

**CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
701 E. BROADWAY, COLUMBIA, MISSOURI
MAY 4, 2015**

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, May 4, 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 NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP, SKALA and THOMAS 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 April 20, 2015 were approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Skala.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Upon her request, Mr. Skala made a motion to allow Ms. Nauser to abstain from voting on R76-15 due to a conflict of interest. Ms. Nauser noted on the Disclosure of Interest form that her family business involved alcohol sales. The motion was seconded by Mr. Thomas and approved unanimously by voice vote.

Ms. Nauser asked that B104-15 be moved from the consent agenda to old business.

The agenda, including the consent agenda with B104-15 being moved to old business, was approved unanimously by voice vote on a motion by Mr. Trapp and a second by Mr. Skala.

SPECIAL ITEMS

None.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

SCHEDULED PUBLIC COMMENT

Monta Welch – Racism in the nation and community.

Ms. Welch, 2808 Greenbriar Drive, explained she was speaking on behalf of People's Visioning and provided a handout. She commented that she felt the country was burgeoning with hate and injustice born from unequal opportunity and a blinded social structure with racism and inequality. She believed international trade laws worsened this by downsizing and outsourcing jobs and added significant pressure on the nation's willing workers and in terms of opportunities for the next generation. She asked the Council to consider adopting a resolution opposing fast track actions for trade agreements without proper inclusiveness, vetting, scrutiny, and interested party voices. She noted past treaties, such as North American Free Trade Agreement (NAFTA), had poor results socially and economically on jobs and justice issues for low to middle-income individuals. She reiterated the People's

Visioning was asking the Council to adopt a resolution for Congress to stop fast track trade promotion authority for the Trans Pacific Partnership and trade deals impacting all sectors, to include healthcare, banking, and environment. She asked Council to take action tonight as there was a short time frame to submit a resolution to Congress. She also invited the Council to the People's Visioning fast track event at 7:00 p.m. on Tuesday, May 12 in the Boone County Commission Chambers. She asked those in support to stand, and approximately ten people stood.

Lawrence Life or Alyce Turner – Environment and Energy Commission letter of support for pay-as-you-throw using roll carts.

Ms. Turner, 1204 Fieldcrest, commented that she was representing the Environment and Energy Commission (EEC), and stated the EEC had recommended the adoption of roll carts and automated trucks for trash pick-up. She noted roll carts had been demonstrated to increase the rate of recycling through a pay-as-you-throw system, thus reducing the environmental impact of consumption, and increased recycling would increase the life of the City's landfill. In addition, a modern automated collection system would reduce the high workers compensation claims associated with the job of trash pick-up, highlighting the deleterious effect of current practices on the health of workers. She noted workers compensation claims had been drastically reduced in other cities where roll carts had been adopted and felt this new system would also decrease high employee turnover. She commented that the EEC also recommended an increase in recycling education, especially at schools, universities, and businesses as this would more effectively benefit the environment and the citizens of Columbia. She reiterated the EEC had recommended the City adopt the proposed pay-as-you-throw system with roll carts and automated trucks.

PUBLIC HEARINGS

(A) Construction of improvements at the intersection of Worley Street and Clinkscapes Road.

Item A was read by the Clerk.

Mr. Nichols provided a staff report.

Mayor McDavid opened the public hearing.

Greg Ahrens, 1504 Sylvan Lane, asked the City to remember that those walking or in a wheelchair needed shy space. He explained, psychologically, some distance was needed from obstructions. He noted the Missouri Department of Transportation (MoDOT) added extra footage for people in vehicles so they did not feel as though they would crash into the guardrail and thought this type of shy space was needed for pedways and sidewalks as well. He suggested a few more inches being added to ensure no one hit or thought they might hit the pole.

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

Mayor McDavid asked staff to comment on the request of Mr. Ahrens. Mr. Nichols replied staff would look into the issue.

Mr. Thomas stated he believed this was a very important improvement and understood staff needed to be creative on the southeast corner due to the grade. He noted his appreciation for the work of staff on this project and for the selection of this project.

Mr. Skala asked for the amount of clearance in terms of a wheelchair user. Mr. Nichols replied this was the concept, and staff would work on the detailed design if Council authorized them to move forward with the project.

Mr. Skala made a motion directing staff to proceed with plans and specifications for this project. The motion was seconded by Mr. Thomas and approved unanimously by voice vote.

(B) Construction of improvements at the intersection of Stadium Boulevard and Old Route 63.

Item B was read by the Clerk.

Mr. Nichols and Jason Dohrmann with HR Green, the City's design consultant on this project, provided a staff report.

Mr. Thomas asked why the design only showed crosswalks on two of the four legs of the intersection. Mr. Dohrmann replied MoDOT tended to not want to put pedestrians into an area where there was no place for them to go. Mr. Thomas noted people used those other two legs as there was a place of employment on the southeast corner and the Waters-Moss facility nearby. He felt strongly that the City needed to challenge the practice of MoDOT of not putting crosswalks on all four legs of an intersection. He understood the City used the National Association of City Transportation Officials (NACTO) Urban Street Design Guide, and it indicated the practice of discouraging pedestrian crossings by leaving uncontrolled crossings unmarked was not a valid safety measure. He believed the idea of not installing crosswalks where needed encouraged unsafe risk-taking behavior and discouraged walking. He noted the Urban Street Design Guide indicated all legs of signalized intersections had to have marked crosswalks unless pedestrians were prohibited from the roadway or if there was physically no pedestrian access on either corner and no likelihood access could ever be provided. He stated pedestrians were unlikely to comply with a three-stage or two-stage crossing, and would then place themselves in dangerous situations. He commented that there had been a series of tragic collisions with pedestrians on MoDOT roads in the last six months and thought it was foolish to improve this intersection while leaving two of the crosswalks unmarked.

Mr. Thomas asked for the data MoDOT had to justify the need for the double left turns from northbound to westbound. Mr. Dohrmann replied he understood traffic counts had not been collected and that it was based on visual observations by the traffic engineer in charge of the timing of the signals. He understood this was the genesis of the cost share. Mr. Thomas asked if MoDOT had a set of policies or criteria for when they considered a second lane for left turns was needed. Mr. Dohrmann replied he could provide the policy information to Council. Mr. Thomas stated he wanted to see the MoDOT policy, and asked if the City had a similar policy. Mr. Glascock replied the City generally followed the same standards as MoDOT since they both generally followed the Manual on Uniform Traffic Control Devices

(MUTCD) guidelines. Mr. Thomas stated he also wanted to see those guidelines prior to supporting double lefts at this intersection.

Mr. Thomas understood this project required a 50-50 cost share, and asked for an estimated cost of the pedestrian improvements and beautification component versus the double left turn lane component. He wondered if MoDOT or the City was getting the better deal. Mr. Glascock replied he thought both were getting a good deal. He pointed out MoDOT had indicated they would pull their funding if the City was not agreeable to the double left turn lanes. Mr. Thomas asked why the City could not move forward with the pedestrian components without the double left turn lanes. Mr. Glascock replied it was a MoDOT road, and they would not allow it. Mr. Thomas understood the City did not have any jurisdiction even though it was within the boundaries of the City of Columbia. Mr. Glascock stated that was correct.

Mayor McDavid opened the public hearing.

John Prenger, 2611 Mallard Court, stated he was the President of the Shepard Boulevard Neighborhood Association and explained he believed the improvements associated with this project needed to be in place prior to any permits given for the Park7 development, which Council would consider later in the evening.

Gretchen Maune, 1006 Otto Court, Apt. B, asked if this project would include audible pedestrian signals. Mr. Nichols replied audible pedestrian signals were included.

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

Mr. Skala asked if audible signals were now a standard feature for the City in terms of intersection improvements or if that was still determined on a case-by-case basis depending on traffic. Mr. Glascock replied it was determined on a case-by-case basis dependent upon the amount of pedestrian traffic. Mr. Skala understood audible signals would be used at this intersection. Mr. Glascock stated that was correct.

Mr. Thomas made a motion to table Item B to the July 6, 2015 Council Meeting in order to allow time for staff to provide Council with the procedural approach of MoDOT of adding extra turn lanes and to refer the issue of only having two crosswalk legs at this intersection to the Bicycle/Pedestrian Commission and the Disabilities Commission for their recommendations in terms of challenging MoDOT on that ruling. The motion was seconded by Mr. Trapp.

Mr. Thomas stated MoDOT had backed away from some rulings they had made in the past so he believed it was worth pursuing. He noted this type of design was the reason they were having these pedestrian fatalities and injuries as it encouraged excessively fast and continuous traffic flow without adequate accommodations for pedestrians to move around the City.

Mayor McDavid asked if there was a downside to tabling this for two months. Mr. Glascock replied they might not be able to meet the deadline of next summer.

Ms. Nauser asked if this was contingent upon MoDOT. Mr. Glascock replied projects such as this were always contingent upon MoDOT because they controlled three legs of this intersection. Ms. Nauser stated she was concerned MoDOT might pull their funding due to their financial difficulties. Mayor McDavid asked if the City was at risk of losing the funding for this project. Mr. Glascock replied he could not answer that question.

Ms. Nauser commented that they had gone through this at the intersection of Stadium Boulevard and Providence Road and with College Avenue, and believed they were at the mercy of MoDOT since it involved their road and their money.

Mr. Skala stated he believed it was worth their time to notify MoDOT of their inclination and to obtain information if it did not impact the schedule significantly. He noted he did not believe MoDOT would pull the money at this time since they were only providing their thoughts and requesting information. He commented that he would support tabling this item so they could obtain more information.

Mr. Thomas understood MoDOT had indicated Americans with Disabilities Act (ADA) compliant sidewalks were necessary at both ends of any crosswalk and noted he was told there was nothing in the Act itself that required this. He understood the ADA took the position that it was a bonus if a project provided safety for pedestrians and people with disabilities, but that projects did not have to be perfectly in compliance, as was the approach of MoDOT.

Mayor McDavid stated he would support the motion of Mr. Thomas to table this item as long as it did not create any issues because the project was needed. Mr. Glascock thought the delay could push the schedule to the summer of 2017 because they did not want construction happening during the football season.

Mr. Trapp asked how the intersection was currently designed in terms of pedestrian traffic. Mr. Glascock replied he did not believe it currently had pedestrian crosswalks, and understood pedestrians had to go under the bridge. Mr. Trapp understood this delay could push off the pedestrian safety enhancements included in the project for another year.

Mayor McDavid commented that he reserved the opportunity to change his mind and noted he was concerned with delaying the project if it could result in a delay of a year, and as a result, he would not support the motion of Mr. Thomas.

Ms. Nauser stated she did not believe it was worth the risk to push these improvements back another year considering their past experience with MoDOT on similar issues.

Ms. Peters asked if MoDOT had been asked this question previously. Mr. Glascock replied yes. Ms. Peters asked for clarification. Mr. Glascock replied MoDOT would not participate if they were unable to increase capacity on their roads. Mr. Thomas commented that the question was with regard to the crosswalks. Mr. Glascock stated he did not believe MoDOT would participate in the crosswalks so the City would need to determine how those crosswalks would be funded. Ms. Peters asked why it would cost more money. Mr. Glascock replied it was due to the signals, etc.

Mr. Thomas thought the City could serve as advocates to change the policy of MoDOT. He asked how likely it would be that this tabling would delay construction to 2017. Mr. Glascock replied he did not know, and explained he was providing the worst case scenario. Mr. Thomas stated he believed the worst case was for a pedestrian to be killed at that intersection.

The motion made by Mr. Thomas and seconded by Mr. Trapp to table Item B to the July 6, 2015 Council Meeting in order to allow time for staff to provide Council with the procedural approach of MoDOT of adding extra turn lanes and to refer the issue of only having two crosswalk legs at this intersection to the Bicycle/Pedestrian Commission and the

Disabilities Commission for their recommendations in terms of challenging MoDOT on that ruling was approved by voice vote with only Ms. Nauser, Mayor McDavid and Mr. Trapp voting against it.

Mr. Thomas stated he would officially ask for the issue to be referred to the Bicycle/Pedestrian Commission and Disabilities Commission at the end of the meeting.

(C) Reconstruction of Runway 13-31 (Phase 1) and Taxiway B at the Columbia Regional Airport.
B91-15 Authorizing the reconstruction of Runway 13-31 (Phase I) and Taxiway B at the Columbia Regional Airport; calling for bids through the Purchasing Division; appropriating funds.

Item C was read and B91-15 was given second reading 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.

B91-15 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(D) Construction of sidewalk improvements along the south side of Elleta Boulevard from Rangeline Street eastward to the existing sidewalk.

Item D was read by the Clerk.

Mr. Nichols provided a staff report.

Mayor McDavid opened the public hearing.

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

Mr. Trapp made a motion directing staff to proceed with plans and specifications for this project. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

OLD BUSINESS

B86-15 Rezoning property located north of Stadium Boulevard and east of Cinnamon Hill Lane from District A-1 to District PUD-11; approving the statement of intent; authorizing a development agreement with Park7 Development Group, LLC; approving the PUD Plan of The Avenue at Columbia.

R78-15 Approving the Preliminary Plat for The Avenue at Columbia located north of Stadium Boulevard and east of Cinnamon Hill Lane; granting variances to the Subdivision Regulations relating to street right-of-way width and sidewalk construction.

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

Mr. Teddy provided a staff report.

Dan Simon, an attorney with offices at 203 Executive Building, explained he was appearing on behalf of the property owners, Charles and Rebecca Lamb, and that out of necessity, he also represented the Park7 Group. He noted the Lambs had been his clients for years, and were who he owed a primary allegiance. He believed this request should be approved if looking at it from a land use and zoning perspective, and pointed out they had encountered a number of issues that were unrelated to zoning and land use. He explained the University of Missouri planners had indicated enrollment would dramatically increase, and

the developers and their bankers were willing to risk millions because they understood there was an immediate shortage of about 2,000 beds and there would be a shortage of around 4,000 beds in the next several years. He commented that the question was not whether more students would come to Columbia; the question was where those students would reside. He wondered if they wanted to scatter them throughout the community and in competition with others in the community that needed affordable housing, and pointed out many in the community did not want more student high-rises in the downtown. He also did not believe they would be able to locate up to 4,000 more beds in downtown Columbia or the immediate vicinity. He agreed they might be able to put some more students in the downtown, but did not feel they could put all of them in the downtown. He explained he grew up in Columbia and graduated from Hickman High School in the 1960s when the population was only 31,000. He noted many of his high school classmates and his siblings were unable to remain in Columbia because there was nothing for them to do, and what they had today was because of the University of Missouri and its students. He welcomed them, and thought the community needed to put them in good housing. He believed this development would provide that type of suitable housing.

Charles Lamb, 1202 Cinnamon Hill, explained he and his wife were the sellers of the property subject to this rezoning request. They had owned this property for about 30 years and had been good stewards of the land and good neighbors. They had not altered this 45 acre tract, except for when they built their home and driveway 28 years ago, and as a result, the vegetation had grown unimpeded for that entire time. He pointed out he had served on the Planning and Zoning Commission for 15 years, and that had enabled him to participate in the discussion of many developments. He did not recall a single instance in which there was not at least some opposition, and noted the City made decisions and approved projects based upon best land use practices. He believed this project comported with and met, if not exceeded, the criteria for best land use practices and the objectives of the current Columbia land use plans. The project had been extensively vetted and thoroughly dissected by the neighborhood associations, City staff, and the developers' own legal and engineering teams. In addition, the developer had agreed to the terms and conditions asked for by the affected neighborhoods and City staff. He pointed out the project included a number of significant benefits, to include the donation and transfer by legal title of the ten acres of forested green space to the Shepard Hills Improvement Association. When added to the green space the Shepard Hills Improvement Association already owned, this would create a contiguous 20 acres of green space that would benefit the neighborhood and the City as a whole. He pointed out this project had been approved twice by City staff, twice by the Planning and Zoning Commission, and by the two affected neighborhood associations. He believed this rezoning request was a sound, reasonable, and appropriate decision, and asked the Council for its approval.

Tim Crockett, an engineer with offices at 2608 Stadium Boulevard, commented that the ten acres would be a buffer area as the vegetation on those ten acres was thick and lush. He pointed out the development would not be seen by those standing in the yards of the two closest homes to the north because the proposed buildings would be set at lower elevations and the view would be impeded by a substantial amount of larger trees. A traffic study, which

included this development, The Domain, the build out of the Crosscreek development, and traffic from Lemone Industrial Boulevard, had been conducted and had concluded all of the intersections were currently operating at a level of service of C, which was an acceptable level of service. He noted that same level of service would be achieved on all of the intersections once this development was completed as well. Although no improvements would be required as a result of the study at Audubon Drive, the developer had agreed to increase the amount of stacking for a left hand turn lane going into the Audubon area. This would also entail the replacement of some signals, ADA improvements, etc. by MoDOT. He explained the site was very steep at some locations and they would preserve the steepest portions. As a result, they would preserve not only the ten acres previously discussed, but also an additional 5.5 acres to the southeast. They would preserve a minimum of 25 percent of the climax forest on the developable portions of the property, and additional climax forest would be preserved on the ten acres previously discussed.

Mr. Thomas asked for clarification on the pedestrian crosswalk plan agreed to by MoDOT for the Audubon Drive intersection. Mr. Crockett replied they had not come to final terms with MoDOT on the exact improvements. He pointed out MoDOT had initially indicated they might allow the developer to make improvements to the area, so they had focused their attention on getting MoDOT to agree to allow the improvements, which had been accomplished at the expense of the developer. Mr. Thomas understood MoDOT was willing to allow the City and developer to complete the improvements at this intersection. Mr. Crockett explained the developer would fund this project and that the City was not participating. He commented that they would be allowed to upgrade the intersection, but it would not be fully ADA accessible across the entire intersection. Mr. Thomas understood they had been fairly flexible and good to work with in terms of meeting the needs of the developer and Shepard neighborhood. Mr. Crockett explained they had encountered the same situation as City staff in that they were reluctant to commit. Paul Lavine, 461 Park Avenue South, New York, New York, stated he was the Executive Vice President of Development and a partner for the Park7 Group and noted they were a national student housing developer that had been involved in over 7,000 units over the last 15 years. They were a vertically integrated company whose partners were very active in the day to day operations of the business, and had implemented a build and hold strategy, which was evident in the quality of construction and the level of management. He explained they had a set of initial criteria they reviewed prior to looking at sites within a community in terms of the size of the student body, historic growth in enrollment, enrollment projections, vacancy rates, percentage of funding to the University from the State, etc., and the site needed to be compatible with surrounding uses, have good access to roadways and public infrastructure, etc. Once a site was found, they worked with City staff. They felt there was a demand for student housing in Columbia and had investigated the supply. He commented that the partners for the Park7 Group were the sources of the capital to secure the construction loans, and that their lenders would also vet the projects prior to providing construction loans. He understood the market would correct itself if there was a situation where there was an oversupply by a change in demand. He explained they would provide their own private

shuttle service to and from campus and would purchase 321 COMO Connect passes for tenants who wished to use it, and felt that would alleviate some of the traffic concerns.

Mr. Ruffin asked for a time line in the event the project was approved tonight. Mr. Lavine replied they would ideally like to get started in the late summer or early fall season so a portion of the project could be occupied the following school year.

Mr. Ruffin asked for clarification on Mr. Lavine's statement with regard to the market correcting itself. Mr. Lavine replied certain vacancy rates would deter further development in the market, and demand would eventually outpace supply correcting the situation.

Tom Harris, 105 Whitetail Drive, Bellefonte, Pennsylvania, stated he had the privilege of being a business associate and banker for the Park7 Group for 15 years on many successful projects. He noted they had come through during the second year the very few times they had initially fallen short of the mark. Across their portfolio, they had occupancies that exceeded the biggest companies in the business through innovative design, hard work, and a good product. He pointed out there were four levels of vetting for a project such as this, and those were done by the developer, additional equity investors, a bank, and the independent appraiser. He noted he was present as an individual and not an official spokesman of any bank.

Beejan Savabi, 461 Park Avenue South, New York, New York, stated he was the Executive Vice President of Property Operations and a partner for Park7 Group and explained security was a priority for them, their tenants, and the long-term success of the property since their business plan was to build and hold the property. They hired seasoned property staff and had a tough screening process for tenants. This was followed by a strict lease with many rules and regulations, including not allowing large gatherings or disturbances of neighbors. There were large fines associated with these rules with the possibility of eviction. He pointed out all of the leases were signed with a parental guarantee. In addition, they had several police officers living on-site that patrolled the area to ensure there were no disturbances, and outdoor security cameras were scattered throughout the site. If needed, they would add a third party security company. He understood there was a stigma of student housing properties causing a lot of issues, but did not feel that was true. He noted The Domain, which had 650 beds, only had six calls of service for January 1, 2015 – March 31, 2015, and the Grove only had four calls for service during that same time frame. He pointed out Country Club Apartments, which was not a student housing property, had five calls for service during that time frame, while Cosmo Park had 33 calls for service and a local convenience store had 133 calls for service.

Mr. Trapp commented that someone had sent him three negative reviews from the Lubbock Avenue project, and asked for the number of reviews they tended to receive and the overall quality of those reviews. Mr. Savabi replied they had an above average retention rate. He believed those posting reviews generally posted negative reviews. He noted they were owner managed so they had a vested interest in the reputation of the property on an ongoing basis. Mr. Trapp asked if they were rated by the Better Business Bureau. Mr. Savabi replied he did not know.

Mark Farnen, 103 E. Brandon Road, stated he was present on behalf of Charles and Rebecca Lamb and explained student enrollment at the University of Missouri had increased

by more than 14,000 people since 2000, putting the current student enrollment at 35,000. He noted the University of Missouri expected this trend to continue and anticipated 39,000 students by March of 2019. He pointed out the University had historically underestimated the actual amount in every year since 2010, and noted they had projected only 29,439 students by 2015 in 2010. He understood it had been anticipated that fewer seniors would graduate from schools in Missouri due to a birthrate trend, but enrollment at the University had increased 4.2 percent. As a result, he did not believe those birthrate statistics could predict outcomes. He noted more high school graduates had decided to go to college than previously, retention rates had improved, the University had attracted more out-of-state students than previously, and international student enrollment had increased by 10.1 percent in 2014 over the prior year. Although there were 180 institutions of post-secondary education in Missouri, the number one choice for all high school seniors was the University of Missouri, so if a bubble were to bust, he believed other institutions would be impacted first. He pointed out the student housing supply had not kept up with this demand.

Caleb Colbert, an attorney with offices at 601 E. Broadway, commented that he believed a vote against this development would send a message indicating the Council did not believe additional students were coming to Columbia or that the Council felt students should live in other areas, such as the downtown, if they were coming to Columbia. He pointed out the University of Missouri had indicated it wanted to grow and expected to grow, so students would be coming to Columbia. He did not believe Columbia could support 4,000 additional students without providing additional beds for those students and did not believe they could expect the downtown to accommodate all of that housing. In addition, development in the downtown was more expensive and the community was not supportive of more development in the downtown for student housing. He also did not believe they should try to dictate where a certain demographic should live, and noted that was not done for any other age or occupation group. The University employed over 13,000 people, but the City did not ask all of those people to live adjacent to campus or the hospital. He pointed out this development promoted affordable housing, and more housing was good if one believed in affordable housing. He noted the Planning and Zoning Commission, the neighbors, and City staff had all recommended approval of the project, and the Park7 Group had shown tonight they wanted the project to be successful. He stated this project was better than the project proposed in 2013 as it was smaller, required less acreage, had fewer dwelling units and parking spaces, and had a better buffer.

Mr. Ruffin asked how this project promoted affordable housing. Mr. Colbert replied it would provide an additional outlet for students, so it would take students out of the non-student rental market. Students would reside in single-family residences in residential neighborhoods if there was not enough student housing, so more housing was needed to shift that demand, which would lead to affordable housing.

Greg Suhler, 902 Timberhill Road, stated he was speaking for the Shepard Hills Improvement Association (SHIA), which was also known as the Timberhill Road Neighborhood Association, and explained they had voted in favor of signing an agreement with the Park7 Group at their April 26 meeting by a vote of 8 in favor and 6 against. He compared the current proposed development with the development proposed in 2013 and

listed some of the differences, which included a shift of the apartment complex to the south and west and the transfer of ownership of a ten acre undeveloped tract to SHIA if approved by the Council. He commented that he thought the ownership of the ten acre tract was likely the deciding factor for their support along with the perception of a quality project, professional local representation, and what might be developed at that site if this was not allowed. He explained the Park7 Group approach presented the best current option in the opinion of the majority, and noted the neighborhood urged the Council's favorable consideration of the proposal.

