

**CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBER, CITY HALL  
701 E. BROADWAY, COLUMBIA, MISSOURI  
JANUARY 20, 2015**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Tuesday, January 20, 2015, 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 THOMAS, NAUSER, HOPPE, MCDAVID, TRAPP and SKALA were present. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

**APPROVAL OF THE MINUTES**

The minutes of the regular meeting of December 15, 2014 were approved unanimously by voice vote on a motion by Ms. Hoppe and a second by Mr. Skala.

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

Ms. Hoppe asked that R16-15 be moved from the consent agenda to new business.

The agenda, including the consent agenda with R16-15 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**

**Resolution of Appreciation – Charles Witt, Fire Chief.**

Mayor McDavid asked Chief Witt to join him at the podium to be recognized for his upcoming retirement. He read and presented a Resolution of Appreciation to Chief Witt for his over twenty-eight years of service to the City of Columbia.

Chief Witt thanked everyone, and stated it had been his privilege and honor to serve the City of Columbia.

**Oath of Office – Stacey Button, Director of Economic Development.**

Mayor McDavid invited Ms. Button, Mr. Matthes, and Ms. Amin to the podium.

The City Clerk administered the oath of office to Ms. Button as the Director of Economic Development.

Mr. Matthes and Mayor McDavid welcomed Ms. Button and stated it was an honor to have her in Columbia.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

**BICYCLE/PEDESTRIAN COMMISSION**

Simonson, Lawrence, 2706 Hillshire Drive, Ward 4, Term to expire July 31, 2015

**MAYOR’S COUNCIL ON PHYSICAL FITNESS AND HEALTH**

Schnedler, Edward, 5109 W. Millbrook Drive, Boone County, Term to expire November 30, 2017

**PERSONNEL ADVISORY BOARD**

Guillemette, Ashley, 5612 Dunmeyer Court, Ward 5, Term to expire November 30, 2015

Williams, Michael, 5001 Betty Jean Way, Ward 5, Term to expire November 30, 2015

**PUBLIC TRANSIT ADVISORY COMMISSION**

McMahon, Cory, 1506 Anthony Street, Ward 6, Term to expire March 1, 2016

**SCHEDULED PUBLIC COMMENT**

**Greg Cecil – Columbia Regional Airport Advisory Board’s recommendations regarding upgrades and improvements at the airport.**

Mr. Cecil provided a handout and stated he was the Chair of the Airport Advisory Board. He explained the last time he had been before the Council was when they were concerned the airport would have to rely on essential air service. He thanked Mr. Matthes for negotiating with American Airlines so the airport was again successful. He noted the Airport Advisory Board felt the airport terminal needed to be expanded, and one idea was to look into the use of the old FAA building to the north if it could be secured. They believed a jet-way would be a great enhancement to the airport when the weather was bad as well. He stated they had also discussed moving the aircraft rescue and firefighting operations from the terminal building to another location, which would free up some space at the terminal, and understood there might be some federal funds that would enable a move. He commented that the terminal was built prior to the TSA requirements that continued to change and create the need for more space. He also felt the City should consider constructing a new terminal as he believed it would be utilized if built. He understood the issue with that option was money, and thought they might want to consider fees on rental cars, parking charges, etc. as he understood 60 percent of an airport’s revenue came from parking fees.

**Dale H. Roberts – Vacant positions and staffing for the Columbia Police Department.**

Mr. Roberts provided a handout and explained he was present on behalf of the Columbia Police Officers Association (CPOA), which had offices at 1301 Vandiver Drive, Suite 202. He thanked the Council for its support of law enforcement issues within the community. He commented that on January 22, 2013, the Council had pledged that the 911 operating budget, which was about \$2 million, would remain in public safety to fund firefighters and police officers if the center eventually moved to Boone County, and had this been done, it would have funded 20 positions. He did not feel the Council had kept its promise. Although the Council had verbally supported the addition of police officers so the police force was close to the national average and could then provide adequate coverage for Columbia and engage in more crime prevention, it had voted to eliminate five public safety positions on December 1, 2014 that could have funded five police officer positions. He believed the Council had failed to honor its own solemn promise that had been made to the

firefighters and police officers that sacrificed their lives and to the community by not maintaining the public safety budget as it was prior to the 911 center being moved to Boone County. He asked that the \$2 million be returned to the public safety budget and for Council to reconsider the use of the funds from the five positions recently vacated from the public safety 911 budget for five police officers in addition to any other police officer positions that might be added this year.

Ms. Nauser pointed out the City had put almost \$2 million in the past two budgets toward police and fire pensions. Mr. Roberts stated he believed that was a pre-existing promise that met a continuing obligation of the City. In addition, it was paid in return for the services provided by the officers. He commented that he understood the \$2 million that was to remain in public safety had been removed.

Mr. Matthes stated the Council had kept every commitment it had made and suggested the budget letter that preceded the budget from that year be read as it had a detailed accounting of the money. He thought many people tended to forget because it happened two years ago.

Mr. Roberts understood there had been numerous comments from Mr. Matthes indicating why the \$2 million had been removed from public safety. Mr. Matthes commented that he believed saying the Council took money out of public safety was a lie. Mr. Roberts stated he believed Mr. Matthes had gone on record saying that money had been used to balance the budget for other deficits.

## **PUBLIC HEARINGS**

**B9-15 Authorizing construction of the Timberhill Street connector to the Hominy Creek Trail; calling for bids through the Purchasing Division.**

**B10-15 Authorizing the acquisition of an easement for construction of the Timberhill Street connector to the Hominy Creek Trail.**

The bills were given second reading by the Clerk.

Mr. Griggs provided a staff report.

Mayor McDavid opened the public hearing.

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

Ms. Hoppe stated she understood the residents in the area wanted to be connected, and this was a great connection. She was glad it was moving forward.

Mr. Skala commented that this would connect the Sixth Ward to the Third Ward and would benefit the Hominy Creek Trail and the City as a whole.

Mr. Thomas congratulated staff for continuing to develop the City's excellent trail system by incrementally tying more neighborhoods to trails, and noted more and more people wanted to be on the trail system, which he thought was great.

B9-15 was given third reading with the vote recorded as follows: VOTING YES: THOMAS, NAUSER, HOPPE, MCDAVID, TRAPP, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B10-15 was given third reading with the vote recorded as follows: VOTING YES: THOMAS, NAUSER, HOPPE, MCDAVID, TRAPP, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**(A) Construction of sanitary sewer and streambank improvements along the Upper Merideth Branch in the University Park and Oak Cliff subdivisions near the intersection of Chapel Hill Road and Cunningham Road/Grant Lane.**

Item A was read by the Clerk.

Mr. Glascock provided a staff report.

Mayor McDavid opened the public hearing.

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

Mr. Thomas made a motion directing staff to proceed with the final plans, specifications, and construction of the Upper Merideth Branch streambank stabilization sewer project. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**(B) Construction of the Avenue of the Columns streetscape project along Eighth Street, between Walnut Street and Cherry Street.**

Item B was read by the Clerk.

Mr. Nichols provided a staff report.

Mr. Skala commented that the Council had received an e-mail from Glyn Laverick regarding a heated sidewalk and other improvements that had been made in front of the Tiger Hotel, and asked if his request could be accommodated. Mr. Nichols replied the City would try to work him. He explained this plan had been in the works prior to the improvements made by the Tiger Hotel, and that the plan had been communicated. He noted Mr. Laverick had decided to proceed regardless of the City's plan, and had obtained a right of use permit knowing the sidewalk could be impacted, leaving him the responsibility for replacing it. He stated they would work to try to leave the heated portion of the sidewalk next to the building in place. Mr. Glascock pointed out Mr. Laverick's consultant was provided the plans for the Avenue of the Columns prior to making the improvements, so they were aware of potential impacts.

Mayor McDavid noted another concern of Mr. Laverick's was the disruption of access to the Tiger Hotel. Mr. Glascock commented that they would ensure access was maintained for all businesses in the downtown as they normally did.

Ms. Hoppe asked if existing street pavers would be used for the brick elements. Mr. Glascock replied that was the goal. Mr. Thomas asked for the location of the brick elements. Ms. Hoppe replied they would be at the sidewalks and crosswalks.

Mr. Thomas understood the traffic signal at the Walnut Street and Eighth Street intersection would be removed and replaced with a stop sign for only northbound traffic, and asked if those crosswalks would be textured or brick. Mr. Glascock stated the crosswalks would remain brick, but would be narrower due to the bulbouts. Mr. Thomas understood a driver would be mandated to yield if someone was waiting to cross. Mr. Glascock stated that was not correct, and explained the pedestrian would have to wait for a gap in traffic prior to crossing. Mr. Thomas asked if that traffic signal would be re-used elsewhere. Mr. Glascock replied yes. Mr. Thomas asked for an example of another location where there was a crosswalk without any signalization for traffic to stop. Mr. Glascock replied Short Street did not have a crosswalk, but people crossed at that intersection without a signal.

