

**CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
701 E. BROADWAY, COLUMBIA, MISSOURI
OCTOBER 6, 2014**

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, October 6, 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 NAUSER, HOPPE, MCDAVID, CHADWICK, TRAPP and SKALA were present. Council Member THOMAS was absent. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of August 18, 2014 and the regular meeting of September 2, 2014 were approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Skala.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Ms. Hoppe asked that R188-14 be moved from the consent agenda to new business.

Upon her request, Mr. Skala made a motion to allow Ms. Nauser to abstain from voting on B305-14, due to a conflict of interest. Ms. Nauser noted on the Disclosure of Interest form that one of the conveyances involved family property. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

The agenda, including the consent agenda with R188-14 being moved to new 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

Chad Phillips – Recent enforcement of Ordinance 21390, Section 14-180 and its impact on the University of Missouri Student Body.

Chad Phillips stated he was the Chairman of the Campus and Community Relations Committee of the Missouri Student Association (MSA) and explained that buses had loaded and unloaded students on Rollins Street in front of the University of Missouri student center for years, but this August enforcement of Section 14-180 of the Columbia Code of Ordinances began for the first time even though it had been in effect since 2012. He felt the result was a situation that threatened the safety of the University of Missouri student body, and he hoped their comments tonight would provoke an insightful conversation regarding safety concern and tangible solutions.

Syed Ejaz noted he was a member of the Campus and Community Relations Committee of MSA and stated he believed it was bad for private shuttles to load and unload students on Hitt Street. He displayed a photo of students on Hitt Street and explained students crossed without any discretion, which made navigating pedestrian traffic difficult and risky for those driving the private shuttles. He pointed out the private shuttles also had to share Hitt Street with other vehicles, and it was difficult to maneuver around other vehicles since the road was so narrow. He noted the combination contributed to an increased likelihood of accidents. In addition, student utilizing the shuttle service did not have any safe location to wait for the shuttle during inclement weather on Hitt Street. The student center on Rollins Street had windows, which allowed students to safely stay inside and away from the elements, while looking out of the windows to determine if the shuttle had arrived. He stated Hitt Street had not been designed to accommodate the amount of traffic that traveled on it, and the addition of the private apartment shuttles made the situation worse. Rollins Road was about 45 feet at its widest portion and had specific cutouts for transit buses and apartment shuttles, while Hitt Street was 40 feet wide, but only 26 feet wide when cars were parked on both sides. In addition, Missouri Avenue was worse as it was only 35 feet wide and was essentially one lane in certain areas due to construction. He stated he felt Rollins Street was the best option for the shuttle buses to travel as the other roads were less safe, and asked that the City stop enforcement of Section 14-180 of the Columbia Code of Ordinances so the shuttle buses could again utilize Rollins Street.

Mayor McDavid understood City staff had engaged the University of Missouri administration regarding this issue. Mr. Matthes stated that was correct and thought the University had referred the matter to their transportation committee and 2-3 other committees.

Mr. Skala asked if a potential solution was to eliminate parking on one or both sides of Hitt Street. Mr. Ejaz replied that had not been discussed, but he did not believe it would resolve the problem as Hitt Street had a heavy amount of pedestrian traffic during peak hours. He stated they were advocating for the shuttle buses to be able to utilize Rollins Street.

Mayor McDavid explained they would await the recommendation of the University of Missouri administration, and would be in touch with MSA regarding a resolution.

Thomas Coats – Need bus route that goes on Stadium all the way to Pro-Dental & Hollywood (at Hwy 63).

Thomas Coats was not in attendance.

Alexandria Johnson – What can be done to improve the transit/bus system in Columbia.

Alexandria Johnson stated she was a student at the University of Missouri and an intern for Ms. Chadwick, and explained she had reviewed and compared the City's bus system to systems in other communities with thriving transit systems. She commented that Columbia's bus stops were not people-friendly in that they did not have benches or covered areas for protection from the weather, and they were not prominent or noticeable. The bus stop signs tended to be on existing poles, such as stop sign posts, and suggested stand-

alone signage. She noted she also felt the color of the bus stops should match the colors of the bus so people knew that bus stop was the correct stop. She also suggested identifiers other than streets for bus stops, such as Walgreens or another establishment. This would allow those not familiar with street names to still know where the bus was traveling. She understood the City offered a variety of passes, but did not offer 3-day or 7-day passes for those that might not need a 30-day pass. She felt those options would allow for more flexibility. She also thought discounts for the elderly or veterans might be helpful in addition to the discounts provided for students and the disabled. She noted the bus system was complicated, and understood “a plan a trip” option would be available soon. She suggested reaching college students through advertising and other methods so they knew where to obtain the resources necessary to learn how to ride the bus and thought a campaign similar to what had been done for the high school students might be useful.

Mayor McDavid suggested this information be provided to the MSA representatives that were in attendance. He noted the City welcomed student representation on the Public Transit Advisory Commission as well.

PUBLIC HEARINGS

(A) Construction of a 6-inch water main along Kathy Drive, south of Texas Avenue.

Item A was read by the Clerk.

Mr. Johnsen provided a staff report.

Mayor McDavid asked for the age of the pipe. Mr. Johnsen replied he did not have the date it was installed, but assumed it was likely 50-60 years ago due to its size. Mayor McDavid understood similar conditions likely existed throughout the community. Mr. Johnsen stated that was correct. He explained there had been maintenance issues with this line, which was why they were taking the opportunity to upgrade it along with adding a hydrant. Mayor McDavid asked for the annual replacement budget. Mr. Johnsen replied it varied year to year, and the funding for this would come from an account that had \$500,000-\$700,000 per year in it.

Mr. Skala understood this line was selected due to the issues it had. Mr. Johnsen stated that was correct. Mr. Skala understood it was a complaint driven process, and the City did not have a system to replace aged water infrastructure until there were problems. Mr. Johnsen explained the City did not have an age-based replacement program.

Mayor McDavid opened the public hearing.

There being comment, Mayor McDavid closed the public hearing.

