2112 Business Loop 70 East for construction of affordable rental housing units for military veterans participating in the Veterans Affairs Supportive Housing (VASH) Program.
- R85-14 Authorizing an agreement with Neighborhood Watch of Columbia, Missouri to encourage neighborhood involvement and participation relating to crime prevention; transferring funds.
- R86-14 Authorizing the grant of easements for highway purposes to the Missouri Highways and Transportation Commission to facilitate the replacement of the Route B bridge over Business Loop 70 project.
- R87-14 Authorizing demolition of a dilapidated structure located at 2411 Carter Lane; authorizing a special tax bill against the property.
- R88-14 Authorizing demolition of a dilapidated structure located at 212 Third Avenue; authorizing a special tax bill against the property.

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

NEW BUSINESS

R89-14 Authorizing Amendment No. 1 to the agreement with Allstate Consultants, LLC for engineering services relating to the design and construction of the Upper Hinkson Creek Outfall Sewer Extension Phase I Project.

The resolution was read by the Clerk.

Mr. Glascock provided a staff report.

Mayor McDavid asked if Columbia Foods still contributed organically contaminated water to the landfill. Mr. Glascock replied no, and explained the pipeline had never been

built. He stated their waste went into Bear Creek which was pretty full, so they were trying to move it to the Hinkson.

Mr. Skala asked how this fit in with the overall improvements on the Hinkson in terms of sewage. Mr. Glascock replied they were currently in the process of buying right-of-way. Mr. Skala understood some of those funds were in the recent ballot issue. Mr. Glascock stated most of it would be funded by the 2008 ballot issue. He pointed out the City received permission to acquire property in February 2012.

The vote on R89-14 was recorded as follows: VOTING YES: CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

INTRODUCTION AND FIRST READING

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

- B117-14** Changing the uses allowed on C-P zoned property located on the east side of Colony Drive and south of Chapel Hill Road; approving a revised statement of intent.
- B118-14** Approving the Final Plat of University Centre Subdivision located on the west side of Providence Road and across from Locust Street (201 S. Providence Road); providing notice as it relates to the provision of utility service.
- B119-14** Approving the Minor Plat of Bristol Lake Plat 1-B, a Replat of Lots 36A and 38A Bristol Lake Plat 1-A, located on the north side of the western terminus of Rutherford Drive; authorizing a performance contract.
- B120-14** Approving the Final Plat of Academy Village Plat 2, a Replat of Lots 2 and 3 Academy Village Plat 1 and vacated right-of-way of Providence Road located on the southeast corner of Green Meadows Road and Carter Lane; authorizing a performance contract.
- B121-14** Approving the Final Plat of Old Hawthorne, Plat No. 13 located on the north side of Old Hawthorne Drive East; authorizing a performance contract.
- B122-14** Vacating utility easements in portions of the Second Street, Locust Street and public alley rights-of-way.
- B123-14** Vacating a water and electric easement near the southeast corner of Forum Boulevard and Forum Katy Parkway.
- B124-14** Authorizing a contract for sale of real estate with Robert E. Dunn and Laura Mae Dunn for property located at 802 Hirth Avenue.
- B125-14** Accepting the work on the Sewer District No. 165 (Maple Bluff Drive) sewer construction project; approving the report of the Director of Public Works; levying and assessing special assessments.
- B126-14** Amending Chapter 14 of the City Code to establish 10-hour parking zones on portions of Cherry Street, Sixth Street and Seventh Street.
- B127-14** Appropriating funds for improvements at the intersection of Route 740 (Stadium Boulevard) and Old Route 63.
- B128-14** Accepting conveyances for temporary construction and sewer purposes.

- B129-14** Authorizing the installation of a solar photovoltaic (PV) pilot project behind the West Ash Pump Station located at 1917 West Ash Street; calling for bids through the Purchasing Division.
- B130-14** Authorizing an amended and restated agreement with Opus Development Company, L.L.C. as it relates to property located on the north side of Locust Street, between Seventh Street and Eighth Street; providing for the repeal of Ordinance No. 022010.
- B131-14** Authorizing a facilities and services agreement with The Curators of the University of Missouri for the use of Peace Park for the Fourth of July Celebration and Fireworks Display.
- B132-14** Authorizing a memorandum of agreement with The Curators of the University of Missouri, on behalf of Osher Lifelong Learning Program, for the use of the Hillcrest Community Center and Moss Building on the Waters-Moss property for Parks and Recreation Department activities.

REPORTS AND PETITIONS

REP45-14 Welcoming Cities Program Membership.

Mayor McDavid made a motion directing staff to prepare a resolution to join Welcoming Cities. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

REP46-14 Correspondence from Downtown Columbia Leadership Council - Infrastructure Subcommittee Progress Report.