Harold Johnson explained he was the President of the Shepard Hill Improvement Association (SHIA) and noted there were many opportunities and benefits for this Park7 Group student residential development being located nearby and within the City limits while not being in the downtown. The Park7 Group would provide ten acres of land to be used as a buffer and a southern addition to the present wooded park to the south and west of the subdivision. The developer would also provide a fire hydrant for protection to the southern half of the neighborhood, a chain link fence on the southern border of the proposed buffer, and a special cable linkage near their present subdivision border. These were large items for their small subdivision of only 14 homes and they were appreciative of the proposed Park7 Group contributions. He stated the majority of the SHIA had requested the approval of this proposed student residential development and noted the University was not showing any signs slowing down, but if that did occur, he did not think they would want all of that housing in the downtown area.

Anne Minor, 919 Timberhill Road, explained their neighborhood was still thriving and beautiful after nearly 60 years, and stated she understood the land surrounding their neighborhood would be developed. She commented that the neighborhood had been carefully planned for a quality living environment and the developer, Clyde Shepard, had taken great care in utilizing the existing topography. In contrast to the Timberhill and Shepard Boulevard neighborhoods, the Park7 Group was seeking to dramatically alter 32.5 acres of A-1 zoned property to a PUD-11 student housing development. It would consist of 25 buildings, 849 residents, and 870 parking spaces. She wondered about the long term implications of a single-purpose development when this style of housing need was out of fashion or there was a change in the economy. She stated these proposed student apartments were not the types of building that could be put to re-use for other purposes over time, and it lacked diversity even in terms of the type of student that would be able to afford to reside there. This was not good long-term planning for the City or the environment. Approval would make this the second largest student housing development after Aspen Heights and the largest concentration of student housing projects in town when combined with The Domain. She commented that both of the developments shared a limited primary access point at the Highway 63 and Stadium Boulevard interchange. She noted the current A-1 zoning did not allow for this type of development, and asked the Council to take this opportunity to consider whether such a major change was the best and highest use of this land in the long term.

Syed Ejaz stated he was a student at the University of Missouri and the Chairman of the Campus Community Relations Committee in the Missouri Students Association (MSA)

Senate, and noted the MSA had been talking to students over the past nine months with regard to student housing. The largest concerns of the student body were affordability and quality. If Council in good faith felt the current dynamics of the student housing market facilitated genuine competition, protected consumer rights, and provided good information for consumers, he thought they should approve this project, but if that was not the case, he suggested they not approve the project. He commented that these types of decisions had a significant impact on the quality of life of students, and did not believe consumers were getting the best information at this time.

Mr. Thomas asked Mr. Ejaz if he was saying that while students might end up residing in these types of apartment complexes, it was not really their first choice, and they would prefer other types of housing opportunities, which the market had not provided. Mr. Ejaz replied yes. He explained there was a rush at the end of the year for freshman to quickly make a housing decision because they believed spots would fill up. He commented that he believed the vacancy rate at some of these apartment complexes were reported as being incredibly low when that was not the case, and this allowed those complexes to market themselves causing the consumer to buy into an artificially inflated price.

Diane Suhler, 902 Timberhill Road, commented that she was one of the neighbors that had voted against the proposed Park7 Group development, and explained her opposition rested on the belief the proposed rezoning and development was incompatible with smart growth and was harmful to the interests of many stakeholders in the community. The leap from A-1 to PUD-11 was huge, and rezoning was a privilege and not a right. She believed the privilege should only be granted if overwhelming evidence existed to support the need of such a change and if proof was provided that the zoning change would not compromise the character of the City or the interest of its residents. She did not feel either condition had been met. A zoning change to PUD-11 and the approval of an 850 bed student luxury apartment complex implied there was a demand for this type of development. Student housing capacity in Columbia had increased significantly over the past two years and a thorough analysis of the housing market was needed before further single purpose housing was constructed. She noted students came to Columbia to attend the University of Missouri or other institutions of higher education, and consumed housing only as a by-product of their education. Sellers of housing in this market held the power in determining the type of housing available, and students had little other choice if they only provided luxury housing. She stated ad-hoc conversations with students suggested they did not want high-priced luxury housing located 3-4 miles from campus, and preferred affordable, modest housing located close to campus. She reiterated the zoning change was a privilege that had to be substantiated and based on fact, which she did not believe existed in this situation.

Alyce Turner, 1204 Fieldcrest, stated she had concerns with regard to this development. She explained she was on the Environment and Energy Commission (EEC) and the Public Transit Advisory Commission (PTAC) and this development went against many things she had worked on for years. She noted she wanted to move out of her big house as she was fast approaching being a senior citizen and there were not many places for her to move to as there was not a lot of diversity in these student housing developments. In addition, it was not very affordable. She agreed with the neighbors in that this was not in

conformance with Columbia Imagined and the East Area Plan. She suggested a needs assessment be completed to determine if there really was a need for these types of developments. She commented that she was also concerned about the existing neighborhood being gated so they were not impacted by the traffic of this development, and wondered if that was something they wanted as a community. She did not believe there was a need for this large of a development this far from town as students wanted to be closer.

John Prenger, 2611 Mallard Court, explained he was the President of the Shepard Boulevard Neighborhood Association and noted the Association did not oppose the Park7 Group development. In speaking on behalf of himself, he asked the Council to discern this issue well. He asked that they ensure all traffic concerns would be addressed prior to issuing any permits as traffic was an issue now and would get significantly worse with this development.

Mr. Thomas understood the agreement indicated traffic improvements were required to be completed within three years of the development opening. Mr. Teddy stated the agreement indicated the improvements would be done within three years of completion of the development assuming MoDOT approved the transportation improvement permits. He noted the developer did not want to be required to complete the improvements if they had occupied the facility for three years and MoDOT had still not approved the plans. Mr. Thomas understood the developer would not be required to complete the improvements prior to any occupancy of the development. Mr. Teddy stated that was correct, a read item 9 from the statement of intent dated March 20, 2015, which addressed that issue, for clarification purposes. Mr. Thomas understood there were not protections for the desires of the Shepard Boulevard Neighborhood Association.

Kathleen Weinschenk, 1504 Sylvan Lane, asked whether the private shuttle buses that would be utilized by this development would be ADA accessible.

Mayor McDavid understood City buses were ADA accessible, but private buses were not required to be ADA accessible. Mr. Lavine explained they had not purchased the bus, but could purchase an ADA accessible bus. He noted they would also purchase COMO bus passes so those could be provided as well. Mr. Skala understood the COMO bus passes were limited to three years. Mr. Lavine stated that was correct.

Katie Kane, 909 Timberhill Road, commented that her husband had been raised in the home where she and her husband now resided, and noted Timberhill Road was a hilly, curving country road built for 14 homes in a mid-century neighborhood. The site plan for the proposed single purpose development was either the highest point or very close to the highest point in Columbia. The 9-plus acre buffer was a very generous offer by the developer, but it would not really provide protection because a full-size City street would bisect it and connect Cinnamon Hill Lane to Timberhill Road. In addition, the road would cut 15 feet into the first two driveways where it adjoined. She noted GPS programs would likely show Timberhill Road as a direct route from Highway WW to the proposed development as the gate would be on the Cinnamon Hill Lane end, and not that end. She believed this would create an increase in traffic and parking, particularly on weekends, causing difficulties for the residents. She commented that the property in question was wooded with steep terrain, and that could create excavation issues as well. The East Area Plan and Columbia Imagined

addressed stormwater, the watershed, and the preservation of natural features. She felt the excavation of large portions of the climax forest, even when adhering to stormwater guidelines, could likely damage the already impaired Grindstone Creek after heavy rains. She asked the Council to also consider the impact of 1,500 cars at the intersection of Cinnamon Hill Lane and Stadium Boulevard at 7:30 a.m. or 8:00 a.m.

Curtis Edwards, 3601 W. Broadway, Apt. 16-203, explained his group became concerned with housing issues about four years ago when the development of Aspen Heights was under consideration, and their primary concern then was the removal of mobile home residences. As students, they continued to monitor student housing issues as it created a divide between students and residents. He understood there had been an increase in student enrollment, but noted the increase included on-line class enrollment. He pointed out the building of apartment complexes was not the only way to address the shortage of housing, and addressing the affordable housing issue would take concerted choices. He suggested the City think of ways to work together to find affordable housing opportunities for everyone. He noted he had come to Columbia ten years ago and had been provided the opportunity to live near others that were not students, which he felt had been an educational experience. He did not believe students only wanted to live near other students. He commented that student debt was a major problem, and this type of housing exacerbated the problem. He encouraged the Council to think about more affordable opportunities for housing and to vote against this proposed development.

Madge Minor, 919 Timberhill Road, explained her property adjoined this parcel of land and she did not believe this proposed development or land use change was appropriate. Even with significant improvements, such as the buffer, this proposal was not much different than the previous one. It was still a large scale, single-purpose development. The number of beds had only decreased by 50, it was still car-centric, there was no real transition, and it was not a mixed-use development. She believed the addition of four-story buildings to allow for the buffer would be an imposing presence on one of the highest sites in Columbia. In addition, there was not true secondary access, which was required by Code, as the existing Timberhill Road would be gated since it could not accommodate large amounts of traffic. She did not feel this location was suited for this amount of density. She pointed out there were four new developments in the downtown, adding almost 1,700 beds, and noted the University had anticipated 38,000 students in 2019, which was only an additional 2,500 students. She wondered if there really was a need to justify this major land use change. She understood from an article in the *Maneater* that affordability and proximity to campus was what students really wanted, and the Columbia community was concerned with the number of luxury student housing units in terms of the long term implications for excess supply in the neighborhoods. She did not believe a vote against this proposed development was an infringement on property rights, and noted the Council needed to determine how this worked for the citizens and the community.

Leroy Sharp, 3103 Timberhill Trail, commented that his family moved to this location in 1977 and noted he enjoyed the wooded area around them. He explained the neighborhood had been dealing with this matter for many months, and the Park7 Group had listened to the objectives of the neighborhood and had made substantial concessions at arrive to the point

they were at now. He recognized the valid points made by some members of the neighborhood, but believed those opposed would see a vastly different outcome if the proposed plan was completed as many of their concerns would not come to fruition. He asked the Council to approve this project as it would serve as a benchmark.

Evonia Woods, 1806 N. Creasy Springs Road, stated she was a student and asked the Council to listen to the students as they did not want more luxury student housing. They were more interested in affordable housing as they did not want to be in debt. Out of town developers were willing to come to Columbia because this was a lucrative investment. They were not doing this for the students. They were making money off of students, and those students had other tuition and fee increases to consider. She wondered why student housing had to be equated with luxury student housing because 18-22 year olds did not need that type of housing. She asked the Council to vote against this proposal.

Vicki Curby, 1201 S. Rustic Road, commented that she lived one parcel to the east of this proposed development and stated she was also concerned about traffic. She understood there would be a bus, but the residents of the complex would attend various events, go to the grocery store, etc. creating traffic congestion at Stadium Boulevard. She believed the issue tonight was that of zoning, and did not feel changing the zoning from agricultural to a high density housing project was compatible with the East Area Plan as it did not preserve the rural character of the land, protect sensitive to environmental features, improve the transportation system, protect the area from overdevelopment, maintain current developmental density, or increase developmental quality. She was also concerned with the compatibility of this project with Columbia Imagined as this particular property was important to the environment. It was a wooded area and wildlife habitat within the City limits, absorbed airborne toxins from Highway 63, produced oxygen through photosynthesis, stabilized slopes on the Grindstone Creek, etc. She understood some neighbors were concerned about what might happen on that land if this was not approved, but believed the Council would be responsible with regard to any future development.

Doris Littrell, 920 Timberhill Road, explained her home was next door to this development and her fence was on the northern edge of the 40 acres owned by the Lambs. She commented that over the past two years the Park7 Group had worked with the neighbors in good faith in negotiating this proposed development. She did not believe it was necessarily bad for an out of town developer to be involved as they had worked with the neighbors. She understood everyone wanted to preserve the environment and felt the proposal of the Park7 Group had addressed environmental issues. The ten acre buffer assured the trees within the buffer would be in existence in the future, and there would be a 20 acre buffer around the neighborhood. The road that would go through there would be for emergency access only and would have a fence and gate at the other end. She believed the development was appropriate and did not think it was realistic to believe the area would remain wooded forever. She felt appropriate developments with the approval of the neighbors should be approved.

Monta Welch, 2808 Greenbriar Drive, commented that the City was currently reviewing its zoning codes, and believed the new zoning codes needed to be in place before any future development occurred. In addition, she was concerned about the lack of affordable housing

as there was a larger wealth inequity now than there had been previously. She stated she supported a mixed-housing concept as there was already plenty of high-end student housing in Columbia.

Ron Gatehouse, 461 Park Avenue South, New York, New York, stated he was the CEO of the Park7 Group and agreed they planned to try to make a profit on this development. He believed the most expensive housing would be the newer housing closest to campus, and the rents for this proposed project would be significantly more affordable. He explained the least expensive housing would be the oldest developments and those developments further from campus, but noted all of these types of housing provided options for students. He pointed out they would try to offer something that was nice and on the higher end, but 10-20 percent cheaper than typical luxury student housing.

Ms. Peters asked what the rents would be and if they would be renting by the bed or apartment. Mr. Gatehouse replied they offered rentals by the bed or by the apartment, and the rental rates would start at about \$525 per bed. Ms. Peters asked if that would include utilities. Mr. Gatehouse replied it included cable, internet, and furniture. It did not include water, sewer, etc. because the usage was vastly different and it made ecological sense for tenants to pay those bills on their own.

Ms. Nauser asked if they would have options other than a standard four bedroom apartment. Mr. Gatehouse replied yes, and explained they would have studio, one bedroom, two bedroom, three bedroom, and four bedroom apartments.

Mr. Trapp stated he had received more negative feedback about other Park7 developments and asked Mr. Gatehouse if he had any counterevidence. Mr. Gatehouse replied that very few people provided positive feedback on those websites, and asked for some specific comments so he could respond. Mr. Trapp asked if the Park7 Group had a rating with the Better Business Bureau. Mr. Gatehouse replied he did not believe they were rated by the Better Business Bureau.

Mayor McDavid commented that he had voted with the minority in favor of this project in 2014 as he had taken a narrow property rights vision. He was now taking a more expansive public planning position with regard to student housing in Columbia, and as a result, he would not support this project. Over the last 20 years, Columbia had conducted multiple planning initiatives, and all of those plans shared the one common flaw of failing to anticipate growth at the University of Missouri, which had resulted in the failure of planning for student housing. He noted senior administration at the University had not participated in these recent City-wide planning efforts, so while well-meaning Columbia citizens were discussing the town's future, the University was engaged in an active and successful initiative to grow the student body, and hence Columbia's population. He commented that he believed the result of this failure had been the widespread dissemination of students away from the University campus, which perpetuated a commuter and automobile culture in the community. Attempts to connect students through City transit had been costly to Columbia citizens as most students traveled by private shuttle or automobile and public transit would not be robust until the University administration and student body actively collaborated. He believed the majority of the 850 students at the proposed development would drive to campus, and that there was ample opportunity for many students to live adjacent to campus. He noted the H3

Charrette identified the Paquin Tower area as a prime area for redevelopment, and felt that along with the University Village area provided ideal opportunities for the next 5,000 students to live, learn, and enjoy Columbia. Over 1,600 new student beds were slated for completion in the downtown by August 2016, and those students would be able to walk to campus and the downtown. Most of their needs would be met without adding cars to the City's congested streets. He pointed out the Council had the opportunity to decide where future students lived in Columbia and whether they drove cars from remote locations or walked to campus and he believed the 850 students at this proposed development would commute. He felt the development was also too dense and too remote from campus.

Ms. Peters commented that she had spoken to people on both sides of this issue and appreciated the amount of work the developers had gone through to try to accommodate the people of the Shepard Hills and the Shepard Boulevard neighborhoods and the traffic concerns at Audubon Drive and Stadium Boulevard. She noted this was a difficult decision, but as she read the East Area Plan and Columbia Imagined, she believed this proposed development was too dense and would place too many students in the same area, and as a result, she stated she would vote against it.

Mr. Thomas stated his appreciation for the input of University students and hoped it continued on other issues as the University was an enormous component of Columbia. He agreed with a comment made earlier in that rezoning was a privilege, not a right, and was granted by the Council in certain circumstances. As he looked at the Comprehensive Plan and the East Area Plan, he agreed the proposed development was within non-sensitive topography, would preserve much of the property, and was infill development as it was within the City limits and the urban service area and close to a highway. In addition, sufficient infrastructure was in place and the proposal included shuttle service and bus passes. He stated he found it hard to believe the shuttle service and buses would be utilized since there would be more parking spaces than number of beds. He commented that he would love to see a situation where resident would pay separately for a parking space as he believed that would provide a financial incentive to not bring a car to Columbia. He stated he felt the proposed development failed in terms of integration with surrounding land uses. He understood the adjacent neighborhood was supportive of the project as long as there was a fence, a gate, and a buffer, and did not believe that was appropriate in terms of land use planning. He explained he felt this was a good site for a less intense development with mixed uses and mixed incomes. He stated he did not believe the proposed development was appropriate for this site, and would therefore not support the rezoning request.

Mr. Skala commented that he appreciated the amount of time everyone had put into this proposed development. He noted he was glad to see students here, and wished the University administration had attended as well. He explained he had either recommended against or voted against various other rezoning requests involving student developments, such as The Links in Ward 3 and the Brookside apartments in the downtown, and believed this was primarily a rezoning issue. He stated this proposal would create a virtual gated community in terms of fences, buffers, etc. for both the neighborhoods and the students, which he did not believe was beneficial. He thought they should be integrated and not separated. He noted he was also concerned about student debt, and felt this was

exclusionary zoning. He stated another concern was that vacancies in older properties would create a situation whereby the owners of those older properties would not maintain their properties. He stated he would not support this proposal.

Mr. Ruffin commented that a concern of his was that many of the decisions being made were driven by the University's proposal for unprecedented growth in enrollment, and as a member of the University faculty, he knew the University was freezing faculty positions, cutting departmental budgets, and utilizing more adjunct professors. As a result, he believed there would be a crisis moment when the University would have to reconsider its projected activities for increasing enrollment in light of the available resources to teach those students. He noted another concern of his was the building of more luxury student apartments. He disagreed with the thought that this would encourage or promote more affordable housing as he believed the increased rental rates of luxury student apartments were driving rental rates higher throughout the community. He had heard from residents in the First Ward that they could not find a decent, affordable place to live due to the rental rates for student apartments. He did not feel \$500-plus per bed that far from campus was a bargain. He noted he was amazed and pleased with the concerted effort of the Park7 Group and the neighborhood associations to work and plan together, and believed they set a precedent for future developmental projects in Columbia. He commented that he believed a pause in further development adjacent to campus and the downtown was needed as the residents of First Ward were apprehensive of plans for continuing development. In many ways, he felt it was appropriate to build some student housing outside of the immediate downtown area, but noted he would not support this proposal.

Mr. Trapp agreed the City's plans should be the guiding force when deciding whether to approve rezoning projects. The property was incredibly dense with the Holiday Inn and The Domain on one end, while the other end included large acre single-family lots, which made a transition difficult. He did not believe a PUD equivalent to less than what could be done on an R-3 zoned lot was necessarily inappropriate with a large buffer, but this was a dynamic process, and what had impressed him tonight was the input of the students. He hoped the failure of this project would allow them to have a conversation with the University and student stakeholders because no one was satisfied with the status quo of only high-end developments as it did not meet the needs of the community or the student body. He stated he would not support this project tonight and noted he wanted to encourage this dialogue for future planning. He reiterated he hoped this would open the door to a development that would meet the needs for a dense, walkable city while honoring Columbia's sense of place and livability as a community. He did not believe approving this project would increase housing affordability, but noted he was concerned that denying this project and other similar projects would put pressures on housing affordability. He commented that it was not an easy decision, but stated he would vote against this proposal.

Ms. Nauser explained she had supported this project previously and would support it again. She believed the developers had gone above and beyond in terms of working with the neighborhood, and the neighborhood had voted to support this project. She felt this student housing was close enough to campus, and was not sure they could get much closer without continuing to build in the downtown and the neighborhoods surrounding the downtown. She

pointed out she was hearing concerns about an influx of students renting houses in older neighborhoods within the Fifth Ward, and those landlords charging by the bed. Denying this rezoning request did not make rents any more affordable. She understood the University planned to continue to aggressively increase enrollment, and if they were successful, they would need to accommodate those students. The three places for students to live within the community were in the downtown, in the periphery, or in neighborhoods. The periphery did not appear to be acceptable with the denial of this PUD rezoning request. This property was near a hotel, a bar and restaurant, a furniture store, fast food restaurants, a gas station, and the entrance to Highway 63. She did not believe this property would develop with affordable single-family homes because the land was too expensive, the terrain would make development more costly, and the view would be Highway 63. In addition, the neighbors would likely not have a ten acre buffer deeded to them or through-traffic restricted on their road. She commented that they did not have accurate data on rents, and many local rental companies had an invested interest in not allowing the construction of new units so rents would remain high. The lack of supply only increased demand, which would impact affordable housing, especially when students moved into residential neighborhoods.

B86-15 was given third reading with the vote recorded as follows: VOTING YES: NAUSER. VOTING NO: PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. Bill declared defeated.

The vote on R78-15 was recorded as follows: VOTING YES: NO ONE. VOTING NO: NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. Resolution declared defeated.

B88-15 Authorizing an annexation agreement with Crazy Squirrel, LLC for property located north of I-70 Drive Northwest and west of Gibbs Road (Tract 2 and Tract 5 of Abilene Acres).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid asked how much they would pay the City in sewer fees. Mr. Teddy replied it was 80 percent of the regular rate of someone in the City, and that amount was determined by agreement with the Boone County Regional Sewer District (BCRSD). The customer would also be billed by the BCRSD. Mr. Matthes explained their total bill was 50 percent more than if they were in the City. Mayor McDavid asked if it was 80 percent of that total bill or 80 percent of the City's bill. Mr. Matthes replied they would pay 150 percent of what they would pay if they were inside the City limits. The difference between the 80 percent and the 50 percent had to do with the cost of the physical infrastructure that the BCRSD would install. The customer would pay BCRSD for the pipe and would pay the City for treatment.

B88-15 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B89-15 Authorizing an annexation agreement with Wild Rabbit, LLC for property located north of I-70 Drive Northwest and west of Gibbs Road (Tract 1 of Abilene Acres).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Peters asked if the other duplexes within the circle drive were already connected to City sewer. Mr. Teddy replied all of those duplexes were within the connection agreement area. It was a matter of them having a functional lagoon or being previously connected.

B89-15 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B90-15 Granting a variance from the Subdivision Regulations, and a waiver from the requirements of the City Code, relating to construction of a sidewalk along a portion of the north side of Stadium Boulevard adjacent to Lot 3B of Boone Quarry Plat 3A (2620 N. Stadium Boulevard).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid understood the original recommendation of staff to the Planning and Zoning Commission was for denial of the sidewalk variance request. Mr. Teddy stated that was correct. Staff had recommended denial of the variance as a result of their analysis of the policy document.

Mr. Thomas asked what other sidewalks were in place along that part of Stadium Boulevard. Mr. Teddy replied the Monterey Hills subdivision to the west would have sidewalks. Mr. Thomas asked how close that existing sidewalk was to the subject property. Mr. Teddy replied there were none on either side of the stretch of Route E shown on the overhead. Mr. Thomas thought there was a sidewalk around the corner on the south side near a subdivision. Mr. Teddy stated that was the Monterey Hills subdivision he had mentioned. He explained the feeling of the Planning and Zoning Commission was that there was a division in land use with residential to the south and destinations pedestrians would likely travel to were within those subdivisions or to the south, with the exception of Cosmo Park, which was further east. He thought they viewed it as a fairness issue as well since they would only be asking the one property owner to construct a sidewalk and did not know when linkages to that sidewalk would take place.

Mr. Trapp asked if there were any plans for a sidewalk along Stadium Boulevard as there were a number of neighborhoods there, and the people in those neighborhoods wanted a safe way to cross to get to Cosmo Park. He believed this was an important sidewalk, and asked if it was in any future plans. Mr. Teddy replied he did not believe it was in any plan unless staff happened to miss it.

Mr. Trapp stated he had walked this area a few times recently and believed even that small stretch of sidewalk would have value. He also thought there was potential for other developments, so they might be able to catch other pieces along the way. He also felt it should be included in the sidewalk master plan if it was not on that plan already. He understood Cosmo Park did not have sidewalks along that area, but noted the golf cart trail

could serve that function for much of the area. He thought it made sense to require the construction of this piece of sidewalk. He commented that he believed the quarry would be well served to build a sidewalk as well, especially since they had cheap cement.

Ms. Nauser asked if a lot of utilities would have to be moved to construct this sidewalk and asked if it would cost the City anything. Mr. Teddy replied staff felt a sidewalk could be meandered to avoid a utility conflict. He did not believe it was insurmountable given the topography.

Mr. Skala commented that he generally did not agree with the argument of a sidewalk going to nowhere as it became a self-fulfilling prophecy because sidewalks were then never installed. If public safety was really an issue, he thought they needed to ensure it was addressed. He agreed with Mr. Trapp in that they should try to enable access to Cosmo Park.

Mr. Thomas stated he thought this was an excellent place to uphold the ordinance. They had waived sidewalks on dead end streets and residential streets with low traffic volumes and speeds where it was not necessary or would be difficult to construct. He believed this street desperately needed a sidewalk and noted it would be used as there was a sidewalk to the west of this lot. He suggested a HAWK signal across there so it could be activated by pedestrians for safe crossing. He commented that he also felt the City should ensure sidewalks were along the frontage of all City properties. He understood the supporting documentation had indicated it was unsafe to encourage pedestrian activity in the area, and thought they needed to make it safe by requiring sidewalks and other improvements.

B90-15 was given third reading with the vote recorded as follows: VOTING YES: NO ONE. VOTING NO: NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. Bill declared defeated.

B102-15 Authorizing a memorandum of understanding with Columbia Public Schools, Boone County Sheriff's Department and the 13th Judicial Circuit Court – Juvenile Division to establish a cooperative relationship for the handling of school-related delinquent acts by juveniles.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Ms. Nauser commented that she wanted to recognize the fact that all of the entities had worked together to draft the memorandum of understanding. She explained she had worked for 6-7 years with the courts on their juvenile detention alternative initiative in an effort to reduce the population of juvenile detention facilities because children in detention facilities had a greater likelihood of continuing a life of crime as an adult. She noted Boone County was working to overcome the disproportionate minority contact within the juvenile system, and this would help in that effort. It would also help divert kids from going into the juvenile system by putting them in other programs that might assist them. She thanked all of the agencies involved.

B102-15 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B104-15 Appropriating asset forfeiture funds for a staffing optimization study in the Columbia Police Department.

The bill was given second reading by the Clerk.

Assistant Chief Gordon provided a staff report.

Ms. Nauser commented that she believed this would be a more appropriate way to review the situation instead of comparing the number of police officers to the population. It would provide better statistical analyses and crime trends. Assistant Chief Gordon explained the study was designed to determine how they could use sworn personnel to the best of their ability. It would likely involve a review of schedules, relief times, beats, types of crimes, etc.

Mr. Skala understood the consultant would be aware of the capital improvement initiative in terms of the potential decentralization and expansion of police operations. Assistant Chief Gordon explained they were trying to move away from having to bring all of their assets to downtown Columbia where their only police station was located. He noted the new records management system would not require the officer to be tethered to the main building, so they would not come back to the police station once they started their day unless absolutely necessary. He pointed out there was a lot of wasted travel time under the current system, and their goal was to capitalize on efficiency.

B104-15 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

B87-15 Approving the Final Plat of Kitty Hawk Manor, Plat No. 5, a Replat of Lots 57 through 65 and part of Lot 66 of Kitty Hawk Manor Plat No. 2, located on the south side of Gypsy Moth Drive and west of Parker Street; authorizing a performance contract; vacating a utility easement located on Lot 6 within Kitty Hawk Manor, Plat No. 5.

B92-15 Authorizing construction of a sidewalk along the east side of Garth Avenue between Worley Street and Sexton Road, a crosswalk across the east leg of the Garth Avenue and Worley Street intersection with pedestrian push buttons and countdown timers, and reconstruction of six driveways to meet ADA requirements; calling for bids through the Purchasing Division.

B93-15 Authorizing the acquisition of easements and land in fee simple for construction of the Garth Avenue Sidewalk Project, between Worley Street and Sexton Road.

B94-15 Authorizing a first amended and restated cost participation agreement with the Missouri Highways and Transportation Commission for transportation improvements to the Stadium Boulevard corridor from Broadway to I-70.

B95-15 Authorizing a pole removal and relocation agreement with Union Electric Company, d/b/a Ameren Missouri, relating to the Scott Boulevard Phase III Street Improvement Project, from Vawter School Road to Route KK.

- B96-15 Authorizing Amendment No. 1 to the agreement with the Transportation Security Administration, acting by and through the designated representative of the General Services Administration – Public Buildings Service, for the lease of office space in the North Terminal Building at Columbia Regional Airport.
- B97-15 Amending the FY 2015 Annual Budget by adding and deleting positions in the Public Works Department – Parking Utility Division.
- B98-15 Amending the FY 2015 Annual Budget to add positions in the Water and Light Department and Information Technologies Department; amending the FY 2015 Classification and Pay Plan by adding and reassigning positions in the Water and Light Department and Information Technologies Department; appropriating funds.
- B99-15 Accepting conveyances for utility purposes.
- B100-15 Authorizing Amendment #1 to the lease and memorandum of understanding with the Missouri Department of Conservation as it relates to the construction of a portion of the Grindstone Creek Trail within the C.B. Moss Memorial Wildlife Area; appropriating funds.
- B101-15 Authorizing an amendment to the PCS antenna co-location agreement and a memorandum of lease with T-Mobile Central LLC relating to the lease of property on Chapel Hill Road (Fire Station No. 6).
- B103-15 Authorizing a summer food service program inspections participation agreement with the Missouri Department of Health and Senior Services.
- B105-15 Accepting and appropriating donated funds to be used for the Mayor's Climate Protection Agreement Awards.
- R73-15 Setting a public hearing: construction of traffic calming speed tables along a portion of College Park Drive, between Stadium Boulevard and Russell Boulevard.
- R74-15 Setting a public hearing: design and construction of a stormwater quality feature, construction of a sidewalk along a portion of the south side of Nifong Boulevard between the proposed Aurora Drive and Bethel Road, construction of sidewalks along both sides of the proposed Aurora Drive, and the design of a new east-west connector roadway from Peach Tree Drive to the proposed Aurora Drive.
- R75-15 Setting a public hearing: realignment and reconstruction of a portion of Rangeline Road as it relates to Runway 13/31 improvements and relocation of the Runway Safety Area at the Columbia Regional Airport.
- R76-15 Granting a temporary waiver from the requirements of Section 16-185 of the City Code to allow possession and consumption of alcoholic beverages for a Ninth Street SummerFest concert.
- R77-15 Transferring funds to maintain, plant and remove diseased or dead trees within street rights-of-way.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: NAUSER (except for R76-15 on which she abstained), PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

NEW BUSINESS

None.

INTRODUCTION AND FIRST READING

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

- B106-15 Amending Chapter 22 of the City Code as it relates to services and fees in the Downtown Community Improvement District Solid Waste District.
- B107-15 Accepting conveyances for street, sewer, utility, drainage and temporary construction purposes.
- B108-15 Accepting conveyances for Stormwater Management/BMP Facilities Covenants purposes.
- B109-15 Amending Chapter 27 of the City Code as it relates to electric rates.
- B110-15 Amending Chapter 11 of the City Code as it relates to swimming pools; adopting the “Swimming Pool Ordinance and Guide for Swimming Pool Design and Operation.”
- B111-15 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for WIC local agency nutrition services; appropriating funds.
- B112-15 Appropriating funds for Columbia Values Diversity Celebration activities.
- B113-15 Calling a special election to extend the one-fourth of one percent capital improvement sales tax.
- B114-15 Amending Chapter 2 of the City Code as it relates to officers and attendance requirements for the public transit advisory commission.
- B115-15 Amending Chapter 15 of the City Code to make language in certain sections gender neutral.

REPORTS AND PETITIONS

- REP50-15 Citizens Police Review Board – Term Limits.
- REP51-15 Human Rights Commission – Term Limits.

Mayor McDavid understood the Citizens Police Review Board (CPRB) and the Human Rights Commission (HRC) were both recommending the removal of the mandated term limits and noted he was agreeable as these members were confronted with steep learning curves.

Mayor McDavid made a motion directing staff to draft ordinances eliminating the term limits for the Citizens Police Review Board and the Human Rights Commission. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

- REP52-15 REDI Organizational Structure.

Mr. Matthes provided a staff report.

Mr. Skala commented that he appreciated this report and a previous report that had been provided, and stated he would like information from comparable communities to include Austin, Texas. He understood Austin, Texas had a much more conventional approach as the Economic Development Director was a part of the municipality like any other department director. He asked for a report with information about the system in Austin, Texas as he felt that would be useful since they were successful in economic development. He thought it

might be good to schedule a work session to discuss this issue after completion of the report. He noted his intent was to ultimately request an ordinance to ensure better transparency, accountability, and functionality.

Mayor McDavid explained REDI was a multijurisdictional organization and the mayor and city manager of Columbia were REDI Board Members due to their governmental roles, along with representatives of Centralia, Ashland, Hallsville, the University of Missouri, Boone County, and several private entities. It was a public-private partnership and had been extraordinarily successful. He understood the transparency argument, but pointed out some of the negotiations with private companies could not be transparent. He noted they were required to sign non-disclosure agreements prior to companies even talking to them. He explained the REDI Board Meetings were open to the public, but projects would be identified by code names when discussed. He suggested the Council attend some of their meetings.

Mr. Skala stated he had attended several of the meetings, and agreed there had been some successes for REDI, but pointed out there had also been some criticism of things they had sponsored, such as the EEZ. He understood it was an intergovernmental organization, but the City of Columbia was the major contributor. It started out with only 4-5 members and now had about 18-20 members, and as a result some of their influence had been diluted. He noted Austin, Texas had been very successful with a conventional model. He explained he only wanted to consider pulling the administrative staff of REDI back into the municipal government, and expanding some of their responsibilities in terms of culture and quality of life amenities. He wanted better communication and a more effective organization. He pointed out he was only trying to collect information at this time so they could discuss the issues. Mayor McDavid commented that he thought the problem that Mr. Skala felt needed to be fixed should be identified at some point during this evaluation.

REP53-15 Annual Water and Light Advisory Board Report.

Mr. Johnsen provided a staff report, and noted it had been provided for informational purposes.

REP54-15 Environment and Energy Commission – Recommendation regarding Solid Waste and Recycling.

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

REP55-15 Intra-Department Transfer of Funds Request.

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

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Curtis Soul commented that he believed there was a serious problem with regard to how people were treated at the Columbia Housing Authority. He stated women were being targeted and were required to do sexual acts to keep their apartments by the men that worked for the Housing Authority. He noted he had documents and tapes as proof of these activities. He asked for something to be done.

Monta Welch, 2808 Greenbriar Drive, stated she was speaking on behalf of People's Visioning and explained they had asked for changes with regard to the REDI structure in an effort to create an organization that worked better for the entire community. She noted they would be happy to provide input in any reorganization.

Ms. Welch commented that she was concerned about the fast track for the Trans Pacific Partnership by the federal government as it would create more injustice and unrest since good jobs would be outsourced. She understood negotiations to the fast track had been kept classified, which further demonstrated unresponsive governance. She stated the Congressional Black Caucus was largely opposed to fast track and the Trans Pacific Partnership in terms of racial issues. The National Association for the Advancement of Colored People (NAACP) had also been traditionally opposed to free trade due to the dynamic it produced. She asked the Council to vote on the resolution she had provided earlier in the evening when she spoke.

Carolyn Mathews, 4200 Rock Quarry Road, explained she was on the Board of People's Visioning and commented that she believed there was a link between the recent events in cities across the country and the Trans Pacific Partnership (TPP). The root cause of many of these instances was not just police brutality. It also involved joblessness, the disheartened restlessness of youth, the lack of opportunities, etc. The TPP would create an enormous escalation of the trade deals abroad and would take away jobs from those that needed them in the United States. She understood sovereignty rights would be reduced to give corporations more power to sue other nations, and thus, a corporation would be able to sue a country for damages for lost profits if the country had environment regulations a corporation alleged would interfere with profits. She commented that this would make it increasingly hard to keep jobs in the United States and to require corporations to spend their money in the United States versus abroad. She believed movements such as "buy American" or "buy local" would be jeopardized because the TPP would create unlimited access to trade without regulations or hindrances. She felt state and local rights would be jeopardized as well. She asked the Council to take a leadership role on this issue.

Mr. Thomas asked the Bicycle/Pedestrian Commission and the Disabilities Commission to review and evaluate the policy of MoDOT of not marking and installing pedestrian signals for crosswalks unless there was an ADA accessible sidewalk at both ends; to consider whether this policy added to or detracted from the safety of pedestrians and people in wheelchairs and whether it was consistent the National Association of City Transportation Officials (NACTO) design guidelines, which the City utilized; to review the policy in light of the particular situation as Stadium Boulevard and Old Highway 63; and to provide a recommendation to Council with regard to whether MoDOT should be asked to abandon the policy or allow the installation of crosswalks at the City's expense.

Mr. Thomas noted Mr. Matthes had provided cost estimates of possible projects for the capital improvement sales tax and asked for clarification regarding the formal process for finalizing the list. Mr. Matthes replied he hoped there would be a list the Council could agree

on at the next Council Meeting. Mr. Thomas asked if it would be part of what they voted on at the next Council Meeting. Mr. Matthes replied yes.

Mr. Thomas stated he believed they needed to add the 45 traffic calming projects to this list so they were accomplished within the next ten years. He understood the estimated cost for those projects was \$3.1 million and that another project would need to be removed or reduced in scope. He suggested they consider removing the widening of Forum Boulevard from Chapel Hill Road to Woodrail Avenue from the list.

Mr. Skala suggested the Council send potential projects they wanted to be considered to the City Manager, and for the City Manager to compile a comprehensive list for them to review and discuss. Mr. Matthes was agreeable, and noted staff hoped to have Council input on specific projects by the next meeting.

Mr. Thomas understood Mr. Skala had previously asked staff to schedule a work session to address the concerns of Bill Weitkemper in terms of utility billing practices and master meters versus individual meters, and asked for a status. Mr. Skala replied he thought he and Mr. Weitkemper had provided potential dates, but was not sure where they were in that process. Mr. Matthes stated he did not believe they ever settled on a final date, and noted they would try again.

Mr. Thomas understood City staff had worked hard to find a place for the Mid-Missouri High Steppers to rehearse, but had been unsuccessful, and asked if churches had been contacted. Ms. Christian replied she did not believe they were interested in churches as they wanted a place where they could practice on a daily basis for certain hours. She noted she would be happy to revisit the issue and contact churches.

Mr. Skala understood the City had updated the residential codes as part of the previous building code review process, but had not updated commercial codes, and suggested they ask the Environment and Energy Commission to make a recommendation with respect to the commercial aspects of code updates.

Mr. Skala made a motion directing the Environment and Energy Commission to make a recommendation with respect to the commercial aspects of the International Building Code review process. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Mr. Skala asked for the capital improvement sales tax project list to include work similar to that done on Clark Lane for St. Charles Road if a complete street with sidewalks on St. Charles Road was not achievable. He thought that might need to be considered on other roads, such as Ballenger Lane, as well. He suggested those cost estimates be provided so the Council could have that information when finalizing the list.

Mr. Skala commented that he was personally sympathetic to the argument made by Ms. Welch and Ms. Mathews regarding the Trans Pacific Partnership, but noted the Council generally did not take up those types of policy issues. He pointed out that did not prohibit any individual on the Council from being an advocate on any issue.

Mayor McDavid asked staff to look into the allegations of Mr. Soul.

Mr. Trapp stated he had been contacted by a constituent with regard to Bike and Brews, the PedNet fundraiser that had been listed as part of the calendar of events for Bike, Walk, and Wheel Week, as it promoted drinking and biking. He noted he normally sent information regarding Bike, Walk, and Wheel Week to his staff, but had not this year due that event being listed. He thought they needed to consider recovery friendliness issues.

Mr. Trapp noted he had been told the City did not encourage people to ride bicycles at night, and thought that statement was too strong. He felt those with lights and other protective gear should be able to ride at night. He understood there were risks to riding a bicycle at night, but there were also risks to inactivity, etc. He did not believe the City should encourage against riding at night.

Mr. Trapp commented that No Kill Columbia had successfully implemented its spay and neuter project, which was a keystone element to a no kill policy of dramatically reducing animal deaths by controlling the pet population. He applauded this grassroots effort as they now had a staff of six and a full functioning veterinary clinic.

Mr. Trapp congratulated Julie Aber as she was recently named the permanent Executive Director of the Central Missouri Humane Society.

The meeting adjourned at 11:26 p.m.

Respectfully submitted,

Sheela Amin
City Clerk