Mr. Trapp made a motion directing staff to proceed with preparation of final plans and construction of the 6-inch water main along Kathy Drive, south of Texas Avenue, by city forces. The motion was seconded by Ms. Nauser.

Mr. Skala stated he wanted to see some sort of evaluation even if it was an evaluation based upon failures for the aged infrastructure systems so they were aware of the potential infrastructure replacement issues. He thought it could be based on the number of calls, etc., and felt it would be a useful index.

Mayor McDavid noted he had seen an article in the St. Louis Post Dispatch about a month ago with regard to a massive replacement program in St. Louis whereby water rates

would potentially be raised to \$80 per month. He felt that was the problem with not keeping up with aging infrastructure. Mr. Skala agreed, and thought Columbia had been remiss in planning for the future in terms of worn out infrastructure, which was why he wanted to see something in place so they were aware of the issues.

The motion made by Mr. Trapp and seconded by Ms. Nauser directing staff to proceed with preparation of final plans and construction of the 6-inch water main along Kathy Drive, south of Texas Avenue, by city forces was approved unanimously by voice vote.

R192-14 Approving an amendment to the FY 2014 Annual Action Plan for CDBG and HOME funds; authorizing CDBG agreements with local agencies.

R193-14 Approving the 2015-2019 Community Development Block Grant & HOME Investment Partnerships Program Consolidated Plan and FY 2015 Annual Action Plan.

The resolutions were read by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid opened the public hearing.

Monta Welch, 2808 Greenbriar Drive, commented that she was speaking on behalf of People's Visioning and ten other organizations that were a part of People's Visioning, and reported that the net zero energy home located at 413 West Ash was nearing completion. She asked that buildings that received public funds in the future be required to be affordable and green, and preferably net zero buildings. If the on-site generation was a challenge, she suggested the purchase of off-site renewable generated energy so net zero could be accomplished at any location.

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

Upon his request, Ms. Hoppe made a motion to allow Mr. Trapp to abstain from voting on R192-14 and R193-14, due to a conflict of interest. Mr. Trapp noted on the Disclosure of Interest form that the resolutions included funding for his employer, Phoenix Programs. The motion was seconded by Ms. Chadwick and approved unanimously by voice vote.

Ms. Nauser stated she was sad that the Rainbow House project for homeless youth was unable to move forward due to considerable push back by the community. She thought they were asking for more problems when forcing kids to live on the streets. She noted kids found themselves homeless for a variety of reasons, and likely not due to something they had done. She reiterated she was sad this project had not moved forward, and hoped the Rainbow House was able to find a place to build because homelessness was a growing and a place to stay would help kids become productive members of the community and society.

Ms. Chadwick understood Rainbow House could apply for funding in the future. Mr. Teddy stated that was correct.

The vote on R192-14 was recorded as follows: VOTING YES: NAUSER, HOPPE, MCDAVID, CHADWICK, SKALA. VOTING NO: NO ONE. ABSTAIN: TRAPP. ABSENT: THOMAS. Resolution declared adopted, reading as follows:

The vote on R193-14 was recorded as follows: VOTING YES: NAUSER, HOPPE, MCDAVID, CHADWICK, SKALA. VOTING NO: NO ONE. ABSTAIN: TRAPP. ABSENT: THOMAS. Resolution declared adopted, reading as follows:

OLD BUSINESS

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 asked that this item be tabled to the October 20, 2014 Council Meeting. She pointed out the packet included two proposed amendments, and the tabling would allow time for the Council, staff, and the public to review those proposed changes based upon the comments made by the various commissions.

Ms. Hoppe made a motion to table B74-14 to the October 20, 2014 Council Meeting. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Georgalu Swoboda, 910 W. Broadway, stated she was the Chair of the Youth Commission, and explained that research had shown that when the youth perceived a risk as low, they were more apt to try it, whether it was drugs, alcohol, smoking, etc., and asked for the Council to take that into consideration. She noted her appreciation for the concessions made by Ms. Hoppe, but did not feel it spoke to the point of law enforcement as they had indicated they could not support this proposal because they had to uphold state and federal law. She asked how the Council could tell Columbia police officers to break the law.

B300-14 Rezoning property located on the west side of Tiger Avenue, approximately 220 feet south of Rollins Street (809 and 811 Tiger Avenue) from R-3 to C-P; approving the Alpha Chi Omega C-P Plan; approving less stringent screening, landscaping and parking requirements.

B301-14 Approving the Final Plat of Alpha Chi Omega Subdivision Plat 1, a Replat of Lot 60 and part of Lots 59 and 61 LaGrange Place, located on the west side of Tiger Avenue, approximately 220 feet south of Rollins Street (809 and 811 Tiger Avenue).

The bills were given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid commented that he was not interested in more commuter parking, and asked if contracts had been let on the construction of the proposed fraternity house on the existing land. He also asked how many members of the sorority lived off-campus because he assumed those that lived off-campus would drive to campus to a commuter lot and he wanted assurance from the applicant that this was not a way to expand commuter parking on land next to the University of Missouri.

Ms. Chadwick understood there would be a net decrease of thirteen off-site parking spaces after the fraternity house was built, and that there was no time line for construction. Mr. Teddy stated the activities described were not tied together. Ms. Chadwick understood there was no guarantee there would be a net decrease of 13 parking spaces. Mr. Teddy stated he could only relay the testimony offered, and was not providing any assurance.

Ms. Chadwick understood this lot would be used as a surface parking lot and asked if the property could be used as anything other than a surface parking lot in the future. Mr. Teddy replied the statement of intent included the uses that would be permitted and listed those uses.

Ms. Hoppe noted the statement of intent indicated a parking structure could be built in the future. Mr. Teddy stated that was correct. Ms. Chadwick understood the number of

parking spaces could increase significantly if a parking garage was built. Mr. Teddy pointed out there was a 45 foot height limit so it would have to be within the envelope defined by that height. Ms. Hoppe understood the parking garage was not restricted in any manner so parking could be located at grade. Mr. Teddy stated that was correct.

Thomas Snider, 5671 S. Short Line Drive, stated he was the President of the Chi Mu Alumni Association and explained this rezoning proposal was the lynchpin to an overall project, which involved building a new fraternity house at the corner of 503 and 505 Rollins Street. He commented that he did not believe their overall proposal would add to traffic congestion in the Greektown area because each parking space involved would be used exclusively by the on-campus student residents of the fraternity or sorority houses involved. If this rezoning was not approved, he felt the City would miss out on a \$4.5-\$5 million project, which would benefit suppliers, contractors and workers. In addition, it would improve a corner of the community that needed improvement. He explained they were not guaranteeing an immediate net reduction in parking, and questioned whether the City wanted to miss an opportunity to reduce parking by not approving this rezoning. He pointed out they had been pursuing this project for seven years. In addition, they had invested \$2.5 million in acquiring the property, and would not have done that if they did not plan to move forward with the project. He commented that they were a non-profit corporation and had the legal duty to pursue their charitable purpose, which was to provide residential housing for members of their organization who were students of the University of Missouri. He felt they would arguably be in violation of their charter by not pursuing the project. He asked those in the audience in favor of this rezoning proposal to stand, and approximately eleven people stood. He reiterated the approval of this rezoning request would reduce the overall parking by thirteen spaces, beautify 503 and 505 Rollins Street, create a \$4.5-\$5.5 million investment, and would not displace anyone. He also did not believe it would increase traffic or congestion. He noted the parking garage had been included in the statement of intent at the recommendation of City staff because it fulfilled part of the overall plan, and after receiving that recommendation, they felt it was a good idea to include so it was suitably zoned if the Alpha Chi sorority could come to an agreement with neighboring landowners to build one. He pointed out the Council would still have to approve it since the neighboring land would need to be rezoned. He asked the Council to allow them to proceed with their project by approving this rezoning request.

Ms. Chadwick asked if the fraternity could acquire the property even if the City did not grant the rezoning of this property. Mr. Snider replied no. He explained the Alpha Chi sorority could not give up their current parking lot without another place to put their cars, and noted there were three parties involved. Ms. Chadwick understood they had been working on this for seven years, but did not have a projected date for building the fraternity house. Mr. Snider stated it would be built in 2-5 years. He pointed out they did not want to spend \$15,000 to hire an architect until they knew they had the property, and only then could they go out for request for bids on the plans to establish the cost, and the cost would determine how quickly they could begin construction. He noted City ordinances required a parking space per resident so they had to dedicate some of their investment toward parking via an underground parking garage because property values in Greektown were expensive.

Ms. Chadwick commented that cars would be reallocated to one of the busiest and most congested streets in Greektown and asked if a traffic study had been completed verifying the statement that traffic would not be increased. Mr. Snider replied he did not believe a traffic study would provide the whole picture. He explained that when he was a student of the University of Missouri, he walked or biked to class. He did not believe students drove to class. The parking associated with this project would only store cars until the weekend when kids went home or until they had to go to work, etc. It would not create consistent congestion, especially during the rush hour times.

Ms. Hoppe asked Mr. Snider if he would be agreeable to the City limiting the allowance of a parking garage on this property to a parking garage that was part of a structure in some fashion so there was not a stand-alone parking garage at that location. Mr. Snider replied his organization did not care, but it could be an issue for the Alpha Chi organization since they would be acquiring the property. He pointed out a parking garage would not fit on the lot without the cooperation of a neighboring property owner, and if that were to occur, the project would have to come before Council at that time. He asked the Council to allow their project to move forward as a parking garage at that location would likely not ever occur. Ms. Hoppe understood Mr. Snider would be agreeable to removing the garage use. Ms. Chadwick thought that use had been added because Council had indicated it did not want surface parking, but noted she did not feel this would be an ideal location for more parking regardless of how it was accommodated. Ms. Hoppe stated a parking garage without residential units or retail on the ground level created a dead space and did not make the most of the land. Mr. Snider commented that he understood the concern, and reiterated he did not believe a parking garage would ever be constructed at that location. He also felt parking would not be needed there as the area redeveloped over the next 10-20. He pointed out the Alpha Chi organization was not redeveloping its property, and were only relocating where they would park. He noted his organization was redeveloping land in Greektown, and would have to accommodate parking as part of that redevelopment.

Mr. Skala commented that it was hard for him to reconcile the idea of this being used for storage parking when the parking lot would be so close to the sorority house. Mr. Snider stated he felt it would be 90 percent storage parking, and did not feel these cars would contribute to traffic congestion problems during peak times. He agreed these kids would use their vehicles to go to the mall, work, home, etc., but reiterated he did not feel it was the type of parking that created congestion at Tiger Avenue.

Kevin Murphy, an engineer with offices at 3401 Broadway Business Park Court, pointed out this property was not in the downtown. If it was in the downtown, they would be able to build a parking structure without coming to Council for approval. He noted this was a residential area, and these parking spaces were needed for the residents in the area. He asked the Council if they would be willing to park two miles away and walk home. He explained his client, Alpha Chi Omega, was asking for only 33 parking spaces when they had 76 residents, and the parking spaces held by the University of Missouri were mostly filled by faculty and staff, so students tended to park at Trowbridge, Hearnese, and Reactor, and were then shuttled to campus. He also did not believe a traffic study would be useful in this situation as there would not be an impact to the level of service since so few cars were

involved. He felt the parking structure was a good use because many fraternities and sororities in the area did not have the appropriate amount of parking.

Chad Phillips stated he was the Chairman of the Campus and Community Relations Committee of the Missouri Student Association and commented that the University of Missouri was a commuter campus. He asked the Council to require a traffic study as his organization was concerned about traffic and safety, and felt traffic studies tended to provide information that helped make decisions. He pointed out there was another pullout from a parking lot directly across the street from this proposed parking area, and felt that could lead to traffic incidents if vehicles pulled out of their respective parking areas at the same time. He stated they did not have a position on this proposal, and were only asking for a traffic study to be conducted prior to approval of the project.

Logan McWilliams, 806 Cherry Street, pointed out one of the main reasons for this land swap was the safety of the Alpha Chi Omega residents as the proposed parking area would be closer to their home. He noted there had been past incidents of rape on campus. He pointed out he parked his car in storage and walked a lot further than these students to his classes because parking was so limited on campus.

Mayor McDavid stated he felt the presentation was compelling, and did not believe there would be a net increase in surface parking. He also saw the opportunity to increase quality student housing near campus due to the 505 Rollins Street project. He noted he planned to support this rezoning request.

Ms. Nauser commented that she could not believe they were having this conversation for 33 parking spaces in an area surrounded by surface parking. She did not believe they would ever consider approving a residential development that did not provide some form of parking for residents, and did not recall ever asking for a traffic study for 33 vehicles. She stated she also liked the idea of a potential parking garage in the future as it would allow a lot of the surface parking areas to redevelop into structures, and noted she would vote in support of this again.

Ms. Chadwick commented that she was concerned with the fact they would move surface parking closer to campus where the land was too valuable to be used for parking. She understood there was a safety concern, but felt that needed to be addressed by them as a campus because it would not be solved by this proposal. She explained she did not understand how this would not increase traffic on Tiger Avenue, and suggested a traffic study be conducted so they would know the impact. She also did not believe Tiger Avenue was a good location for a parking garage, and felt a parking garage should be located on an arterial road. She realized there had been a lot of negotiation and movement to get to this point, but felt the fraternity's project would happen even without approval of this rezoning request. She stated she was not in support of this project at this time, but would reconsider based on the results of a traffic study. She noted she was concerned about the safety of students.

Mr. Trapp stated he did not believe 33 parking spaces should require a traffic study, and it was less parking than would be required if the structure was newly built. He agreed this was high value land and noted he suspected this parking lot was a placeholder. He pointed out this land swap would allow the sorority to move its parking closer to its building and would facilitate a high value project with underground parking, which they wanted for the

future. He thought they needed to look at this in its largest context, and encouraged the Council to support it.

Ms. Hoppe stated she agreed with a lot of the comments of Mr. Trapp, and thought the project proposed by the fraternity was great in that they would place parking underground. She noted she was also sympathetic to the safety concerns, but had an issue with the statement of intent as it would allow for a parking garage for potential future development. She explained parking garages created dead spaces if they did not include retail or residential use at the street level, and vibrant streets with pedestrian traffic helped in terms of safety. In addition, a parking garage would create a lot more parking and traffic than a surface parking lot. She thought they could live with surface parking because it would be temporary, but was concerned about the potential of a parking garage since it was a use listed in the statement of intent. She noted she would be more comfortable approving it if it was not a stand-alone parking garage.

Mr. Skala pointed out he had been burnt on the basis of best intentions in the past. He understood this proposal was small in scale with only 33 spaces, but noted zoning changes essentially lasted forever. He thought there was compelling evidence to suggest co-eds were at some risk if they had to travel far to get to their transportation, and stated he would take them at their word with regard to this primarily being used for storage parking, but was concerned because the best intentions did not always come to fruition. He stated he was leaning toward reversing his decision, but still had many concerns.

Mayor McDavid asked if the Council could remove the parking garage from the statement of intent. Ms. Thompson replied the ordinance could be amended to require an amendment to the statement of intent to eliminate that use.

Mayor McDavid made a motion to amend B300-14 by adding a requirement to amend the statement of intent to delete parking garages as an allowed use. The motion was seconded by Mr. Skala.

Mayor McDavid pointed out this did not preclude the owner from coming back before Council to request that use in the future. Ms. Hoppe agreed.

The motion made by Mayor McDavid and seconded by Mr. Skala to amend B300-14 by adding a requirement to amend the statement of intent to delete parking garages as an allowed use was approved by voice vote with only Ms. Nauser voting against it.

The vote B300-14, as amended, was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, MCDAVID, TRAPP, SKALA. VOTING NO: CHADWICK. ABSENT: THOMAS. Bill declared enacted, reading as follows:

The vote B301-14 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, MCDAVID, TRAPP, SKALA. VOTING NO: CHADWICK. ABSENT: THOMAS. Bill declared enacted, reading as follows:

B307-14 Authorizing a right of use permit with The Curators of the University of Missouri to allow for the enforcement of the University's smoking policy on portions of Conley Avenue, Hitt Street, Ninth Street and Rollins Road when lawfully closed to vehicular traffic.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Ms. Nauser asked when these streets were typically closed. Ms. Chadwick replied she thought they were closed from 9:00 a.m. to 3:00 p.m. She explained she understood the University of Missouri had a smoke-free campus and wanted to extend that policy to these City streets because the staff and students were now taking to those streets to smoke. Ms. Nauser asked if the University paid for the maintenance of these streets. Mr. Matthes replied no.

Ms. Chadwick stated the University already had the permission to close these streets, and were now asking for permission to enforce the smoke-free policy on those streets when closed.

Mr. Skala understood these were City streets that were paid for by taxpayers, and people were going on to those streets to smoke.

Chad Phillips stated he was the Chairman of the Campus and Community Relations Committee of the Missouri Student Association and explained people flocked to the streets smoke, so the University had lost the ability to enforce its smoke-free policy across campus. He pointed out several organizations had endorsed the smoke-free policy for numerous reasons, and noted the Campus and Community Relations Committee of the Missouri Student Association was in favor of this proposal.

Mr. Skala asked if the University had taken a position. Ms. Chadwick replied this request had come from the University. She understood Kim Dude from the Wellness Resource Center had initiated this, and that it had gone through Gary Ward at Facilities. Mr. Phillips stated that was corrected, and noted they were trying to close the gaps.

Mr. Trapp asked about the enforcement of a violation in terms of whether the person was a student, faculty member, or a citizen. Mr. Phillips replied he did not believe it was currently enforced through fines or citations. He thought police officers would politely ask people to put out their cigarettes. He understood the University was looking into a way to better enforce it. Ms. Chadwick stated that was correct as she understood the policy had been enacted last year, but the University had been slow to enforce it as they first wanted to get the word out. Mr. Phillips pointed out his organization was working on education and outreach at this time. Ms. Chadwick thought the first step in enforcement was a warning, and the second step was community service in terms of picking up cigarette butts. Mr. Phillips understood that was still being worked out.

Monta Welch, 2808 Greenbriar Drive, stated she was speaking on behalf of People's Visioning and noted they supported the spirit of the policy of the University. She thought they needed to find ways to be good neighbors and felt the City should help the University with this goal.

Mayor McDavid understood these were City maintained streets, but noted they were in the middle of campus, and as a result, he thought they should be subject to the jurisdiction of the University of Missouri in terms of their smoking policy. He stated he would support this ordinance.

Ms. Hoppe stated she would also support this ordinance. She explained the City already allowed the streets to be closed to traffic, so the areas were essentially considered a

part of campus during the day. She thought it made practical sense to allow the areas to be a part of the University's non-smoking policy.

Mr. Skala commented that he was sensitive to public health issues as his wife worked in public health. Since this was sponsored by the University and the City could readily accommodate it, he noted he would support it.

Ms. Nauser stated these were taxpayer funded streets regardless of whether they were closed during the day or not, and smoking was not illegal. She commented that at the next meeting, the City would consider making an illegal substance more legal and today they were discussing making a legal substance less legal. She noted she would vote on the basis of personal freedom and responsibility. She did not believe a City taxpayer walking on a public street should be told they could not exercise their freedom to smoke.

Ms. Chadwick explained she had worked with the University on this proposal, and noted a lot of people had been engaged in the process. She agreed personal freedom was important, but the University had chosen to go smoke-free because there was an effect of second-hand smoke. She stated they wanted to ensure students had a healthy and safe environment, and this ordinance would help. She commented that the University had asked for it and she was happy to support it.

Mr. Trapp stated he felt the sheer pedestrian volume of the campus-based streets created the second-hand smoke risk. He did not believe it was a question of personal freedom and thought it was a life and death struggle. He pointed out 43 percent of the money spent on tobacco came from people with a diagnosed mental illness, and it was a tough addiction to beat as he had been smoke-free for 4 ½ years. He stated he was happy to support this and was pleased with the University's aggressive treatment of a serious social ill.

The vote B307-14 was given third reading with the vote recorded as follows: VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA. VOTING NO: NAUSER. ABSENT: THOMAS. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

- B298-14** Voluntary annexation of property located approximately 800 feet west of Thompson Road (4097 Thompson Road); establishing permanent R-1 zoning.
- B299-14** Changing the uses allowed on C-P zoned property located on the south side of Grindstone Parkway, approximately 415 feet west of the Grindstone Parkway and Grindstone Plaza Drive intersection; approving a revised statement of intent; approving the C-P Plan for Lot 5A of Red Oak South, Plat No. 1-A.
- B302-14** Authorizing a consolidated grant agreement with the Missouri Highways and Transportation Commission for transportation planning services.
- B303-14** Amending Chapter 14 of the City Code to prohibit parking on portions of Scott Boulevard from Wales Drive to Route K and on both sides of Wales Drive.
- B304-14** Accepting conveyances for sidewalk, utility, drainage, street and temporary construction purposes.

- B305-14 Accepting conveyances for Stormwater Management/BMP Facilities Covenants purposes.
- B306-14 Accepting conveyances for utility purposes.
- R179-14 Setting a public hearing: construction of an ADA compliant family restroom and snack bar at the Columbia Regional Airport.
- R180-14 Setting a public hearing: construction of a solid waste administration and collection operations facilities building at the Columbia Sanitary Landfill.
- R181-14 Setting a public hearing: construction of improvements at the Downtown Optimist Park.
- R182-14 Setting a public hearing: construction of improvements at Cosmo-Bethel Park to include the installation of tennis court lighting and construction of a new walking bridge, 6-foot wide concrete walking trail and multiple bulbouts along a portion of the fishing lake.
- R183-14 Setting a public hearing: consider a trail connectivity project application (connection of Cosmo Park/Bear Creek Trail to I-70/Stadium Boulevard) and a Safe Routes to School sidewalk project application (Oakland Gravel Road between Smiley Lane and Blue Ridge Road) for federal Transportation Alternatives Program (TAP) funding.
- R184-14 Authorizing agreements with various cultural organizations; authorizing agreements of up to \$750 per agreement for arts programming or services for cultural organizations.
- R185-14 Adopting the City of Columbia, Missouri Columbia Transit Title VI Program plan document.
- R186-14 Accepting the donation of a timber bridge from the University of Missouri College of Engineering to be used by the Parks and Recreation Department at Strawn Park.
- R187-14 Authorizing an agreement for professional engineering services with Bartlett & West, Inc. for design of the Worley Street and Clinkscales Road intersection improvement project.
- R189-14 Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. to prepare an update of the Columbia Regional Airport property map.
- R190-14 Authorizing an agreement with The Community Foundation of Central Missouri to establish, fund and manage the Columbia Energy Usage Reduction Fund.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: NAUSER (except for B305-14 on which she abstained), HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA. VOTING NO: NO ONE. ABSENT: THOMAS. Bills declared enacted and resolutions declared adopted, reading as follows:

NEW BUSINESS

- R188-14 Authorizing an agreement for professional engineering services with HR Green, Inc. for design of the Route 740 (Stadium Boulevard) and Old Route 63 intersection improvement project.

The resolution was read by the Clerk.

Mr. Glascock provided a staff report.

Ms. Hoppe stated she was happy to see this project moving forward, and understood there would be three pedestrian crossings at the intersection. Mr. Glascock noted they were working on three corners. Ms. Hoppe asked if there would be a landing or crosswalk for the southeast corner. She understood it was the corner that did not have a sidewalk, but was hopeful a sidewalk would be constructed on the east side of Old 63, south of Stadium, to the entrance of the Waters Moss property, in the future as the City now owned that property. She thought it might be good to design and create a structure at the southeast corner to connect to a sidewalk in the future. Mr. Glascock stated he believed they could install the conduit for the crosswalk signals, etc., but would not paint or install a crosswalk at this time. He thought they could consider the landing as well. Ms. Hoppe asked if an amendment to this would be needed to accommodate that change. Mr. Glascock replied no. He stated he would need to talk to MoDOT, but did not believe they would have a problem including the conduit. He pointed out this project would come back to the Council for a public hearing, and he hoped those issues were resolved by then.

Ms. Hoppe understood this project had been in the works since before she was on Council, which was nine years ago, and was long overdue.

The vote on R188-14 was recorded as follows: VOTING YES: NAUSER, HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA. VOTING NO: NO ONE. ABSENT: THOMAS. Resolution declared adopted, reading as follows:

R191-14 Expressing support for economically feasible renewable energy options to serve City of Columbia customers.

The resolution was read by the Clerk.

Mr. Johnsen provided a staff report.

Mr. Trapp asked if the City was likely to purchase power from this project if it was completed. Mr. Johnsen replied he did not know. He understood connecting to direct current (DC) lines was expensive so it would take a pooled approach through their pooling agency, but was a possibility if it worked.

Ms. Nauser asked who had initiated this presentation. Mr. Johnsen replied Clean Line Energy.

Mayor McDavid understood Clean Line Energy would use this endorsement in their communication with legislative and administrative organizations for approval of their project, and the City was not obligated financially for anything they did. Mr. Johnsen stated that was correct. He explained his understanding was that this would simply endorse the project and any future activities in terms of regulators.

Mr. Skala understood there was a bottleneck in Kansas City with regard to wind energy, and asked if this was an attempt to alleviate the bottleneck. Mr. Johnsen replied the majority of the transmission system that operated in the United States and eastern grid was an alternating current (AC) system. Clean Line Energy was proposing a DC line, which operated independently of that system. He noted these projects typically spanned a longer distance because they were expensive and it took a lot of money to connect to them. He pointed out there would be tie-points with the AC grid, but it was set up differently since it was a separate system. Mr. Skala asked if it would affect the bottleneck even though it was

separate. Mr. Johnsen replied it would be related if large interchange was created in the Kansas City area, but he did not believe that was likely because DC lines were used for long distances.

Ms. Nauser asked if this would be subsidized by the state or federal government. Mr. Johnsen replied he did not know.

Mayor McDavid understood the City's current Iowa-based wind contract was about \$74-\$76 per megawatt hour. Mr. Johnsen replied he thought they operated in the \$40-\$50 per megawatt hour from the purchase power perspective. Mayor McDavid understood this was in the \$30 per megawatt hour range, and asked if there was a cheaper source of renewable energy. Mr. Johnsen replied wind was the cheapest source of renewable energy at this time. Mayor McDavid understood there was a possibility or a strong probability that the City would seek this supply. Mr. Johnsen stated that was correct, and explained this would allow them to connect more cheaply to sources that were further away.

Ms. Hoppe asked for the recommendation of the Water and Light Advisory Board. Mr. Johnsen replied they had voted to recommend the endorsement of the project to the Council. Ms. Chadwick understood the vote was 4-1, and asked why one person had voted against the endorsement. Mr. Johnsen replied he thought the minutes indicated the dissenting voter wanted more time to review the details and did not support very many transmission lines in general as he was more in tune to local generation.

Mark Lawlor stated he was the Director of Development for the Green Belt Express project and explained there were no subsidies involved with the construction or financing of this transmission project. It was a merchant transmission project. He explained Columbia Water and Light was a member of the MISO Regional Transmission Organization (RTO), and an RTO typically determined what transmission needed to be built and then spread the cost out amongst all of the customers. The assumption was that the benefits and costs should be shared by everyone. The model his company was proposing was for the entity to only pay for the portion of the transmission it would utilize. It was a unique way to meet the demand for renewable energy without paying much in the way of a premium. He noted power could be generated at the wind facilities in Kansas for about \$20 per megawatt hour and could be moved for another \$20 per megawatt hour, and it included the cost of the converter station. Since the DC lines with converter stations were expensive, the total capacity of the line was large at 3,500 megawatts and would serve Missouri and areas to the east. He pointed out this effectively eliminated problems they had moving power west to east.

Ms. Chadwick asked Mr. Lawlor if he knew why the one member of the Water and Light Advisory Board had voted against the endorsement. Mr. Lawlor replied he thought that member wanted to look at local sources. He understood the other members of the Board saw it as a free option as the City could buy as much or as little energy as it wanted. The importance of having the City voice support for the project was that it helped to demonstrate an interest and need for the project, and it was hard to get utilities to commit to purchasing power from anyone that did not have the regulatory approval. He pointed out projects such as this were needed in order to get renewable energy in a cost-effective manner.

Ms. Nauser asked what the wind industry was doing to mitigate some of the damages to livestock, wildlife, migratory birds, and the low level noise affecting those living near wind

farms. Mr. Lawlor replied proper sighting would resolve the wildlife issue. These projects would be sighted in western Kansas where there were not many wildlife issues and a number of wind farms were already in place. He understood that location had been supported by conservation and environmental groups. He thought the low level noise issue had been addressed by science, and understood there was not a clear indication that it caused health issues. In terms of this project, the area was extremely sparsely populated.

Paul Agathan provided a handout and stated he represented a group of landowners known as the Missouri Landowners Alliance, which was a non-profit, grassroots organization that had been formed about six months ago to oppose the construction of the Greenbelt Transmission Line project. He noted a case was before the Missouri Public Service Commission (PSC) to determine whether to grant a certificate of convenience to Greenbelt if they could prove a need for their line. He understood the PSC staff had filed testimony in which they had challenged many of the assertions made by Greenbelt, and those were listed in the handout. He understood they did not know that the line would entirely carry renewable energy as they had not signed up as a generator that would supply renewable energy to the line and could not discriminate on the basis of renewable versus fossil fuel. He noted the projected cost was \$2.2 billion, and the PSC staff had suggested there might be additional transmission upgrades that could bring the total to \$5.8 billion. He understood the PSC would make a decision on these issues early next year, and thought it would be more prudent to wait for their decision.

Jim Puckett, 115 N. Glenwood Avenue, commented that developing a large scale wind energy project, such as this, would have a significant economic and environmental benefit to the United States, Missouri, and Columbia. He noted there were many landowners in the resource area of Ford County, Kansas that were interested in developing wind projects, and wind development of this scale in that part of the country would not happen without transmission due to bottlenecks. He stated this issue was being discussed by the PSC, and believed the City needed to focus on whether tapping into low cost renewable energy was in the best interest of the Columbia. He noted the City had a renewable energy standard it needed to meet, and although this project would not be in place by 2017, it could be in place as the percentage of renewable energy required increased. He believed this was an opportunity to be a leader and encouraged the Council to support this endorsement.

Kelsey Wingo stated she was a student at the University of Missouri and a consumer of Columbia Water and Light utilities. She noted Columbia had a strong goal for its renewable energy portfolio and felt the Clean Line project was a great resource to utilize in terms of adding more alternatives and accessing more clean energy options to put into the portfolio. As a consumer of Columbia utilities, she explained she wanted to see more energy come from clean energy sources. She explained she sat on a board made up of students, energy professionals, and staff that discussed energy options the University of Missouri would utilize, and the City expressing an interest for a project such as this could really set a precedent for others, to include the University. She encouraged the Council to consider how a green economy in Missouri and the Midwest had to start with projects such as this, and a transmission line really opened up opportunities for places that did not have easy access to wind and other clean sources of energy. She asked the Council to support the project.

Monta Welch, 2808 Greenbriar Drive, commented that she was speaking on behalf of People's Visioning and noted they were known to support renewable energy, but asked for extra time to discuss this proposal and distributed generation with the dissenting Water and Light Advisory Board member. She stated they were actually supportive of this project as it was needed to develop broader initiatives, but had not had the opportunity to review the financial dynamics. She wondered who would pay for the line and whether the costs would be the same regardless of the type of customer. She explained they supported renewable energy, green jobs, etc., but did not have a particular position on the particular project as they tended to lean towards distributed energy and a more localized approach. She suggested tabling this issue and obtaining more information prior to making a decision.

Mayor McDavid stated he enthusiastically supported endorsing this project. He noted Columbia was indifferent to what had to be paid to landowners in California for the turbines and what had to be paid to landowners in north central Missouri for the transmission lines as those were free market private enterprise transactions. He commented that he believed it would be hard for Columbia to reach 15 percent renewable energy in 2017, and understood this would likely not be available by then, but felt 3,500 megawatts was a massive amount of energy. He saw this as the cheapest way to get renewable energy in Columbia, and thought it had a great deal of potential to provide a large amount of low-cost renewable energy. He hoped the Council agreed to endorse the project.

Ms. Nauser commented that she was not supportive of endorsing this, and did not believe the Council should be involved in other municipality, state, or federal issues. She felt this was an issue for the Missouri Public Service Commission and the landowners affected by the transmission lines. She thought it was unfair to approve anything until individuals in support or in opposition had an opportunity to be heard. She stated she would vote against this resolution.

Mr. Skala stated he did not view this endorsement as an obligation, and pointed out Columbia had a very aggressive renewable energy portfolio to accomplish. He thought this might be a way they could meet their goals. He noted he did not know how much this would eventually cost, and reiterated this was an endorsement and not a contractual agreement. It was also in keeping with the tenancy of this Council to represent the community for a more aggressive portfolio as it related to renewable energy. He stated he would endorse this project so the Missouri Public Service Commission knew Columbia was interested in this type of initiative.

Ms. Hoppe commented that she was supportive as well, and noted she had always been interested in Columbia being a leader in terms of renewable energy. The possibility of an inexpensive source of renewable energy was important. She understood some people wanted all of the City's renewables to be produced locally through solar, but believed it was best to have a variety of renewable energy sources. She noted it would be beneficial to Columbia if Clean Line was able to produce and deliver renewable energy at a reduced price and the issue involving the affected landowners could be worked out or addressed by the Missouri Public Service Commission.

Mr. Trapp agreed it was wise to avoid tying themselves to controversial items that were beyond local jurisdiction unless they had a direct interest in the result, and pointed out

the City was under a mandate to increase its percentage of renewable energy in an affordable manner. As a result, he felt there was a clear local connection to the economic conditions of Columbia, which made it worthwhile for them to comment.

Ms. Chadwick commented that she was surprised People's Visioning did not have a stance on this issue since they often mentioned renewables and green measures were important. She thought the City wanted to increase renewables, and this would potentially provide an option to do so. She understood this would likely not be available by the time they needed to reach 15 percent, but it would help in the long term. She stated she would support the endorsement of the project.

The vote on R191-14 was recorded as follows: VOTING YES: HOPPE, MCDAVID, CHADWICK, TRAPP, SKALA. VOTING NO: NAUSER. ABSENT: THOMAS. 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.

- B308-14** Approving a major revision to the Broadway Shopping Center C-P Development Plan located on the southwest corner of Clinkscates Road and West Ash Street; approving less stringent landscaping requirements; setting forth conditions for approval.
- B309-14** Approving the Final Plat of Old Hawthorne, Plat No. 13-A, a Replat of Lot 1302 of Old Hawthorne, Plat No. 13, located on the north side of Old Hawthorne Drive East.
- B310-14** Approving the Final Plat of Gas Light Industrial Park Plat 3 located on the southeast corner of State Highway 763 and East Harvester Road (5250 and 5320 N. State Highway 763); authorizing a performance contract.
- B311-14** Changing the names of unconstructed streets within Parkside Estates, Plat No. 1 located on the east side of Route K and south of State Highway 163.
- B312-14** Vacating a utility easement located on the south side of Rockingham Drive (317 Rockingham Drive).
- B313-14** Appropriating funds received from a contractor in connection with fines issued by EPA for stormwater violations during the construction of improvements to Clark Lane between Route PP and St. Charles Road.
- B314-14** Appropriating Federal Aviation Administration grant funds for costs relating to the acquisition of land for a runway protection zone at the Columbia Regional Airport.
- B315-14** Accepting conveyances for utility purposes.
- B316-14** Authorizing construction of improvements at the Downtown Optimist Park; calling for bids through the Purchasing Division.
- B317-14** Authorizing construction of improvements at Cosmo-Bethel Park to include the installation of tennis court lighting and construction of a new walking bridge, 6-foot wide concrete walking trail and multiple bulbouts along a portion of the fishing lake; calling for bids through the Purchasing Division.

- B318-14** Authorizing a use of facilities agreement with The Curators of the University of Missouri for the use of the Hearn Center – Main Concourse for the annual Halloween event.
- B319-14** Authorizing a program services contract with the Missouri Department of Health and Senior Services for maternal child health services; appropriating funds.
- B320-14** Authorizing a program services contract with the Missouri Department of Health and Senior Services for child care health consultation services.
- B321-14** Authorizing an agreement for professional consulting services with Retail Strategies, LLC for market research and the development and implementation of a strategic retail recruitment plan; appropriating funds.
- B322-14** Authorizing the issuance of Taxable Tax Increment Revenue Notes (Tiger Hotel Redevelopment Project), Series 2014, of the City of Columbia, Missouri, to provide funds to finance certain redevelopment project costs; and approving certain actions in connection with the issuance of the Notes.

REPORTS AND PETITIONS

REP92-14 Electric Utility July 7th Storm Report.

Mr. Johnsen provided a staff report.

Ms. Nauser thanked staff and the mutual aid contractors that had come to Columbia to diligently work to restore power as many people in her ward were impacted by the outage. She pointed out \$822,000 was the cost of this small event, and was the reason the City had a reserve fund for utilities. Those funds had been used to pay for this type of emergency situation. If this had been a larger storm event with more damage, the cost would have been much higher. She also felt it was prudent upon those in the community to be prepared to go a couple of days without electricity since they could not predict these types of weather events. She reiterated her appreciation to staff.

Mr. Skala noted the website which showed where trucks had traveled during a snow event had been very helpful, and asked if that type of service was available with respect to electric outages. Mr. Johnsen replied yes, and explained they had an outage viewer, which the press used on a regular basis. Mr. Skala thought it would be helpful to inform people of the availability of that tool. Ms. Chadwick stated it had been a great tool as it displayed a hard hat when a crew was working in the area. In addition, it showed known outages, how many calls had been received, etc. Mr. Johnsen explained they promoted it when there were outages, and it was a useful tool. He noted they had only had it for about six months when this event occurred, and they had been able to improve its use based on the lessons learned. Ms. Hoppe stated she agreed it was helpful, and noted it had shown her area had an outage when it did not and she was able to convey that information to the City. Mr. Johnsen explained it was a predictive model based upon circuit links. It was not a house to house survey, but it tried to predict areas.

REP93-14 Intra-Departmental Transfer of Funds Request.

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

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Ms. Hoppe understood street pavers were used in the building that was torn down by Opus, and as a result, she had spoken to the construction supervisor, who indicated he was interested in saving the bricks. She thought City staff had communicated with him, but did not know if the bricks had been saved and was trying to determine the status.

Ms. Hoppe explained a demolition notice had been issued today for the building that had recently been occupied by McKenzie's at 131 S. Tenth Street and was originally the Missouri Transit Line bus station. She thought that building could have street pavers in it as well, and suggested a policy to assess historic buildings and provisions to save those bricks. She asked staff to work on a policy and to refer this issue to the Historic Preservation Commission as well.

Ms. Hoppe noted the building at 131 S. Tenth Street had also been designated as a contributing building for the Downtown Historic District, and asked that the Historic Preservation Commission provide recommendations on what could be further done to preserve designated historic contributing buildings in the downtown.

Ms. Nauser stated she had received a copy of a letter dated September 19, 2014 from Rhonda Carlson regarding Settler's Ridge and tap fees. She understood people with pre-annexation agreements were required to pay 1.5 times the tap fee, and had been unaware of that requirement. She asked for clarification on the reason for the policy and how long the policy had been in existence. She also asked for a response to the concerns of Ms. Carlson, and whether a policy change could be considered so they were not priced out of the affordable housing market. She suggested this information be provided in the form of a report.

Mr. Skala commented that he was glad Ms. Nauser had brought up the issue as he had received the letter as well and had wondered about the reason for that policy.

Mr. Skala asked about the possibility of double striping or reflective tape to protect pedestrians and bicyclists on Clark Lane.

Mr. Skala noted he and Mr. Trapp had discussed the potential for street lighting improvements on Paris Road and the pedestrian overpasses. Mr. Trapp stated he thought lighting was needed between White Gate and the new bridge over I-70. Mr. Skala wondered if street lighting could also be looked into for Clark Lane.

Mr. Skala also understood a pedestrian crosswalk had been painted on Clark Lane and asked if a pedestrian activated signalized apparatus was being installed.

Mr. Skala commented that he had forwarded some constituent feedback regarding the transit system to the City Manager's Office today, and there were issues in terms of the wait time for the bus and not having shelters at the bus stops. He thought something was needed so people did not have to stand in the pouring rain while waiting 40 minutes for a bus. He agreed they had a better transit system now, but there was previously a centralized system

whereby people had shelter, and people no longer had a place to go since it was now a decentralized system. He thought it was imperative for the City to provide a place to sit along with protection from the weather to the extent possible, and noted he was looking for something less costly than \$20,000.

The meeting adjourned at 9:18 p.m.

Respectfully submitted,

Sheela Amin
City Clerk