Mayor McDavid understood the Downtown Columbia Leadership Council (DCLC) wanted guidance from the Council on the infrastructure issues. They had initially recommended the City hire a third party, but Burns & McDonnell and Trekk Engineering had already been hired. He suggested staff make a presentation to the DCLC and community, as the community needed to understand how bad the problem was, what could be done to fix it, and how much it would cost to fix.

Mr. St. Romaine pointed out the DCLC planned to facilitate public meetings on Wednesday from 7:00 – 9:00 p.m. and on Saturday from 1:00 – 3:00 p.m. These forums would include staff presentations on the state of the existing infrastructure, and the goal was to fully engage and inform the citizens of the current state of the City's infrastructure in order to move forward with a consensus with regard to how to fund and fix the issues.

Mr. Skala understood the focus was sewer, water, and electricity, and asked if roads and stormwater infrastructure could be included as well.

Ms. Hoppe commented that she believed the question was how much infrastructure was needed in the next 10, 30 or 50 years. She felt they needed to go beyond five years. In addition, she believed they needed to know how much energy inefficiency there was in the downtown, and how that could be improved in terms of costs and incentives. She hoped that would be a part of the presentation as well. She questioned whether the cheapest and best approach was for new capacity in the downtown as she thought other approaches could be considered.

Ms. Nauser stated she would not be able to attend the public forums and asked if staff could provide the Council copies of the staff presentations. Mr. St. Romaine replied he would

provide it, and noted the forums would be available to view on the City's website as well. Mr. Thomas thought it would be helpful if someone could summarize the questions and comments of the public as well, and asked if that was possible. Mr. St. Romaine replied he thought it would be possible.

Ms. Hoppe stated she would like feedback from the DCLC in terms of whether the presentation was sufficient or if they felt some information was still lacking.

Ms. Chadwick commented that she understood the public felt there was a lack of transparency, and asked if the companies that had been hired would be willing to speak directly to the public instead of going through City staff.

Mr. Trapp stated his concern with the proposal to hire a consultant involved timing as the City would have to request proposals and draft and approve a contract before the consultant could begin any work. He felt not making a decision was making a decision, and did not believe this was good for the environment, downtown growth, or Columbia. Mayor McDavid commented that it would actually be a fourth party evaluation because there were already third parties conducting the evaluations.

Mr. Skala thought they should not only take advantage of the consultants, but they should also involve everyone, to include the Downtown Community Improvement District (CID), which was another organization that was actively involved in downtown interests. He believed public confidence had eroded due to the surprise of the shortcomings and how they were aired, and felt the long range planning mentioned by Ms. Hoppe would be useful. In addition, he believed the discussions with regard to how these issues could be solved should be expedited as much as possible because it was the only way out of this exigency.

Mr. Matthes pointed out the City had fourteen certified engineers in the sewer utility, and no one knew more about the City's sewer problems than they did. Unless the Council was willing to spend millions, he believed a consultant would likely go to those fourteen engineers to learn about the problems. He pointed out this was not a surprise to those that had been involved. He noted staff understood the concerns and thought the public forums could provide an opportunity for public engagement. Mr. Skala agreed infill and infiltration had been discussed since at least 2007 or 2008. Mr. Matthes stated City staff had showed him a report from 1978 that discussed the sewer inadequacies.

Ms. Nauser stated the City's Capital Improvement Project (CIP) Plan included all of these projects, so she did not feel there was a lack of long range planning. She felt the issue was that they had not known when these projects would need to be completed due to demand. There had been an influx of interest in the downtown that had pushed these issues to the forefront. She reiterated that all of these issues had been identified in their needs document, and forecasting was difficult. Mr. Matthes agreed these projects had been in the CIP, but growth had been greater in some parts of the community than anyone had imagined. They budgeted on a global and system level, but infrastructure had to be built in specific places, and forecasting location was hard. As a result, they tended to always follow development pressure, and there was always a need before they could politically or financially accommodate it. Mr. Skala stated he believed the City had a little better handle on forecasting than previously due to the Comprehensive Plan and growth management planning. He agreed growth management planning might not be able to assist with

predictions, but felt it could guide the reduplication of some of the infrastructure, which might help.

Mayor McDavid commented that he believed the City and the University of Missouri needed to better communicate. He thought they needed to know what the University intended, and the University needed to hear what challenges that might impart from the City. He thought the Council should take advantage of opportunities to interact with the University President and Chancellor by constantly challenging them in terms of their future plans. He understood entrepreneurial economic development was a high priority for the University, which was good for the City but would also impose additional infrastructure stresses. He reiterated he believed the City needed to become more engaged with the University and in order to try to project infrastructure needs together.

REP47-14 Correspondence from the Downtown Community Improvement District – Council's Proposal to Revise the Zoning Standards in C-2 Districts.

Mayor McDavid understood the Downtown Community Improvement District (CID) opposed the interim zoning changes. He noted the Downtown CID was a stakeholder along with the Downtown Columbia Leadership Council (DCLC) and others, and they would be allowed to provide input in the process.

Ms. Hoppe pointed out the City had received a letter from the zoning consultants indicating support for the interim zoning changes, and had received recommendations from the DCLC and various neighborhood associations.

Mayor McDavid noted the issue was currently before the Planning and Zoning Commission as well.

Mr. Skala commented that he had attended a Chamber of Commerce Government Affairs Committee meeting recently, and thought they might have a different view of how the consultants viewed the C-2 changes. He stated he disagreed with that view as he believed the consultant had made it clear the changes were probably not unreasonable under the circumstances.

REP48-14 Intra-Departmental Transfer of Funds Request.

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

REP49-14 Certification regarding the "Petition to Repeal Improperly Enacted Downtown Development Bill."

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

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Jeremy Root, 2417 Beachview Drive, stated he had been asked to be the spokesperson for an effort to repeal B62-14 on March 20 or March 21, and noted it had been an honor for him to participate in the process as the support received from the community had been tremendous. He explained they learned Thursday afternoon that their initial submission was short 91 signatures, and they were committed to seeing the process through to its conclusion. He stated they planned to submit additional signatures later in the week, and he was confident it would meet the threshold, which would bring the decision to Council

as to whether the ordinance would be repealed. He understood another bill had been introduced tonight, and felt that bill was identical in all material respects to the bill the public had asked the Council to repeal. He thought the only difference was that there was a gym on the ground floor, and he did not believe that was a meaningful change. He was happy it would go through a normal process, and would not involve noon-time meetings as that was not the process they liked to see. Columbia citizens were interested and engaged, and wanted to maintain the vision they had sponsored and paid for in the downtown for years. They did not want to be forced to bear the costs of the infrastructure necessary to support a six-story student housing complex on the Avenue of the Columns. He pointed out the memo associated with the bill did not include the cost of infrastructure needed, and this was a key concern as the public wanted to know the costs of the development to the community.

Monta Welch, 2808 Greenbriar Drive, stated she was speaking on behalf of People's Visioning and thanked the Council for reaching out to the public more often. She commented that green building was important to this overall vision of sustainability, a cleaner Hinkson Creek, the cost of infrastructure to the public, etc. She understood the building codes for homes had been updated last year, and asked the Council to consider updating the commercial codes so it would cost the public less and bring value to the builders and occupants. She stated the community was concerned about who paid and how much, so it would be nice to find out what percent developers were paying because she believed Columbia was in the lower third nationally in comparison with other cities. She asked the Council to keep that in mind and to allow public input in the discussion of who paid and how much.

Eugene Elkin, 3406 Range Line, commented that firefighters and others needed to be considered in terms of growth. He stated he thought he saw a termite in the downtown, and felt the City needed to look into whether there was a termite problem. He believed they needed to study what affordable housing meant in terms of dollars as someone averaging \$800 per month in social security could likely not afford \$400 in rent. He suggested food be grown on building rooftops that were strong enough to hold it. He also suggested the University of Missouri allow developers to build dormitories on campus so it did not affect the downtown.

Mr. Skala commented that he like the public had been surprised by the expedited and compressed process for the Opus development even though it was legal. He noted lawyers had the luxury of looking at just the letter of the law, but as an elected official, he felt he had to pay attention to the spirit of the law as well as letter of the law. He understood an amended and restated agreement with Opus was under Introduction and First Reading, and noted he agreed with Mr. Root in that there was not much difference. He explained he would not be at the Council Meeting at which this would be considered, and stated he was still opposed to the project primarily because it would negatively impact a system that was overloaded without relieving some of the pressures off of those that had suffered the circumstances for some period of time and because he was uncomfortable with a

development agreement that guaranteed the City would fix the trunk line when that had not yet been discussed.

Ms. Hoppe stated she wanted an amendment to R70-10A, which discussed scheduled public comments as it indicated a scheduled public comment would not be allowed on any agenda item, which included items under Introduction and First Reading and Reports. She thought it made sense to not allow a scheduled public comment on items the public had the opportunity to comment on during the Council Meeting, and in terms of the Consent Agenda, items could be removed from the Consent Agenda. She did not believe it was fair for items under Introduction and First Reading and Reports. She suggested an amendment so item (5) read scheduled public comments shall not be allowed on any topic related to an agenda item under Public Hearing, Old Business, New Business, or the Consent Agenda.

Mayor McDavid stated he would oppose this because there was an opportunity to speak at the end of every meeting and because he felt there were two sides to all issues. Ms. Hoppe noted anyone could sign up to speak. Mayor McDavid understood two comments could be scheduled on any issue and wondered how that would be arbitrated.

Mayor McDavid explained he had received a phone call from a citizen who was impacted by tour buses parking in front of her office on Walnut between Eighth Street and Ninth Street, and felt she had a valid complaint. He asked that the issue be revisited as it was a hardship for people that had businesses in that area.

Ms. Hoppe understood Planning and Zoning Commission Member terms were five years while Council Member terms were only three years, and thought that was a long time. She felt that was a big commitment, and thought they might receive more applications if the terms were only three years. She asked that an ordinance be drafted to reduce the length of terms for the Planning and Zoning Commission to three years.

Ms. Hoppe commented that students tended to move in May, and a past issue was for items and trash to be left on curbs prior to trash pick-up times. She wanted to remind people they could only place trash and other discarded items at the curb on trash pick-up days, and that they needed to make other arrangements if that could not be accommodated. She pointed out there would be a fine of \$50 if the City had to pick up trash on a non-trash pick-up day, and encouraged landlords to communicate this with their tenants. She noted this situation had improved in the last year or two, but there was a new group of students every year, so she wanted to remind them to be respectful of the neighborhood.

Mr. Trapp explained he was told by a constituent that the City ordinances in terms of citing someone for litter only applied to residential areas and not commercial areas where there was a lot more litter. He asked that the ordinance be enhanced to cover commercial areas if it in fact only covered residential areas.

Mr. Trapp commented that the Mayor's Task Force on Community Violence would provide recommendations by November, and might have interim recommendations prior to then as they reached consensus. He encouraged the public to look at the meeting minutes

because they had identified twelve common themes. As part of one of their next phases, they wanted to reach out more directly to the public through three public forums, and would need \$1,500 to accommodate those forums.

Mr. Trapp made a motion to allocate \$1,500 of Council contingency funds to the Mayor's Task Force on Community Violence for outreach efforts. The motion was seconded by Mayor McDavid and approved unanimously by voice vote.

Mr. Thomas asked when the public forums would be arranged. Mr. Trapp replied they were being arranged now so the dates had not yet been set. Mr. Thomas asked if the forums would be held within the next month. Mr. Trapp replied he was not sure what kind of lead time would be needed as a subcommittee would organize it.

Mr. Skala suggested a press release be issued on the twelve common themes as he believed it would be beneficial. Mr. Trapp stated that could be done. He noted the Task Force was also drafting a consensus statement of what they had learned that would be a part of the recommendations, which he hoped would be completed soon as it would include the twelve points.

Ms. Chadwick commented that the public hearing on the MKT to Parkade Bike Boulevard would be held on June 2, 2014. She understood there was concern with regard to crossing at Ash, and felt if more traffic would be pushed to Ash, a pedestrian crossing at Ash should be considered. She also asked if the brick area on Broadway was wide enough for a bike so people were sheltered from traffic when they were between traffic lanes.

Ms. Chadwick understood the police were on overtime pay for the Missouri Department of Transportation work zone enforcement grant, and asked for clarification. Mr. Matthes replied the City was fully taxed and could not assign someone to do this work without giving up other priority calls so the grant was for overtime. Ms. Chadwick asked if the City would receive this grant regardless or if the grant was received since the City was taxed. Mr. Matthes replied he would need to check and get back to her.

Ms. Chadwick understood new construction met current codes, but older buildings did not as they were grandfathered, so they probably did not meet the safety standards of buildings built today.

Ms. Chadwick commented that they were all looking at the issue of who paid and how much. She noted she fully supported the review of the zoning codes, and many of them felt a large component of that included infrastructure fees. She stated she looked forward to working with City staff and the Council on the issue to ensure developers were paying a fair share.

Ms. Chadwick stated the petition involving Opus requested due process and she wanted to ensure that was accommodated as that was one of the reasons people had signed the petition. She noted she had received a letter from Mary Wilkerson, the Chair of The Avenue of the Columns Committee, indicating the Committee had met with the developer because they were initially concerned about the lack of activity on the Avenue of the Columns. After a productive dialog, the developer had returned with a proposal that

significantly opened the first floor and created an active ground floor level. In addition, the developer was willing to implement the streetscape design to include bump outs, which would have a positive impact on the master plan. The letter also indicated the development was appropriate for the master plan in terms of design and character.

Ms. Chadwick commented that she forwarded to City staff a letter she received from various University of Missouri student associations, to include the Graduate Professional Council (GPC), the Missouri Student Association (MSA), and the Residence Halls Association (RHA), in support of the City continuing to look at the food truck ordinance to allow food trucks on campus. She asked for follow up on the issue from staff.

The meeting adjourned at 10:07 p.m.

Respectfully submitted,

Sheela Amin
City Clerk