Ms. Hoppe thought that intersection was fairly busy at 8:00 a.m., 12:00 p.m., and 5:00 p.m., and asked if a study had been conducted. Mr. Glascock stated the Council could direct staff to leave the signal there. Ms. Hoppe suggested a pedestrian triggered signal. Mr. Thomas thought they might want a crosswalk that could operate legally in the same way as one that was only striped black and white. He did not want pedestrians to have to wait for a gap in traffic. Mr. Glascock asked if he wanted a paddle that told people to yield to pedestrians in the middle of the crosswalk. Mr. Thomas replied he thought that would be helpful as it would give pedestrians more confidence when crossing.

Mayor McDavid understood the traffic engineers had reviewed the flow of traffic, and felt this solution was adequate. Mr. Glascock replied yes.

Mayor McDavid opened the public hearing.

Mary Wilkerson stated she was the Chair of the Avenue of the Columns Committee and voiced her support for this project. She thanked the City for its commitment to the project, and noted her experience from working at Boone County National Bank was that the City did a great job of ensuring people were able to get into businesses. She stated her excitement for this project as this effort had started in 1992. She thought everyone felt the corner of Eighth Street and Broadway was beautiful, and believed this next phase would also be significant. She asked the Council to support the project.

Glyn Laverick provided a handout and explained he was with the Tiger Hotel, which housed Glenn's Café, the Velvet Cupcake, and the Vault. He commented that this issue involved more than a heated sidewalk, and that the plan for the Avenue of the Columns had not remained static. The bump-outs and benches were relatively new additions to the plan. He noted the bench at Cherry Street would be close to the windows of his building and would be less than six feet away from a diner's table, and the bench at Walnut Street would require Room 38 to remove their patio. He felt this would not only take away from business, but it would also take away from the vibrancy of downtown, and he did not believe every street corner needed to look the same. He commented that he also believed more maintenance would be required than only the watering of trees, and displayed photos of sidewalks on the Avenue of the Columns that needed to be repaired. He suggested those issues be resolved prior to moving forward with this plan. He asked that his sidewalk not be torn out as they had worked with City staff and had used the same material palette and brickwork as was the desire for the Avenue of the Columns. He noted they had also added elements to make it better and easier to maintain. The sidewalks were energy efficient and heated so they did not have to be salted. He suggested they celebrate the differences, and pointed out the benches in front of City Hall would be different than those proposed in front of his business. He also understood the University had indicated it did not have any interest in placing this same streetscape at its entrance on Elm Street. He asked the Council to work sympathetically with the existing uses at the corners and to find a way to complete an entire intersection at one time so there were fewer disruptions. He did not feel it made sense to disrupt the intersection twice.

Donald Warren, 2194 E. Bearfield Subdivision, stated he was not supportive of the current proposal and thought the \$750,000 to improve four corners should be used to address existing issues, such as sidewalks in disrepair. He was glad the Council had asked

about change to the Walnut Street intersection from a traffic signal to a stop sign, and felt the heated sidewalk in front of the Tiger Hotel had already beautified Columbia. He asked the Council to consider those facts prior to making a decision on this project.

Emelie Henzel, 3280 S. Greenfield Court, stated she was a lifelong Columbian and had attended Mizzou with a major in architecture, so she understood the idea of wanting to beautify Columbia. She thought it was great to celebrate the columns, but felt the money could be better used to address other issues. She suggested beautifying other areas of the downtown or finding ways to make pedestrians feel safer when downtown, and provided resurfacing the old brick roads so they were not as wobbly or repairing existing sidewalks as examples.

Mike Jackson, 920 E. Cherry Street, commented that he had lived in the downtown for the last nine years and had the privilege of walking to work, and noted he was concerned about the cost of this project when there were so many potholes, dangerous curbs, etc. in the downtown. He thought the existing infrastructure should be repaired prior to moving forward with the Avenue of the Columns project. He stated he had been impressed with the work already done by the Tiger Hotel in the restoration of such an old hotel, and would hate for this project to negatively impact it. He asked the Council to consider allowing the Tiger Hotel to keep what it had already completed.

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

Mayor McDavid stated he assumed City staff would work with the business owners impacted by the project, and asked if the heated sidewalk would be replaced with a heated sidewalk. Mr. Glascock explained that if the heated sidewalk was impacted, it would be replaced. Mayor McDavid understood City staff would try not to disrupt the sidewalk. Mr. Glascock stated that was correct. He explained they would likely impact the corner where the bulbout would be located. He pointed out this sidewalk had been approved through a right of use permit process, and the agreement stipulated the person requesting the right of use permit was responsible for any repairs, but noted the City always tried to put everything back to they found it when completing projects such as this.

Ms. Hoppe asked if there was any flexibility in terms of the location of the benches at the Tiger Hotel as she thought it might be problematic to have the bench in its proposed location. Mr. Glascock noted there was a bench located right outside of the Sycamore restaurant, and it had not created a problem. He explained this was the look the Committee wanted all of the way through the Avenue of the Columns so they were trying to hold to that standard if possible. He explained the look was slightly different at City Hall because City Hall had not been built to the building line due to the artwork and the plaza area.

Ms. Hoppe asked if entire intersections could be completed at one time so there were fewer disruptions. Mr. Glascock replied they were trying to stay within a budget since they only had some much money.

Mr. Skala commented that Mr. Laverick had presented some photos and asked if those issues would be accommodated. Mr. Glascock replied any issues along the Avenue of the Columns between Walnut Street and Cherry Street would be addressed. He stated he would need to know the locations of the issues Mr. Laverick had photographed, and might be able to address those with other funds if outside of this project area.

Mr. Skala stated he appreciated the aesthetics of the brick streets and brick crosswalks, but they tended to be very slippery during icy weather, and asked if City staff would take special care of those intersections for pedestrians. Mr. Glascock replied that was one of the reasons they were trying to keep those areas within the treed section and not in the direct paths of people walking or traveling in wheelchairs.

Ms. Nauser asked about the downtown sidewalk policy in terms of replacement or repairs. Mr. Glascock replied it depended upon the project, and provided examples of when the property owner paid for it all, when there was a 50-50 cost split, and when the City paid for the entire cost of the project. Ms. Nauser asked if the general policy was a 50-50 cost share if the sidewalk was not in conjunction with a project and just needed to be fixed. Mr. Glascock replied yes. He pointed out some of the issues photographed appeared to be at the curb line where cars caused damage by driving on the curbs. He noted the issue of the light was already being addressed by staff. Ms. Nauser understood the City would maintain the planters, benches, and lighting. Mr. Glascock stated that was correct. Ms. Nauser understood the Tiger Hotel had worked with an arborist and had planted a few trees, which would be affected by this project. Mr. Glascock stated City staff would try to save the trees, but would replace them if they became damaged.

Ms. Nauser noted a comment had been made indicating the plans for this project had significantly changed and asked for clarification. Mr. Glascock explained the City only had concepts, and the project had never been designed. The plans showed the radius at each corner, but did not show any benches. He noted the benches would help reduce the number of people driving over the corners and would allow for better channelization of traffic since larger trucks were able to turn more easily.

Mayor McDavid understood City staff would work with Mr. Laverick as the Tiger Hotel was an iconic part of the downtown, and noted he appreciated the efforts of Mr. Laverick and his associates in its renaissance. He stated he also appreciated the work of the Avenue of the Columns Committee and would support this project.

Mr. Thomas commented that he was concerned by the fact one of the owners/managers of one of the main businesses along the Avenue of the Columns was not supportive of this project, and suggested staff work with Mr. Laverick in developing something he might support.

Ms. Hoppe understood this project had been in the works for a long time, even prior to her being elected to the City Council. She stated she was confident staff would work with the Tiger Hotel to accommodate and respect the work they had done. She noted she would support the project.

Mr. Trapp encouraged staff to work with the Tiger Hotel in terms of its heated sidewalk when moving forward with this project. In terms of Walnut Street, he did not believe it was a terrible place to cross now, and felt many people currently crossed it without the benefit of the light. In addition, he thought the bulbouts would narrow the amount of time people would have to cross. He commented that he felt they would lose some of the aesthetics and feel of this project if they had a pedestrian crosswalk sign, and believed the physical changes to the street would address the issues created by the removal of the light. He noted they could

always add a pedestrian sign in the future if necessary. He stated he was supportive of moving forward with the project with the proviso of staff working with the Tiger Hotel.

Ms. Nauser commented that she believed the staff would work the Tiger Hotel as it was not the intent of the City to harm or diminish the work done by others. She noted the City had approved the TIF for the Tiger Hotel so they had a vested interest in the success of the property. She also encouraged the Tiger Hotel representatives and City staff to work together on any concerns. She stated she thought the Avenue of the Columns project was worthwhile as it supported the heritage of the community and would be enjoyable for both residents and visitors. It also supported the philosophy of Columbia being a walkable community.

Mr. Skala agreed this project had been in the works for a long time and felt it was a unifying type of project. He thought the staff working with Mr. Laverick to the extent possible would address some of the concerns of Mr. Thomas. He believed it was generally a good project, and hoped it would be satisfactory to all of those directly involved and the community at-large. He stated he would support it.

