

**CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBER, CITY HALL  
701 E. BROADWAY, COLUMBIA, MISSOURI  
JULY 21, 2014**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, July 21, 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 HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS and NAUSER were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

**APPROVAL OF THE MINUTES**

The minutes of the regular meeting of June 16, 2014 were approved unanimously by voice vote on a motion by Mr. Trapp and a second by Mr. Skala.

**APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA**

Mayor McDavid explained requests had been made to move B187-14, B188-14, B189-14, B194-14, B197-14, B203-14 and B204-14 from the consent agenda to old business, and for R120-14 to be moved from the consent agenda to new business.

The agenda, including the consent agenda with B187-14, B188-14, B189-14, B194-14, B197-14, B203-14 and B204-14 being moved to old business and R102-14 being moved to new business, was approved unanimously by voice vote on a motion by Ms. Hoppe and a second by Mr. Skala.

Upon his request, Mr. Trapp made a motion to allow Mr. Thomas to abstain from voting on R122-14, due to a conflict of interest. Mr. Thomas noted on the Disclosure of Interest form that the agreement associated with the resolution was with the PedNet Coalition, and he had been the Director of the PedNet Coalition from 2000-2013. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

**SPECIAL ITEMS**

None.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

**BICYCLE/PEDESTRIAN COMMISSION**

Pollard, Arthur, 1619 Windsor Street, #2, Ward 3, Term to expire July 31, 2017

Ruhlen, Rachel, 103 Longfellow Lane, Ward 4, Term to expire July 31, 2017

**BUILDING CONSTRUCTION CODES COMMISSION**

Connell, Brian, 801 Edgewood Avenue, Ward 4, Term to expire August 1, 2017

Creasy, Jay, 911 W. Rollins Road, Ward 4, Term to expire August 1, 2017

Howe, Christopher, 1710 Cliff Drive, Ward 6, Term to expire August 1, 2017

Scroggs, Stuart, 1008 Maplewood Drive, Ward 4, Term to expire August 1, 2017

Shanker, Richard, 1829 Cliff Drive, Ward 6, Term to expire August 1, 2017

## **SCHEDULED PUBLIC COMMENT**

### **Aaron Johnson, GRO – Opus Student Development in Downtown Columbia.**

Mr. Johnson, 1012 Rogers Street, Apt. C, stated he was present on behalf of Grass Roots Organizing (GRO) whose mission was to create a grass roots voice to win economic justice and human rights for all Missourians. He commented that access to affordable, quality, and fair housing was a high priority, and the residents and students of Columbia were demanding it. Luxury or upscale student housing was not what the majority of Columbians wanted. He pointed out the average rent payment had increased while most household incomes and wages had stayed stagnant, and student debt was at an all-time high. In addition, many vital services and public benefits had been cut or had not been fully appropriated in federal and state budgets. He stated GRO expected openness and transparency from local elected officials, and cutting deals with outside corporate entities and interests without full public debate and disclosure was a concern. He commented that he believed the City's crumbling public infrastructure needed attention and that the Opus deal appeared to be irresponsible as an out-of-state and privately-owned six-story, 200-plus bed luxury student housing unit would likely demand much more from the infrastructure than the money offered. In addition, this project would ultimately send dollars outside of the community and create other types of long-term costs in terms of health and safety. He asked the Council to not broker the citizens' hard-earned tax dollars for one corporate out-of-state developer without full disclosure or majority approval as it would further erode the confidence, faith, and trust of Columbia residents in their government and representatives. He asked the Council to review the lessons learned from the Columbia Regency situation as problems had ensued when the Aspen Heights student housing development had been approved by the Council. He also asked the Council to not circumvent the democratic process or the will of the people, and to temporarily halt plans for the Eighth Street Apartments at the University of Missouri project as the residents were fairly confident they had obtained the valid signatures required to put the decision before Columbia voters.

## **PUBLIC HEARINGS**

### **(A) Construction of sidewalk improvements along Manor Drive, from Rollins Road to West Broadway.**

Item A was read by the Clerk.

Mr. Glascock provided a staff report.

Ms. Hoppe understood there had been concern that the project would impact trees as a six-foot sidewalk would be constructed instead of a five-foot sidewalk, and asked if the sidewalk could go around some of the trees. There had also been a suggestion for pervious pavement with catch basins at points where there were stormwater issues. Mr. Glascock replied the six-foot sidewalk would be at the back of the curb. He explained sidewalks were normally set away from the curb with a grass strip in between, so staff had already narrowed

the area to accommodate the six-foot sidewalk. In addition, there would be a shy distance away from the back of the curb because not everyone wanted to walk right next to the curb. He noted the extra width was needed for people to feel comfortable walking. Mr. Jarvis explained the sidewalk had been pushed out into the street in three locations to avoid large established trees. In addition, staff planned to use a root pruning process to slice the ground at the back of the clearing limits to protect the trees per the recommendation of the City arborist. He pointed out some trees would still be impacted as some were located in the path of the sidewalk so they were unable to work around them. He noted staff had planned to try to solve drainage issues as well. They would replace the pipe that crossed the middle of the corridor along with the inlet on the west of the pipe. They would also install a new inlet on the east side. In addition, they were working on the drainage issues at Manor Court where it turned at the church. He commented that it took a lot of work to maintain the porosity of the concrete for pervious sidewalks. He noted they tended to function well for only a short period of time as they lost functionality quickly due to debris, leaf litter, etc. He did not feel they held up as advertised.

Mr. Skala asked if any consideration had been given to modifying the speed limit or if any other protections would be afforded since more pedestrians would be attracted to the area once there was a sidewalk. Mr. Jarvis replied traffic calming would occur in the three areas where the street would be narrowed. He explained two of those areas would be narrowed to protect trees and help with driveway grading, but the third area had been narrowed to slow traffic

Mr. Skala asked for the speed limit on that street. Mr. Glascock replied he thought it was 25 mph. He noted it was 25 mph if not posted, and he did not recall seeing any posted speed limit signs.

Mr. Thomas understood the project cost was estimated to be over \$400,000 for about a half of a mile, and asked if this was a typical cost or if the narrowing and other features made this project more expensive. Mr. Jarvis replied the project also included new curb and gutter along the entire east side of the street, and that was estimated at \$25 per foot for 2,500 feet.

Mr. Thomas asked if there were other situations where the City might want to retrofit sidewalks that already had the appropriate curb and gutter and would be less expensive. Mr. Glascock replied he did not think so, and explained that structurally something needed to be there since the sidewalk was at the back of the curb. In addition, the curb and gutter replacement was required to meet a lot of ADA requirements in terms of the driveways. Mr. Thomas thought the message was that they wanted sidewalks built as streets were built in the future.

Ms. Hoppe asked why the sidewalk did not go all of the way to Broadway as people would be required to cross prior to getting to Broadway. Mr. Jarvis replied staff needed to solve some grading and drainage issues at Manor Court, and he believed the mid-block crossing on Manor Drive would be safer than crossing at the light at Broadway. Mr. Thomas asked if the crosswalk would be marked. Mr. Glascock replied it would.

Mayor McDavid opened the public hearing.

Melissa Tague, 207 Manor Drive, stated she had lived on Manor Drive for over 21 years and appreciated the construction of a sidewalk, but noted her biggest concern was crossing safely. She noted the West Broadway intersection did not meet current ADA accessibility standards, and wondered why a nice sidewalk would be installed when people would not be able to get on to it. She pointed out traffic traveled fast on the street as it was a broad and wide collector street at a light, and it was difficult for children to see around the curves. She stated she had suggested placing the sidewalk at the curb of the street or installing permeable sidewalks, but had been told it would be too expensive. She did not understand why a sidewalk could not be placed on top of the street as there was already a concrete base there. She believed this would help with traffic calming as well. She asked staff to be innovative.

Pam Roe, 104 Manor Drive, commented that she had never allowed her children to walk to school because there were no sidewalks, so she appreciated the sidewalk being installed. She noted she did not believe the sidewalk should be on the west side of the S-curve and did not feel children should have to cross there. She explained people consistently did not stay on their side of the street and tended to almost hit pedestrians. In addition, there was a hedge nearby that impacted the view and wondered if that would be addressed. She stated she was concerned with the location of the crosswalk, and suggested a crossing near the church entryway instead of the curve. She pointed out she did not believe anyone traveled 25 mph on the road and believed the speed was consistently over 35 mph.

Mr. Glascock asked if drivers sped at the Manor Court and Manor Drive intersection. Ms. Roe replied yes.

Matt Chegwidden, 700 Manor Drive, stated he agreed it was difficult to see at the curve where the crossing was proposed to be located and felt it was risky to put the crosswalk there. He suggested the crossing be placed further up towards the driveway of the church or closer to Broadway where there was a straightaway. He noted cars were coming from both directions and making a turn at the curve. He reiterated he believed a better spot for the crossing should be found so it was not close to a blind spot in either direction.

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

Mr. Thomas stated he was interested in the suggestion to move the crosswalk further north. Mr. Glascock explained staff had planned to consider placing speed bumps on each leg to prevent drivers from speeding through the intersection, but noted they could also look at moving the crosswalk. Mr. Thomas understood the speed bumps would be at either side of the crosswalk. Mr. Glascock stated that was correct.

Mr. Thomas asked if the specific location for the crosswalk had to do with difficulties in grading. Mr. Jarvis replied there was actually a lot of sight distance at that location. He noted staff would eliminate parking on the side where the sidewalk would be pushed out as that section would be narrowed, so there would not be parking at the curve, and as a result, the sight distance would considerably be improved. In addition, the distance the pedestrian would be crossing the street would be shortened.

Mr. Thomas asked if there was good sight distance for northbound traffic approaching the crosswalk as it seemed to be around the corner. Mr. Jarvis replied the crosswalk did appear to be around the corner, but the crosswalk would actually be out in the street. The

speed bumps would slow vehicles down and they would then enter the curve. He noted the curve was signed at 15 mph.

Mr. Thomas asked if staff could put a “yield to pedestrians” sign in the crosswalk. Mr. Jarvis replied staff was looking to see if the street was wide enough for a sign in the middle of the street.

Mr. Skala asked if there was any way to evaluate the crosswalk location after the changes were made to determine if it needed to be moved. Mr. Glascock replied staff could install the speed bumps first to determine whether they slowed vehicles prior to constructing the sidewalks.

Ms. Chadwick asked if a traffic study had been done. Mr. Glascock replied he did not believe so. Ms. Chadwick understood narrowing the street by installing a sidewalk would create some traffic calming. She asked why the sidewalk would not be installed in the street. Mr. Glascock replied parts of the sidewalk would be in the street, but parking would need to be eliminated on Manor Drive if they did that down the entire street. Mr. Thomas noted quite a few cars were parked on the street on a typical day. He pointed out cars parked on streets tended to create a pedestrian buffer, which was good. Mr. Jarvis stated parking along the street also provided traffic calming.

Ms. Chadwick asked whether narrowing the street or having cars parked on the street created more of a traffic calming effect. Mr. Glascock replied he believed cars parked on the street would do a better job because it would feel tighter whereby the curb was not as tall and a tire could rub against it. He pointed out he did not have anything to support this statement though.

Mr. Thomas asked for the distances were where the curb would come out into what was now the existing street. Mr. Jarvis replied they ranged from 150-200 feet. Mr. Thomas asked if they were spaced equally. Mr. Jarvis replied more or less. He explained staff had tried to minimize the number of driveways impacted. Mr. Thomas understood they also wanted to leave some area for parking. Mr. Jarvis stated that was correct.

Mr. Thomas commented that he believed this was a much needed project as this area of Columbia had a shortage of sidewalks, especially on north-south streets. He noted he had received a lot of requests from parents of students of West Middle School for a sidewalk on the street. He thought the curbs, the three bulb-out sections, and the crosswalk with speed humps and signage would have a significant traffic calming effect, and was happy this project would move forward.

Ms. Hoppe stated she agreed with Mr. Thomas, and thought it would be good to study the area after this project was completed to see if there were issues that needed to be addressed. Mr. Thomas commented that if a traffic study would be done after the project was completed, he felt one should probably be done before the project began for comparison purposes. He asked if a lot of resources would be needed to do a traffic study before construction. Mr. Glascock replied staff could do a speed study, which he thought was what was wanted. Mr. Thomas asked Ms. Hoppe if that would address her concerns. Ms. Hoppe replied yes.

Mr. Thomas made a motion to proceed with plans and specifications for the construction of sidewalk\_improvements along Manor Drive, from Rollins Road to West

Broadway, and for a speed study to be done before and after construction of the project. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

## OLD BUSINESS

### **B101-14 Amending Chapter 9 of the City Code as it relates to open burning.**

The bill was read by the Clerk.

Deputy Fire Chief White provided a staff report.

Mayor McDavid understood staff was asking Council to withdraw this bill as the Fire Department's internal policy in conjunction with Department of Natural Resources' (DNR) regulations would take care of this issue. Deputy Fire Chief White replied yes.

Ms. Hoppe understood staff would require an air curtain destructor be used under certain circumstances as that had not been required in the past. Fire Marshal Frazier explained staff would recommend an air curtain destructor to be used anytime a DNR permit was requested. This was typically done when land disturbance of one acre or more was involved, so the Fire Department's internal policy would require an air curtain destructor in essentially all land clearing operations. He noted an air curtain destructor had been required in certain circumstances in the past so it was not anything new.

Ms. Hoppe commented that she believed the internal policy addressed air quality and health concerns, but not the sustainability concerns. She noted she had asked the Sustainability Manager to look into what other cities were doing in terms of best management practices with regard to the wood product.

Ms. Hoppe made a motion to withdraw B101-14. The motion was seconded by Mr. Skala.

Mayor McDavid understood the policy could be changed if needed in the future.

The motion made by Ms. Hoppe and seconded by Mr. Skala to withdraw B101-14 was approved unanimously by voice vote.

### **B187-14 Voluntary annexation of property located on the southeast corner of Route K and Old Plank Road; establishing permanent R-1 and PUD-4 zoning; setting forth a condition for approval; approving the statement of intent.**

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Trapp asked if this site was in a different sub-watershed than the sites in the urban service area. Mr. Teddy replied yes. He explained the sewer master plan from about 20 years ago showed something similar to the force main outlined in the staff report and the idea was to take it to the Mill Creek sewer area. He noted the same plan had indicated an ultimate build-out of sewers in the Little Bonne Femme Creek sub-watershed area that would be capable of taking sanitary sewer to the pump station and into another basin. It was a way to get sanitary sewer to the wastewater treatment plant without building another plant.

Mr. Skala assumed this item had been on the consent agenda because it had a unanimous Planning and Zoning Commission recommendation. Mr. Teddy stated that was correct. Mr. Skala asked if the urban service area had discussed at the Planning and Zoning Commission meeting. Mr. Teddy replied he did not recall a lot of discussion, but it had been

described in the staff report. Mr. Teddy stated staff thought of the urban service area as a general line, and not a fixed boundary. He explained the Comprehensive Plan was very general, and a lot of things had been treated with great breadth as they did not have the corresponding depth needed to establish a hard line.

Mr. Thomas commented that he hoped they could develop systematic criteria for the urban service area that would take prior agreements into account, and include more research of maps and plans. He hoped that would provide strong guidance with regard to the urban service area. Mr. Matthes suggested a staff report to Council on a proposed process for their review. Mr. Thomas asked if it that could be done in two months. Mr. Teddy thought they could provide Council an outline of a process in that time frame.

Ms. Chadwick understood a portion of this land might be acquired for City parkland, and asked if taking action on the annexation now would reduce the City's negotiating power for acquiring that land. Mr. Matthes replied he did not believe it would.

Tim Crockett, an engineer with offices at 2608 N. Stadium Boulevard, stated this property had been provided sanitary sewer in 2004, and they had a letter of understanding that the owner of this property, who had developed other properties in the area and had built the pump station that was located on this property, had reserved capacity in the pump station for various pieces of property to include the subject property. In addition, the annexation and development of this property would allow the extension of sanitary sewer through the property and eliminate the need for a pump station to the west. They would be able to reduce the overall long-term cost to the City by having all of the area gravity flow to the pump station as opposed to pumping in series, which was something they wanted to avoid if possible.

Ms. Hoppe asked for an estimate with regard to the amount of land that would be disturbed as it was in the Bonne Femme watershed. Mr. Crockett replied the site was roughly 130 acres, and approximately 30 acres would be set aside for residential development. The actual disturbed area would likely be less than 50 percent and more like 40 percent of those 30 acres.

Mr. Trapp stated this project made sense to him due to the plans from a decade ago in terms of sewer service. He appreciated clarification of how the urban service area was developed as he thought it had been based upon the areas served by sewers, and had wondered why this parcel had not been included. He felt the urban service area was arbitrary in this situation as he believed the intent of the urban service area was to include areas easily served by sewer, and this project was served by sewer due to the pump station constructed in 2004. Mr. Trapp noted he was pleased the majority of the site would be set aside as greenspace, and stated he planned to support this project.

Ms. Chadwick asked at what point the Council had any say in the amount of land that was disturbed. Mr. Teddy replied the Council did not review land disturbance plans. He noted the land disturbance would take place in the green and pink areas on the map as that was where the structures would be built. There would also be some trenching along the sewer route. He stated he did not expect there to be much land disturbance. If the property became a park, the Council would have oversight of the 90 acres in terms of approvals of any park master plans. Ms. Thompson explained land disturbance restrictions were based upon

objective criteria as a whole, and were not done on a per project basis, so the Council could only review land disturbance based on City Code requirements as a whole. Ms. Hoppe pointed out she had asked the Environment and Energy Commission to review the City's land disturbance ordinances and policies, and noted the Council would have input and could change anything they felt needed to be changed on a larger scale.

Ms. Nauser stated she believed this was a logical progression of the property zoned in 2004 or 2005 when the Council approved The Gates. She understood the community was concerned about who would pay for cost of adding to the City's current infrastructure, and pointed out the infrastructure for this project was already here. The sewer was already in place, the electric would be provided by Boone Electric, and everything within this site would be provided by the developer. In addition, the developer would pay a development fee and the current connection fees for sewer and water. She noted she was excited for a potential park in this region, especially since it would be more of a nature park, as those were in short supply and the topography of the area would lend itself to a beautiful addition to the park system. She stated she planned to support this even though it was not within the urban service area as she felt the urban service area should be pliable and not set in stone.

Mr. Skala commented that he believed the urban service area was an important concept, which needed to be worked on so they all understood what it meant. He stated he did not believe the urban service area was only dependent on sewer infrastructure as he felt it was dependent on all types of hard and soft infrastructure, which included police, fire, etc. He was happy Mr. Matthes has suggested a report be prepared so they could get a handle on the urban service area. He commented that he felt the project as a whole with the voluntary addition of the pump station, relief for sewer to the west, the inclusion of parkland, restrictions on land disturbance, etc. resulted in a well thought-out plan, so he was prepared to support it.

B187-14 was given third reading with the vote recorded as follows: VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B188-14 Rezoning property located on the west side of Tiger Avenue, approximately 220 feet south of Rollins Street (809 and 811 Tiger Avenue) from R-3 to C-P; approving the Alpha Chi Omega C-P Plan; approving less stringent screening, landscaping and parking requirements.**

**B189-14 Approving the Final Plat of Alpha Chi Omega Subdivision Plat 1, a Replat of Lot 60 and part of Lots 59 and 61 LaGrange Place, located on the west side of Tiger Avenue, approximately 220 feet south of Rollins Street (809 and 811 Tiger Avenue).**

The bills were given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Hoppe asked if the Historic Preservation Commission had provided input on the houses since they had been built in 1920. Mr. Teddy replied the houses had gone through the 30-day screening process, and there were not any comments to report.

Mr. Thomas asked if the houses were currently occupied. Mr. Teddy replied he did not know. Ms. Chadwick noted she would be interested in the number of occupants if those houses were occupied. She stated she also wanted to know if the University had a strategic plan that would include this area since it was close to campus. Mr. Teddy stated he thought

the University's Master Plan usually only covered properties owned by the Board of Curators, and was not sure whether there had been discussions regarding this area. He noted this part of Tiger Avenue was evolving more and more into parking surfaces as could be seen in the first aerial photo.

Mr. Skala commented that parking lots could change the amount of traffic generated and asked if a traffic study had been done as there was a Montessori school in the neighborhood. Mr. Teddy explained they usually only asked for a traffic study above a certain threshold, and that threshold had not been observed here. He noted the traffic generator already existed, and although he did not know what the traffic turnover would be for the lot, he expected more foot traffic during peak hours since it was close to campus. He thought vehicles would be used more during the off-peak hours.

Ms. Chadwick asked about the City's policy with regard to stormwater management because they would convert a site with some greenspace to a site with absolutely no greenspace. Mr. Teddy replied this would be considered redevelopment so the owner would have to comply with the City's stormwater ordinances. He noted the amount of detention might be reduced because there was a small net increase. He also thought there might not be any net increase because the 15 percent would be left on the site, and there was quite a bit of impervious area there now. Any net increase in the impervious area would have to be dealt with.

Thomas Snider, 5671 Short Line Drive, stated he was President of the Chi Mu Alumni Association, who owned the property in question tonight. He noted there were four residents in each of the two houses for a total of eight people, and their leases expired on July 31. He explained he received an inquiry from the Chair of the Historic Preservation Commission, and they had provided the Commission an open invitation to go through the houses and preserve any items after the tenants had moved out. He stated he doubted any of those houses had any historical value at this time as they had been remodeled as rental homes multiple times. He explained the parking that would be placed on these properties already existed in the Greek Town area. They would move parking that already existed closer to the Alpha Chi Omega house, which was a safety issue for that organization. They would also accommodate the nearby sororities and the Montessori school by not engaging in demolition or construction until the summer as the students would have then vacated the area. He asked the Council to pass these ordinances on behalf of the 150-175 Columbia residents his organization represented.

Mr. Thomas asked about the motivation for the project. Mr. Snider replied the Chi Mu Alumni Association owned the subject property, and Alpha Chi Omega owned a parking lot further away on Rollins Street. He explained campus life at night could be difficult for anyone walking through the area, and they thought it was reasonable for Alpha Chi to move their central parking closer to their home. He noted this was one of the motivations, but pointed out they had other motivations as well. In exchange for this lot, they would acquire a lot closer to their unit as well. Mr. Thomas asked what organization Mr. Snider represented. Mr. Snider replied he represented the owners of 809 and 811 Tiger Avenue. Mr. Thomas asked what would be done with the parking spaces Alpha Chi was currently using on Rollins Street. Mr. Snider replied they would use those until the houses were demolished and the new

parking lot was constructed. Once that occurred, Alpha Chi Omega would move their parking to 809 and 811 Tiger Avenue and his organization would then take over parking at the other location. Mr. Thomas asked if Mr. Snider's organization currently leased parking spaces. Mr. Snider replied his organization was a non-profit organization charged with perpetuating education and scholarships on behalf of another fraternity on campus, so his organization was essentially was his fraternity that existed on campus. The fraternity would park at the Rollins Street location.

Ms. Chadwick understood Mr. Snider had indicated additional parking spaces would not be created by this, but she was not sure how that was possible. Mr. Snider explained he did not mean to say that if he had said it, and noted a few additional spaces might be created. He stated his point was that Alpha Chi Omega residents would park in the lot on Tiger Avenue instead of the Rollins Street. Ms. Chadwick understood the Rollins Street lot would remain a parking lot. Mr. Snider stated that was correct, but noted it was a fair distance away from the Montessori school. He agreed there would be a net increase in parking.

Ms. Chadwick asked how many parking spaces were on this lot. Mr. Teddy replied 33 were planned.

Jessica Meredith, 46 Albany Drive, stated she was the alumni advisor for the Alpha Chi Omega sorority on campus, and explained housing and parking on campus, and specifically Greek Town, were at an absolute premium. The University of Missouri was expecting a record class and an increase in Greek enrollment. She noted her chapter house at 900 Richmond housed 71 members, who currently walked from there to the lot at Fifth and Rollins, which was approximately three blocks. The parking lot they would acquire, if this rezoning and plat were approved, would be within eyesight of the house. She pointed out the exceptions requested, such as the exception to the screening requirement, would create a safer environment in terms of being able to see their surroundings. She noted they planned to have 15 percent in greenspace.

Mr. Skala asked if any of the residents of Greek Town could take advantage of University parking facilities on a limited basis. Ms. Meredith replied she thought they were allowed to apply for parking like commuter students, but they would likely not be provided a space within easy walking distance to the house. She pointed out that although 71 members lived in the house, 300 members were represented by the organization, and that did not include alumni. She noted the alumni had brokered this deal with the alumni of the fraternity. The two organizations had come together to solve a problem, and she felt that was phenomenal. She hoped the Council would approve the proposal.

Tracy Greever-Rice, 602 Redbud Lane, commented that Tiger Avenue had been mentioned to be a high pedestrian corridor for the people in Greek Town, and noted it was also a heavily used corridor for people coming from the University Hospital. She wondered if anything could be done to improve the street in terms of bike lanes and markings in order to facilitate multi-modal transportation from the health center campus to the main campus as it was frequently congested with pedestrian and vehicle traffic. Mr. Thomas stated he thought it was a good idea, but was uncertain as to what could be done.

Ms. Chadwick stated she was not sure the suggestion was exactly related to the topic Council was considering tonight. Ms. Greever-Rice felt it had to do with traffic safety on that

street, and currently there were not any actual bike lanes on the street. Mayor McDavid stated he thought they were open to those ideas, but felt they needed to deal with the land use request tonight. Ms. Greever-Rice commented that she felt bike lanes were an important element of traffic safety if that was of interest to the Council.

Ms. Hoppe understood the City had a policy to not create surface parking and to eliminate surface parking in the downtown. Mr. Teddy stated the C-2 district did not allow surface parking, and pointed out this proposal would convert R-3 zoned property to C-P. The general zoning in the vicinity was R-3, and there was an established pattern of many small-scale parking lots.

Ms. Chadwick asked Mr. Teddy to elaborate on the C-2 surface parking lot ordinance as she thought there might be similarities. Mr. Teddy replied a new surface parking lot could only be established in the C-2 zoning district by a conditional use permit, which the Board of Adjustment considered on a case-by-case basis. He thought the reason for the restriction was due to the concern of buildings continuing to be torn down to establish parking lots, which created unfriendly pedestrian blocks. He pointed out that did not apply to this situation as the zoning allowed surface lots. Ms. Chadwick commented that she felt the concept applied to this area as it was a pedestrian heavy area, and they wanted more livable spaces, which the surface parking would negate. Mr. Teddy thought this idea likely demanded a district approach and did not believe they wanted to single out individual properties. He pointed out parking lots were sometimes interim solutions until critical mass was reached causing someone to build a more structured and centralized solution. He thought they might want to engage the property owners in the area to determine their needs in order to find a solution.

Ms. Chadwick stated she felt they would facilitate strife in terms of surface parking lots if they continued to approve them, and they would never find a long-term solution.

Mr. Thomas stated he agreed with Ms. Chadwick, and noted he had many reservations about this proposal. Even if it was not against the zoning rules, it was clearly against a lot of community plans, which included trying to eliminate surface parking and increase density. He noted the Comprehensive Plan had policies and strategies for incentivizing infill development and encouraging compact development near transit corridors. This would do the exact opposite as it would move eight residents out of the area and add 33 cars. He believed the reason parking was at a premium was because the City and the University had not taken on this issue properly, and thought a better solution was to support transit or off-site parking with transit service so more cars were not brought into the campus area. It was a pedestrianized corridor so he questioned the need for having more cars in the area stored for long periods of time. He felt there had to be a more efficient way. He thought bike lanes on the street were a good idea if the width of the street was adequate, and suggested it be considered. He stated he was also really concerned the sorority felt the safety of its members was at risk when only walking three blocks.

Ms. Hoppe commented that it was clear surface parking was not the best use of valuable central city area land. She noted she was concerned and sympathetic with the sorority in regards to safety, but felt there were other ways to address those issues. In addition, she was concerned with adding more cars to this high pedestrian area. She

understood Mr. Teddy had indicated they might have a systemic area-wide problem that needed an area-wide solution rather than an individual solution. She stated she had concerns about the removal of residences in order to add surface parking.

Mayor McDavid stated this was a tough decision for him because he wanted to respect the right of landowners to do what was in their best interest, but he was also concerned with a parking lot being created adjacent to the University of Missouri campus when the City's planning involved infill and residential development without automobile traffic. He noted he was disappointed in City's ability to change the commuter culture in Columbia, which was an unusual culture not seen in other college towns. He commented that he would not vote in favor of a parking lot to be placed on some of the most valuable land immediately adjacent to the University of Missouri.

Ms. Nauser stated she did not believe the City would be able to change the commuter culture by denying the addition of 33 parking spaces. She agreed with staff in that the City would have to address the problem as a whole if they wanted to address it, as it could not be done on a property by property basis. She noted this had the approval of the Planning and Zoning Commission and pointed out she would be happy to work on a long-range area plan for parking, but did not believe they should make these types of decisions on individual lots. If the property owners felt safety was a concern, it was a concern as it was their feeling. She noted she would be concerned if she was the parent of a young girl that had to walk that far at night. She stated she planned to support the proposal as she did not feel policy should be created on a lot-by-lot basis.

Mr. Skala commented that some people felt property rights involved being able to do what they saw fit with their property, but the Council had a responsibility to everyone in the community in terms of zoning. He also felt they needed to start somewhere, and believed they had already started down the road of incorporating some of the ideas in the visioning process and Comprehensive Plan in terms of getting out of the commuter culture.

Ms. Chadwick pointed out the owners of this property knew the rights associated with R-3 zoning, which was why they were requesting a change, and the Council would not take anything from them if they denied the request as it would remain what it was currently zoned. She noted she would not support the proposal.

Mr. Trapp stated he was not a fan of surface parking in the downtown, but in reviewing the map, he saw a number of parking lots in the area so this appeared to be a consistent use. He thought it was unfortunate that a three block walk generated safety concerns. He commented that he did not think the change of 33 spaces from 8 residents was so egregious to go against the situation the fraternity and sorority were trying to work out. He reiterated it seemed to be consistent with the area and there was a desire to increase safety. In addition, the variances made sense to him in terms of pedestrian flow.

B188-14 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, NAUSER. VOTING NO: HOPPE, MCDAVID, CHADWICK, SKALA, THOMAS. Bill declared defeated.

B189-14 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, NAUSER. VOTING NO: HOPPE, MCDAVID, CHADWICK, SKALA, THOMAS. Bill declared defeated.

**B191-14 Approving the Final Plat of Oak Park Plat 5, a Replat of Part of Oak Park Plat 4, located on the southwest corner of High Point Lane and Route K; authorizing a performance contract.**

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Nauser made a motion to amend B191-14 per the amendment sheet. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Kevin Murphy, an engineer with offices at 3401 Broadway Business Park, stated he was available to answer any questions.

B191-14, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER.  
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B193-14 Authorizing a non-federal reimbursable agreement with the Department of Transportation Federal Aviation Administration for relocation of underground power cables as part of Phase I of the reconstruction of Runway 13-31 at the Columbia Regional Airport; appropriating funds.**

The bill was given second reading by the Clerk.

Mr. Glascock provided a staff report.

Mr. Skala made a motion to amend B193-14 per the amendment sheet. The motion was seconded by Ms. Chadwick and approved unanimously by voice vote.

B193-14, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER.  
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B194-14 Authorizing a financial assistance agreement with the Mid-Missouri Solid Waste Management District for the purchase of a roll-off container to be used to collect recyclables at three apartment complexes; appropriating funds.**

The bill was given second reading by the Clerk.

Mr. Glascock provided a staff report.

Ms. Chadwick understood these bins would rotate in terms of location and asked how the residents of apartment complexes would know where and when the bins were available for their use. She understood apartment complexes were not required to have on-site recycling. Mr. Glascock replied staff tried to sell the recycling program to apartment complexes, and the City was currently operating at capacity. He explained the apartment complexes had designated days for recycling and the residents knew the bins would be there on those designated days. He was not sure where these three bins would be located. Ms. Chadwick asked what Mr. Glascock meant by operating at capacity. Mr. Glascock replied the bins the City currently had were rotated among apartment complexes, and more apartment complexes could not be added without more bins, and this grant would allow for the purchase of three more bins.

Ms. Chadwick asked if the City had ever considered requiring apartment complexes to have on-site recycling. Mr. Glascock replied he thought that was being reviewed as part of the cost of service study to determine if it was feasible. He pointed out some of the capacity

at the Material Recovery Facility (MRF) was taxed right now. They were in the process of reviewing methods of recycling and whether they could handle more types of recyclables. The Capital Improvement Project Plan (CIP) included projects to expand the MRF, and they needed to determine whether it was cheaper for the City to do this or to haul it to St. Louis. Mr. Matthes stated staff intended to provide data to Council to start the discussion.

Mr. Thomas asked if there was a specific fee on the utility bill for recycling. Mr. Glascock replied it was included in the flat fee for trash service.

Ms. Hoppe asked when the study would be completed. Mr. Glascock replied it was currently being worked on, and noted it was more complex than the sewer because they would provide an option that would change how the service was administered. A pay as you throw fee would be considered instead of a flat fee. He hoped they would have something in September so a work session could be held.

Ms. Chadwick understood the City could not take in more recycling at the MRF, but thought it was important for the Council to realize that only residential in Columbia had on-site recycling. The District did not have curbside recycling and the recycling bins in the area were not required. Mr. Glascock explained they were in communication with the Downtown CID with regard to recycling, and noted the City had a contract with the University for its recycling. Ms. Chadwick thought many in the community did not realize the many apartments and downtown businesses, where tons of recyclable materials were generated, did not have the option of on-site recycling. Mr. Glascock pointed out recycling would increase if the City went to a pay as you throw system, and that would need to be addressed in terms of the MRF.

Mary Hussmann, 210 Ridgeway, understood this proposal would purchase roll-off containers to collect recyclables, and asked how the recyclables would be picked up. She wondered if a new vehicle would be purchased. Mr. Glascock stated the current fleet would be used.

Mr. Thomas appreciated Ms. Chadwick's comments and the fact the City was moving to a system that would encourage more recycling. He commended the City for receiving this grant so it was able to increase recycling incrementally, and noted he looked forward to proposals for a long-term solution.

Mr. Skala commented that there had been discussions with regard to increasing recycling at apartment complexes in the past, but they had not resulted in a successful program. He thought the City could eventually get to a place where recycling at apartment complexes could be accommodated.

Mr. Trapp stated he was glad the City was able to take a small step with these bins as the City had an anemic recycling rate. He thought they should always do the things they could right now as they studied and methodically took on bigger projects to move the needle. He stated he was happy to support this proposal.

Mr. Matthes explained the intent of staff was to come to the Council in a similar manner as they had with COMO Connect since it had worked well as he agreed the City had an entry-level approach to recycling.

Ms. Hoppe stated she was looking forward to the study and happy to see the increase in recycling. She pointed out Columbia had been a leader in recycling when they had the recycling ordinance as bottles in the downtown were being recycled. She recalled a lot of

promises of it continuing when the recycling ordinance was repealed, but that had not been the case. She thought it was good to review the situation and to try to make it better.

B194-14 was given third reading with the vote recorded as follows: VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B197-14     Appropriating funds for Flat Branch watershed relief sewer projects.**

The bill was given second reading by the Clerk.

Mr. Glascock provided a staff report.

Mr. Thomas understood the City had an inflow and infiltration problem that caused the existing Flat Branch trunk sewers to overflow during heavy rains, and asked if this project would impact that problem. Mr. Glascock replied this project would help with that problem since it would expand the capacity of the sewer downstream.

Mr. Thomas understood staff had data in terms of the ratios of wet weather flows and dry weather flows. Mr. Glascock stated that was correct.

Mr. Thomas understood this would be a parallel sewer to the existing sewer. Mr. Glascock explained that was the idea, but noted it had not yet been designed. He noted there were currently three sewers going into one area that then went to two 30-inch pipes, so the idea was to extend the 30-inch pipe up the trail to Elm Street. As a result, they would build a relief sewer in some areas while replacing old sewers in other areas.

Mr. Thomas understood it was not clear the additional capacity created with the inflow and infiltration program would be enough to accommodate wet weather flows, but that was not the main purpose of this sewer either. This would look ahead to more development in the downtown and provide more capacity for dry weather flows. Mr. Glascock stated that was correct, and explained they had to plan for multi-story buildings in the C-2 zoning district.

Mr. Thomas asked what the timeframe would be for this project. Mr. Glascock replied it had to first be designed. They hoped the first portion, which was the 30-inch pipe up to Elm Street, would be done in a couple of years. Mr. Thomas asked if it would go to the golf course. Mr. Glascock replied no, and explained it started at Quarry Heights and went to Elm Street.

Mr. Thomas understood there had been a lot of interest from the Council to postpone the Henderson Branch/Midway sewer project to generate more funds, but that was not shown in the plan. Mr. Glascock stated it would not come before Council until staff brought it forward for design or a contract. He explained a lot of the money for this proposal was from closing out projects, the delay in the Haystack Acres project, and the retained earnings and cash in the account. He noted the Henderson Branch project would come to Council as a contract like this project would, and Council could then either vote it up or down. Mr. Thomas understood the Henderson Branch project was written as a promise in the November 2013 bond ballot issue. Mr. Glascock stated that was correct, and noted the Council had added it as a project. Mr. Thomas stated he did not recall the Council adding that project, and asked if the cost was about \$3 million. Mr. Glascock stated he could not recall. Mayor McDavid stated he thought it was \$2.6 million. Mr. Thomas understood that money could theoretically

be reallocated to inflow and infiltration or other relief sewers. Mr. Glascock stated that was correct.

Mr. Skala commented that he was uncomfortable with regard to this item being on the consent agenda as the issues related to the downtown sewer exigency attracted a lot of attention. He explained his vote in terms of agreeing to these projects had been contingent upon including the Henderson Branch and Upper Hinkson Creek projects in terms of the entire sewer relief package for the City as they were all connected and the impact to an already overburdened system required a comprehensive look. He stated he did not believe they would have money for a comprehensive approach without deferring some rather large projects. He commented that the City had occasionally deferred projects in the past based upon priorities, and he believed the increasing backlog of sewer problems needed to be fixed and was a priority. He noted one of the reasons he had voted against the development agreement with Opus was because they had not discussed the fix to the project in a comprehensive manner to ensure it could be addressed. He stated he was satisfied these projects were reasonable and could increase capacity to a certain extent, but he wanted to see the other projects considered for deferral in order to holistically fix the problem.

Mr. Glascock explained many of the issues were basement backups, and a lot of those homes were built in the floodplain many years ago. He believed the City needed to come up with a program to get them out of the floodplain, and a suggested a one-time solution. He noted they were looking at how other communities addressed floodplain problems.

Ms. Hoppe understood \$631,225 would be shifted from annual sewer improvements to this project, and asked what projects those funds would have been used for if the money was not used for this project. She wondered what projects were on the waiting list to be completed. Mr. Glascock replied if he recalled correctly, \$1 million was added to the annual sewer improvement project fund every year, and that amount was in the account today and another \$1 million would be added as part of the FY 2015 budget. He explained smaller projects were being funded with those funds, and noted he did not have the list of projects with him at this time, but believed inflow and infiltration projects would be heavily funded with those funds.

Ms. Chadwick understood 55 houses had reported sewer backups since 2008, and asked if that was correct. Mr. Glascock replied those were the only ones that had reported the problem to the City, but there were likely more than that as people tended to just live with the problem. He explained staff wanted to develop a program that would help solve the problem, and would bring forward a report on the issue in the future.

Ms. Hoppe commented that the City did not presently have a policy for new development to pay its share of this sewer fix. She understood the City had entered into individual agreements with individual developers, and noted she was concerned with getting money back from new developments that would be served by this sewer fix so the City had additional money for other needs. She wondered if a policy was needed, and whether it was needed before this was approved. Mr. Thomas stated he believed the City had a policy as it charged every new dwelling unit \$800 to connect to the sewer system. He felt that money was intended to expand the capacity of the system. Ms. Hoppe noted it was insufficient. Mr. Thomas agreed it was insufficient as it appeared to only cover about 25 percent of the real

cost of expanding the sewer system. Mr. Matthes understood Ms. Hoppe was describing an impact fee approach whereby the City would in a sense tax bill the cost of a specific trunk line, and explained the City did not have a policy to allow them to do that for large projects. The philosophy had been that it was a system-wide expense. Ms. Hoppe understood it had been done on an ad-hoc basis with developments such as The Lofts. Mr. Matthes stated that was correct. Mr. Thomas understood those developments also paid the \$800 per dwelling unit, and those were negotiated additional funds. Mr. Matthes stated that was correct, and explained it was essentially an impact fee. Mr. Thomas commented that he felt it was a good mechanism, but was just not set high enough. Mr. Glascock explained this had been done in the past in greenfields, and provided Battle High School as an example as the Sewer District had paid the City about \$600,000 to take out their package plant, etc., but a different model would need to be used in the downtown. Mr. Skala understood these were considered to be exactions.

Mary Hussmann, 210 Ridgeway, commented that as she collected signatures for the repeal of the Opus project, she had been repeatedly told Columbia did not need any more upscale student housing and that the Council appeared to be bending over backwards for the desires of corporate developers. She understood the developers wanted the Council to prioritize improvements to the Flat Branch sewer to satisfy their needs. She felt this meant residents in other areas of the City would have to wait until a later date for their sewer improvements, and did not believe that was right. The projects that had been voted on and the projects that had been assured remedial sewer action this year should not be relegated to a later time. She believed the Council should get the necessary taxpayer money to provide relief to current residents, and student housing developers that required a major upgrade to the sewer infrastructure should be forced to wait or withdraw their proposals. She felt the Council needed to tell the developers tonight that they would not be provided permission to proceed. She explained the Opus project and process had been hard for the public to understand and had created a lack of trust whereby many were fearful of what the Council would do. She felt Columbia would continue to experience extreme divisiveness until the needs and concerns of citizens received more attention and resources.

John McLeod, 2307 Ridgefield Road, commented as a voter he had always voted in favor of any kind of sewer improvement, and the 2013 ballot language was one sentence and had no reference to the large projects. He noted he went back and looked through Tribune articles, and the articles mainly talked about maintenance and repair. There was very little with regard to sewer extensions. He pointed out only eight percent of the voters actually voted, and 80 percent of those that voted had voted in favor of the ballot, and he believed the reason they had voted yes was because they knew the sewers needed to be fixed.

John Clark, 403 N. Ninth Street, understood this proposal would be largely paid for out of retained earnings and would expand capacity downtown for future developments, but his impression from discussions at a previous Council Meeting was that it would also address the First Ward issues. He thanked Ms. Hoppe for asking what projects would be delayed and stated he wanted a detailed report with the projects that would be delayed as a result of retained earnings being used for this proposal. He believed this proposal included derivative developer projects that would bankrupt the City due to the current way the City financed

projects. He suggested the money be used to fix the floodplain issues and complete the inflow and infiltration work instead of these proposals. He stated he felt moving forward with this proposal would amount to a subsidy or special treatment for a special set of development projects in the downtown that he did not believe would pay for themselves as they were not good economic development projects. He encouraged the Council to vote against any expansion projects and to utilize this money for inflow and infiltration work.

Dan Hemmelgarn, 412 Thilly Avenue, commented that his home was essentially at the top of the hill on Thilly Avenue and outside of any floodplain, and he had a basement sewer back-up problem, which was unreported to the City. He explained his neighborhood had been approved for a sewer upgrade to repair the problem, and noted his home was connected to a roughly 100-year-old clay tile private common sewer connector that he was sure had been impacted by tree roots. He stated the neighborhood had been talking with the City about this project for approximately five years, and the Council had approved funding for the project a couple of months ago. He pointed out he had not heard from the City with regard to the project in terms of an easement, and was unsure of the project schedule, so he was concerned as a homeowner and resident. He commented that a landlocked piece of land with no utilities was cheaper than land with utilities and felt property in the downtown that someone planned to build a high-rise on that did not have adequate infrastructure was likely cheaper than property that had the necessary infrastructure. He hoped the Council would keep that in mind that as the community paid for the infrastructure because the property owners in the downtown would benefit with a higher land value at the expense of the community.

Monta Welch, 2808 Greenbriar Drive, stated she was speaking on behalf of People's Visioning and echoed the comments of the previous speakers. She asked that the developers be required to pay their fair share because she did not feel it was right for citizens bear this burden.

DeAnna Walkenbach, 407 Pyrenees Drive, understood Mr. Glascock had indicated a small portion of the project would take two years after it was planned before it was completed, and asked if it was correct. Mr. Glascock stated the section from Quarry Heights up to Elm Street, which was the first phase, would take two years to design and construct. Ms. Walkenbach understood Opus planned to open next summer even though the City would likely not have the capacity needed for an occupancy permit.

Tracy Greever-Rice, 602 Redbud Lane, understood this proposal would address problems that existed now. Mr. Glascock stated dry weather capacity was needed for future development, and additional capacity was also needed for wet weather issues. This proposal would assist with both issues. He explained the City had enough dry weather capacity for the Opus development. There was not enough wet weather capacity, however, and this proposal would help with that issue. Ms. Greever-Rice understood there was a two year window to get the first phase project done and a one year window for Opus to open, which meant the City would accommodate at least one year's worth of wet weather problems and expected the property owners with problems to deal with it for that length of time.

Mayor McDavid commented that he was not sure Opus would be open by August 2015 as he assumed it would likely take over a year to construct the building. He pointed out

the City was doing a lot to try to resolve the sewer problems, and provided the \$18 million for inflow and infiltration as an example. He explained staff was finding downspouts and sump pumps connected to the lines, which was not allowable, and took time to address as they had to be reviewed on an individual basis. He understood staff had hoped to lower the wet weather flow by 50 percent through the inflow and infiltration process. Mr. Glascock pointed out that as some lines were fixed, others would deteriorate and need to be fixed. Mayor McDavid stated he viewed this as something that needed to be fixed now as it was a 100 year old sewer and capacity needed to be increased to help stop wet weather outflows. He stated he would support this proposal.

Ms. Chadwick stated she felt this was the repair and maintenance of old infrastructure as the main was over 100 years old. She pointed out the Council had approved a \$2.5 million sewer project for 87 homes in the Old Southwest area, which was in the Fourth Ward, at the June 2, 2014 Council Meeting, and the Flat Branch sewer main was in the same ballpark in terms of cost, but it served 2,450 acres of Columbia, which was about six percent of the City or about 7,000 residents, in the central city area where the highest density was desired from the smart growth perspective, so she thought they wanted to ensure capacity. She asked the Council to support this infrastructure upgrade in the First Ward to allow for an increase in sewer capacity.

Ms. Nauser commented that she supported moving forward with this proposal as she believed it was a community issue. She pointed out the City had been working to increase density in the downtown for years to reduce sprawl as sprawl tended to create more infrastructure costs. She noted a bill was under the introduction and first reading section of the agenda that would increase sewer connection fees and rate charges to help pay for sewers, and asked the public to review the proposed changes. She stated the City had focused a lot of its resources on inflow and infiltration, and during that process they had learned that many residents were creating the sewer problems because their downspouts were connected to the system. She believed the individuals that were adding to the inflow and infiltration problem due to improper connections should be required to correct those situations, so the City could concentrate on addressing the cracked pipes. She pointed out this was a multi-faceted issue, and reiterated she would support this proposal.

Mr. Thomas commented that he felt this project had morphed over the last several months. He thought they were trying to build capacity for the immediate downtown developments, which included CHP, Opus and ACC, but understood it would likely not be completed prior to completion of the Opus or CHP projects unless the projects were not completed by August 2015. He was concerned because it was questionable as to whether this would add enough capacity to address the wet weather issue, which was the real problem. He stated he agreed they wanted more development in the downtown and needed more sewer capacity in the downtown so he felt it was a sensible project. He noted they did not want sprawl and hoped the Council kept that in mind when it discussed the Midway sewer project in the future. Although he agreed the proposed sewer projects for the downtown were needed, he was not excited about the proposed funding structure. He believed they needed to recover enough funding from new development to accommodate the expansion of the sewer system demanded by the new development, and hoped the City would implement the

full recommendation of the consultant as it would allow the City to be closer to the amount that should be charged for new development.

Mr. Skala stated the public had raised his awareness of the sense this was a reprioritization of the relief many citizens should have received years ago. He believed everyone was connected in terms of the sewer, and felt the fact there were still overflows due to wet weather was a problem in terms of the integrity of the entire system. He noted he did not like this proposal as it appeared to be reactionary and he did not want to continue to overburden an already overburdened system. He understood this would provide some relief for dry and wet weather capacity, but the development agreements, Opus, and the accommodation of high density downtown growth was an overriding issue for him, and he could not in good conscience ignore the fact thousands of people had been waiting for relief for some time due to an overburdened system. He thought they needed to consider the deferral of large dollar projects in order to solve the downtown and other area problems now since they were all connected, and noted he could not support this proposed reprioritization.

Ms. Hoppe stated she agreed with a lot of what Mr. Skala had said. She explained she was concerned this was on a fast track for new development, and for new development that was not necessarily needed. She agreed the City wanted more development in the central city area, but did not feel they wanted any development. She thought this had been put on the fast track for student housing development in the downtown when there were serious questions with regard to how much student housing was needed. She noted many residents had been waiting for sewer improvements, and solutions to their problems had not been fast tracked. She commented that the Council had been working on the Comprehensive Plan and would consider an interim zoning plan, and felt they should allow the opportunity for it to be in place before fast tracking projects that would aid developments that did not meet those requirements. She explained she was also concerned with the funding proposal for these projects as the \$631,000 could go toward inflow and infiltration problems that had needed to be addressed for many years. She was not comfortable delaying the inflow and infiltration project or with the use of retained earnings for these proposals. She noted they had raised the possibility of deferring larger projects, and reiterated she was not comfortable with moving forward with this proposal as it stood now.

Mayor McDavid understood \$18 million from the bond issue would be used for inflow and infiltration. Mr. Glascock stated it would be used for maintenance, which included inflow and infiltration for mains and manholes.

Ms. Hoppe pointed out she had asked what sewer improvement projects would be deferred with the reallocation of the \$630,000, and had not been provided an answer. Mr. Matthes explained those funds had not been programmed for any specific project at this point. Ms. Hoppe understood the funds could be programmed for on-going, long-term problems.

Mr. Thomas understood the \$631,000 had been in the current budget, but there would be another \$541,000 and \$658,000 reallocated from the annual sewer improvement account in the FY 2015 budget, and asked if that was correct. Mr. Matthes replied that sounded correct. Mr. Thomas understood the total raid on annual sewer system improvements was close to \$2 million. Mr. Matthes stated that was correct.

Mr. Trapp stated this was not his preferred way to fund this project, but felt there was a critical need for this project due the age of the sewer and existing conditions, and because he thought it was imperative for the City to facilitate new downtown growth. He commented that in building the bones of the City, the timeframes did not always match, but they would have long-lasting impacts from developments and buildings that would exist through a period of time. He believed it was critical to prevent sprawl, to have a functioning transit system, to have a walkable community, and to have a denser central city area, which was why he had been emphatically supportive of ways to facilitate that rebuilding. He agreed there were costs to growth, but as the sewer consultants had indicated, growth lowered the rates charged to sewer users since new users were brought into the system. If Columbia had a declining growth, the rates would need to be higher. He stated he was supportive of raising the connection fees because he did not believe they had any reason to hyper-stimulate downtown growth, and noted the user would pay regardless of whether it was through a connection fee or through rates to pay off bonds. He commented that they had to move forward to address the problems, and felt this proposal would allow that to happen. In addition, looking at funds that had not been programmed limited the City's exposure to accusations of broken promises in terms of ballot measures. He also did not feel it was fair to use this as a defacto moratorium to prevent downtown growth. He thought the City should facilitate infrastructure improvements as it was important to the health of the physical environment, and noted he planned to support this measure.

Mr. Thomas stated he planned to vote against this proposal as he felt they were stealing the \$2 million in annual sewer improvements from one part of the central city area and providing it to another part of the central city area, and would rather postpone or cancel the Midway extension project to raise the money for the proposed projects.

B197-14 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, CHADWICK, TRAPP, NAUSER. VOTING NO: HOPPE, SKALA, THOMAS. Bill declared enacted, reading as follows:

**B203-14 Amending Chapter 2 of the City Code as it relates to notification to city council members of special council meetings.**

The bill was given second reading by the Clerk.

Ms. Thompson provided a staff report.

Mr. Skala stated he assumed an e-mail was a sufficient paper or electronic trail to ensure there was a record of notification, and asked if they should rely on mail sent through the post office in case a computer went down. Ms. Thompson thought the practice of the City Clerk was to follow up by phone or another method of communication if she did not hear back from a Council Member when she sent out a request to try to arrange a special meeting unless she knew a Council Member was physically unavailable. She understood the practice had been a personal notification of some sort.

Ms. Hoppe wondered if the language should be changed to indicate the follow-up would be done. She explained if she was not checking e-mail every day because she was out of town or did not have access to it, she would want to be notified by phone as was done now. She thought they would want to know every Council Member had been reached by

electronic mail or phone. Ms. Thompson asked if she wanted to amend the ordinance to say “by telephone or electronic mail.” Ms. Hoppe stated she was agreeable and suggested also requiring confirmation of receipt. Ms. Thompson pointed out there could be situations where a Council member was out of town or out of the country and unable to provide confirmation.

Mr. Matthes pointed out the Council could not meet unless a quorum, at least four members, could attend the meeting. Ms. Thompson noted for any action to be taken, four affirmatives votes were required as well.

Ms. Hoppe understood notification would be by electronic mail or telephone. She explained she just wanted to ensure every effort was made to reach the Council Members.

Mr. Skala commented that when the special meeting involving the development agreements was called, his contact was with the City Clerk. She had asked about availability and he had indicated he was available on that particular day for a special meeting. He did not recall much more information being provided. He stated he agreed it was not appropriate for a police officer to serve him notice of the special meeting, but he wanted to ensure the ordinance was written appropriately so it did not need to be changed again.

Ms. Thompson explained every meeting the Council held that was not on the first or third Monday of the month was a special meeting, so every work session, retreat, budget session, etc. were all deemed to be special meetings.

Mr. Skala commented that he understood that showing up for that meeting was essentially part of the approval process indicating the meeting was a legitimate meeting. Ms. Thompson explained it was deemed to be a waiver of any specific notice provision if a Council Member showed up and did not object.

Mr. Thomas understood there was a difference between the two lunchtime meetings the Council had held in March and the work sessions that were held as legislation could have been passed at the lunchtime meetings, but not at a work session. Ms. Thompson explained work sessions were still special meetings as they were required to be called in the same manner under the City Code. She commented that anytime there was a gathering of a majority of the Council, it was deemed to be a special meeting. The intent of a work session was that official action would not be taken, and it was named differently so everyone knew it was a study session or a more in depth review of a particular issue. Mr. Thomas asked if they could take action at a work session if they decided they wanted to take some action. Ms. Thompson replied it had not been the practice of the Council to take action at a work session, and she would recommend it remain that way. Mr. Thomas commented that from the public point of view, there was a huge difference between a Council Meeting where they passed bills and resolutions and a work session.

Mayor McDavid understood the issue at hand was simply communicating that there would be a special meeting.

Ms. Chadwick wondered if the ordinance should be amended to state every effort would be made to contact the Council via e-mail or telephone. Ms. Thompson stated she thought the term “every effort” was vague. She pointed out this was written so the City Clerk could use a certain form of communication, but it did not exclude any other form of communication that might exist from being used. She thought they wanted to make it permissive.

Ms. Hoppe made a motion to amend B203-14 by adding “and/or telephone” after “electronic mail”. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

John Clark, 403 N. Ninth Street, agreed the idea of having a police officer deliver notice was out of date, but noted it had provided notice and confirmation of receipt. He suggested delaying a decision until the next Council Meeting as he was certain other communities had language that would deal with the notice and confirmation, and they would then not have to rely on past history.

Pam Cooper, 403 West Boulevard South, commented that the issue that was troubling some citizens was the ability to track the notification as there was no way to track whether or not a phone call had occurred or that the person responded. She agreed notification by a police officer was not needed, but felt a method that was tracked was needed, otherwise the public would not know if a Council Member had been contacted.

Tracy Greever-Rice, 602 Redbud Lane, stated she agreed with Ms. Cooper, and believed the public needed to be notified that the Council had been contacted, what they had been told, where they had asked to be, what they would discuss, etc. She was agreeable to utilizing current technology, but thought only those that were actually documented should be used. She was concerned about the telephone call as there was no way for the public to know if the call was made and what was said. She asked the Council to choose a media that allowed for a public record and transparency when they planned for deliberation of public issues.

Mr. Skala commented that the speakers had made a legitimate point. He noted that when the special meetings had been called in March, the City Clerk had checked on availability and had later notified him that the meeting would be held at a particular day and time, and it was trackable because it was done by e-mail communication. He stated he had brought the issue up due to the potential fallibility of the system and noted a telephone communication was not trackable even though it was responsible.

Ms. Chadwick understood the public was notified at least 24 hours in advance and asked if the Council was notified then as well. Ms. Thompson stated she believed the agenda was sent to the Council. Ms. Amin pointed out the City Manager’s Office sometimes notified the Council of work sessions and pre-council meetings, but she generally handled any special meetings, which she considered to be meetings whereby the Council could vote on legislation, because they tended to occur in the Council Chamber. She explained she usually sent the agenda to the Council in advance, and the agenda was then posted on the web and posted on the bulletin board in City Hall by someone in the City Manager’s Office at least 24 hours in advance of the meeting, not including weekends and holidays. In terms of the special meetings in March, she thought the agenda for the first special was provided to Council really late in the evening, and it was posted the following morning for the public, which was over 24 hours prior to the time the meeting was held. With regard to the second special meeting, she believed the agenda had been provided to Council first and then almost immediately posted. She pointed out the Council was usually notified in advance of the public whether it was the night before or a few hours before it was posted for the public. Ms.

Thompson noted Ms. Amin was speaking of the notice required under Section 2-25, which involved the posting of the agenda.

Ms. Chadwick understood the Council would be notified because they would not only be notified in advance but they would also be notified when the public was notified of the meeting. She did not feel there would be a chance for a meeting to be held without a paper trail, and if by chance a Council Member was notified only 24 hours in advance because they missed an e-mail or phone call, they still had time to object.

Mr. Trapp stated he agreed there were lots of safeguards to notifying the Council. He pointed the Council also had a supervisory role and the ability to hire and fire the City Clerk and City Manager if there was an attempt to do something underhanded. He pointed out the notification provision was there to ensure some section of the Council could not meet and do something the others might object to being done. He thought this was a common sense approach.

B203-14, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER.  
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B204-14 Amending Chapter 21 of the City Code as it relates to the powers, duties and processes of the Citizens Police Review Board.**

Mr. Matthes provided a staff report.

Mayor McDavid understood members of the Citizens Police Review Board were in attendance and asked if they had seen the letter from the Columbia Police Officers Association. The members in the audience had indicated they had not, and were provided copies of the letter.

Dale Roberts, the Executive Director of the Columbia Police Officers Association (CPOA) with offices at 1301 Vandiver Drive, Suite 102, apologized for the lateness of the letter e-mailed to Council today and explained the CPOA had not been a part of this discussion, which was why they had come to the table late. He stated they supported what they believed was the intent of the proposed changes, but had some concerns with the way the proposed ordinance had been drafted. He noted it was unclear as to what records the Citizens Police Review Board (CPRB) could access and felt that could be clearer to ensure specificity. In addition, although they embraced the ride along, they wondered whether an hour or an entire shift constituted a ride along. They hoped the ride along would be for an entire shift so the CPRB members could experience the mental and physical demands of an entire shift as they wanted to ensure the ride along was meaningful.

Mayor McDavid commented that he hated for the Council to have to mediate these issues when a ten minute conversation between both entities would likely result in a resolution, and wondered if this item should be tabled to the next Council Meeting. Mr. Roberts stated he did not believe there was any controversy, and explained they had not known this was going to be before the Council until they saw it on the agenda. Mayor McDavid stated he wished Mr. Roberts had e-mailed the CPRB members.

Mayor McDavid asked the CPRB members that were present for their thoughts about tabling this item to the next Council Meeting or if they preferred it be dealt with tonight.

Stephen Alexander stated he was the Vice-Chair of the CPRB and felt the comments made by Mr. Roberts could easily be addressed. He explained the records they would be able to access were records they already had access to since the Police Chief had made them available. The CPRB was only trying to codify it so they still had access if there was a new Police Chief in the future. They essentially wanted to know of all initial complaints and how they were dealt with by the Police Department. It had to do with transparency and public trust, and the fact the CPRB had to provide an annual report to Council. They currently forwarded the list of complaints to the Council. The Council wanted an analysis, so the CPRB wanted to see the raw data so they could see the original complaint and how it was handled. He pointed out, as a member of the CPRB, he could go to the Police Department and view that information now because the Police Chief had agreed to allow them to view it. He noted they could be more specific in the ordinance, but it would involve the Law Department as they would have to rewrite it.

Mayor McDavid asked if they would be agreeable to Council passing this ordinance and for another ordinance with specific changes to be brought to the Council after the CPRB and CPOA talked. Mr. Roberts understood that once the ordinance was passed, it would have the force and effect of the law, which meant the CPRB would have access to the records. He wondered if those records would include homicide investigation records. Mr. Alexander stated the CPRB was not interested in those records.

Mayor McDavid made a motion to table B204-14 to the August 4, 2014 Council Meeting. The CPRB and CPOA could then discuss the issues.

Mr. Alexander pointed out that time frame would require them to hold a meeting, which required public notification. Mayor McDavid asked when the next CPRB meeting would be held. Mr. Alexander replied the second Wednesday in August. He pointed out the CPRB had been working on this for over a year. It was not a secret. He explained they could go into the hall and address the situation, but they would need someone to put it in appropriate language for the ordinance.

Mr. Matthes suggested tabling this item for a couple of months. Mr. Alexander explained he hoped this would be completed before the end of his term in three months. He noted everyone on the CPRB had been on at least one ride along for the entire night.

Ms. Thompson explained the access to records was only for records for compliance with the provisions of this article. The concern of the CPRB was to ensure the complaints made were handled in a fashion that was appropriate with the intent of the functions of the CPRB, so they wanted to be able to view the complaints to ensure people had been given the opportunity to appeal, etc. She noted they could look at it further, but staff had tried to draft it in that fashion. Ms. Hoppe understood Ms. Thompson felt those concerns had been addressed. Ms. Thompson stated that was correct. She pointed out it did not cover the length of time of the ride along.

Mayor McDavid asked if the CPRB would be willing to discuss with the CPOA what would constitute a ride along. Mr. Alexander replied yes, and explained he thought it meant going out with a police officer, but it might not be for the full 12-hour shift as the CPRB members had jobs.

Mayor McDavid commented he was willing to act on this ordinance tonight and withdrew his motion.

Ms. Chadwick stated she preferred not to table this and understood it had the support of the Police Chief.

Mr. Alexander noted the CPRB was not interested in personnel files. They were only interested in seeing some of the IA reports.

Mayor McDavid suggested the Council pass this ordinance tonight, and the two organizations could then come back with an amendment in a couple months if they felt it was needed.

B204-14 was given third reading with the vote recorded as follows: VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

### **CONSENT AGENDA**

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

- PR119-14**     **Repealing Policy Resolution 134-00A which established a Policy and Standards for Pedestrian Crossings.**
  
- B190-14**     **Vacating a portion of right-of-way along Nottoway Drive located west of High Point Lane and east of Pemberton Drive, and vacating utility easements on Lots 401, C402 and 429 within Oak Park Plat 4.**
  
- B192-14**     **Amending Chapter 14 of the City Code to prohibit parking on both sides of Otto Court.**
  
- B195-14**     **Appropriating funds to the Parking Division to offset expenditures relating to downtown metered parking credit card transaction fees and building maintenance for the infill space located in the Fifth and Walnut parking garage.**
  
- B196-14**     **Appropriating funds to the Street Division to offset expenditures for snow removal.**
  
- B198-14**     **Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Career Awareness Related Experience (CARE) Youth Employment Program.**
  
- B199-14**     **Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Adapted Community Recreation Program.**
  
- B200-14**     **Authorizing a pole attachment agreement for telecommunications equipment with Socket Telecom, LLC.**
  
- B201-14**     **Accepting conveyances for utility purposes.**
  
- B202-14**     **Authorizing a program services contract with the Missouri Department of Health and Human Services for the tuberculosis/local public health agency patient incentives program.**
  
- B205-14**     **Accepting a donation from the Missouri Association of Community Arts Agencies to be used by the Office of Cultural Affairs for training purposes; appropriating funds.**

- B206-14     Appropriating funds for Share the Light Program.
- B207-14     Appropriating federal forfeiture funds for the purchase of portable radios for the Police Department.
- R121-14     Setting a public hearing: consider a revised CDBG and HOME funding policy and revised CDBG and HOME Administrative Guidelines.
- R122-14     Authorizing an amendment to the agreement with the PedNet Coalition, Inc. for design services for the development of new bus shelters for CoMo Connect.
- R123-14     Authorizing an extension of the temporary closure of a portion of the sidewalk on the south side of Park Avenue, a portion of the sidewalk on the east side of Orr Street and two parking spaces located on the north side of Ash Street to allow for temporary remedial action project improvements at the Ameren Missouri manufactured gas plant (MGP) site located at 210 Orr Street.
- R124-14     Authorizing an extension of the temporary closure of a portion of Ponderosa Street to facilitate the construction of a roundabout at the Nocona Parkway and Ponderosa Street intersection and a roundabout at the entrance of the future A. Perry Philips Park.
- R125-14     Transferring funds to offset expenditures relating to the November 2013 special bond election for sanitary sewer improvements.
- R126-14     Authorizing an agreement with the Memorial Day Weekend – Salute to Veterans Corporation for an air show at Columbia Regional Airport to be held on Memorial Day weekend.
- R127-14     Authorizing a cost sharing agreement for planning assistance with the U.S. Army Corps of Engineers for water quality treatment and stream channel protection retrofits to the Oak Forest detention basins (also known as the Kelly Detention Retrofit Project).
- R128-14     Approving the Preliminary Plat of The Gates, Plat 2 located on the southeast corner of Route K and Old Plank Road; granting a variance from the Subdivision Regulations regarding cul-de-sac length; setting forth a condition for approval.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS (except for R122-14 on which he abstained), NAUSER. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

**NEW BUSINESS**

- R120-14     Setting a public hearing: consider changes to the sanitary sewer utility rate, sanitary sewer utility connection fee and hauled liquid waste rate.

The resolution was read by the Clerk.

Mr. Matthes provided a staff report.

Mr. Glascock explained state statute required notification of at least 30 days, and if they waited to set the public hearing at the next meeting, they would not meet that 30 day requirement.

Mayor McDavid understood the Council had the opportunity to amend the content of the proposal when the public hearing was held. Mr. Glascock stated that was correct, and noted the consultant would be at the September 2, 2014 meeting as well.

Ms. Hoppe pointed out the presentation to Council was available for the public to access on-line as part of the July 7, 2014 pre-council meeting.

Mr. Thomas explained he had asked for this item to be removed from the consent agenda because he had concerns regarding the proposed rate changes. He understood those numbers were suggestions and changes could be recommended at the public hearing. Mr. Glascock explained the numbers had come from the cost of service study the consultant had presented. Mr. Thomas understood one recommended change was to increase the sewer connection fee from \$800 to \$1,200 per dwelling unit, but he understood the consultant had recommended it be increased to \$2,460 per dwelling unit. Mr. Glascock stated that was the maximum amount that could be charged based on the cost of service. Mr. Thomas understood the \$1,200 was the recommendation of staff. Mr. Glascock stated the \$1,200 was what staff had been asked to bring forward. Mr. Thomas stated he did not feel that amount was adequate.

Mr. Thomas stated he was also concerned with the reduction in the volume charge and the increases to the base charge as it disincentivized conservation as the volume charge was related to water. Mr. Glascock explained slide 11 of the presentation discussed the rating agency's criteria for recovering greater than 30 percent of annual revenue in fixed fees, so the fixed fees and volume charges were being adjusted. Mr. Thomas understood there was a calculation from that principle to come up with the reduction in the volume charges.

Mary Hussmann, 210 Ridgeway, commented that she understood fees would be raised for all residents and believed this would make it difficult for low-income and fixed-income families. She asked the Council to consider not increasing the rate for those families.

Pam Cooper, 403 West Boulevard South, understood the consultant's presentation was available to the public and asked if the full consultant report would also be available to the public. Mr. Glascock replied the final draft was not ready, but it would be available after it was ready.

Tracy Greever-Rice, 602 Redbud Lane, understood Mr. Glascock had indicated he had been asked for the connection charge to be \$1,200 instead of another amount, and asked who had asked for that amount. Mr. Glascock replied Ms. Chadwick had asked for it. Mr. Thomas asked if Ms. Chadwick specifically asked for \$1,200. Mr. Glascock replied Ms. Chadwick had indicated she wanted to raise it to \$1,200 in a work session. Mr. Thomas stated he did not recall that conversation. Mr. Matthes explained that was related to the 2004 cost of service study. Ms. Chadwick stated the 2004 study had indicated the connection fee needed to be raised to that amount by 2013.

Kim Kraus, 2304 Ridgefield Road, understood citizens should speak at the September 2, 2014 meeting if they had concerns about the actual numbers proposed, and that the \$1,200 was not set in stone at this time. Mayor McDavid stated that was correct. Ms. Hoppe suggested citizens with strong opinions notify Council Members in advance so they could consider any input. Ms. Chadwick agreed and pointed out the Council was available to the

public at any time, and they did not only have to talk during the public comment period at the council meetings. She wanted the constituents to feel free to reach out at any time.

John Clark, 403 N. Ninth Street, understood Mr. Thomas had indicated the volume charge had to do with water, and asked if this also had to do with setting water rates. Mr. Glascock replied no. This only pertained to sanitary sewer and/or the delivery of sanitary sewer effluent to the plant from other haulers. He pointed out that sewer was based upon how much water was used so there was a connection. Mr. Thomas understood the volume charge was based on water consumption. Mr. Glascock agreed, but noted it was the price for the sewer. Mr. Thomas understood the money went to the sewer utility.

The vote on R120-14 was recorded as follows: VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R129-14     Expressing support for the Innovation in Surface Transportation Act.**

The resolution was read by the Clerk.

Ms. Messina provided a staff report.

Mr. Thomas stated the goal of this legislation was to provide more local control over transportation projects. Currently, a lot of Columbia's transportation developments were dictated at the state level even though the evidence showed better solutions were found to transportation mobility problems when local governments had more control as there tended to be more sustainable solutions. This program would result in millions of dollars per year being available to Columbia for its own transportation projects. He hoped the Council would support the endorsement of this federal legislation.

Mayor McDavid commented that he believed many of them preferred local input in terms of the needs of the City. He understood MoDOT was hesitant of this because they were revenue constrained and had big projects that needed to be done, but noted he would support the suggestion of Mr. Thomas.

Ms. Hoppe stated she also liked local control as she felt local decisions were the best decisions as the Council was the closest to the people the decisions would impact.

Mr. Skala commented that the City Council had the luxury of being non-partisan unlike a national or state body, and thought this was the kind of local control that would bring partisans together across the political spectrum. He thought the Council would take pride in the fact it could come up with local solutions if it had money to fund it.

Mayor McDavid pointed out this would also remove the polarization between rural areas and urban areas fighting over money and projects being funded based on political stature. Mr. Skala agreed that was a problem at the state level.

Ms. Chadwick thanked Mr. Thomas for bringing this to the attention of Council.

The vote on R129-14 was recorded as follows: VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER. 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.

- B208-14 Rezoning a portion of the property located on the south side of East Business Loop and east of Old Highway 63 (2112 E. Business Loop) from R-1 and C-3 to C-P; approving the C-P Plan and Preliminary Plat for Veterans Campus; approving less stringent screening requirements; setting forth a condition for approval.
- B209-14 Rezoning property located on the north side of Old Hawthorne Drive East, approximately 600 feet east of Green Gate Lane, from R-1 to PUD-4.2; approving the Major PUD Plan Amendment and Preliminary Plat for Lot 1302 of The Vistas at Old Hawthorne.
- B210-14 Rezoning property located on the east side of Sinclair Road, approximately 150 feet north Muirfield Drive and extending eastward to the western terminus of Southampton Drive, from PUD-10.5 to O-P.
- B211-14 Approving the O-P Plan for Americare at Heritage Village located on the east side of Sinclair Road, approximately 150 feet north Muirfield Drive and extending eastward to the western terminus of Southampton Drive.
- B212-14 Approving the PUD Plan of Woods Edge located on the west side of Rolling Hills Road and south of Richland Road.
- B213-14 Approving the Final Plat of Kelly Highlands Phase II Plat 1 located on the south side of Broadway and west of Yorkshire Drive (3710 W. Broadway); authorizing a performance contract.
- B214-14 Amending Chapter 14 of the City Code to provide reserved parking for police vehicles along a portion of the west side of Richmond Avenue.
- B215-14 Amending Chapter 14 of the City Code to restrict parking along portions of Ash Street, and setting a minimum fine for parking in restricted areas and tow-away zones.
- B216-14 Amending Chapter 22 of the City Code as it relates to transportation fares.
- B217-14 Authorizing construction of the Cliff Drive PCCE #14 Sanitary Sewer Improvement Project; calling for bids through the Purchasing Division.
- B218-14 Authorizing a right of use permit with The Curators of the University of Missouri for the construction, improvement, operation and maintenance of fiber optic telecommunication lines within a portion of the Broadfield Drive right-of way.
- B219-14 Appropriating Federal Aviation Administration grant funds for costs relating to the design of the reconstruction and realignment of Runway 13/31 and Taxiway Bravo at the Columbia Regional Airport.
- B220-14 Amending Ordinance No. 18197 that established an archery deer hunting program.
- B221-14 Accepting and appropriating grant reimbursement and donated funds for the Memorial/Heritage Tree and Bench Programs and for the construction of a new batting cage at Antimi Sports Complex.
- B222-14 Authorizing a program services contract with the Missouri Department of Health and Human Services for the Show Me Healthy Women program.

- B223-14 Authorizing a memorandum of understanding with the Missouri Department of Health and Senior Services for the issuance of birth and death certificates.
- B224-14 Authorizing an agreement with The Curators of the University of Missouri, on behalf of the Department of Family and Community Medicine, for medical director services.
- B225-14 Authorizing an extension of the license agreement with St. Charles Tower, Inc. for a Cell on Wheels (COW) to be located on Parks Management Center property at 1507 Business Loop 70 West.
- B226-14 Authorizing agreements with N. Harris Computer Corporation for the licensing, implementation, support and maintenance of utility billing software; appropriating funds.
- B227-14 Accepting donated funds from the Community Foundation of Central Missouri to supplement the funding for the Trust Specialist position in the City Manager’s Office.
- B228-14 Amending Chapter 19 of the City Code as it relates to meal allowance, shift differential, police equipment allowance and flexible benefits; amending the FY 2014 Classification and Pay Plan to eliminate the Police Department career development programs.
- B229-14 Calling a special election relating to an increase in the general property tax rate for the sole purpose of funding an increase in police and fire department staffing and operations.
- B230-14 Calling a special election relating to replacement of the existing development charge with a new development charge for construction and maintenance of collector and arterial streets.

**REPORTS AND PETITIONS**

**REP71-14 Downtown Historical Building Markers.**

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

**REP72-14 Intra-Departmental Transfer of Funds Request.**

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

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Kevin Murphy, an engineer with offices at 3401 Broadway Business Park Court, stated he wanted to discuss the Tiger Avenue project the Council had defeated tonight. He explained Greek Town and the campus area had a parking problem so there was a need for parking. He noted the FIJI fraternity wanted to construct a new house, which would require them to meet current parking requirements, so if they built a 90-bed house, they would have to include 45 parking spaces, and the sorority wanted parking closer to their house. He suggested placing a sunset on the lot to be used as a surface parking lot instead.

Mayor McDavid understood a rezoning could not come back through the process for a year unless a majority of the Council approved it being brought back sooner. Mr. Teddy stated the same application could not be brought forward for a year unless the Council waived that one year requirement.

Mayor McDavid suggested the applicant make their case before the Council so the Council could decide whether to reconsider it prior to a year.

John Clark, 403 N. Ninth Street, asked the Council to direct staff to draft proposed language to be attached to all preliminary and final plats so they included a time restriction with regard to when a land disturbance permit could be applied for through the Department of Natural Resources (DNR). He suggested restrictions indicating land disturbance permits could not be applied for earlier than 30 days prior to construction or something similar.

Mr. Clark thanked the Council for its vote with regard to the rezoning for surface parking as he believed the University needed to join the City to discuss serious long-term planning in terms of parking. He believed this was a wonderful opportunity to begin to make the point that the City and University needed to move forward on policy work together.

Chris Palmero, 2700 Old 63 South, Apt.12-302D, explained there was a parking lot across from the two houses that had been proposed to be torn down that the University had slated for an annex to the business school, so that parking area would disappear. In addition, the new fraternity house that would be built where the Alpha Chi Omega residents currently parked would include underground parking, so he did not believe there was an issue in terms of new flat parking spaces being created or less greenspace as 15 percent was required. He pointed out that area was packed with cars and he did not believe the Council could stop cars from going through the area. There would always be a traffic problem and pedestrians crossing the street in that area. He pointed out the “bear hug bandit” came up behind people and grabbed them so there was a safety issue when people had to park far from their residences. This exchange would allow Alpha Chi Omega to be closer to their house and assist with that safety issue. He also doubted anyone would want to build anything at that location because it would be in the middle of three parking lots.

Monta Welch, 2808 Greenbriar Drive, stated she hoped the Council was able to read an e-mail she sent earlier today regarding Amendment 1 to the Missouri State Constitution. She was concerned the legal language would leave a loophole that would allow any size operation to do any type of agriculture in Missouri. She understood small farmers in Callaway County were already objecting to a neighbor developing a large hog confinement operation, which was very damaging to the environment as it had contaminated nearby water and killed fish on neighboring properties. Currently, farmers had recourse against one another, but that would be eliminated with this amendment because it would be a part of the Missouri Constitution, which trumped all other statutes. She noted this would affect Boone County since it was not a first-class county with a charter form of government. The amendment would protect one type of industry over another type of industry and would restrict the rights of voters. She did not feel this was appropriate, and thought Columbia could end up with a concentrated animal feeding operation (CAFO) right outside its City limits.

Mayor McDavid made a motion for the City Council of the City of Columbia, Missouri, to hold a closed meeting on Monday, August 4, 2014 at 5:30 p.m. in Conference Room 1A/1B of City Hall, 701 E. Broadway, Columbia, Missouri to discuss the following: (1) information relating to the hiring, firing, disciplining or promotion of particular employees when personal

information relating to the performance or merit of individual employee(s) is discussed as authorized by Section 610.021(3) RSMo; and (2) individually identifiable personnel records, performance ratings of employees or applicants for employment as authorized by Section 610.021(13) RSMo. The motion was seconded by Mr. Skala and the vote was recorded as follows: VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE.

Mayor McDavid stated he had been approached by Andrew Denney regarding what he knew about the possibility of Opus not opening in a year, and he wanted everyone to know he did not know any more than anyone else. He noted he had not spoken with the principals of Opus in three months. He assumed people would be mad at him for that comment if a bulldozer showed up tomorrow. He reiterated he had no inside information. He had assumed it took a year and a half to build a structure like that, but understood he could be wrong.

Mayor McDavid asked for a report on annual transit ridership going back 5-10 years for the August – July or July to August timeframes.

Mayor McDavid asked for a report on the status of employee pension plans.

Ms. Hoppe asked that the pre-council meeting discussion list include a session on the process of selecting ballot issue projects. She noted she had raised that issue previously, and most recently at the June 16, 2014 Council Meeting.

Ms. Hoppe noted the Ward 6 check-in meeting would be from 6:00-8:00 p.m. on July 29, 2014 at the Hillcrest Community Center, which was on the Waters-Moss property on Old Highway 63, south of Stadium Boulevard.

Mr. Trapp understood there had been media reports regarding the Mayor's Task Force on Community Violence, and pointed out the Task Force had met two weeks ago. In addition, he was hesitant to criticize citizen volunteers as they had put in a lot of work and time, and had wrestled over difficult questions for a long period of time. He noted the Task Force was at the point of evaluating programs and potential solutions. He commented that he had recommended they not try to do this within the 12-month timeline because he thought they would likely need to ask for more time. He pointed out the Task Force had decided to take a labor intensive and arduous approach, and they were working hard and would have some meaningful, substantive recommendations. He stated he was proud of the work of the Task Force, and he and Ms. Nauser, the co-chairs of the Task Force, had opened themselves up for criticism by deciding to run for Council, but he did not believe the Task Force members should have to deal with that as many of them had been asked to serve. He asked the public to be patient as it was a chronic problem that did not lend itself to hasty solutions. He noted they expected to meet the deadline of the middle of November in terms of recommendations.

Ms. Chadwick apologized to Mr. Trapp for perpetuating misinformation about the Task Force. She understood the Task Force members were volunteers and appreciated the time

and effort they had put into it. She noted there was elevated crime, to include violent crime, in her neighborhood and it was hard to be patient when her constituents felt they were at risk. She commented that she looked forward to the November ballot issue with regard to a property tax increase for public safety as she felt more police officers were needed for patrols and community policing in her neighborhood.

Ms. Chadwick understood Ms. Nauser had asked for a nuisance ordinance to be considered and asked if that was still being explored. She had been told that several years ago the neighborhood associations had prepared a report of potential nuisance ordinances and language, and suggested that be reviewed if that had been done.

Ms. Chadwick commented that the Ridgeway Neighborhood Association had discussed the idea of giving neighborhood associations a greater voice through a neighborhood alliance similar to a board or commission, and asked if that had been considered in the past. She thought the people in the community would be excited to participate in something of this nature.

Ms. Chadwick understood produce could not be sold on individual lots, and the Columbia Center for Urban Agriculture (CCUA) had requested a zoning change so they could sell produce on their lot. She noted they had many satellite locations where they grew the produce, but could only sell it on their main lot. She asked staff to review the possibility of selling produce on individual lots.

Ms. Chadwick stated sustainable, healthy food and access to food was really important to her. She thanked Ms. Welch for her work on the right to farm amendment, and noted she personally supported voting against that amendment.

Ms. Chadwick explained she had planned to talk to staff regarding the request of Mr. Clark for an ordinance limiting land disturbance permit applications as she wanted to better understand the issue prior to moving forward.

Ms. Chadwick stated she would like for the University and the City to collaborate on some type of satellite parking to address the parking issues in downtown and on the University campus.

Ms. Chadwick commented that she appreciated Mr. Palmero speaking as she was happy students were willing to be involved in local politics. She explained it sounded as though the houses would be demolished for a surface parking lot, and that the current surface parking lot would also remain a surface parking lot, but based on his comments, she understood the current surface parking lot would likely be developed to house people. She suggested that information be provided to Council so they better understood the situation and could make an informed decision.

Ms. Nauser thanked Mr. Trapp for his comments regarding the Mayor's Task Force on Community Violence as she agreed with his comments. She noted that she had recently

read about the success of the saturation effort by the Columbia Police Department and hoped that would occur more in the future. She thanked everyone involved.

Mr. Skala pointed out two ballot issues were under the introduction and first reading section of the agenda, and they were B229-14, which was the public safety property tax issue, and B230-14, which was the development fee issue. He believed the City needed to increase its police force as they were understaffed, and noted the consensus of the Council was for a 30 cents increase in property taxes even though he had been inclined to support a 20 cent increase. In terms of the development fee ballot issue, they had begun with the idea of trip generation and a user-based fee in addition to a size-based fee, which involved high numbers, but they had compromised at a level of \$2.00, \$3.00 and \$4.00, which was then cut in half based on the consensus of Council. He explained he was considering proposing some amendments to it, and encouraged the public to review the bills so a lively discussion could be held at the next meeting.

Mr. Skala understood the Planning and Zoning Commission would take up the C-2 interim zoning issue on Thursday, and noted he was very interested in the recommendation that would come from that Commission. He stated he wanted to be ready by having all of the background material of all of the recommendations they had received to date with regard to the proposed interim changes to C-2 zoning, and for that discussion to be had at the earliest possible time.

Mr. Skala stated Clark Lane was under construction and understood some people had been going considerably faster than the 30 mph posted. He asked the public to be careful and to slow down until the improvements on Clark Lane were completed.

Mr. Thomas commented that he hoped the decision on the request to rezone property for a parking lot was the start of a significant conversation between the City, the University, and students. He stated the building of more parking only encouraged more driving, and thought they needed to look at it from many other perspectives in terms of transit, off-site parking, incentives of not bringing a car to college, expanding car-share operations, etc.

Mr. Thomas noted there were a number of places in town where people without cars walked on very dangerous roadways. Clark Lane was starting to be addressed due to the addition of apron-type shoulders and rumble strips, but there were others, such as I-70 Drive Southwest, Carter Lane, and some sections of the Business Loop. He asked for a report that surveyed streets around the City that had no sidewalks, unsafe walking areas, and reasons people without cars or with low-paying jobs might be walking in the area. This would allow them to have a sense of how many of these places existed in Columbia. He also wanted an estimate of the cost to install rumble strips and warning signs on those streets, and a cost estimate for reflective vests that could be provided by the Columbia Police Department to people that were walking in dangerous areas.

Mr. Thomas understood the Public Transit Advisory Commission (PTAC) wanted to make changes to its establishing ordinance with regard to its makeup and representation of

colleges as some things had changed since it had been formed. He asked staff to draft the recommendations of the PTAC for Council consideration in the form of a report.

Mr. Thomas pointed out the COMO Connect routes would start two weeks from today, and he challenged the Council, the City Manager, the City Counselor, and the City Clerk to ride COMO Connect on Monday, August 4, 2014 for at least one journey, and to be available to provide feedback that evening.

Ms. Chadwick pointed out an on-going issue with the bus routes was that people could not get home from Council Meetings because the buses did not run late into the evening, and hoped that could be addressed in the future.

The meeting adjourned at 11:14 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk