

**CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
701 E. BROADWAY, COLUMBIA, MISSOURI
AUGUST 4, 2014**

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, August 4, 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 MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER and HOPPE were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

Mayor McDavid explained the previous meeting minutes had not yet been completed.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Ms. Chadwick asked for B210-14, B211-14, and B212-14 to be moved from the consent agenda to old business.

The agenda, including the consent agenda with B210-14, B211-14, and B212-14 being moved to old business, was approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Skala.

SPECIAL ITEMS

None.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

SCHEDULED PUBLIC COMMENT

Kevin Everett – Tobacco use policy.

Mr. Everett, 4107 Joslyn Court, stated he was a faculty member representing the University of Missouri, which had a smoke-free campus policy, and noted he was a member of a committee that was trying to improve the implementation and enforcement of that policy. He explained the committee wanted to work with the City to develop language that would help them enforce the policy on City streets and sidewalks within and bordering campus.

Mayor McDavid asked Mr. Everett to e-mail him so the appropriate contacts and connections were made.

Sean Goggins – Planned growth.

Mr. Goggins rescheduled to a future meeting.

Roger Wilson – Boone County EPIC 1/8 cent sales tax.

Mr. Wilson commented that the voters would decide on Proposition EPIC tomorrow, and he believed it was an opportunity to further cement the relationship between Boone County and the cities within Boone County. He explained Proposition EPIC was a one-eighth cent sales tax that would sunset in six years and would primarily be used for parks and economic development. He thanked the City for its cooperation with the Atkins tract, which was just north of the Boone County Fairgrounds, and thought that was a wonderful example of the good that could be done by two governmental bodies. He noted projections had been made for a population of 200,000 in Boone County by 2020, and this area was the growth center of the region. He suggested they follow the example of the Atkins tract by further expanding athletic and recreational opportunities to the Fairgrounds while maintaining a place for the Boone County Fair to be held. The 132 acres would add to Cosmo, Bethel, and Stephens Lake parks, and there would be growth in the area due to Battle High School and Battle Elementary School. He felt they should think about athletic tourism as a few years ago there had been a push by others for the Show-Me State Games. He did not believe the hoteliers, restaurateurs, and shop owners wanted to lose that event, and thought they could keep the Show-Me State Games in Columbia as long as the venues were good enough to not resist. In addition, the development of the Fairgrounds could provide for a riding trail. He complimented the City's Parks and Recreation Department and felt greater enhancements could be made in that realm through a partnership between Columbia and Boone County. He explained most of his comments had been aimed towards parks because of the opportunities for children, but noted he did not want to overlook economic development as these funds could also be used for that purpose. He asked the Council for their individual votes on Proposition EPIC.

PUBLIC HEARINGS

(A) Consider a revised CDBG and HOME funding policy and revised CDBG and HOME Administrative Guidelines.

Item A was read by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid opened the public hearing.

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

OLD BUSINESS

B45-14 Rezoning property located on the northeast corner of Providence Road and Turner Avenue, and on the northwest corner of Turner Avenue and Fifth Street, from District R-3 to District PUD-52; approving the statement of intent; approving the Preliminary Plat and PUD Plan of ACC OP Development LLC; setting forth conditions for approval; approving less stringent height, setback and landscaping requirements; granting a variance from the Subdivision Regulations regarding dedication of street right-of-way; providing notice as it relates to the provision of utility service.

B63-14A Authorizing a development agreement with ACC OP Development LLC relating to property located on the northeast corner of Providence Road and Turner Avenue, and on the northwest corner of Turner Avenue and Fifth Street.

The bills were read by the Clerk.

Ms. Thompson and Mr. Teddy provided a staff report.

Ms. Hoppe commented that she did not see anything in the agreement that would require the cleaning and maintenance of pervious pavement in accordance with the manufacturer recommendations and asked if that could be included. Ms. Thompson replied the pervious pavement was a required amendment to the statement of intent in the ordinance for the planned unit development, and understood Ms. Hoppe wanted the top of page four to read “the applicant shall construct and maintain as part of the project a pedway and eight (8) parking spaces consisting of pervious pavement....”

Ms. Hoppe noticed a size had not been indicated for the planters on the parking garage, and thought a size should be included. Ms. Chadwick stated that had been something she had asked for, and agreed it needed to be clarified.

Ms. Chadwick explained she understood the Council had discretion since this was a rezoning request, and noted many items on the substitute bill were items she had requested, such as the on-site recycling, pervious pavement on Fourth Street, the salvaging of anything of value currently on the site, preserving 25 percent of the climax and forest and replanting an additional 25 percent of climax forest for a total of 13,598 square feet, landscaping on 20 percent of the site, which involved 35,852 square feet, landscaping on the top of the garage, low-flow toilets, energy star appliances in terms of washers, dryers, dishwashers, refrigerators and ranges, bus passes for 200 people for a minimum of two years, a minimum purchase of \$10,000 in solar panels to help offset energy usage, tree grates every 25 feet on the Fifth Street sidewalk, and the right-of-way easement on Turner Avenue. She asked Ms. Thompson if all of those items had been accounted for in the development agreement. Ms. Thompson replied those items were a part of the amendment sheet. There was no minimum on the square footage of the planters. In addition, she understood there might be a desire to add tree species to the allowable reforestation of the climax forest and a question had been raised as to whether energy star labeled appliances were available for stovetops, ranges, ovens and microwaves. She thought everything else was included and enforceable.

Ms. Hoppe referred to section 12(d) in the development agreement and asked for clarification. Ms. Thompson replied the development agreement provided for a developer payment of \$300,000 for sanitary sewer improvements in addition to the normal requirement and fees for a new building, and if additional fees were imposed by the City that would create fees in excess of the \$300,000 for sanitary sewer improvements or sanitary sewer connection fees, the developer would be allowed a credit of up to \$300,000 so they did not have to pay twice. The reason was that the developer was paying this amount voluntarily knowing the Council was considering the modification of its fee structure. Ms. Hoppe understood the developer would not get a credit if there was an increase in various permitting fees or construction fees. Ms. Thompson stated that was correct and explained it was only related to sanitary sewer fees as that was the only service for which the developer was providing extra payments to the City. Mr. Thomas understood this contingency would only come into effect if the sewer connection fee was raised before the permitting stage of this project. Ms. Thompson stated that was correct, and explained it would apply if there were additional fees and charges for sanitary sewer.

Ms. Hoppe referred to section 13(a) in the development agreement and asked if the agreement would be terminated if the developer did not complete the project by August 1, 2017. Ms. Thompson replied she believed there was a five year window to complete the project, and that it read it was the anticipated date of completion or five years, whichever was later. Ms. Hoppe noted that section did not refer to the five years. Ms. Thompson explained the five years was in the definition of term, which was in section 1 of the agreement. The term of the agreement began on the effective date and ended on the last day of construction or the fifth anniversary date.

Ms. Hoppe understood the Planning and Zoning Commission had recommended a condition for occupancy to be tied to infrastructure capacity, but several places in the agreement indicated the failure of the City to construct or complete the sanitary sewer infrastructure improvement prior to the end of the construction period would not prevent the developer from obtaining a certificate of occupancy, and asked if this meant the developer could obtain an occupancy permit regardless of whether or not the City had completed sanitary sewer improvements. Ms. Thompson replied that was correct, and explained the City would be obligated to find another method to handle the capacity if there was insufficient capacity. She noted there were a lot of ways to manage capacity, such as pumping. She stated she was not aware of all of the methods or the cost of those methods, but understood there were alternative mechanisms by which the sanitary sewer capacity could be managed in the short-term. Ms. Hoppe noted she wanted to know what those alternatives were if this amendment passed and these items were tabled. She explained she was not comfortable with adding 700 units without knowing there was sewer capacity to serve those units. Mr. Matthes stated a sewer project for the CHP and ACC projects was in the process of being designed so completion of that project was not an imminent concern. Mr. Glascock stated the sewer project on Turner Avenue was currently being designed and he believed it would be built before the development was completed.

Ms. Hoppe understood necessary improvements to the Flat Branch sewer were anticipated to be completed. Mr. Glascock pointed out the Flat Branch sewer was different from than the Turner Avenue sewer line. The Turner Avenue line would run down Turner Avenue, under Providence Road, to the Flat Branch sewer, and that line was currently under design. Ms. Hoppe understood that line would feed into the Flat Branch. Mr. Glascock stated that was correct. He noted the Council had just appropriated money to start the design for that project. Ms. Hoppe asked when that would be completed. Mr. Glascock replied the goal was for the first project, which was from the Quarry Heights area up to Elm Street to be designed and completed in two years. Ms. Chadwick asked Mr. Glascock if he was saying the Flat Branch sewer main and this other project would be completed by August 2017. Mr. Glascock replied that was the plan.

Ms. Hoppe asked what would happen if the sewer projects were not completed by then as she understood this development would be able to obtain an occupancy permit regardless of whether it was completed. She also understood the City Counselor believed there were other options in the interim. Mr. Glascock explained staff was continuing to reduce inflow and infiltration, and noted there would be additional capacity based on that work. Ms. Thompson stated she did not want to mislead anyone. She explained she meant

she believed there were other options if there was insufficient capacity, but she did not mean to indicate there was insufficient capacity in the Flat Branch line for this particular project.

Ms. Chadwick asked about the options if there was insufficient capacity when this development project was completed. Mr. Glascock replied that was a difficult question to answer at this time. He explained the Turner Avenue line project needed to be completed because it would definitely be over capacity if the CHP and ACC projects were constructed. He stated the Flat Branch line could handle the flow going forward, and was only critical to be completed in terms of other future development projects.

Ms. Hoppe understood the Flat Branch line could handle this development during dry weather times, but not during wet weather times. She suggested the agreement indicate the City would make every effort to try to complete those sewer improvements, but in the unfortunate event that the sewer improvements were not completed, occupancy would be delayed until there was sufficient capacity or other alternative improvements were completed. Mr. Glascock stated the CHP and ACC projects would just need the line from Quarry Heights to Flat Branch Park where it met Providence Road to be completed because the pipe would be bigger. They did not have to complete the sewer work all of the way to Elm Street at this time. Only a portion of the Flat Branch sewer needed to be completed to provide that relief. Ms. Hoppe stated it appeared as though staff was confident that the necessary improvements would be completed so there would not be increased overflows in terms of the amount and volume even during wet weather times, and asked if the language she had suggested could be included as anything could happen. Mr. Matthes replied he thought the language suggested by Ms. Hoppe was acceptable.

Mr. Skala asked if there were specific changes in the development agreement in addition to changes in the PUD ordinance, and for clarification on those changes. Ms. Thompson replied the changes in the development agreement were outlined in the memo. There was an updated Exhibit E in the development agreement with regard to utility demands and the paragraph on electric system requirements had been amended. She explained the previous concerns of inadequate electric supply were alleviated due to the updated utility demands and estimated loads, so that was eliminated from the development agreement. The Water and Light Department was still requesting the developer to provide advance notice of a year to ensure adequate infrastructure was in place even though there was adequate supply. There was an additional agreement by the developer to dedicate the necessary right-of-way for future street construction on Fifth Street and at the intersection of Providence Road and Turner Avenue. The requirements of the PUD with regard to the previous pavement improvements on Fourth Street were incorporated into the development agreement. In addition, it included two years of transit services to be purchased for a minimum of 200 residents, which would be a one-time payment of \$52,000. She noted additional passes could be purchased during that two-year period at \$65 per pass per semester. The building demolition and salvage had also been incorporated in terms of working with the Historic Preservation Commission to ensure as much architectural salvage as possible was reclaimed.

Mr. Skala understood Ms. Thompson had advised the bill be held over if the amendment sheet was approved by Council. Ms. Thompson stated that was correct.

Mr. Skala asked about the process of constructing a development agreement in terms of input from any particular council member as he thought it was a staff procedure. He asked how differences in opinion would be reconciled. He wondered when those items would be discussed and if it was something the Council discovered when the amendment sheet was provided. Mr. Matthes replied he felt the amendment sheet should be negotiated tonight. Mr. Skala understood suggestions had been made prior to tonight's meeting. Ms. Thompson commented that from her perspective if an individual council member came to her with suggested amendments that were amenable to the developer, she would try to get those drafted in advance for an amendment sheet. She noted the Council did not have to approve the amendment sheet. She explained she preferred to receive any substantial changes in advance if possible so she could prepare them prior to the meeting and provide them for Council to review. If it was a small change, it did not necessarily have to come to her in advance, but it was helpful to have all potential changes in advance so she did not have to try to draft language for the changes at the meeting.

Ms. Chadwick made a motion to amend B45-14 per the amendment sheet. The motion was seconded by Mr. Trapp.

Ms. Hoppe made a motion to amend the amendment sheet for B45-14 by changing the sentence in Section 2(3), which would amend Section (i) of the statement of intent, to read "The applicant shall construct and maintain as a part of the project and pedway and eight (8) parking spaces consisting of pervious pavement...." The motion was seconded by Mr. Trapp and approved unanimously by voice vote. Ms. Hoppe commented that the planters on the garage needed to be specified and she welcomed input from staff or the developer on a reasonable size. Mayor McDavid suggested Ms. Hoppe solicit an opinion from the developer and make that amendment at the next Council Meeting. Ms. Hoppe stated she was agreeable to that suggestion and would make that amendment at the next Council Meeting.

The motion made by Ms. Chadwick, seconded by Mr. Trapp, and amended by Ms. Hoppe to amend B45-14 per the amendment sheet was approved unanimously by voice vote.

Mr. Trapp made a motion to amend B63-14A per the amendment sheet. The motion was seconded by Ms. Chadwick.

Ms. Hoppe made a motion to amend the amendment sheet for B63-14A by deleting the last sentence in paragraph 4 of the development agreement and substituting it with "City will use its best efforts to construct the sanitary sewer improvements as set forth herein prior to the end of the construction period; however, if such sanitary sewer improvements are not completed by such time, the certificate of occupancy may be withheld if there is insufficient capacity to support the project as constructed." The motion was seconded by Mr. Thomas.

Ms. Chadwick asked this was done with all developments. She thought part of the approval process for all developments was that the City would have adequate infrastructure. Mr. Matthes replied he could not think of a past instance similar to this, and noted he thought the logic was solid so he was not concerned.

The motion made by Ms. Hoppe and seconded by Mr. Thomas to amend the amendment sheet for B63-14A by deleting the last sentence in paragraph 4 of the development agreement and substituting it with "City will use its best efforts to construct the

sanitary sewer improvements as set forth herein prior to the end of the construction period; however, if such sanitary sewer improvements are not completed by such time, the certificate of occupancy may be withheld if there is insufficient capacity to support the project as constructed” was approved unanimously by voice vote.

The motion made by Mr. Trapp, seconded by Ms. Chadwick, and amended by Ms. Hoppe to amend B63-14A per the amendment sheet was approved unanimously by voice vote.

Ms. Nauser made a motion to table B45-14, as amended, and B63-14A, as amended, to the August 18, 2014 Council Meeting. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

B74-14 Amending Chapter 16 of the City Code as it relates to marijuana.

The bill was read by the Clerk.

Mr. Matthes provided a staff report.

Ms. Hoppe made a motion to table B74-14 to the October 6, 2014 Council Meeting.

Ms. Hoppe explained various boards and commissions had provided feedback, which included concerns, and she wanted the opportunity to see if any of those concerns could be addressed. She also understood there was interest in this issue by the University of Missouri students and faculty, so she wanted this to come back to Council when everyone was in town.

The motion made by Ms. Hoppe to table B74-14 to the October 6, 2014 Council Meeting was seconded by Mr. Skala and approved unanimously by voice vote.

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.

R136-14 Approving the Preliminary Plat for Veterans Campus located on the south side of East Business Loop and east of Old Highway 63 (2112 E. Business Loop); granting a variance from the Subdivision Regulations regarding dedication of street right-of-way.

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

Mr. Teddy provided a staff report.

Ms. Hoppe understood people would need to use the bus system and improvements would eventually be made up to Westlake Ace Hardware, but it did not appear as though the preliminary plat had any provisions for a sidewalk on the north, and asked if that was correct. Mr. Teddy replied it was not addressed at this time, but it would be required at the time of the final plat.

Tim Crockett, an engineer with offices 2608 N. Stadium Boulevard, explained the sidewalk was not shown on the preliminary plat, but it was shown across the north property line on the C-P Plan. He noted they wanted to provide pedestrian connectivity for their clients. He pointed out they were asking for a variance to the screening requirement on the south portion of the property, but were not asking for a variance to the screening requirement on the west portion where the property also abutted R-1 property. He commented that this property would house a temporary shelter and apartments, and since there would be two

different owner entities, the property needed to be subdivided into two different parcels. He explained this was a repurpose of the existing facility. They would not remove or tear down the buildings. He believed the proposed use was good for the area, and they had received a lot of good feedback when they had met with the neighbors.

Phil Steinhaus, 201 Switzler Street, stated he was the CEO of the Columbia Housing Authority and explained this would allow for 29 temporary shelters along with a supportive services center on the Welcome Home side, and 25 one-bedroom apartments on the Columbia Housing Authority side would serve veterans from the HUD-VASH program with supportive services provided by Veterans Administration. He thought they had good support from the neighbors as they had addressed sewer and other concerns.

Mr. Skala asked when they anticipated starting and completing the project. Mr. Steinhaus replied the goal was to start on the 25 HUD-VASH apartments by next February if they received the needed funding. He explained they had received a recommendation of low-income housing tax credits and tax-exempt bonds for \$1.7 million and were working on other donations and foundation gifts. He stated they were recently awarded 20 additional VASH vouchers and were waiting to hear about the 25 project-based vouchers, but felt confident they would receive the vouchers necessary to provide rent subsidies. This would allow them to leverage additional funding through a loan. He thought it might take 2-3 years to complete then entire campus concept.

Rodney Higgins stated he was the Vice-President of the Board of Directors of Welcome Home, Inc., and encouraged the support of Council for this project as there was a tremendous need to serve veterans that were now home or would soon be returning from Afghanistan and other posts.

Mary Hussmann, 210 Ridgeway, stated she thought this was a great project, and asked if there would be on-site management. Mr. Steinhaus replied there would be once the supportive services were established.

Ms. Hoppe explained she had participated in some of the public outreach and was impressed with this collaborative project involving Veterans Administration, the Columbia Housing Authority, and Welcome Home. She thought it would be a great improvement to this dilapidated and crime-ridden area and noted it would also involve the adaptive use of existing buildings. She understood the concerns of the neighbors regarding stormwater and sewer had been addressed, and that this project would not add to their problems. She noted there was a need for affordable housing and helping homeless veterans, and believed this was a great project for the community.

Mr. Skala commented that, as a veteran, he appreciated this development. It was clear from the onset that this was an excellent project that was needed in the community. He thought this was one of those projects that deserved their support.

Mr. Trapp explained he worked closely with Welcome Home and the Columbia Housing Authority, and they were both great organizations. The idea of transitioning in place in terms of permanent supportive housing with a shelter was really great as people would not be forced to move to another neighborhood to continue those services. In addition, the HUD-VASH program was an innovative federal program. This was an amazing coalition with the State of Missouri in terms of tax credits, the federal government in terms of Veterans

Administration and Housing and Urban Development, and the local housing authority and local non-profit. He stated he was proud to support this.

Ms. Nauser made a motion to amend B208-14 per the amendment sheet. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

B208-14, as amended, was given third reading with the vote recorded as follows:
VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE.
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on R136-14 was recorded as follows: VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

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.

The bills were given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Chadwick understood there were sewer issues in this area. Mr. Teddy stated those issue were not raised during the plan review.

Ms. Hoppe understood a resident had raised a concern about a stop sign being needed at the intersection of Kenilworth Drive and Muirfield Drive during the Planning and Zoning Commission meeting, but it had not been addressed. Mr. Teddy thought they would want the Traffic Division to observe the area and noted he want not sure that request had been made. Ms. Hoppe stated she would bring it up at the end of the meeting. Mr. Teddy explained the street was not being modified, but there would be additional traffic on Southampton Drive.

Ms. Nauser stated she had not had a single resident contact her regarding this development, and understood the neighbors wanted a residential care facility in this location.

Mr. Thomas asked for the estimated value of the street segment the developer would build and donate to the City. Mr. Teddy replied it varied depending on the class of street, whether a drainage structure was involved, etc. He thought a tentative estimate could be developed. Mr. Thomas asked if this had been negotiated by staff as part of the rezoning process. Mr. Teddy replied he thought staff had told the developer Southampton had to be extended during the initial concept review because the roadway plan indicated the City could take right-of-way and require construction.

Mr. Thomas commented that he thought it would be more systematic to have an adequate road development impact fee or charge to create a fund for road capacity expansion instead of conducting ad-hoc negotiations when a road was needed for one development. Mr. Teddy stated he would argue this particular one was systematic. He felt it could be considered ad-hoc if it was on the perimeter of the property, but the City had good leverage when the road was in the middle of a tract. He pointed out there was no existing street other than Sinclair Road that directly accessed the property, and the roadway plan put

the property owner on notice. He noted City policy allowed a developer to ask for City participation when something in excess was need than what would be generated by the use, such as the need for a collector street when the use was a very low density use. In that situation, the developer might dedicate the right-of-way and build to a local class street and ask the City to help with the upgrade to a wider and more durably built street.

Ms. Nauser stated there was a lot of cut-through traffic in the nearby subdivision, and extending Southampton Drive all of the way to Sinclair Road would alleviate much of that problem. She noted she would not want to rely on the City collecting development fees to build the road. She liked the idea of developers constructing the roads when they were building the development.

Mr. Skala understood negotiations and the building of half of the roadway with the City constructing the rest happened quite often. He thought this had occurred on Providence Road and a few other places where a lot of road capacity was needed and the development contributed to it. He understood some people did not like these exactions, but it was part of the negotiating process, which Council would try to get away from during the anticipated standard zoning review.

Mr. Matthes commented that Sinclair Road would be the target of a developer fee funded road projects because it already existed and would be impacted more as the area developed. He thought existing roads were better targets for developer fee funding.

Tim Crockett, an engineer with offices at 2608 N. Stadium Boulevard, explained the building height had been reduced from 35 feet to 24 feet due to negotiations with neighbors and noted they were requesting O-P zoning so a residential care facility could be added. The neighbors understood the developer could build a multi-family residential development and had asked that they construct something that involved fewer cars and trips and had a lesser impact on the school system. He pointed out the traffic study had indicated this use would equate to about 7.5 single family houses in terms of impact, which was very low.

Ms. Hoppe asked what occurred when a resident raised an issue that was not addressed as part of the rezoning process. She wondered if staff explained the proper procedure, directed them to contact the Council, or looked into it and got back to the person. Mr. Teddy replied staff would try to follow through on that complaint and others like it.

B210-14 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B211-14 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B212-14 Approving the PUD Plan of Woods Edge located on the west side of Rolling Hills Road and south of Richland Road.

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid asked who would pay for the streets and sewer infrastructure. Mr. Teddy replied the developer.

Mayor McDavid asked if this development would be serviced by Boone Electric Cooperative. Mr. Teddy replied he believed so. Mayor McDavid understood Boone Electric would pay for the electric infrastructure. Mr. Teddy stated that was correct, and noted this development was also in Water District No. 9.

Ms. Hoppe understood staff had indicated the road name Spyglass could create problems and asked if there was another Spyglass and where it was located.

Tim Crockett, an engineer with offices at 2608 N. Stadium Boulevard, explained the collector road going through the site was originally named Spyglass Drive, but Joint Communications had denied that name. He noted the neighbors had not expressed any opposition or concern regarding this project, and explained they were preserving roughly 30 percent of the site in common area for the residents. In addition the density was roughly 1.5 even though the site had PUD-4 zoning.

Ms. Hoppe asked what Spyglass Drive had been renamed to. Mr. Crockett replied Wood Lake Drive. Mr. Skala asked why Joint Communications objected to Spyglass Drive. Mr. Crockett replied he believed it might have sounded similar to something else. He explained Joint Communications was diligent in not accepting names if they could be misconstrued during an emergency.

Ms. Chadwick commented that she had asked for this to be removed from the consent agenda in order to discuss process. She noted they had required many different things of the Parkside development, but did not require those things for other developments. She stated she wanted to see more consistency so there were fewer negotiations, and preferred zoning and ordinances that applied to all developments. Ms. Hoppe explained the Parkside development was in the Bonne Femme area so the Bonne Femme Watershed Study and its recommendations were considered. Ms. Chadwick asked if this watershed was not as important. Ms. Hoppe replied the Bonne Femme was a different type of watershed because it consisted of karst areas and limestone, so there was a different dynamic.

Ms. Nauser stated it would be difficult to treat every property identically because each site had different characteristics in terms of topography, neighborhood input, etc. Columbia would be a very dull community if every plan had the same requirements. She felt a development was acceptable if the Planning and Zoning Commission unanimously approved it, the public concerns had been addressed, and it met the City's codes and regulations even if it was different from the one previously approved. She thought that was what made each subdivision different and allowed for its own character. She commented that when she went through these requests, she looked at whether there was unanimous Planning and Zoning Commission approval, public concerns, if all due diligence had been done beforehand, and if it met all codes and regulations even if it was different from a plan the Council approved earlier in the evening.

Mayor McDavid commented that \$2-4 million in infrastructure cost would be paid for by the people that bought the houses in this development. The road for this development went to Rolling Hills Road, which was an improved road, and then to Highway WW, which was a MoDOT road. In addition, since this was a Boone Electric project, no City electric infrastructure was needed, and the City would receive a gross receipts tax of seven percent on the electricity used in this area because the development was within the City limits, which

averaged about \$150 per year for an average-sized house. The residents would also pay \$180 per capita like everyone else in the City and would not require maintenance for decades so the cash flow from this development would lower sewer rates for everyone in the City. He felt this was an example of new development paying for itself.

Mr. Thomas stated he disagreed and explained that over the last ten years, the cost of infrastructure expansion for roads, sewer, stormwater, water, and electricity totaled about \$150 million, and only 16 percent of those costs had been contributed with fees charged to new development that demanded the increased capacity of those infrastructure systems. The remaining 84 percent was paid for with general rates and taxes. He commented that he did not disagree that these developments constructed their own on-site infrastructure, but noted they put a burden on city-wide infrastructure, to include road systems, sewer systems, the sewer treatment plant, and the water treatment plant, while only contributing 16 percent over the last ten years.

Ms. Hoppe believed Mayor McDavid was discussing on-site development while Mr. Thomas was discussing off-site development. Mr. Thomas felt the only logical way to pay for on-site development was to charge the development, but that development would create demands on the city-wide systems, which had to be paid for by contributions from the development, by the community at-large, or through some combination. The community had paid for 84 percent while impact fees from new developments had paid for 16 percent of the costs in the recent past.

Mr. Skala commented that all watersheds were not the same and agreed interior roads were built by developers. He noted these developments would not exist if developers did not put in the interior roads to provide access for themselves, and the problem was that the City had to maintain them in perpetuity. He stated there was a cost to growth, and the City had these infrastructure exigencies due to growth. He believed it was time to do something about these growth-related issues.

Mr. Trapp understood Columbia had one of the highest rates of cul-de-sacs, and although everyone wanted to live on cul-de-sacs, they were tough to plow and tough for emergency vehicles. He read from the Planning and Zoning Commission meeting minutes whereby Mr. Zenner indicated staff looked at opportunities for connectivity back to the transportation network and noted cul-de-sacs were public safety and public maintenance issues. They were the last type of street to be plowed in the winter, and as more lots were loaded onto cul-de-sacs of excessive lengths, those residents were inconvenienced in times of emergency and inclemency to where they were unable to be reached. Mr. Trapp stated he appreciated staff helping with this issue as these decisions were good for the entire community. He noted what people wanted in their own micro-areas were many times not in the best interest of the community as a whole.

B212-14 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B216-14 Amending Chapter 22 of the City Code as it relates to transportation fares.

The bill was given second reading by the Clerk.

Mr. Glascock provided a staff report.

Mr. Thomas understood junior fares and persons with a women, infants and children (WIC) card, and a current food stamp card were being stricken from the section that discussed half fares, and asked if that was because they would go from paying a half fare to being able to ride for free. Mr. Glascock replied yes. Mr. Thomas commented that he had not asked for that, but thought he would support it. He noted he had asked for people 18 and under to ride for free. Mr. Glascock stated his request would have been equivalent to the junior fares. Mr. Thomas understood staff had expanded eligibility for free travel on the bus system to WIC cardholders and food stamp cardholders, and asked if the \$54,000 impact included all three of those categories. Mr. Glascock replied yes, and pointed out that was the best guess of staff.

Mr. Thomas encouraged everyone to support this as he believed a youth ride free program would acclimatize middle school and high school students to the bus system. He pointed out many high school students became students at Mizzou, and they wanted Mizzou students to be frequent users of the bus system in order to reduce the burden on the road system. He noted Dr. Stiepleman, the Superintendent of the Columbia Public Schools, had rode the bus today and had tweeted about it, and he was happy the City and the School District were partnering on this as it would benefit young people and the community as a whole.

Ms. Chadwick commented that Dr. Stiepleman had expressed his excitement for the youth ride free program at the recent City/County/School Board quarterly meeting and had mentioned ways the program could be advertised and publicized at schools. She asked that staff ensure information regarding routes involving the middle schools and high schools were posted so students were aware of the route times and the fact they were able to ride for free.

Ms. Nauser stated she believed this program would assist many kids who could not afford to purchase a car as it opened up the opportunity for those kids to participate in extracurricular school activities, which she hoped would lead to more positive outcomes for those kids. She noted she fully supported this, and agreed with Ms. Chadwick that they needed to make an effort to ensure the kids within the schools were aware of the program so more kids would ride the bus.

Mr. Skala understood Mr. Thomas was out of town during the last City/County/School Board meeting and noted there had been discussions regarding the interface between students riding the buses and the regulations surrounding student buses. He encouraged Mr. Thomas to become involved in those discussions. Mr. Thomas stated he had participated in a smaller group meeting with a member of the School District where the promotion of the youth ride free program throughout the middle and high schools was discussed. This included targeted fact sheets about which buses serving the schools and serving certain neighborhoods would work for certain after school and before school activities. They also discussed the potential of young people misbehaving on the bus, and how to get ahead of that issue.

Ms. Hoppe commented that she attended a workshop at last year's Smart Growth Conference of a panel of young people that had pointed out the needs of the poor youth and the youth whose parents worked in the afternoons and evenings in terms of transportation to

jobs, activities, the library, etc. She noted they had expressed how important it was to their lives, and thought the City's program would help if the youth were educated on the bus system and took the opportunity to use it.

Mr. Trapp stated he had been contacted by staff last week regarding the elimination of parking on his street to make it easier for transit due to the sight lines and four-way stop at the top of a hill. He expressed concerns regarding pedestrian safety on Leslie Lane that needed to be addressed, but was supportive of moving forward with the change and was in the process of notifying neighbors because it was a problem for the bus system. He commented that change was always hard, and understood some people benefited more from the old routes than the new routes, but overall COMO Connect had more people that benefited. He encouraged the staff to move forward.

Ms. Hoppe commented that she had tried to ride the bus today, but it arrived early so she was unable to get on it. She cautioned people to understand the time was an estimate, and that they should arrive early. She also suggested the buses be required to pause if they get to a stop early. Mr. Thomas stated he thought they were trained to wait at the stop and not pass the stop prior to the time printed.

Ms. Hoppe stated he had heard a student talking on her cell phone to another student with regard to what she learned at the COMO Connect kick-off event, and how they should try it out while it was free to determine if they should buy a pass as it might be good during bad weather. It was encouraging to see a student sharing it with other students. She thought the kick-off event should be held again when the students were in town because they could spread the word. Ms. Chadwick agreed, and noted they had would have a captive audience as the students returned and headed to the bookstore.

B216-14 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B220-14 Amending Ordinance No. 18197 that established an archery deer hunting program.

The bill was given second reading by the Clerk.

Mr. Griggs provided a staff report.

B220-14 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B226-14 Authorizing agreements with N. Harris Computer Corporation for the licensing, implementation, support and maintenance of utility billing software; appropriating funds.

The bill was given second reading by the Clerk.

Mr. St. Romaine provided a staff report.

Jeremy Root, 2417 Beachview Drive, asked if the contract was with N. Harris Computer Corporation or a subcontractor. Mr. St. Romaine replied N. Harris Computer Corporation was a parent company of Advanced Utility Systems. Mr. Root understood N.

Harris Computer Corporation was the contracting entity with the City. Mr. St. Romaine stated that was correct.

Ms. Nauser made a motion to amend B226-14 per the amendment sheet. The motion was seconded by Ms. Chadwick and approved unanimously by voice vote.

B226-14, as amended, was given third reading with the vote recorded as follows:
VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE.
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

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.

The bill was given second reading by the Clerk.

Ms. Buckler provided a staff report.

Mr. Trapp made a motion to amend B228-14 per the amendment sheet. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mr. Skala stated a couple of constituents had questioned him regarding the career development program in the Police Department, and he understood it would not be abandoned and would be replaced. Ms. Buckler stated that was correct. She explained that career development program had been developed over sixteen years ago, and the criteria developed at that time had not changed much. In addition, some of the items the additional pay covered were considered part of the job today. She understood the Police Department would review the items that were valuable to the department and would warrant extra pay, and provided a foreign language skill as an example of something of value. The field training officer function would be codified in September as well as it was an extra duty. Mr. Skala understood staff was trying to replace this with something of more value to the community. Mr. Matthes explained the value to the community was the focus. They intended to work with the Columbia Police Officers Association over the next year or two to identify functions that were of value and not part of the day-to-day job, and codify it.

Dale Roberts, 1301 Vandiver Drive, Suite 102, stated he was representing the Columbia Police Officers Association (CPOA) and commented that nothing had been shown to suggest the current plan did not provide value to the department or community. In addition, there was nothing to replace it at this time. He noted he was also concerned with the fact they were rolling the items being eliminated into pay prior to going to the mid-point as he understood officers would lose an average of \$1,000 per year, and felt this would harm the officers. He felt the City would not be fulfilling a promise made to officers by eliminating the career development program, and believed the reason the City had such well-trained, highly educated, post-certified instructors was due to that program, which had over 22 competency requirements. He did not feel there was any other enticement for officers to become bomb technicians or field training officers, learn another language, assist with recruiting efforts or work with the youth academy and community programs. He felt this was an attempt to make any extra effort meaningless, and was not good to do now when they were trying to recruit more officers and improve the department.

B228-14, as amended, was given third reading with the vote recorded as follows:
VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE.
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

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.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Ms. Chadwick asked why staffing had not kept up with population growth, how police officers were funded, and why that funding had not grown with the population growth. Mr. Matthes replied the City relied heavily on sales tax, and on-line shopping was growing because it was so convenient. He explained the City was receiving 15 percent less per capita than it did ten years ago because many sales were not occurring in a taxable format. They had set up a way to fund the City, but the world had changed, and they either needed to change with it or continue to rely on sales tax.

Mr. Thomas understood Columbia was below the number of officers in a typical-sized city, and asked for that number. Mr. Matthes replied the City was understaffed by 30 percent across the board in every department. Since police and fire provided critical services, they were more concerned with those departments at this time. Mr. Thomas thought it was 22 for fire and 51 for police. Mr. Matthes stated that was correct. Mr. Thomas understood that was in comparison to the national average for a community of the size of Columbia. Mr. Matthes stated that was correct, and pointed out it included Midwest communities. They were not comparing Columbia to communities in California or New York. Mr. Thomas asked if that included University police officers. Mr. Matthes replied Universities tended to have their own police officers, but even when included the ratio remained the same as they were understaffed as well.

Mayor McDavid recalled the national number being roughly two officers per thousand, and the State of Missouri was slightly below that number. The ratio for university towns was 1.8 per thousand. He understood the Columbia was at 1.39 and would soon go to 1.38 in FY15. Mr. Thomas asked if that included the three positions that would be added in the FY15 budget. Mayor McDavid replied yes. Ms. Chadwick asked if the goal was two officers per thousand. Mr. Matthes replied that would put Columbia in par with a typical city.

Ms. Chadwick asked what number they would reach with the ballot initiative. Mr. Matthes replied that was dependent on how fast the police officers were added. It would either allow the gap to remain the same or lessen the gap, but it would not get the City to two officers per thousand. He thought they would end up at 1.5 officers per thousand. Ms. Chadwick understood this ballot initiative with projected growth would essentially keep Columbia at its current level, which was below what was needed.

Mr. Skala understood there would be approximately nine public safety officers for each nickel of property tax, so if the Fire Department needed 15 people, about 39 people would be left for the Police Department, but he had read that the 30 cent level would provide less than 30 police officers and asked if that was due to equipment and maintenance. Mr. Matthes replied yes. He explained if this were to pass, the City could commit to 30 officers and 15

firefighters along with equipment and training for those new positions based on the forecasted revenue. There was a possibility the revenue would come in higher than forecasted, in which case more people could be hired, but staff could only confidently commit to 15 firefighters and 30 police officers.

Mr. Skala commented that although Columbia was at the 1.4 level, which was lower than the average, some other university communities had even less, and asked if that was correct. Mr. Matthes replied that was correct. Mr. Skala noted there was also a downward trend in violent crime in Columbia. Mr. Matthes stated that was correct.

Ms. Nauser understood the funding generated would be in addition to what the City would normally spend through general revenue funds because general revenue currently paid for public safety along with a few other City services. She pointed out this new source of funding did not mean the City would spend less in general revenue, so there could still be an increase in officers and equipment over the years. Mr. Matthes stated that was his intent, and he hoped the City would still add anywhere from one to three positions in the Police and Fire Departments. He noted the proposed budget listed one new firefighter, but the City was actually picking up the cost of two other firefighters, so it was essentially three positions even though the positions were not new as they had been grant funded. If this proposal passed and the City managed to keep adding a few positions here and there, they might further lessen the gap.

Mr. Thomas understood this increase in staffing would enable community policing. Mr. Matthes commented that once an officer was fully trained, they essentially went from call to call, and that was all they really had the staffing to do. Right now, there was not much time to self-direct and focus on community policing, but additional staff would open up the opportunity for pro-active, self-directed project-based work, such as working on identified needs in a specific neighborhood. He pointed out the downtown unit was classic community-based policing as the focus was relationships, getting to know the people and their needs, and intervening when necessary. He noted the Police Department was at zero status many times now, whereby every available officer was at a call, and if a more important call came in, the officer would have to drop everything and go to the other call. Mr. Thomas understood the hope was that there were a certain number of hours per shift that a certain number of officers would be able to devote to proactive crime prevention with additional staffing. Mr. Matthes stated that was correct. Mr. Thomas commented that he felt the cheapest form of policing was with proactive prevention.

John Clark, 403 N. Ninth Street, suggested the Council rethink this approach entirely. He agreed Columbia needed more police and proactive community policing, but he did not believe this would provide any officer more time to do anything more. He felt it would only allow them to be able to keep up. He recommended the City build broad public support for increasing property tax funding for the general fund. He commented that the pension problem had been caused by inadequate funding in public safety and the general fund because they had not relied on the appropriate tax bases. He stated designated taxes were a bad idea, and felt people were upset about the fact that there was a designated sales tax for parks when the roads need to be addressed. He also did not like the idea of a sunset in three years to build up support. Mayor McDavid explained there was not a sunset on this

proposal. He noted the tax would increase for five years, and then would remain steady. Mr. Clark thought the Council would be better off looking at other cities and making the case for increasing the cap the City could levy for property taxes to \$1-\$2. He understood it would be a hard sell, but he felt the City needed to make the case for the increase across the board, and not just with public safety. This designated tax route would keep the community in turmoil for years.

Dan Cullimore, 715 Lyon Street, commented that he generally agreed with property tax increases to support public safety, but believed the rate needed to be higher to generate more money because they would otherwise just tread water. As the population grew, more officers would be needed than this would provide. He explained that several months ago, he had reported a smashed window in the downtown and had waited an hour before an officer was able to come because it was a low priority call. He wondered how many citizens would be willing to wait an hour to make a report. He felt the City needed do more.

Dale Roberts, 1301 Vandiver Drive, Suite 102, stated he represented the Columbia Police Officers Association (CPOA) and they enthusiastically supported this effort. He noted they had looked at other options, but had been unable to find a solution, and believed this was the solution. He commented that they would love to have 51 officers as they were needed, but they also did not want to scare the voters. He reiterated they would actively educate the public on the issue. In terms of the University Police, he understood they protected the campus and its buildings, but did not go off of campus, and most of the students now lived off of campus and were customers of the Columbia Police Department. He noted Mr. Matthes was also correct in that the officers were frequently at status zero with many calls on hold.

Jeremy Root, 2417 Beachview Drive, stated he was excited to see what would happen with this ballot initiative. A little over two years ago, the community received a largely negative report about the morale and conditions in the Police Department and a downward trend of community support. He understood there had been an initiative to try to improve the conditions, but he was not sure if an updated report had been received. He explained he had consumed police services as he had been a victim of crime in Columbia, and had also consumed fire services when the carbon monoxide alarms had gone off in his home. He noted those jobs were very important, dangerous and difficult, and needed to be done well, thoroughly and effectively. He hoped the problems two years ago had improved. He thought the community would support this initiative if the need was as significant as indicated, but noted there had been a decrease in crime while staffing had stagnated. He stated he looked forward to a robust and honest discussion of the issue going forward.

Mr. Skala commented that there were a lot of reasons why there could be a decrease in crime, to include efficiencies, and thought part of the discussion needed to involve the clearance rate as well. He felt the Police Department had done a reasonable job in solving the crimes that needed to be solved, and asked if that was also his perception. Mr. Root replied he thought it varied. He had heard complaints from people in the Old Southwest with regard to rifling through cars and home break-ins, and had seen evidence of vandalism in the downtown, which he understood were unsolved.

Tracy Greever-Rice, 602 Redbud Lane, understood Mr. Matthes had announced earlier this summer at a Fourth Ward Check-In event that Columbia was experiencing the lowest crime rate in thirty-five years. Mr. Matthes stated that was correct. Ms. Greever-Rice wondered how this new low in reported crimes corresponded with the need for extensive growth in the number of officers in the community. Mr. Matthes replied this proposal was not driven by the crime rate. It was really about getting to the calls because the number of calls continued to rise, and they were not able to do the kind of policing they wanted. He explained they wanted to spend more time on shots-fired incidents, gang activity, etc., but were essentially going from call to call. Ms. Greever-Rice asked if the crime rate had gone down because police officers were not responding. Mr. Matthes replied there was a lot of good research about what caused the crime rate to rise and fall, and much of it was out of the hands of the Police Department. The fall in the crime rate was related to many variables, such as age, demographics, and poverty. He reiterated this proposal was about keeping up with the call volume and not having as many status zero situations. Ms. Nausser thought it would also be fair to say that not all calls a police officer responded to were in relationship to a crime, and provided car accidents, home alarms, etc. that were not a part of the crime statistics as an example. Ms. Greever-Rice understood the State tracked traffic violations and accidents, and asked if there had been an increase in accidents. Mr. Matthes replied he believed accidents tended to parallel population growth, and noted the City had worked to try to improve intersection safety so there could be drops in accidents based on those impacts. Ms. Greever-Rice stated she thought the voters would need to understand and balance other existing and perceived needs in a way that was affordable.

Mayor McDavid thought the questions of Ms. Greever-Rice were good and noted this would be a hard sell as there was tax fatigue. He believed everyone would have to answer the question of why more police officers were needed even though the crime rate was down in their own way. They had to determine if it was low enough, how they felt about shots-fired incidents, etc. He also believed they needed to understand the drop in response times. He thought there was an expectation for a police officer to respond to a 911 call in five minutes, but that was not happening, especially when they were at zero status. He felt this was a service issue, and the City had a broken funding mechanism. He pointed out the state statute limited property tax to \$1.00, and the City would ask for an increase from 41 cents to 71 cents. They compromised at 71 cents because they were concerned a higher amount would be rejected by the voters. He pointed out there were needs in the fire department as well, and understood six firefighters were needed now and another twelve would be needed for another fire station. He commented that e-commerce was growing, and every time someone made a purchase on the internet, less money came into the City. He understood the Columbia Mall was down four percent this year, so while e-commerce was growing, local commerce was declining, and the City was paid by local commerce. He was not sure how the citizens would vote, but believed it was the obligation of the Council to provide them a choice because the staffing levels were not acceptable.

Mr. Skala agreed with Mayor McDavid in that they had to determine how they could increase staffing while not jeopardizing the election. He explained the issue for him was community policing and the ability to free up the time of police officers so the relationship

between the community and Police Department would improve. The maximum amount of sales tax agreed to was 30 cents. He explained he had tried to pitch 20 cents, but the consensus of the Council was 30 cents, which he respected and would help promote. He believed property tax was a reasonable way to proceed because it was less volatile than sales tax and had a bit of growth built into it as well. He commented that he was concerned about number of ballot issues before the citizens. He hoped they did not get to a place where the community lost faith in the City's ability to deliver on public safety, roads, etc. to the extent they rejected the ballot issues because the City would really be in trouble then. He pointed out there was a need within the Police and Fire Departments with the personnel they had so he was supportive of increasing the property tax rates.

Mr. Thomas commented he had conducted a poll whereby 60-70 percent of the people seemed to be comfortable with a 20 or 30 cent increase. He pointed out it was not a representative poll, but he had talked to as many people as possible. He thought people recognized there was a need, and noted he was willing to pitch the 30 cent increase. He stated he believed the impact of that increase would be better than anticipated. This property tax increase would allow for 31-35 officers over five years, and 2-3 annually through reallocations. He reiterated he thought they would get ahead and implement a community policing program so they would benefit from it. He understood there had been discussion regarding a new police station, which was a one-time capacity expansion cost, similar to building new roads and expanding the sewer treatment plant, and he felt that cost should be allocated to new development because it was the one-time cost to increase the capacity of the infrastructure system. Salaries, vehicles, etc. were operating and maintenance costs, but a new police station and fire station should be allocated to growth.

Ms. Hoppe commented that they had been provided information regarding the ratio of police officers to the public, how Columbia compared with other university cities, and the high rate of solving more serious crimes. She noted she was not sure she had seen data on all crimes, so she was uncertain as to those rates. She had been told the response time for the police to come to a house where a man was walking near the house at night was an hour, and was aware of a situation where a purse was stolen and the crime was still not solved. She understood some people did not report crimes as well. She pointed out there were many neighborhoods where people are woken in the middle of the night for the months surrounding the Fourth of July because there were not enough officers to respond and catch the culprits. She believed those instances were also crimes because they disturbed people while they were sleeping. She noted there were many situations that were important to the public in terms of police response time. She wanted to address the bigger picture in term of situations where there was either no response or the response was not prompt.

Mr. Trapp commented that even with falling crime rates, there was still a considerable concern about crime, especially on the north side of Columbia. He understood the property tax to pay for this would be a cost to homeowners, but noted realtors had told him shots-fired incidents on the north side took \$10,000 off of the value of homes in the area. He believed this proposal would provide more time for investigations, saturations of patrol, and community policing, which was on the prevention side. He explained the Mayor's Task Force on Community Violence was looking at other things to support the effort, so this would not be the

only thing the City was doing. He stated he served on the Enforcement Subcommittee and thought they would recommend better resourcing of police officers for relationship building and to bring more respect to the officers, and a part of that was to adequately pay and support the people that were on the line trying to protect the community. He understood this increase would be difficult, especially for people on fixed incomes, but stability was needed so they did not have to lay people off as sales tax decreased. He noted it would also diversify the City's funding sources, which would help bond ratios. He thought there was widespread community support for this and he planned to vigorously support it.

Ms. Chadwick agreed the crime rate was down, but understood the community wanted better. She commented that over the last several weeks, there had been several incidents of shots-fired in different areas of her ward, and it was known violent crime existed in the area, but there was not enough staff to do community policing. When people in her neighborhood called for service due to gun shots, the officers tended to arrive fairly fast, which was why they were probably slower getting to other neighborhoods. She was uncertain as to how long the police officers could continue to work at such a high level. She understood they had been pushing themselves, and thanked them for doing a phenomenal job. She pointed out the police officers and firemen had requested a 59 cent increase to meet staffing needs, which she supported as it was a vital service to the community, but the Council as a whole did not believe a 59 cent increase would pass. She agreed the City needed to have a plan to fully fund this as they knew it was an issue, but felt this 30 cent proposal would help move them forward. She hoped they would continue to make this a priority.

Ms. Nauser understood violent crimes were down, but noted property crimes were actually up, and community policing was one of the most effective forms of policing as was shown by the downtown unit. Years ago, Columbia did not have community policing in the downtown and officers would have to rush downtown from all over town, and that took officers away from other areas of the community. Columbia now had a dedicated community policing unit in the downtown that knew where the problems occurred and worked with the business community to address the problems. She stated assaults and crime in the downtown were down as a result of the community policing philosophy, and thought they would want to implement it in other areas of the community. Currently, they had officers that had to go from one call to the next, and due to prioritizing they were unable to get to non-injury car accidents and minor shoplifting offenses. She thought they wanted criminals that shoplifted \$50 worth of merchandise to be apprehended and brought to justice so they did not get the impression that type of action could continue. She believed an increase in the police force was needed. She commented that she felt it was the role of government to provide public safety, and also believed the people expected it. She agreed the community was fatigued by taxes, and if the initiatives on the ballot for tomorrow's election were to pass, Missouri could have some of the highest sales taxes in the country. It would also severely limit Columbia's ability to use sales tax as a funding mechanism in the future. She believed police officers and firefighters were there to protect life and property, and felt it made sense to fund those services through property since that was what they were charged to protect. She also did not feel 30 cents over five years was unreasonable considering the totality of property taxes and the entities they funded. This proposal was good in terms of stability as

well. She did not believe they wanted to have to lay off police officers and firefighters due to the economy like other communities as that was when crime tended to increase. She thought the citizens saw the need, and noted she would support and help promote this proposal.

B229-14 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

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.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mayor McDavid commented that he believed they needed benchmarks from other communities so they knew the market. The metropolitan statistical area (MSA) for single-family home construction was about 75 per month, which was under the 25-year average, and he wondered how many of those were in the County and what the building fees were in the County. He stated he wanted to see benchmarks in terms of policy decisions from comparable college towns, comparable large cities within the State of Missouri, and surrounding communities. He could not find that type of analysis in the 185-page report. He asked if the City knew what percent of homes were built in Boone County as opposed to Columbia. He did not feel the analysis had been done in terms of the market for homes. The benchmarks from the Ben Londeree study in 2007 did not include any local communities. He noted Columbia was above the median, and communities such as Liberty, Missouri, Independence, Missouri, and Iowa City, Iowa had lowered their building fees, and the report did not indicate the reason. He stated he did not see any comparable information for commercial buildings other than in Kansas City, Missouri. Mr. Matthes noted page 128 of the report provided comparable information for the local area, which included Ashland, Hallsville, Jefferson City, Moberly, Fulton, Boonville, Centralia, and Boone County, and if there was not a number, there was no charge. Mayor McDavid did not know whether they were forcing housing into Boone County as he did not see any analysis to the impact of this proposal, to include its impact on employment.

Mr. Thomas understood the development fee for roads collected by the City in the last ten years had brought in about \$7.5 million, and over that same period, the City had spent over \$80 million in terms of expanding roads and building new roads, so they had recovered about nine percent. During those ten years, the development charge rose from 10 cents per square foot to 50 cents per square foot, and if they kept it at 50 cents per square foot, they would recover about 12 percent. The other 88 percent would come from capital improvement sales tax and other taxpayer sources. He felt it was a spurious argument to discuss employment because these were free markets. If they grew and brought in a new employer, they would attract new employees, and if more people lived in Columbia, there would be a larger labor market for potential employers. He did not believe there was a net benefit or deficit to growth in that manner. He also did not feel there was anything wrong with growth

as long as it did not overburden the community through fees, and he felt it had been overburdened the past ten years.

Mr. Thomas noted he wanted to propose three amendments, and explained that although he wanted the development charge to be higher than the current proposal, his suggested amendments would not increase the figure, and two of them would slightly reduce the charge. He felt these were important amendments as they would correct technical problems with the language and make it a better policy. He explained the current language indicated the development charge was for construction and maintenance of new roads, and did not believe there was any logic in using a one-time development charge on a new building to pay for on-going maintenance or operations of a road. As a result, he stated his first amendment would be to remove “and maintenance” so these funds were used purely for the construction of new roads and new road capacity. He noted the second amendment would add a discount for central city uses that defined a central city area and provided for a 25 percent reduction in the applicable development charge. He understood that was consistent with the Comprehensive Plan. He explained his third amendment was to adjust the categories because there were a number of non-residential uses that had a much lower traffic impact than residential uses, such as hotels, nursing homes, manufacturing, warehousing, and churches. He felt it would be better policy to set the categories based on trip generation rates, and suggested residential and low-impact non-residential, moderate-impact non-residential and high-impact non-residential.

Mr. Trapp asked if Council could pass this tonight if these amendments were made. Ms. Thompson replied it would need to be held to the next meeting for final action. She explained they would make the amendments tonight, and the third reading and passage would occur at the August 18, 2014 Council Meeting. Mr. Trapp understood that would need to be done if Council made any change. Ms. Thompson clarified it would need to be held over for any substantive change. She pointed out minor changes could be made. Ms. Chadwick understood the Council had time to get this on the November ballot even if they made changes tonight because there was another Council Meeting prior to the deadline date. Ms. Thompson stated that was correct, and pointed out the first suggested amendment would not be a substantive change, but the other two proposed amendments would be considered substantive changes.

Ms. Chadwick asked for the annual total cost of new road development and for the amount this proposal would generate based on current conditions. Mr. Matthes replied that was a difficult question to answer.

Mayor McDavid understood this was not elastic. Mr. Matthes stated that was correct. He explained they had to pick a year in order to conduct an analysis. They did not expect 2014 to be exactly the same as 2013. It was really a one-time revenue from growth. Ms. Hoppe pointed out the Council knew the rate at which the City was growing and had made predictions and plans based on past, present, and future growth. Mr. Matthes explained it had generally increased over time although it obviously dropped with the recession.

Ms. Chadwick understood the City expected to generate \$3.5 million, but wondered what percentage of that would cover the cost of new roads annually. Mr. Matthes replied staff would have to bring back that information as it would be dependent on the number of

lane miles of road that would be built. Mr. Thomas stated he had analyzed it based on the list of road projects completed from Fiscal Year 2005 to Fiscal Year 2014 that had been provided by Mr. Glascock, and those projects were categorized as either capacity expansion or maintenance projects. The capacity expansion projects totaled \$84.5 million and the City had collected \$7.7 million from the road development charge over that same time frame.

Ms. Hoppe understood Boone County required new development to put in all of the new roads and infrastructure and required more of the developer, and asked if that was correct. Mr. Matthes replied he had heard that, but did not have a specific analysis. Ms. Hoppe asked if those costs of services could be provided before the next Council Meeting.

Ms. Chadwick asked when this fee would be required to be paid. She understood the charge was based on usage and asked when they would know the usage. Mr. Matthes replied it would be collected during the building permitting phase when the applicant submitted plans. The charge would be calculated based on what the applicant had proposed building in those plans. Ms. Chadwick asked if the use ever changed from the building permitting phase to the certificate of occupancy phase. Mr. Matthes replied occasionally. He explained a spec-building might be intended to be an office space, but the developer could end up leasing it to a daycare facility if the building could not be leased as office space. Ms. Chadwick wondered if the charge should be done at the time of applying for an occupancy permit instead. Mr. Thomas thought the City could collect the charge at the time of the building permit, and re-evaluate it at the time of the occupancy permit for any adjustment.

Ms. Nauser wondered how they would handle a situation where a building sat for years, and whether the new purchaser would be required to pay the additional charge or be given a refund. She thought it was appropriate to charge the developer at the building permit phase, and noted both situations were likely to occur. In addition, she could not imagine many having that drastic of a funding impact unless people began to game the system. Ms. Chadwick suggested a system that could not be gamed. Mr. Thomas commented that there would be less gaming than was happening now, so he believed it would be a step in the right direction.

Mayor McDavid commented that he felt they would be incentivizing people to build in the County, and provided the 88-lot development east of Battle High School as an example. Since that development was in the County, the building permit fees would be paid to the County, even though the City could be forced to take the lots due to pre-annexation agreements involving sewer. He believed they would create a policy of encouraging sprawl if they made it cheaper to build in the County instead of the City. Ms. Hoppe stated that was why her question regarding how much the County charged was relevant. Mayor McDavid noted someone had told him it was \$1,100 for the building fee, but he could not verify it, and it did not include streets, roads, etc.

Alyce Turner, 1204 Fieldcrest, stated she strongly supported a ballot issue to raise development fees, but believed this proposal was too low. The City had a 25 cent per square foot fee in 2007, which had doubled to 50 cents in 2009, and had not been increased since. She hoped the Council would look at the proposal from the development fee committee because she thought that was where they needed to be. She understood the Council was concerned about selling the property tax increase ballot issue, and believed not charging the

residents for much of the road fees would help sell it to the public. She stated she wanted to support the community, but she also wanted developers to pay their fair share, and understood the fee was low when compared nationally, regionally, and to selected peer cities. She noted this fee was half of what was charged in Lawrence, Kansas, one-fifth of what was charged in Iowa City, Iowa, and one-twentieth of what was charged in Boulder, Colorado, and encouraged the Council to consider raising the fee so it was fairer and truly covered the costs.

Jeremy Root, 2417 Beachview Drive, thanked Mr. Thomas for doing a tremendous amount of work in an attempt to understand the fees the community had paid on a historic basis to support infrastructure, where those fees had come from, and where those cost had come from in terms of maintenance and new development. He believed the public would support these increased fees as they had supported them in the past, and because they were not fees that were immediately felt on an on-going basis by citizens. He understood those that bought new homes were likely to have the charge passed on to them. He stated Columbia was a wonderful place to live and had been recognized positively on many lists. He agreed this could change, but felt many had been struggling to maintain the things that kept Columbia high on those lists. He stated he was surprised the first infrastructure cost issue the Council decided to make movement on was roads when the community-wide discussion had been sewer. Unlike the road development fee, which had to be put to the vote of the people, the sewer connection fee did not have to go to the vote of the people as the Council had the authority to amend Section 22-264 of the Columbia Code of Ordinances to increase the amount of revenue collected for sewer. He noted the same could be done for water connection fees. He encouraged the Council to consider those types of changes. Mr. Thomas pointed out B235-14, which was under the introduction and first reading section of the agenda, included a proposed increase in the sewer connection fee from \$800 to \$2,400 over a three-year period, and explained the public hearing on that item would be held on September 2, 2014.

Tracy Greever-Rice, 602 Redbud Lane, stated she supported the amendments suggested by Mr. Thomas and agreed it was a good idea to raise development fees, but felt the increase being considered was too low. She suggested it be doubled at least once more so it was comparable to the other cities Columbia wanted to be like or was like. She thought it would be better to table this or defeat it and start again to get the rate right instead of approving something that would not create a fair situation for the taxpayers and committed citizens of Columbia.

John Clark, 403 N. Ninth Street, commented that Columbia had grown in population by about 44,000 people between 1990 and today, which was over 50 percent. He believed the level of service across every major public infrastructure within the City had likely fallen dramatically over that same time frame, and felt maintenance of an adequate level of service was the issue. It was the cost of the excessively rapid population growth because the City did not have the financial mechanisms for that new growth development. He believed this proposal should be higher and shorter. He also thought it should include public transit and not just road construction. He did not believe a delay was necessary as this was not like a water or electric utility rate increase. This was not charged against actual people's income

each year. He noted he supported the proposal of Mr. Thomas to eliminate maintenance, but did not support the 25 percent reduction for infill development. He was also concerned that the percentage could be used for utility connection fees, etc. He suggested this proposal be reconsidered, and noted he would not support it as it was currently written.

Mr. Skala commented that this idea started in 2004 in association with the Transportation Infrastructure Financing Committee that recommended the capital improvement plan sales tax in 2005. He understood that committee had come to an impasse and had developed a minority report. At the same time, a company named Development Strategies had recommended a number of strategies by which the City could improve its standing with road infrastructure, and it included implementing an excise tax along with a trip generation model to factor in the use component with the size component and other recommendations, but the Council decided not to proceed with those suggestions. The 2005 ballot issue ended up including a one-quarter cent sales tax extension, a new one-eighth cent sales tax, and a development fee increase from 10 cents to 50 cents over five years. In 2010, the Infrastructure Task Force was appointed, and that group, of which he was a member, had generated a majority report and a minority report as they had also come to an impasse. Although some of them wanted to discuss all infrastructure, to include sewer, police, fire, etc., they were outvoted and only concentrated on roads. The numbers at that time indicated road development was being subsidized somewhere in the 15-20 percent range. He explained that was the nexus of his recommendation for a trip generation model. He noted his primary objective was to change the model so use was considered along with size. Another objective was to achieve a 50-50 parity in terms of public-private contributions to road infrastructure. He understood it would take four times the current 50 cent fee to approximate a 40 percent private contribution, six times that amount to approximate a 50-50 parity, and eight times that amount to achieve a 60 percent private contribution. He explained, if he were making amendments, he would increase the charges and make exceptions for some commercial applications that generated fewer trips than residential, but he understood these were caps, so the Council could later add exceptions for things such as affordable housing and infill development with an ordinance change. He reiterated he understood this was implicit in the language as it was currently written. He commented that he disagreed with the idea that maintenance did not have a nexus with new development, and believed they were at this point because they had never been able to provide the cost of maintenance along with the cost of new growth. If it was an impact fee, he agreed maintenance could not be included, but since it was an excise tax, maintenance could be included. He explained the ballot committee team had suggested this proposal with fees set at \$2.00, \$3.00, and \$4.00 after compromising, but those had been reduced to \$1.00, \$1.50 and \$2.00 in order to attain the consensus of Council. He pointed out he was still primarily interested in changing the model because on a 50 cent fee they were only receiving \$1.6 million per year. The proposed change would generate about \$3.5 million per year, and although much could not be built with only that amount of money, he believed it was a step in the right direction. He felt they could eventually achieve parity if they began with this model. He noted he had been prepared to offer an amendment to increase the fees and to make it explicit that the fees were a maximum. He understood the fees being a maximum was

implicit so he was not concerned with that change, and because the Council had come to a consensus he would not make a motion to increase the fee. He reiterated it was imperative to him to change the model, and he hoped they could all agree the model needed to be changed to include use in addition to size. He explained he was only trying to achieve parity in paying for infrastructure. He commented that although growth had lots of benefits, it also had tremendous costs, and the City had never been prepared to pay those costs. He believed it was a fallacy to suggest development would be driven into Boone County because he understood it was far more expensive to build in the County. He felt they either needed to raise rates, cut services, or slow growth if they wanted to maintain what they had now, and suggested a change to the model to achieve parity.

Ms. Chadwick commented that she felt Mr. Skala was asking the Council to change the current model to a broken model. Mr. Skala stated he disagreed the model was broken. He explained this model began with about fifty categories of trip generation, and was reduced to about seven categories for simplicity purposes, but the ballot team felt much over three categories was still too complicated. He reiterated that implicit in the language was fact they could deal with exceptions for infill development, etc. He commented that they were not talking about a lot of money, and that they were essentially changing the model to one that incorporated use along with size, and was ultimately fair.

Mr. Thomas asked how the Council felt about removing maintenance from the ballot language. Mr. Skala replied he did not like it. Ms. Chadwick stated she believed it was important to remove it. Ms. Hoppe commented that she was fine with the change because she did not feel it would make a big difference since only a small percentage of new development needs would come from this. She thought it was logical for a model to build in maintenance for new roads, but they were far from that at this time. She felt it was important to increase the fee for new development because other funds could then be freed up for the maintenance of existing roads, which would eventually include the maintenance of these new roads if they were not built correctly or deteriorated.

Mr. Thomas made a motion to amend B230-14 by removing the words “and maintenance” so the development charge would only be used for new construction and capacity increases. The motion was seconded by Ms. Nauser.

Mr. Skala understood the legal opinion was that as long as this was an excise tax, the Council could include maintenance along with new construction, but maintenance would not be allowed if it was an impact fee. He believed there was a logical nexus between new road construction and maintenance, even if that nexus was connected to the maintenance of new road construction. He would argue it was implicit in this language that maintenance could be used anywhere, but he would be willing to keep the nexus with new development. He noted his preference was to preserve the consensus of the Council, so he did not favor this amendment.

Ms. Chadwick commented that when she and Mr. Skala met regarding this proposal she felt it was unclear as to whether the maintenance was only for new roads or for all roads. She believed if maintenance was included, it could not just be for the maintenance of new roads because that meant the roads in her ward would never be maintained. If maintenance was included she felt it should include maintenance of all roads. She noted she preferred it

not include maintenance because all of the other money could then go toward maintenance. She believed this was a development fee for the expansion of new roads, and that was where the money needed to go. She felt maintenance should not be included to really define and make accurate the ballot language.

Mr. Trapp stated he agreed with Mr. Skala in that there was a clear nexus between new growth and maintenance needs, and disagreed with the proposed amendment as the City had a lot of maintenance needs. In addition, new development put traffic onto existing roads as well. He thought it was fair and legal to deal with maintenance issues with these funds. He also felt there was more public desire for maintenance so it would be an easier sell over just new construction.

Ms. Nauser agreed with Mr. Thomas in that maintenance should be a community-funded endeavor, and that the development fee should go toward new infrastructure. She commented that she lived in a subdivision that had been built eighteen years ago and road to her home was still an unimproved county road. She noted at that time there were only 500 houses, and they now had 2,500 houses off that roadway. She stated she would vote in favor of removing maintenance, but felt it would not make a huge difference either way.

The motion made by Mr. Thomas and seconded by Ms. Nauser to amend B230-14 by removing the words “and maintenance” so the development charge would only be used for new construction and capacity increases was approved by voice vote with only Mr. Trapp, Mr. Skala, and Ms. Hoppe voting against the motion.

Mr. Thomas made a motion to amend B230-14 so there was a 25 percent reduction in the applicable charges for new buildings constructed within the central city area, namely, the area bounded by I-70 to the north, Highway 63 to the east, and Stadium Boulevard to the south and west. The motion was seconded by Ms. Chadwick

Mayor McDavid stated he would oppose this amendment. He explained he supported downtown residential development, and the City already had developers agreeing to pay infrastructure surcharges of significant amounts. He reiterated he supported increasing development fees for multi-family residential throughout the City, and particularly in the downtown, and as a result, he could not support this amendment.

Mr. Thomas pointed out that if the 25 percent applied to current numbers proposed, there would still be an increase in the development charge in the central city. It would just not be as high as the area outside of the central city, and it would create an incentive to develop in the central city.

Ms. Hoppe understood an alternative to this amendment would be to create a separate ordinance for certain types of developments in the central city, such as affordable housing. This would allow for more finely-tuned exceptions rather than a blanket exception. She felt that would address the issue brought up by Mayor McDavid as well.

Mr. Skala agreed and noted he had been assured by the Law Department and the City Manager’s Office that a maximum was implicit in this language, so assuming this proposal passed, the Council could change the model for good reasons, such as trips generating less than residential, affordable housing, infill development, etc. He stated he would oppose this amendment as he believed it was unnecessary to put that level of specificity into this ballot language and felt it jeopardized the simplicity and interpretability of the ballot language.

Ms. Nauser stated she had a philosophical problem with passing an ordinance or policy and then exacting out people who would not have to comply because it would then diminish what they had tried to accomplish. She thought the Council needed to think hard about any exactions to this policy. She felt it should be applied equally to everyone if they wanted everyone to pay their fair share.

Ms. Chadwick commented that this ballot language indicated the fee was for new roads, but there were not many new roads being developed in the central city, so those developing in the central city would pay the same rate as everyone else without the benefit of that payment. She agreed there was a desire to build in the downtown, and that developers were willing to pay premium amounts for multi-unit buildings, but she felt that was different than a road infrastructure fee. She encouraged the Council to think about the number of new roads that would be built in the central city area, and whether they should incentivize infill development so they did not have to build new roads. She felt there should be a lesser charge for development in the central city area for those reasons.

Mayor McDavid asked Mr. Thomas if he felt the money charged to a big apartment complex could be used in other places or if he thought the money should stay in the central city area. Mr. Thomas replied he thought the money should go into a general fund to expand road infrastructure anywhere as needed.

Mr. Trapp stated he philosophically agreed with Mr. Thomas, but due to current conditions, he agreed with Mayor McDavid. He thought they might want to look at it in time, but not now due to the types of developments being proposed in the central city area.

The motion made by Mr. Thomas and seconded by Ms. Chadwick to amend B230-14 so there was a 25 percent reduction in the applicable charges for new buildings constructed within the central city area, namely, the area bounded by I-70 to the north, Highway 63 to the east, and Stadium Boulevard to the south and west, was defeated by voice vote with only Ms. Chadwick and Mr. Thomas voting in favor of the motion.

Mr. Thomas stated he had decided not to move forward with the third amendment he had mentioned earlier.

Ms. Hoppe made a motion to amend B230-14 by changing the categories to the categories suggested by Mr. Thomas, which included low-impact uses for residential and non-residential land uses with a trip generation rate of one or fewer trips, moderate-impact uses for non-residential land uses with a trip generation rate of more than one trip but not more than three trips, and high-impact uses for non-residential land uses with a trip generation rate of more than three trips.

Ms. Hoppe explained certain non-residential uses had a lower number of trips equitable or less than residential, so she felt it would be fair for that change.

Mr. Thomas commented that he was worried about that proposed change when looking at the numbers in the table as he did not believe it divided the uses well, and he was not sure he could defend it. Ms. Hoppe stated she would defer to Mr. Thomas if he was convinced it was not valid.

Ms. Chadwick wondered why Mr. Thomas felt he could not defend it because she thought it did not make it any more or less equitable than the current model being proposed.

The motion made by Ms. Hoppe to amend B230-14 by changing the categories to the categories suggested by Mr. Thomas, which included low-impact uses for residential and non-residential land uses with a trip generation rate of one or fewer trips, moderate-impact uses for non-residential land uses with a trip generation rate of more than one trip but not more than three trips, and high-impact uses for non-residential land uses with a trip generation rate of more than three trips, was seconded by Ms. Nauser.

Mr. Skala reiterated adjustments could be made later per his discussion with the Law Department. He asked the Council to show some restraint and to only make necessary changes. Ms. Thompson pointed out that in order to ensure Council had flexibility, an amendment to add “a maximum of” would be needed. It would then read “...a maximum of \$1.00 per square foot...,” “...a maximum of \$1.50 per square foot...,” and “...a maximum of \$2.00 per square foot....”

The motion made by Ms. Hoppe and seconded by Ms. Nauser to amend B230-14 by changing the categories to the categories suggested by Mr. Thomas, which included low-impact uses for residential and non-residential land uses with a trip generation rate of one or fewer trips, moderate-impact uses for non-residential land uses with a trip generation rate of more than one trip but not more than three trips, and high-impact uses for non-residential land uses with a trip generation rate of more than three trips, was defeated by voice vote with only Ms. Chadwick voting in favor of the motion.

Mr. Skala made a motion to amend B230-14 by adding “a maximum of” to each of the three categories as indicated by Ms. Thompson. The motion was seconded by Mr. Trapp.

Ms. Chadwick understood this change would allow a future Council to reduce the fee. She felt they were saying this was too complicated for the voters so the Council would decide by making this change. Ms. Thompson agreed this could be implemented by the Council based upon Council policy up to that particular maximum amount. Mr. Matthes stated it provided the Council the opportunity to adjust specific uses they felt were not being equitably charged, such as a daycare. This language would clearly provide Council the flexibility to make those types of changes.

Ms. Chadwick understood this amendment would allow any minimum to be set by the Council. In addition, she understood the City was supposed to trust developers to say what type of use the building would house so the correct amount would be charged, and that non-residential low-impact uses would be charged a higher rate than a residential uses even if it generated less trips.

Mr. Thomas explained he backed off the third amendment he had intended to propose because residential was measured per dwelling unit and non-residential was measured per square foot. If the square footage of a typical residence was calculated, the lack of parity disappeared, so he did not think it was a big concern. Mr. Skala stated that was correct because it was based on square footage and use.

Mr. Trapp stated he believed flattening out the table lowered the risk of shenanigans regarding the intended use for the building and deflated some concerns about pushing development into County and surrounding communities.

The motion made by Mr. Skala and seconded by Mr. Trapp to amend B230-14 by adding “a maximum of” to each of the three categories as indicated by Ms. Thompson was approved unanimously by voice vote.

Mr. Trapp commented that Ann Arbor, Michigan did not have a low-income district, but had a low-income neighboring community known as Ypsilanti. He understood some preferred higher rates, but thought this proposal was the best they could do with what little was done in the surrounding communities. He believed they were moving in the right direction toward a greater cost share allocation, but felt they needed to do it in an incremental and deliberate manner that did not get them too far out of step with surrounding communities or they would risk making Columbia a community where people could not afford live, which would result in low-income workers living in adjoining communities and driving to low-wage jobs. He noted that was the Ann Arbor, Michigan experience. He stated they did not want to create a bubble where they made themselves immune to the problems of the world, and thought they wanted to be the regional leader. He reiterated that the Council had to think about the consequences outside of the City limits as well.

Ms. Hoppe noted this was a small step in the right direction even though it only addressed a small percentage of the need. She believed this proposal was very sellable to the public. The City needed to look at its infrastructure in terms of the cost, who paid those costs, and how much was paid if they wanted a thriving, long-term, sustainable community.

Mr. Skala stated he hoped those that wanted higher fees would vote in favor of this in the interest in changing the model so they were on the right trajectory.

Mr. Thomas explained the group that had worked on this ballot issue had come forward with a proposal to increase the fees to \$2.00 for residential, \$3.00 for low-impact non-residential, and \$4.00 for high-impact non-residential over five years, and the Council ended up with fees of half of those amounts over three years. He noted this change would recover about 25 percent of the costs, and thought they needed to be at 50 percent, which was possible with more awareness.

Ms. Chadwick stated she had received several e-mails asking for an increase in the development fee to \$2.00 per square foot, and she fully supported that increase. She noted she was only disappointed in the model because she felt it would not allocate costs correctly. She believed it would negatively impact small, local business owners as they would be charged the same rate as large corporate businesses that generated a lot of traffic. A Mugs Up Drive-In would be charged the same as a McDonald’s even when the Mugs Up Drive-In did not generate as many trips. She pointed out she was also disappointed in the level of the fee increase and wished it was higher.

Mayor McDavid noted he would oppose this proposal because he was concerned about jobs. He explained REDI and the Missouri Innovation Center spent a lot of time trying to recruit jobs to Columbia, and referred to IBM as an example. He understood some did not feel the IBM deal was great for Columbia, but he thought it has been successful as it brought in 600-plus jobs and \$70 million of economic activity to the community, and the reason they had chosen to come to Columbia was due to the price. Columbia did not charge them anything. He stated price and cost mattered. He noted the cost of homes had already increased due to the building codes the Council, to include him, had recently passed. There

was a proposal to increase the sewer connection fee to \$2,400 as well. He commented that people that wanted to buy a \$120,000 to \$150,000 home would not have a chance as he understood home construction for homes of less than \$150,000 had plummeted, and reason was due to the increased costs and fees. He understood 45,000 people drove to Columbia to work, but chose to live outside of Columbia. He felt they were increasing the cost to live in Columbia, and believed there would be unintended consequences to this if it was passed by the voters. He thought one of the unintended consequences would be that it would drive affordable housing out of Columbia. He listed a few companies that had left Columbia because of a \$50,000 grant and understood the principal of a \$20 million three-year company with sixty employees that was building a 46,000 square foot warehouse on Highway 763 had indicated he did not have to be in Columbia if it was not business-friendly because his sales were over the internet. He reiterated cost was a factor, and explained he had participated in the recruitment of many companies to Columbia, and they did not ask to see the trails or care that the True/False Film Festival was held here. They usually came in with a spreadsheet, and if the City did not make the spreadsheet, they would not have the opportunity to talk to them. He felt one of the reasons they did not have success with the data storage business was the fact they were not competitive. He noted communities like Liberty, Missouri, Independence, Missouri, and Iowa City, Iowa were dramatically reducing their building costs. If this proposal was passed by the voters, Columbia would be less affordable in terms of housing and employment would be negatively impacted.

B230-14, as amended, was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, NAUSER, HOPPE. VOTING NO: MCDAVID, CHADWICK. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

- 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.

- 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.

- 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.
- 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.
- 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.
- R130-14 Setting a public hearing: setting property tax rates for 2014 for the City of Columbia.
- R131-14 Setting a public hearing: FY 2015 Annual Budget for the City of Columbia.
- R132-14 Setting a public hearing: construction of a shared use path, pedestrian bridge and roadway improvements along Forum Boulevard, between Katy Lane and Woodrail Avenue.
- R133-14 Setting a public hearing: construction of a 16-inch water main along Parkade Boulevard, between Business Loop 70 and Texas Avenue.
- R134-14 Appointing associate municipal judges.

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

NEW BUSINESS

- R135-14 Transferring funds for the Collaborative Adaptive Management (CAM) – Hubbart assessment project and for construction of the West Broadway sewer project.

The resolution was read by the Clerk.

Mr. Glascock provided a staff report.

The vote on R135-14 was recorded as follows: VOTING YES: MCDAVID, CHADWICK, TRAPP, SKALA, THOMAS, NAUSER, HOPPE. 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.

- PR137-14 Establishing a revised Community Development Block Grant and HOME funding policy; establishing a revised review process for annual CDBG and HOME funding requests; and establishing revised CDBG and HOME Program Administrative Guidelines.
- B231-14 Amending Chapter 2 of the City Code relating to conflicts of interest and financial disclosure procedures.
- B232-14 Setting property tax rates for 2014.
- B233-14 Adopting the FY 2015 Annual Budget for the City of Columbia.
- B234-14 Amending Chapter 6 of the City Code as it relates to sign permit fees; amending Chapter 24 of the City Code as it relates to right-of-way permit fees.
- B235-14 Amending Chapter 13 of the City Code as it relates to hauled liquid waste rates; amending Chapter 22 of the City Code as it relates to sanitary sewer utility rates and sanitary sewer utility connection fees.
- B236-14 Amending Chapter 14 of the City Code as it relates to fines for unmetered off-street facilities and parking meter violations.
- B237-14 Amending Chapter 14 of the City Code as it relates to parking rates.
- B238-14 Amending Chapter 17 of the City Code as it relates to Parks and Recreation fees.
- B239-14 Amending Chapter 20 of the City Code as it relates to Community Development Department processing fees.
- B240-14 Amending Chapter 22 of the City Code as it relates to rental unit inspection fees and charges.
- B241-14 Amending Chapter 22 of the City Code as it relates to solid waste rates and services.
- B242-14 Amending Chapter 27 of the City Code as it relates to rates for water service lines.
- B243-14 Amending Chapter 27 of the City Code as it relates to electric rates.
- B244-14 Amending Chapter 27 of the City Code as it relates to water backflow prevention charges.
- B245-14 Amending Chapter 29 of the City Code as it relates to street-side non-residential first floor space on portions of Broadway and Ninth Street, tall structures and residential parking in C-2 (central business) zoning districts.
- B246-14 Approving the Final Plat of Worley Street Subdivision – Plat 2 located on the north side of Worley Street and approximately 700 feet east of Bernadette Drive (1805 W. Worley Street); setting forth a condition regarding dedication of street right-of-way.
- B247-14 Approving the Final Plat of Boone Medical Park Plat 1 located on the southeast corner of Nifong Boulevard and Forum Boulevard; authorizing a performance contract.

- B248-14 Vacating utility and drainage easements on Lots 4-18, and the unimproved public rights-of-way for Kentsfield Lane and Bretona Circle within Discovery Park Subdivision, Plat 2A.
- B249-14 Vacating a water easement within Kelly Highlands Phase II located approximately 310 feet northward from the northern terminus of Stalcup Street.
- B250-14 Authorizing the purchase of properties located at 903 Garth Avenue and 512 Mary Street using Neighborhood Stabilization Program funds.
- B251-14 Authorizing a contract for sale of real estate with Egbert and Melva Wilson and Mevagene Wilson for the purchase of property located at 106 Lynn Street.
- B252-14 Authorizing construction of the 16-inch Oakland Church Road water main project located in the northeast pressure zone; calling for bids through the Purchasing Division.
- B253-14 Authorizing the acquisition of easements for the Oakland Church Road water main project.
- B254-14 Accepting conveyances for utility purposes.
- B255-14 Authorizing a program services contract with the Missouri Department of Health and Senior Services for WIC Local Agency Nutrition Services.
- B256-14 Authorizing Amendment No. 3 to the program services contract with the Missouri Department of Health and Senior Services for the Teen Outreach Program (TOP).
- B257-14 Authorizing the repeal of Ordinance No. 022071 which approved an amended and restated development agreement with Opus Development Company, L.L.C. as it relates to property located on the north side of Locust Street, between Seventh Street and Eighth Street, and provided for the repeal of Ordinance No. 022010.
- B258-14 Calling a special election to be held on Tuesday, November 4, 2014 for the purpose of approving or rejecting Ordinance No. 022071 passed by the City Council on May 19, 2014, which authorized the City Manager to execute an amended and restated development agreement with Opus Development Company, L.L.C. as it relates to property located on the north side of Locust Street, between Seventh Street and Eighth Street.

REPORTS AND PETITIONS

REP73-14 Nonmotorized Transportation Pilot Program Report to Congress.

Ms. Hoppe commented that she was surprised so few people had used nonmotorized modes of transportation for the entire year, and asked for clarification on how that had been determined. Mr. Glascock replied the counts were done on specific days of the year. He noted there had been a 22 percent increase in walking and a 44 percent increase in bicycling from 2007-2013. Mr. Trapp thought that was a dramatic increase.

Mr. Thomas understood 815 people using nonmotorized transportation everyday for a year would be equivalent to 5,500 people using it once a week. Mr. Matthes stated that was correct, and noted 815 was a calculated figure. The percentages were the real success story.

REP74-14 Intra-Departmental Transfer of Funds Request.

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

REP75-14 Certification regarding the “Referendum Petition to Repeal Bill B130-14A, Ordinance No. 022071” after Submittal of a Supplementary Petition.

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

COMMENTS BY PUBLIC, COUNCIL AND STAFF

John Clark, 403 N. Ninth Street, commented that the collector and arterial roads were a system, and the big box industry would not have come to Columbia without them. The road development fee Council had discussed tonight was about new roads, and not about connecting to the system. In terms of utilities, they looked at various factors to determine a reasonable cost to be able to hook into or connect to the system. As a result, he believed they needed to consider a road system connection fee in the future. He commented that when Council discussed road development and new construction, they also needed to think about maintenance, but he felt the funding for it was different. He stated he would love to hear more discussion with regard to it. He noted the control with regard to the development fee proposal for Mugs Up Drive-In versus McDonald’s was the size as Mugs Up Drive-In was 40 square feet and McDonald’s was 200 square feet.

Ms. Chadwick stated she would challenge that concept for a daycare. Mr. Clark noted his point was that there were other controls.

Mayor McDavid understood Greenway Shuttles was a private vendor that shuttled 5,000 students per day to Brady Commons from about eighteen apartments with 11,000 students, and they would like to be able to park on Rollins Street. He asked for a staff report as to the feasibility of allowing them to park on Rollins Street.

Mayor McDavid made a motion for the Alpha Chi Omega parking lot, which had been associated with B188-14 and B189-14, to be able to be reconsidered by the Council without having to wait one year. He explained the applicant had not been prepared to defend their project as they had received a unanimous Planning and Zoning Commission decision and had been on the consent agenda until the Council removed it. He thought they should have tabled the item to allow the parties to present their case. He understood there was more to the project as well.

The motion made by Mayor McDavid for the Alpha Chi Omega parking lot, which had been associated with B188-14 and B189-14, to be able to be reconsidered by the Council without having to wait one year was seconded by Ms. Nauser.

Mr. Skala asked if there was a time issue involved in revisiting an issue. Ms. Thompson replied yes, and explained that was the reason it needed the consent of the Council. It could not come back within one year without the consent of the Council. Mr. Skala stated he thought there was a minimum or maximum time frame. Mr. Thomas understood that would be overridden by this motion, if it passed. Ms. Thompson stated the Council could grant permission. Mr. Skala understood the Council could do this without regard to time. Ms. Thompson stated that was correct.

Mayor McDavid asked if it required four votes or a super majority vote. Ms. Thompson replied it did not require a super majority, but it would have to go back through the Planning and Zoning Commission process because it was a zoning issue and would be treated as a brand new application. It was considered a new application on a matter which was denied by the Council. It was not a reconsideration. Mr. Skala understood the Council was essentially short circuiting the one year. Ms. Thompson stated that was correct. She noted there was the reconsideration provision with a 90 day time frame, which was a different issue.

The motion made by Mayor McDavid and seconded by Ms. Nauser for the Alpha Chi Omega parking lot, which had been associated with B188-14 and B189-14, to be able to be reconsidered by the Council without having to wait one year was approved unanimously by voice vote.

Mayor McDavid commented that he wanted to see the Missouri Stream Condition Index numbers, which showed the health of streams. He understood they had numbers for last year, but did not know if they had numbers for this year, and wanted a report from staff if the numbers were available. Mr. Glascock stated the City did not have numbers from the Department of Natural Resources (DNR) for the last two years. Mayor McDavid stated he would formally ask for a presentation from staff once the numbers were provided by DNR.

Mayor McDavid understood the City had owned Maplewood since it purchased Nifong Park in 1970, and it was a beautiful home with historic value to Columbia. He suggested the Council tour the home as there were maintenance issues. Since the City owned it, he did not believe they wanted to get behind on maintenance. He asked the Parks and Recreation Commission, the Parks and Recreation Department staff, and the Historic Preservation Commission to review the status of the building and provide a report so Council could decide whether the City needed to address any maintenance issues.

Mr. Thomas recognized the launch of COMO Connect, and thanked those that traveled or attempted to travel on COMO Connect today. He noted he was on four different busses today and it seemed as though there were more people on the buses than in the past.

Mr. Skala stated he was concerned the public safety tax proposal was too high and the road development fee proposal was too low. He hoped the removal of the term maintenance was not a mistake. He noted he would still work to make sure these proposals passed.

Ms. Nauser commented that she rode the bus today, and had noticed the bus stop signs were very small so it was hard to see the from a distance and one had to be very close to read the signs. She suggested they be made a little larger if possible.

Ms. Nauser stated she had been contacted by a constituent who lived at 2490 Maple Bluff Drive, where a tax bill had recently been approved for a sewer project. She noted he had a leakage problem in his pipe, which he felt should have been discovered earlier, and as a result, he was asking that the connection fee, which she thought was about \$850, be waived. She asked staff to bring forward a report regarding that issue so they could determine if there might be consensus for waiving that connection fee.

Ms. Hoppe asked if there was an easy mechanism for the public to ask questions or provide input about COMO Connect as they experienced it in its first month. Mr. Glascock replied they were utilizing Twitter and the City of Columbia website in that effort.

Ms. Hoppe asked for information regarding the additional time and expense it took to remove snow from cul-de-sacs. She understood it might vary, but wanted a staff report.

Ms. Hoppe asked for a report as to whether staff had asked MoDOT to look at the intersection at Audubon Drive and Stadium Boulevard within the last year, particularly in terms of the designated left turns off of Stadium Boulevard onto Audubon Drive and off of Audubon Drive going eastbound onto Stadium Boulevard towards Highway 63.

Mr. Trapp asked staff to work with the University of Missouri regarding its tobacco use policy on City streets that ran through the University campus as he felt they wanted to support those public health efforts.

Mr. Trapp encouraged everyone to vote on Election Day.

Ms. Chadwick agreed with Mr. Trapp and hoped the City could provide the University of Missouri with the authority to enforce its smoke-free policies on City streets and right-of-ways on campus.

Ms. Chadwick understood Boone County was trying to pass the EPIC tax for recreational opportunities, economic development, and the preservation of the Boone County Fairgrounds. She understood the County was concerned about the Fairgrounds if this tax did not pass, and felt the Fairgrounds were an important asset to the community. She stated she would be interested in the City reaching out to Boone County to potentially take over the Fairgrounds if the tax was to fail so it would continue to be maintained in an economical and realist manner.

Ms. Hoppe agreed there should be some discussion if the EPIC tax failed.

Mayor McDavid stated he agreed the conversation should be held, but he was not sure a motion should be made at this time. Ms. Nauser agreed they should probably wait until they knew the results of the election.

Ms. Chadwick noted several alleys in the Ridgeway Neighborhood area lacked maintenance, and it was unclear as to who owned the alley or had right-of-way. She asked for staff to look into the issue. She pointed out some of the alleys were gravel, and some were not mowed and had trees growing on them. The Neighborhood felt the alleys were owned by the City.

Ms. Chadwick understood there was not a stormwater drain or curb on the north side of Ash Street, between Anderson Avenue and Hirth Avenue, so the stormwater flowed down Ash Street and into the backyards of the residents on Ash Street. She had been told staff was looking into it, but wanted the constituents to know this was a priority for her.

Ms. Chadwick understood Flat Branch Creek ran through Douglass Park, and asked if there had been any discussion with regard to daylighting Flat Branch Creek through Douglass Park. Mr. Glascock replied he understood branches of Flat Branch Creek ran through Douglass Park, but daylighting it had never been discussed because there was a box culvert that extended toward Hickman High School all of the way to Sexton Road, and the Creek split and forked. The area near the Ice House was not enclosed in a box culvert, which was why they had discussed it in terms of the CVS development.

Ms. Chadwick stated she had received a lot of complaints about the on-line utility bill payment in terms of the \$4.70 fee. She understood the City needed to cover costs, but it appeared as though everyone was charged the same flat fee instead of a percentage of the bill. She asked for a staff report on the fee structure, and whether there were any alternatives to the fee.

The meeting adjourned at 12:28 a.m.

Respectfully submitted,

Sheela Amin
City Clerk