Ms. Nauser made a motion directing staff to proceed with plans and specifications for the Avenue of the Columns streetscape project along Eighth Street, between Walnut Street and Cherry Street. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

- (C) Construction of renovations to the exterior of the Thomas G. Walton Building.**  
**B16-15 Appropriating funds relating to the construction of repairs and upgrades to the Thomas G. Walton Building.**  
**R17-15 Authorizing an agreement with the Columbia Chamber of Commerce for the construction of repairs and upgrades to the Thomas G. Walton Building.**

Item C was read by the Clerk, B16-15 was given second reading by the Clerk, and R17-15 was read by the Clerk.

Ms. Schneider provided a staff report.

Mayor McDavid opened the public hearing.

Matt McCormick, 300 S. Providence Road, explained he was the President of the Columbia Chamber of Commerce and noted they enjoyed the partnership they had with the City with regard to the Walton Building as it was a unique project. He stated the Chamber of Commerce Board of Directors had discussed this issue and had unanimously voted to move forward with the project at the not-to-exceed price of \$375,000, of which the Chamber would pay 50 percent. He asked the Council to allow the project to proceed.

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

Mr. Thomas asked if a building like this would meet today's construction codes. Mr. Glascock replied no, and explained buildings today would be required to be more energy efficient than this had been.

Mr. Skala noted the photos of the attic showed some insulation batting in certain areas, but none in other places between the plastic vapor barrier and the siding, and asked if that had been acceptable at the time this building had been constructed. Mr. Glascock replied he thought the insulation had likely deteriorated.

Ms. Hoppe stated she was pleased to support this as it appeared the building needed to be improved and because it involved a 50-50 partnership.

Mr. Trapp understood this was one of the least expensive options so staff had been cognizant of the money that would be spent.

Mr. Skala commented that he was supportive of this public-private partnership as it was equitable while achieving the goals of all involved.

Mr. Skala made a motion directing staff to proceed with the final plans, specifications, and repairs of the Thomas G. Walton Building. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

B16-15 was given third reading with the vote recorded as follows: VOTING YES: THOMAS, NAUSER, HOPPE, MCDAVID, TRAPP, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on R17-15 was recorded as follows: VOTING YES: THOMAS, NAUSER, HOPPE, MCDAVID, TRAPP, SKALA. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

## **OLD BUSINESS**

### **B18-15      Calling a special election on Tuesday, April 7, 2015 relating to the issuance of Water and Electric System Revenue Bonds.**

The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Mr. Skala commented that he believed bonding was the proper approach, particularly in this era of low interest rates, and he understood City staff had pared this down from \$90 million to \$60 million, so it included the projects they felt were most essential. He noted he had asked staff to prioritize the projects and asked if that prioritization was still possible. Mr. Johnsen replied he thought staff had provided a prioritization and had understood the request to involve moving bond funded projects to enterprise funded projects. Mr. Skala understood Mr. Johnsen was suggesting this had already happened. Mr. Johnsen stated some of the projects had already started, and noted he could not say any of the projects were not needed. He thought this issue was to determine the best way to pay for the projects.

Mr. Skala asked if there was an alternative plan if this bond issue did not pass. He understood it would mean higher rates, but wondered whether there were other options. He noted he had received a lot of questions regarding the \$3 million land investment loan made three years ago, and asked for an explanation of that process and whether those funds could be used toward these projects. Mr. Matthes replied the decision to purchase the Sutter tract with a five-year option was made in 2010, and noted the City had sold four of those acres. The intent of the property was for it to be a certified economic development site should a business around it want to expand or if a new business had entered the market, and since the Water and Light Department would be a pivotal partner with a new or existing business due to the amount of energy required, they had provided the loan. He stated the money was intended to go back into the utility, and explained those funds could not go towards any of the

projects associated with the bond because they were committed by a contract for the property. It was not an agreement that could be undone at this time.

Ms. Nauser understood one of the reasons this bond was needed was due to the federal regulatory requirements placed upon the utility, and that a large portion of these costs would have to be funded through enterprise revenue funds if the bond did not pass, resulting in increased rates. Mr. Johnsen explained the transmission line project was driven by the regulatory environment as there was federal oversight at the transmission level in terms of supporting the reliability of the bulk electric system and associated fines for non-compliance. Ms. Nauser felt bond financing was the best option so these costs could be spread out over many years. Mr. Johnsen noted the assets that would be put into place would last a long time, and bond funding allowed the users and beneficiaries of the system to pay for it. He pointed out they were all in it together in terms of distribution and transmission, and their neighbors in the transmission world were all of the surrounding utilities so they had to be a good neighbor.

Ms. Hoppe asked if the City had received a letter or directive from the regulatory agency. Mr. Johnsen replied transmission planning guidelines had been distributed and the utility had to show compliance with those guidelines. The City would only receive a letter if it was non-compliant. He noted the utility was audited every 3-5 years, and they were getting close to not being in compliance with the rules.

Ms. Hoppe understood this issue involved energy transmission in terms of moving more energy around and into the community, and stated she believed the cheapest energy was energy conservation and the energy not used or wasted. She explained she had attended the Advancing Renewables in the Midwest conferences for many years, and the Austin, Texas model was powerful as it had a plan with goals and data to create a virtual power plant so the amount of energy used and transmitted was reduced. She asked if the City had a similar plan and whether it was possible to bond for conservation related projects as that would reduce costs or the need to expend funds as fast. Mr. Johnsen replied the City had an active conservation program that was a part of the Integrated Resource Plan, and within the last year, they had taken a targeted approach. Ms. Hoppe understood the Integrated Resource Plan included programs, but it did not include any extensive planning, such as achieving a virtual power plant through conservation, energy insulation, white rooftops, etc. within the next 10-20 years. Mr. Johnsen replied it included goals they hoped to achieve from a load planning perspective. Ms. Hoppe stated she was interested in goals that would create a virtual power plant, and data that would show what they paid for it and what they paid for creating and transmitting energy. Mr. Johnsen commented that a revenue mechanism would need to be in place to pay for the bond, and it would take time to determine the revenue producing device for efficiency programs.

Mr. Thomas understood Ms. Hoppe was looking for a quantification of the virtual power plant in terms of how many megawatt hours were saved. Mr. Johnsen stated they produced a demand side management report annually that showed how many kilowatts and kilowatt hours each program saved and the associated cost of the program, so they could determine the cost per kilowatt or kilowatt hours. They would still need to determine how to produce a revenue mechanism to pay for the issued bonds. Mr. Thomas understood they

would be able to compare the cost of a kilowatt hour of the conservation programs and the cost of a kilowatt hour when purchasing the energy and expanding the infrastructure to deliver it. Mr. Johnsen explained they only provided an annual report, and would likely need to consider when the energy was conserved since there were different energy prices at different times of the day. Different prices would need to be used for peaking conservation versus baseload conservation.

Mr. Thomas understood a report later on the agenda would discuss a line extension policy, and asked staff to summarize that proposal and to explain what they hoped would happen with regard to that initiative over the next nine months. Mr. Johnsen replied the City was asking for bonding as a current tool to pay for current projects and problems. Going forward, staff planned to evaluate the differences in the water and electric utilities and provide recommendations for how future revenue could be generated differently. He felt the issues were separate as this bond ordinance addressed how they would solve problems today while the other item would help determine how future revenue would be generated. Mr. Thomas asked if he was correct in saying the line extension policy concept was essentially charging a connection fee to new customers. Mr. Johnsen replied there were two approaches, and one was a connection fee, which was similar to buying into the system. The other involved an in-kind contribution if the cost of service was more than an expected pre-determined amount. Mr. Thomas asked if staff expected to have a proposal for the FY 2016 budget. Mr. Johnsen replied yes, but pointed out any change to the way the utility generated revenue would have to be a total and fair solution.

Mr. Thomas asked for the term of this bond, and the total amount that would be paid back for the \$60 million borrowed. Mr. Johnsen replied he did not believe the total amount could be addressed now as it was dependent on the City's credit rating and the principle and interest rate structure. Mr. Thomas thought they would likely pay double of that borrowed. Mayor McDavid thought that was likely, but noted he did not know the rates. He asked if the bonds would be tax-exempt with a two percent rate. Mr. Johnsen replied they would be tax-exempt. Mr. Blattel pointed out all of the bonds would likely not be issued at one time. He explained that although they would have the authority to issue all of them, staff would look at the projects that would be built during the next three years and issue bonds to cover those costs. They would then reassess where they were with the projects and issue the next set of bonds. This allowed the City to not accrue extra interest on projects until the money was needed to fund the projects. The interest rates over the next 4-5 years would significantly impact the total amount that would be expended. He stated the utility currently had a very good bond rating, and the revenue bond rates were lower than they were even a year ago, so the interest rates were very favorable today. He noted, however, the rates could change tomorrow so there was no guarantee. Mr. Thomas asked if he could provide an estimate based on what they were today, and if it would be double or about \$125 million. Mr. Blattel replied the repayment of a 30-year bond issued at all at once would likely be about double because the interest payment would be about as much as the principle, but it could be less if the interest rates remained low. Mr. Johnson pointed out the bonds would be issued in at least two phases.

Tom O'Connor, 806 Leawood Terrace, stated a lot had changed technically and environmentally since the City started discussion on the electric transmission lines in southwest Columbia several years ago. He commented that in the old days, there were not many energy solutions other than adding power lines, but now there were many alternatives, and he believed those alternatives needed to be considered prior to spending millions on last century energy solutions. He listed some alternatives, and those included combined heat and power systems, demand side management, load leveling, load shifting, further incentivization of conservation and efficiency, energy storage solutions, and all forms of distributive energy production. He noted the City had not studied these options or any combination of these options, some of which had a low cost. He understood the City had a 99.98 percent reliability factor at this time and was in compliance with the North American Electric Reliability Corporation (NERC) requirements. In addition, some of these alternative options would result in an increase in energy self-reliance. He explained the City currently sent almost \$100 million out of the local economy annually, and believed money spent on local renewable solutions was an investment with real financial, social, economic, and environmental paybacks. He asked the Council to consider holding off on more transmission and power lines until a thorough study of all available alternatives was completed.

John Clark, 403 N. Ninth Street, commented that he fully supported the recommendation of Mr. O'Connor as he did not believe any alternatives had been studied. He suggested this decision be delayed because by moving forward the City would be locked into last century solutions. He stated he felt the City needed to do more than just a line extension policy, and encouraged the Council to support staff in seriously looking at the various alternatives with a November 2015 or April 2016 ballot issue instead as he did not believe they were in danger of outages or fines at this time and thought it could save the City money in the long run. He urged the Council to vote no on this issue tonight.

Richard Parker, 215 W. Sexton Road, stated he was a strong advocate for energy efficiency and renewable energy, but there was a difference between saving energy and reducing the peak demand level. He noted the City's energy efficiency programs had not done much in terms of reducing peak demand, and that was the role of transmission lines. He commented that there might be ways to eliminate the need for a transmission line in that area, but it would likely require changes to zoning to restrict housing increases in that part of the community. He thought it was unrealistic to assume they could put in place the mechanisms for reducing peak demand, and although the City could likely tolerate a six month or year delay in funding, he believed it would make things more difficult for staff.

Hank Ottinger, 511 Westwood Avenue, explained he was an environmentalist, pro-renewable energy, supportive of demand side management, and a believer that global climate change was the single-most important issue facing them, but when he became a Water and Light Advisory Board member, he took to heart the mission, which was to provide reliable, affordable, compliant, and timely energy to the public that owned the utility, and was convinced they were obliged to do so. He did not believe there were very many timely alternatives to this proposal. He noted this transmission line had been in the works since before he had become a member of the Water and Light Advisory Board four years ago, so

he felt it was too late to stop it from moving forward. In addition, he felt this issue should be put in front of the voters to decide.

John Conway, 4902 Thornbrook Ridge, stated he had been a member of the Water and Light Advisory Board for 25 years and noted the water and light system was over 100 years old. He thought it was practical and a benefit to the ratepayers to replace different elements of the system in the best way possible, which included how it was financed. The City had taken great earnest in the Integrated Resource Plan, which dealt with the implementation of energy efficiency programs, and had made a \$1.8 million revision to the budget. In addition, they continued to evaluate the programs and how they could be funded. He noted the projects tied to this bond issue had been scrutinized very carefully. He pointed out the northwest, northeast, southeast quadrants of the City had been looped, and this transmission project would complete the loop and make the system more reliable by allowing the City to shift energy in cases of emergency. He commented that he also agreed with Mr. Ottinger in that this was an issue they needed to put in front of the voters.

Mayor McDavid commented that seven billion people were on the planet, and 1.8 billion people did not have electricity while another 2 billion people had unreliable electricity. He thought they took reliable electricity for granted as it was unusual for the electricity to be out in Columbia, and he believed they had reliable electricity because they had highly trained and skilled professionals running the system. He felt they could determine if the amount ratepayers paid was reasonable by looking at other communities, and what they paid was in line with what those in peer cities paid and substantially less than cities on the coasts. He stated Columbians received good service at a reasonable price, and he relied on the advice of the professionals running this complicated system with regard to its needs. He commented that the voters would decide how the improvements would be paid for, and noted the improvements were needed. He understood there was a lack of confidence in city government, and stated that although a local blogger had said the water and light utility had \$76 million in cash, he was not correct. He referred to a slide from the staff presentation and noted the City had just under \$12 million in excess cash when they should have about \$35 million in reserves. He stated they could not write a check and had to address the issues of the electric system by paying for it. He thought it was important for the voters to realize they could vote against this ballot measure, but improvements would still be needed, and it would then likely have to be paid for by raising rates. He believed bonds were the best way to pay for the needed improvements as they would minimize rate increases to the extent possible, and noted he would support placing this issue on the ballot and would encourage people to support the ballot issue as they had to have reliable electricity.

Mr. Skala stated he believed the bond issue was the best approach, particularly in light of the current interest rates and needs. The electric utility infrastructure was aging, and many of the improvements would allow the replacement of worn equipment with newer and more energy efficient equipment. He explained he liked that part of this bond issue, but noted he was not quite as sanguine with the assumption the bond issue would be passed by the voters. He commented that he did not believe the ratepayers would stand for the rate increases that would be necessary if the bond issue failed, and that would require the City to defer some projects or finance the improvements over a longer period of time, and neither

was an acceptable conclusion. He stated he was willing to support this ordinance even though he wished it was at the \$55 million or less level, and noted that was the reason he wanted to see a prioritization of projects. He agreed they absolutely needed to move forward with some of the projects as the existing infrastructure was worn, and thought they should be looking at alternative solutions suggested by Mr. O'Connor at the same time as those alternatives could reduce the amount of bonding needed in the future and a study would likely reassure the public that the City was looking out for their best interests.

Ms. Nauser commented that she recalled the Water and Light Director in 2005, when she was first elected to the Council pulling her aside and warning her of the transmission line issue, and noted they were only now going to the public ten years later to ask for approval for a bond to fund the project in an effort to improve the reliability of the system. She stated she had confidence in the voters as she felt they understood the need to take care of existing infrastructure and that they were all responsible for infrastructure. She understood some felt this decision should be postponed, but noted this had been discussed publicly since 2007. In addition, they had done a lot in terms of energy efficiency through the Integrated Resource Plan and renewable energy, and provided the capture of methane gas as an example. She felt they had been proactive in trying to not be as reliant on electricity in its standard form, and stated those practices would continue in the future. She commented that she was concerned about future financial uncertainties and what that might mean for future bond rates, and suggested they take advantage of these low rates so the costs for these improvements was as low as possible. She stated she would support the bond issue with its projects as presented.

Mr. Thomas stated he believed they should consider delaying this issue as he wanted to see how the conversation with regard to the line extension policy evolved. He commented that as he looked at the \$86 million worth of projects, \$36 million was for the transmission and substation project and another \$25 million was for system expansion, and he believed those projects were entirely related to growth. The City continued to fund expansion costs from current revenues or bonding, which current customers were paying. He understood Mr. Johnsen had indicated future customers shared in the cost by the bonding process since it was paid back over 30 years, but felt it would be a very small percentage of the total paid if the calculation was done carefully. He believed current customers would pay more even though they essentially had the system they needed now, and felt this was an equity issue. He thought he might be able to support this effort if he knew what the line extension policy would really mean. He commented that he also wanted to see a better articulated efficiency plan, the virtual power plant mentioned by Ms. Hoppe, studies of peak shifting, an up-to-date analysis of the current state of renewables, etc. to determine if they might not need to increase capacity as much as they thought so they could go to the voters for less money. He thought the line extension policy would result in going to the voters for less money if it generated more revenue for the utility from new development. He noted he also agreed with Mr. Skala in that the voters might not support this issue. He stated he did not sense a lot of support on the Council for delaying this issue, and agreed most of these projects needed to be done at some level, so he was unsure of how he would vote.

Ms. Hoppe asked if there would be any harm in postponing this issue to the August election so they could get a line extension policy in place. Mr. Johnsen replied they had initially looked at placing this item on the November 2014 election, and had pushed it off to the April 2015 election. He noted they were at a point where this would start affecting the operational budget fairly dramatically, and next year's budget would be affected by the inability to bond.

Mr. Matthes pointed out a line extension policy would not result in more money because this was a publicly held utility that operated on a cost basis. He explained the rates would be reduced if the connection fee was increased because they would be capturing the return to operate. While it moved the needle on who paid and when, it would not result in more revenue so this bond issue would still be needed. Mr. Thomas asked if that meant this was different than the sewer connection fee where the \$1,200 per house went towards supporting the one-time infrastructure costs to expand the system to accommodate that house. Mr. Matthes stated he was not saying it was not like the sewer utility. His point was that since this was a cost-based utility, and the rates would be reduced if they increased the revenue to operate at the time there was a connection to the system. Mr. Thomas asked if it worked the same for the sewer utility in that the rates were depressed as they collected connection fees. He thought the connection fees went into a fund to pay for the one-time infrastructure costs of growing system. Mr. Matthes explained that if they stopped collecting a connection fee for sewer, the monthly rate would need to increase to cover the costs they were not receiving from the connection fee. He stated the needle that would be moved by a line extension policy was an equity issue in terms of who paid and when, but the amount of money collected in theory would be the same. Mr. Thomas commented that if the City charged new development for part of its share of the cost of expanding the system, it would result in extra money and the City would not need to bond for as much with the entire system paying for those costs. Mr. Matthes stated he was not sure that would be the outcome in terms of more revenue obviating the need for bonding. Mr. Thomas asked Mr. Matthes if he felt that would not be the case with the sewer utility either. Mr. Matthes replied yes, and explained he did not believe the connection fee would reduce the need to bond for sewer. Mr. Thomas stated it was not a matter of bonding in his view. He thought it was about whether the cost of expanding the system was allocated to the growth that caused the need to expand the system. Mr. Matthes explained his point was that moving to the buy in scenario would not lower the needs now. Ms. Hoppe understood the new policy would likely be phased in as developments and connections occurred so the utility would not receive a lot of money at once.

Ms. Nauser thought they needed to remember the electric system was different from the other utilities in that a property annexing into the City might not be served by the City in terms of electricity, but would likely be served by the City in terms of sewer. This was due to the territorial agreement the City had with Boone Electric Cooperative. Mr. Thomas stated he understood as he had not referred to the City limits. He had only referred to the customer base.

Ms. Hoppe stated she appreciated Mr. O'Connor's comments on the need to focus on new century solutions versus last century solutions, and noted that although they were taking

steps in that direction, it would take planning and time to fully implement. She hoped they would continue to move in that direction because the more they reduced demand or created a virtual conservation power plant, the less it would cost electric utility consumers. She thought this should be a focus of the utility. She agreed with Ms. Nauser in that they all had a responsibility to take care of the existing infrastructure. In terms of system expansion, she noted the expansion of the landfill generator unit-4, which involved methane, a renewable energy, had been included at a cost of \$1.6 million. She thought it was also important to not send the \$100 million spent on the electric utility outside of the community per year, and she hoped they would focus on what they might be able to do to create that energy on a local level as it would help the local economy. She stated she felt this ballot issue was reasonable, and noted it had been reduced significantly in its amount from almost \$90 million to what it was now. She believed the public should have the right to vote on the issue, and stated she would support this ordinance.

Mr. Trapp commented that he supported the pay-as-you go concept in general, but bonds were a long term investments for large, permanent items that would benefit them over that period of time. Although it was not a great percentage, it did allow future users of the system to pay a share of the infrastructure by which they would be benefited. He echoed the comments of Mr. Skala to try to find ways to reduce the amount to be bonded, and noted he recognized it had already been pared down. When they had discussed this issue previously, they all recognized the idea that they everyone benefited from a reliable electrical system so they had to share in those costs. He stated the line extension policy would start to change the needle, and the strict energy efficiency standards adopted into the building codes had begun to keep dollars in the community while increasing the amount of electricity that would not need to be used in the future. He understood they could not bond a virtual power plant or energy conservation savings programs, since those programs did not generate the revenue needed to pay back the bonds. He agreed these were tough times in that there was a lack of confidence in government, but this seemed to be a well-thought, vetted, and reasonable approach to show the City was acting in a responsible and reasonable way. He asked everyone to work as hard as possible to have individual conversations with constituents due to the complexity of the issues, and he hoped the Council could show unanimity and togetherness because they all wanted the electricity to be there when expected.

Mr. Skala asked what projects would be deferred if the bond issue did not pass and the Council did not want to raise the rates to accommodate all of the projects. He understood it would not be the transmission line project. Mr. Johnsen replied he could not say anything would be deferred. He thought it would become a timing issue as they would try to time projects in a way that would minimize the rate impacts to ratepayers. These projects were done in the best interest of the system and to preserve the integrity and reliability of the system. He reiterated they had already pared the list down, and did not believe there was anything they would defer.

B18-15 was given third reading with the vote recorded as follows: VOTING YES: THOMAS, NAUSER, HOPPE, MCDAVID, TRAPP, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B19-15 Calling a special election on Tuesday, April 7, 2015 to authorize an increase in monthly stormwater utility charges.**

The bill was given second reading by the Clerk.

Mr. Glascock and Ms. Keys provided a staff report.

Mr. Thomas stated that was an excellent presentation as it explained the problem and proposed a clear solution. He understood there was a difference between the way residential and non-residential structures would be charged. For residential, the City would not actually measure the impervious surface, and the fee would be based upon the living space of one floor. The fee for commercial and other non-residential structures would be calculated by including all of the rooftop and paved spaces. Mr. Glascock stated that was correct.

Mr. Thomas referred to the report by Burton & Associates and noted he did not see much reference in the report or in today's presentation to the one-time stormwater fee new development would pay, and asked how that fee was used and why it had not been included in the study. Mr. Glascock replied it was a development charge and paid at the time the building permit was requested. This issue involved the monthly charge, which had not been raised since its implementation in 1993. Mr. Thomas asked if the one-time development fee had been raised. Mr. Glascock replied he thought it had been raised. Mr. Thomas asked if most of the projects addressed here involved existing infrastructure needing to be repaired, etc. Mr. Glascock replied yes. Mr. Thomas asked if the City built new stormwater facilities or if they required new development to build it. Mr. Glascock replied developments would build all of the new facilities, but the City would maintain it. He noted most of the stormwater facilities were built when the streets were built. Mr. Thomas understood the cost came from the new development the street would serve. Mr. Glascock stated that was correct.

Mayor McDavid asked if this presentation would be on the City's website so they could link to it via social media, and whether it could be a narrated presentation. Mr. Glascock replied they would try to make it a narrated presentation. Mayor McDavid thanked staff as it was an excellent presentation and it would be beneficial to allow the public to hear that exact presentation with those slides.

Mr. Skala agreed the presentation was very compelling and professional, and noted he especially liked the benchmarking. He thought there was a compelling argument as the photos showed the infrastructure was crumbling, and believed the photos could impact the public by illustrating how government could address the problems with their assistance in terms of paying their fair share. He was glad this would address taking care of what they already had.

Mr. Glascock pointed out that if these projects were not funded through the stormwater fund, they would be funded with street fund. Ms. Nauser understood that would impact the general revenue fund, which also funded public safety. Mr. Glascock stated it would come from the transportation sales tax or the general revenue fund. Mr. Thomas noted they might also have to fund the repairs in an emergency situation, in which case it would cost more. Mr. Skala thought it was worth noting the transportation sales tax funds were shared between the airport and transit as well. Although they could shift money, there was only so much. He believed there should be a dedicated fund for stormwater related issues.

Ms. Nauser commented that while some people might live in a new subdivision, they were still traveling on old roadways impacted by stormwater, and provided Sinclair Road as an example. She pointed out there was also a public safety component to this as these failing pipes were creating raw sewage back-ups in people's basements. She recalled the sinkhole in the Walmart area, and was thankful it had not been in the middle of the parking lot swallowing up a few cars. She reiterated the people in the community had an obligation to pay to maintain existing infrastructure. She stated she would fully support this going to the vote of the people, and hoped they would see the need to approve it.

Ms. Hoppe agreed this was needed, and noted there had not been an increase in the charge since 1993. The failures would continue to increase in numbers and cost. She believed these improvements were desperately needed, and agreed with Ms. Nauser that those in new subdivisions would eventually be impacted as their subdivision would age and because they traveled the roadways where a sinkhole could occur. She stated stormwater concerns were repeatedly high in the 2013 citizen survey, and noted managing stormwater runoff was just under balancing the City budget, addressing crime, and maintaining City streets and infrastructure, which this would help accomplish.

Mr. Trapp commented that there was a lot to like about this proposal. It was fiscally conservative because it focused on getting ahead of the problem and not having an exorbitant emergency repair cost. It was also the right thing to do for the environment. He did not believe they could continue to delay this as they needed to focus on the future by planning ahead and maintaining the infrastructure they had. He thought they had done a good job in terms of education so it had risen on the list of citywide concerns and dissatisfactions, but believed it would take more work by them to inform the public of its necessity since it was not readily apparent.

Mr. Glascock clarified he thought the previous development charge increase was in terms of capital, and that the stormwater issues for development had been addressed by the stormwater manual as there were more requirements now. There had not necessarily been an increase in the stormwater fee. Mr. Thomas understood the developers had been required to do more on-site or adjacent to their development. Mr. Glascock stated that was correct.

B19-15 was given third reading with the vote recorded as follows: VOTING YES: THOMAS, NAUSER, HOPPE, MCDAVID, TRAPP, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B20-15**      **Calling a special election to consider the recall of Council Member Chadwick.**

The bill was given second reading by the Clerk.

Mayor McDavid understood this was a moot issue.

Mr. Skala made a motion to withdraw B20-15. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

**CONSENT AGENDA**

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

- B2-15**      Approving the Final Plat of Bellwood, Plat No. 6 located north of West Broadway, west of North Strawn Road and west of the terminus of McMickle Drive; authorizing a performance contract.
- B3-15**      Approving the Final Plat of The Residences at Old Hawthorne, Plat 2 located north of Route WW and east of Rolling Hills Road.
- B4-15**      Approving the Final Plat of Veterans Campus, a Replat of Lots 11 and 17 of Conley and Gordon’s Subdivision, located on the south side of East Business Loop 70, approximately 1,000 feet east of Old Highway 63; authorizing a performance contract.
- B5-15**      Amending Chapter 29 of the City Code as it relates to group homes in R-1 zoning districts.
- B6-15**      Authorizing a contract for sale of real estate with Ralph C. Powell and Rodney L. and Beverly J. Hayes for property located at 110 Lynn Street.
- B7-15**      Authorizing a Contract of Obligation with the Missouri Department of Natural Resources to satisfy financial assurance requirements for proper closure and post-closure care with respect to a permit for operation of a solid waste disposal area.
- B8-15**      Authorizing an agreement with Summit Eateries, L.L.C. for the removal of a sign and the installation of a new sign on property located at 206 West Business Loop 70.
- B11-15**     Amending Chapter 5 of the City Code relating to off leash areas for dogs.
- B12-15**     Appropriating funds received from donations and miscellaneous revenue to the Parks and Recreation Department.
- B13-15**     Authorizing an amendment to the PCS tower agreement with SBA 2012 TC Assets, LLC relating to the lease of City-owned property located at 1808 Parkside Drive.
- B14-15**     Appropriating funds to the Law Department for litigation expenses.
- B15-15**     Authorizing a program services contract with the Missouri Department of Health and Senior Services for HIV prevention.
- B17-15**     Calling the municipal election to be held on Tuesday, April 7, 2015 to elect council members for Wards 2 and 6.
- R14-15**     Authorizing an agreement for professional surveying services with Allstate Consultants, LLC.
- R15-15**     Approving the Preliminary Plat of James Estate Subdivision located on the north side of Barberrry Avenue, approximately 150 feet west of Hibiscus Drive.

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

## NEW BUSINESS

### **R16-15 Authorizing the Finance Director to write off certain uncollectible receivables.**

The resolution was read by the Clerk

Mr. Matthes and Mr. Blattel provided a staff report.

Ms. Hoppe commented that this totaled almost \$500,000, and there were many businesses and individuals that owed thousands of dollars, and asked what had been done by the City to try and collect these funds and whether any procedures had or would be changed. Ms. Cannon replied when utilities were in a shut-off status for non-payment for 60-days, the account was submitted to the collection agency that the City was contracted to use for them to track down the individual and work out an agreement with the individual to pay the debt. She noted a lot of the residential utility issues involved students that had left town. In terms of the larger accounts, she explained they would attempt to move to legal collections if they were able to track down the appropriate person. In terms of the businesses, many were no longer in business or had moved outside of the City limits, so the City did not have any business license authority, and in other instances it was the same or similar business with a different owner, and the debt had been incurred under the previous owner. She noted they attempted to collect payments over the five year period, but after five years, there was a statutory law that impacted the ability of the City to continue to try to collect payment so they would then write off the debt. She explained the City had implemented new procedures by making notes to accounts and changing the application for utilities to require a double deposit and payment of the collection account if a roommate was delinquent on an on-going collection. In addition, the City was working with the three water districts to implement collections on accounts where the City did not have metered service with the account holder but the account holder had City sewer. In those situations, the water district would shut off water service for sewer non-payment. The City also orchestrated a major collections effort in July by providing amnesty to those that wanted to pay off past debt by removing the interest and penalties and entering into agreements with them.

Ms. Hoppe understood some businesses were not operating in the City, but were operating outside of the City limits, and asked if the City could take them to court. Ms. Cannon replied the City could not for these situations since the statute of limitations had been exceeded, but they were doing more of that now.

Mr. Blattel pointed out the City would re-bid its collection account to hopefully improve collections through the collection agency.

John Clark, 403 N. Ninth Street, thanked City staff re-visiting this issue, and understood they were still working to obtain information regarding the solid waste uncollectible accounts. He appreciated the discussion tonight as he felt the Council needed to have a better feel for what was involved in terms of collections and the policies in place. He commented that he did not believe it should matter that the owner of a business changes in terms of collections and was glad everything would be reviewed. He thought the small percentage of write-offs was impressive and felt paying more attention to the business side as opposed to only the residential side was equitable.

The vote on R16-15 was recorded as follows: VOTING YES: THOMAS, NAUSER, HOPPE, MCDAVID, TRAPP, SKALA. 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.

- B21-15**      Approving the Final Plat of The Crossing-EPC, Plat 3 located on the north side of Southland Drive, approximately 500 feet west of Rock Quarry Road; authorizing a performance contract.
- B22-15**      Approving the Final Plat of Heritage Village, Plat No. 2 located at the western terminus of Southampton Drive; authorizing a performance contract.
- B23-15**      Authorizing an annexation agreement with Matt and Dana Schofield and Phillip M. and Lynette T. Collier for property located on the east side of Olivet Road and north of Turner Farm Road (706 S. Olivet Road).
- B24-15**      Authorizing construction of the Scott Boulevard Phase 3 Street Improvement Project, from Vawter School Road to Route KK; calling for bids through the Purchasing Division.
- B25-15**      Authorizing the acquisition of additional easements for construction of the Scott Boulevard Phase 3 Street Improvement Project, from Vawter School Road to Route KK.
- B26-15**      Authorizing a municipal agreement with the Missouri Highways and Transportation Commission for bridge improvements along I-70 at the Business Loop 70 (West Boulevard), Garth Avenue crossing and MO Route 763 (Rangeline Street) interchanges.
- B27-15**      Accepting a conveyance for utility purposes.
- B28-15**      Authorizing an educational affiliation agreement with The Curators of the University of Missouri, on behalf of the University of Missouri Sinclair School of Nursing, to provide health clinical experience and instruction for nursing students.
- B29-15**      Accepting a donation from United HealthCare for wellness promotions and programs for City employees; appropriating funds.

## REPORTS AND PETITIONS

### **REP9-15**      Surety Bonds or Letters of Credit in the Maintenance of Erosion and Sediment Control Devices.

Mr. Teddy provided a staff report.

Mayor McDavid asked if a problem had been identified as it was not clear to him that there was a problem. Mr. Teddy replied several years ago there were a number of subdivisions that were not moving forward, so that was an interval in which a tool such as this could have been used. He did not believe they had a particular problem in the current conditions.

Mr. Trapp stated he thought it would be beneficial to get ahead of the problem before the next economic downturn. He noted he was aware of some concrete forms that had been abandoned for a stormwater feature for a development that never moved forward, and

although it was not exactly the same issue, he felt it would be good to have a mechanism in place to address any problem when it occurred.

Mayor McDavid asked how the process would work. Mr. Teddy replied the report suggested a term and supply contractor would be used to address the issue if there was non-compliance after proper notices were served. Mayor McDavid understood the money posted would be used to address the problem. Mr. Teddy stated that was correct, and noted they would draw on the letter of credit if a letter of credit was used instead.

Ms. Nauser recalled a development near Alpha Hart Lewis had not constructed the roads they had promised, which caused the City to have to build those roads. Mr. Teddy stated the developer had been unable to obtain financing for Waco Road. Ms. Nauser thought this issue had come up in terms of sidewalks as well.

Mayor McDavid asked if they were talking about enough money to finish a road, etc. Mr. Teddy replied no, but explained that was another application of a letter of credit. Mayor McDavid asked how much a developer would be required to post. Mr. Teddy replied a figure had not been recommended at this time, but the report cited some from other communities, such as \$3,000 per acre up to a maximum of \$30,000. Mayor McDavid asked if this was common in Missouri. Mr. Teddy replied he did not know. Mr. Matthes stated bonding was common throughout the country, and was cheaper than cash, but the cheapest option was a letter of credit. He thought that might be the best option as well.

Mayor McDavid asked what stakeholders would be engaged in the process. Mr. Teddy replied those in the construction industry, consultants that prepared land disturbance plans, the Environment and Energy Commission, etc. Mayor McDavid asked if staff would proceed and come back to Council with a recommendation. Mr. Teddy replied that was his suggestion.

Mr. Skala thought that was a good idea as it would allow staff to determine what was done in other Missouri communities. Mr. Teddy stated he had found that the practice of guaranteeing subdivision improvements differed in Missouri. Mayor McDavid commented that he thought they could use Austin, Texas as a comparison community as they were doubling every twenty years, and communities such as Springfield, Independence, St. Charles, etc.

#### **REP10-15 Water and Electric Utility Revenue Philosophy and Recommendations.**

Mr. Matthes and Mr. Johnsen provided a staff report.

Mayor McDavid stated he did not have a problem with an evaluation of the utility. He commented that another part of the pay-to-build and pay-to-use philosophy was pay-to-fix, and noted he had recently read that St. Louis would need to replace all of its water pipes. The new users would have to pay for legacy users, and this was seen in sewer as well. It was a complicated mix and not as simple as saying new development would pay for everything. He explained his water and sewer lines were fine, but it was in his interest that the legacy lines in Ward 4 were repaired. He believed this was a community responsibility.

Mr. Johnsen commented that the water system had a lot of upfront costs, but there was a lease perspective with the electric system in that one leased participation in the

delivery system since there were operational costs associated with keeping the delivery system operational.

Mayor McDavid thought the consensus of Council was for staff to provide ideas and to explain how others handled it. Mr. Johnsen stated that was the intention of staff.

Mr. Thomas commented that a lot of this did not make sense to him, and noted he did not agree with the premise of the pay-to-build and pay-to-use philosophy or the stated differences in the water and electric utility as he thought the principles were the same. He also did not understand the comments of Mr. Matthes earlier in the meeting as he had indicated the rates would be reduced if there was a connection fee for electric service, which meant there would not be any more revenue for the utility. He was, however, excited the City was evaluating the concept of a connection fee or something similar for electricity and reviewing what was already in place for the water system.

Ms. Hoppe asked staff to review how conservation could be tied into the philosophy for both the water and electric utilities as it could result in fewer infrastructure improvements needed or at least the timing of when infrastructure improvements would be needed.

**REP11-15 Environment and Energy Commission Report regarding Plastic Bags.**

Mayor McDavid suggested this issue be placed on the ballot for the citizens to decide.

Ms. Nauser stated people she had spoken with had suggested this be a part of the solid waste discussion as it was a recycling issue. She explained she did not favor banning legal products so she would not support this idea, but noted she was supportive of a community discussion of the issue.

Mr. Skala stated he agreed this should be discussed in the context of solid waste. He explained he preferred Option 4 with a surcharge for plastic and paper bags. He noted he had received an e-mail someone that had indicated plastic bags could be recycled. He thought they might want to survey some of the retailers and grocers to determine if they might have any solutions to the problem, and asked if the City had communicated with retailers or grocers and had received any feedback. Ms. Christen replied the City was in the process of obtaining feedback.

Mayor McDavid agreed with Ms. Nauser and Mr. Skala with regard to incorporating discussion of this topic with the solid waste discussions as he felt more people would use plastic bags if the City went to an automated system as residents would likely double wrap some trash items. He thought they should let the citizens decide both issues.

Ms. Hoppe stated she did not believe this was a solid waste issue. It was a littering and environmental issue. She understood evidence showed charging for plastic bags had an initial impact in terms of a reduction in plastic bag use, but those use rates then tended to increase. She suggested an ordinance be prepared for Council consideration, and for the Environment and Energy Commission and the Sierra Club to hold a public education forum on the issue and for the forum to be videotaped so it could be viewed by people that could not attend. She asked for an ordinance to be prepared and introduced at the February 16, 2015 Council Meeting so it could be voted on at the March 2, 2015 Council Meeting.

Mayor McDavid understood Ms. Hoppe was proposing an ordinance to be introduced that would ban plastic bags and charge for paper bags. Ms. Hoppe stated that was correct.

Mr. Thomas stated he was supportive of the suggestion of Ms. Hoppe. He understood it might seem to be an intrusion to tell business owners they could not distribute free plastic bags, but it was a very small restriction on the liberty of people, and the benefit was significant. He commented that millions of plastic bags were produced annually, and they were used inefficiently as they were only in service for a short period of time. He noted it had taken people only a small amount of time to adapt when the ban had been implemented in Ireland per the film *Bag It*. He thought it would be painless to adapt, and that they would be living more sustainably as a result.

Ms. Hoppe made a motion directing staff to introduce a single use bag ordinance as proposed by the Environment and Energy Commission at the February 16, 2015 Council Meeting. The motion was seconded by Mr. Thomas.

Mayor McDavid stated he would not support this as he believed it was intrusive and felt they should put it to the vote of the people instead. He thought people were tired of the Council telling them what they thought was best for them.

Mr. Skala commented that he was not sure this issue was large enough for a public referendum, but wanted more information regarding the recycling of all plastic bags prior to making a decision. He noted the recycling of plastic trash bags had been discussed previously in terms of solid waste so he wanted to investigate the idea of recycling all plastic bags. He agreed the single use bags created a litter problem and other problems, and agreed behavioral changes were sometime necessary, but noted he was inclined to support other options if those options also dealt with the problems.

Mayor McDavid asked if a motion was necessary as he thought Ms. Hoppe could ask for the ordinance to be drafted without a motion. Mr. Matthes replied the practice has been for any Council Member to be able to ask for an ordinance to be drafted. Mayor McDavid understood there was a threshold in terms of the level of work an ordinance created.

Mr. Skala stated he wanted a report back from the retailers when this came forward.

Ms. Hoppe understood many retailers did not support or oppose a ban because they would receive ten cents per bag, and asked staff to prepare an ordinance for introduction at the February 16, 2015 Council Meeting since a motion was not necessary.

**REP12-15 Downtown Community Improvement District Board of Directors - Annual Membership.**

Mayor McDavid understood the Downtown Community Improvement District had asked that this item be withdrawn because they had planned to revise the report.

**REP13-15 Downtown Community Improvement District - End of Fiscal Year Report.**

Mayor McDavid understood this this report had been provided for informational purposes. The Downtown Community Improvement District (CID) was an organization that collected an additional sales tax and an additional property tax assessment, and the City did not have any jurisdiction on how the money was spent. He pointed out the CID had estimated receiving \$400,000 and spending \$50,000 on public safety and infrastructure when it had been established, and it was not actually making double that amount and only putting a small amount into public safety.

**REP14-15 C.A.R.E. Program Report.**

Mayor McDavid explained he had asked for this report due to complaints regarding how the City spent its discretionary funding. He noted the cost of the C.A.R.E. program was about \$500,000, so they could cancel the C.A.R.E. program and hire five public safety officers, but pointed out he did not plan on suggesting that because he agreed with the intent of the program of providing disadvantaged children work experience. He stated he did have questions about the program, such as the high administrative costs of the program, the number of kids signed up that needed this experience because they were not college bound versus those that were college bound, etc. He challenged the staff to show they were making an impact while lowering the cost of the program so it was more efficient.

Ms. Nauser stated she had known kids that had participated in the C.A.R.E. program and knew first hand they were disadvantaged in terms of being in the foster care program or living in poverty. She thought it was sad that more people wanted to pay for prisons than prevention and intervention, and this program was a proven model in the community. She agreed they could look into ensuring it was run as efficiently as possible, but believed it would be a detriment to eliminate the program. She pointed out access was one the biggest obstacles of poverty. She noted their kids and families had access to people in the business community, but people in poverty did not necessarily have access to people outside of those living in poverty, so this program was important to many kids in terms of access and gaining experience. There were no longer apprentices in society so it was difficult gain experience. She suggested participation in the C.A.R.E. banquets to see and hear the stories of kids that had succeeded and what the program had meant to them and their families. She believed this program was beneficial, and provided even more benefit than hiring more police officers.

Ms. Hoppe commented that she had met some of the kids that had participated and seen what they had done afterwards, and believed it was an extremely valuable program. It provided opportunities they did not have elsewhere. It also provided free labor for businesses throughout the community. She thought a way to cut back on City costs might be to ask businesses to contribute \$1 per hour. She noted her daughter, who had worked with the C.A.R.E. program, still saw some C.A.R.E. participants who felt the program had been intrinsic and valuable in their lives.

Mr. Trapp asked if recruitment and host sites had been an issue, and if there was anything that could be done differently to support the program. Mr. Griggs replied they could always use more sites as that provided more locations to place kids. Some businesses would take several kids because they saw the value in it, but staff tended to beg other businesses. He noted the job coaches tried to do a good job of meeting with the kids and site supervisors to address any issues. He pointed out some kids did not even know how to dress for work. They started by showing the kids what they needed to wear, do, etc. with the hope they would have some skills when they left the program.

**REP15-15 Neighborhood Traffic Management Program (NTMP) 2014 Year End Report.**

Mr. Glascock provided a staff report, and explained the report was informational.

**REP16-15 Recycling Drop-Off Report.**

Mr. Matthes and Mr. Glascock provided a staff report.

Ms. Hoppe commented that the recycling bin near Delany Hall on Eighth Street appeared as though it was only for Columbia College because it was tucked away. Mr. Glascock stated it was a public recycling bin. He noted one of the problems was that many people wanted to hide the bins, which was why they needed to figure out a way to make them more attractive.

Ms. Hoppe stated she participated in a meeting with members of Greek Town and understood they were interested in recycling, and asked if a bin could be located in that area for them to use. Mr. Glascock replied it was an option, but they needed the approval of the University as well if the bin was located on University-owned property, and there were not many open spaces within Greek Town. Mr. Matthes understood eighteen fraternities and sororities were recycling now, so the City planned to highlight where and how the others could recycle.

Ms. Nauser asked how often staff emptied the recycling bins as she believed that was when it was the most unsightly. Mr. Glascock replied he agreed the bins became full very quickly, and there were times the bins were emptied and the next person could make it look like the bin had not just been emptied.

**REP17-15 Landscaping Procedures for Sewer Repairs.**

Mr. Glascock provided a staff report.

Ms. Hoppe wondered if it would be beneficial to have pre-existing yard conditions documented by photos. Mr. Glascock stated the City already did that when possible.

Ms. Hoppe stated she would review the report and discuss it with some members of the public, and would then let staff know if there was anything more she felt could be added to the process. Mr. Glascock noted staff would be more vigilant in term of photos and documentation as well. Ms. Hoppe pointed out that would help the contractor who was reseeded the property, and asked if an ordinance change was needed. Mr. Glascock replied no, and explained it would become a part of the process.

**REP18-15 Missouri Economic Development Models.**

Mr. Skala explained he had asked for this information, and had hoped to receive more information on what occurred in other communities, such as Austin, Texas, which had a more standard model whereby economic development was imbedded within the City itself. He noted he believed Regional Economic Development Inc. (REDI) was a very valuable organization, and the decision of REDI to defer from advocacy when it came to political issues was wise, but he was still inclined to want to investigate the possibility of advantages to the economic development director being imbedded with the City structure in terms of oversight and accountability. He asked for a draft ordinance to be prepared to consider that possibility so the vote on the ordinance took place after April 13, 2015. He thought this was important for the Council to consider due to the amount of money the City contributed and for the good of the community in general since economic development was such a powerful source. He commented that he did not envision any huge difference in how the economic

development director worked with REDI. It was only a placement issue, which might reconcile some of the troubling perceptions some had about REDI and the taxpayer responsibilities of staff.

Mayor McDavid stated he was not supportive of the suggestion of Mr. Skala as it would change the best economic development model in the country. He noted this was the best performing economic development group in the country, and was amazed by the fact anyone might want to change it. He thought this request represented a desire to restrict development and growth. Mr. Skala disagreed. Mayor McDavid stated REDI included communities throughout Boone County, the private sector, and the University of Missouri, and had been extraordinarily successful. He did not see any problem with the organization, and was not sure why they would change this highly effective and functioning economic development model.

Mr. Skala stated he understood that Mayor McDavid would not understand why he would suggest a change, and noted he was not suggesting it be any less effective with a change. He only hoped to make it more accountable. He commented that there were a lot of ways to measure the effectiveness of the organization, and a ranking was one, but every ranking had different variables. He stated he was asking for an ordinance, and the Council could vote accordingly.

Ms. Hoppe commented that the City paid the salary for the economic development director to be the head of REDI since the economic development director reported to the REDI Board and did not report to the City Council. She did not believe Mr. Skala was challenging the success or usefulness of REDI, and was only noting there were other models and a concern that the economic development director was not responsible to the Council. She stated Austin, Texas had a similar organization to REDI, but the economic development director did not head that organization and he only interacted with REDI. It was a collaborative process, and Austin did not fully fund the organization's presidential position as they had another person in that role. The economic development director of Austin's organization was responsible for meeting a variety of the City's strategic plans and goals and was responsible to the City Council. She listed some of the goals that were found on the website, and noted the job of the economic development director there was broader. She felt that type of model made economic development more of a city department than a funded position for another organization, and noted it had been very successful as well.

Mayor McDavid suggested the Council attend a REDI Board meeting. Mr. Skala stated he had been to REDI Board meetings in the past, and had worked with Mike Brooks, the previous economic development director. He believed Mr. Brooks' focus away from attractions and toward retention and entrepreneurship was brilliant, and understood Ms. Button had affirmed that strategy. He wanted to encourage collaboration while altering the model so there was more accountability to the Council.

Ms. Hoppe explained a past goal of REDI had been to recruit the Plum Island Research Laboratory, but neither the community nor the Council had been provided the opportunity to comment on that divisive goal. She believed those types of decisions were important for the community to provide feedback on, and the community would have greater input on those types of decisions if the economic development director reported to Council.

Ms. Nauser commented that she did not believe anything would ever be accomplished if the Council had to direct and approve recruitment. Mr. Skala stated that was not the issue, and commented that the issue was accountability as was required for every other City department. Ms. Nauser noted she thought they were already accountable like other departments.

Mayor McDavid stated his concern was for people who wanted to restrict growth to have the ability to determine economic growth in Columbia as he cared about job growth. Mr. Skala stated he cared about job growth as well, but noted he also cared about sustainability, and without adequate infrastructure, there would be no economic development.

**REP19-15 Intra-Departmental Transfer of Funds Request.**

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

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Jan Dye stated she was representing the Sierra Club and understood three people had tried to contact grocery stores for input regarding single-use plastic bags, and there had not been a lot of success. She thought the reason was because most grocery stores were likely in favor of the change due to the cost associated with supplying plastic bags and the ability to charge for the paper bags, but they also did not want to say that publically because they knew many of their customers would miss plastic bags. As a result, she thought it might be a mistake to wait an indefinite amount of time for this input.

Ms. Dye commented that as a private citizen, and not a representative of the Sierra Club, she loved roll carts.

Eugene Elkin, 3406 Range Line Street, pointed out Habitat for Humanity had created the Re-Store in 1998, which had lessened the number of items that made it to the landfill and ultimately benefited the community.

Mr. Elkin thanked the Council for past money provided to assist the homeless as there were many success stories, and he told of some of those stories. He asked the Council to continue to review the situation annually and to contribute more resources if possible.

Ms. Nauser commented that a gentleman had contacted her with information on a program used by many fire departments across the country in which volunteer college students lived in fire stations and were paid a small stipend in exchange for performing volunteer fire functions. She suggested the staff look into this program in order to assist with staffing needs.

Ms. Nauser asked for a report regarding any long range plan to make the outer road by Stoney Creek Inn safer in terms of pedestrian access.

Ms. Nauser commented that if utilities were excluded, public safety was the highest expense within the community. Between 2013 and 2015, the public safety budget had been increased by \$3.5 million, and of that \$2.5 million had gone towards personnel costs. She noted some poor financial decisions in the past had resulted in an \$80 million unfunded pension liability, and the Council had been putting more money towards that liability because

they believed the retirement promises made needed to be kept. She disagreed with the comments made earlier in the evening indicating the City had not funded public safety as promised. She noted the budget showed increases in funding and in personnel over the years, and stated she would continue to support police and fire, but did not appreciate being called a liar.

Ms. Hoppe understood Mr. Skala had previously asked for an ordinance establishing a tree board, and asked that this ordinance to be provided to Council at the February 16, 2015 Council Meeting. She noted she and Mr. Skala would be happy to work with staff on that item.

Ms. Hoppe understood there had been some sewer work on Eighth Street past Jefferson Middle School and near Columbia College, and stated she had noticed a layer of brick under the asphalt. She asked if that brick had been saved and if contractors were being informed of the fact the brick needed to be salvaged for other purposes. She asked for a report on what the City was doing to convey this information to people and where the brick was going.

Mr. Skala noted some work had already been done with the tree board, and he hoped it was a relatively non-controversial issue. He stated he was willing to work with staff on the development of an ordinance establishing the tree board.

Mr. Skala noted the CPOA representative that spoke earlier in the evening had alluded to \$2 million being able to fund 20 public safety officers, and noted that was not correct as that amount of money would only fund one public safety officer as it represented the lifetime of a public safety officer.

Mr. Skala pointed out the Columbia Regional Airport and the Walton Building were two successful public-private partnerships, and thanked those involved in those partnerships.

Mr. Thomas thanked the COMO Connect staff for a very good first draft of the request for proposals for a consultant to conduct an analysis of the current transportation system that involved public input, national trends, and best practices, and to provide long-term recommendations so the City could create the best transit system possible. He thought it was important for stakeholder involvement, and suggested the University, business community, social services, etc. be involved from the beginning in terms of working with the consultant. He noted he had discussed this with Gary Ward, a Vice Chancellor of the University of Missouri, who was happy they would be involved and had asked if he could sit on the selection committee to review the proposals. He believed that was a good idea and suggested they include other stakeholders as well. He asked staff to develop a protocol for a community review of the proposals, and noted the City had done something similar for marketing and promotion in 2007 when it had received the \$25 million in non-motorized transportation pilot program grant funds.

Mr. Thomas understood a television station had done a story on the pedestrian death at the Stadium Boulevard and Worley Street, and had determined the pedestrian crosswalk

signal had not been operational at the time. He understood MoDOT had been alerted of this problem. He noted he had asked for the police report for this incident previously, and stated he wanted to see it as soon as possible.

Mr. Thomas stated he thought it would be helpful if staff could provide Council Members with an acknowledgement that a request had been received, was a part of the tracker, and a status of what staff could do as a next step with an estimate of when the next step would be completed. He suggested this be done by the end of every council meeting week, and explained the reason for his request was because some items tended to disappear. Mr. Matthes stated they would look into whether this could be accomplished.

Mr. Trapp asked staff to provide a response to the comments Mr. Roberts' had made earlier in the evening to prevent any misunderstanding by others in the community.

Mr. Trapp commented that the members of the Mayor's Task Force on Community Violence had agreed to gather as citizens to monitor and ensure implementation of their recommended actions, but they had been fairly busy and unable to meet at this time. He asked staff to review the report and to identify a plan for the implementation of the parts of the recommendations that were actionable as he believed some items could be done easily.

Mayor McDavid commented that he believed the press missed a story on REP2-15 from the previous meeting and that the City did not help them with the story because ridership was down 20-30 percent if the ridership of the commuter lots had not been included. He understood there were factors the City could not control, to include the market share gain by Greenway Shuttles as they did not have to pay the same wages, provide the same benefits, or be ADA compliant, which meant they could provide less expensive service from area apartments to Brady Commons. He thought they should support what the University wanted with the Tiger Line, cede student bus transportation to the private sector since the City had lost money on it, and consolidate and concentrate service to the core of the City by serving the First Ward and the inter-core areas of the other wards and providing better and more frequent routes on a more reliable basis.

Mayor McDavid stated he did not believe placing the highest performing job creator in the country under the auspicious of an anti-growth City Council was a good idea.

The meeting adjourned at 11:40 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk