

**CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBER, CITY HALL  
701 E. BROADWAY, COLUMBIA, MISSOURI  
JUNE 15, 2015**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, June 15, 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 RUFFIN, TRAPP, SKALA, THOMAS, NAUSER and MCDAVID were present. Council Member PETERS was absent. 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 June 1, 2015 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Nauser.

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

Mr. Thomas asked that B138-15 and B144-15 be moved from the consent agenda to old business and that R100-15 be moved from the consent agenda to new business.

Mr. Trapp asked that R101-15 be moved from the consent agenda to new business due to its need to be amended.

The agenda, including the consent agenda with B138-15 and B144-15 being moved to old business and R100-15 and R101-15 being moved to new business, was approved unanimously by voice vote on a motion by Mr. Trapp and a second by Mr. Thomas.

**SPECIAL ITEMS**

None.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

**BOARD OF ADJUSTMENT**

Campbell, Rex, 905 Edgewood Avenue, Ward 4, Term to expire November 1, 2017

**BOARD OF MECHANICAL EXAMINERS**

Oetker, Steve, 4108 W. Rollins, Ward 4, Term to expire June 17, 2018

**BOARD OF PLUMBING EXAMINERS**

Shanker, Richard, 1829 Cliff Drive, Ward 6, Term to expire May 31, 2017

Tipton, Austin, 2418 Whitegate Drive, Ward 3, Term to expire May 31, 2017

**COLUMBIA LIBRARY DISTRICT BOARD**

Baka, Julie, 314 West Boulevard North, Ward 1, Term to expire June 30, 2018

Harrison, Philip, 210 Westwood Avenue, Ward 4, Term to expire June 30, 2018

Jacobs, Jonathan, 12 E. Ridgeley Road, Ward 5, Term to expire June 30, 2018

**COMMISSION ON CULTURAL AFFAIRS**

Fuchs, Nathan, 200 West Boulevard South, Ward 4, Term to expire October 31, 2017

**COMMISSION ON CULTURAL AFFAIRS STANDING COMMITTEE ON PUBLIC ART**

McCarthy, Kay, 3907 Tropical Lane, Ward 2, Term to expire July 1, 2018

**DISABILITIES COMMISSION**

Brookins, Christy, 3210 Kohler Circle, Ward 4, Term to expire June 15, 2017

Gortmaker, Ann Marie, 1714 McAlester Street, Ward 3, Term to expire June 15, 2018

Luebbert, Marcie, 1515 E. Walnut Street, Apt. 103, Ward 3, Term to expire June 15, 2018

Maune, Gretchen, 1006 Otto Court, Ward 1, Term to expire June 15, 2018

Walden, Julie, 2801 W. Broadway S-2, Ward 1, Term to expire June 15, 2018

**HUMAN SERVICES COMMISSION**

First, Nathan, 1007 Westwinds Court, Ward 4, Term to expire December 31, 2017

Suhler, Diane, 902 Timberhill Road, Ward 6, Term to expire December 31, 2017

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

Burks, Taylor, 4905 Shadow Circle, Ward 5, Term to expire November 30, 2016

**PERSONNEL ADVISORY BOARD**

Neal, Sandra, 812 Timbers Court, Ward 6, Term to expire September 30, 2017

**WATER AND LIGHT ADVISORY BOARD**

Ottinger, Hank, 511 Westwood Avenue, Ward 4, Term to expire June 30, 2019

Parker, Dick, 215 W. Sexton Road, Ward 1, Term to expire June 30, 2019

**YOUTH ADVISORY COUNCIL**

Getzoff, Emily, Ward 4, Term to expire February 15, 2016

Salim, Muhammad, Ward 5, Term to expire February 15, 2016

**SCHEDULED PUBLIC COMMENT**

**Mary Hussmann - Why pay-per-throw is a bad idea.**

Ms. Hussmann, 210 Ridgeway Avenue, provided the City a petition signed by 420 residents who felt the proposed changes to the residential solid waste collection system were unnecessary and would be detrimental to the community. The petition asked that the Council not change the current black bag trash system, and that the Council not implement roll carts or sticker fees. She believed Columbians were in opposition to roll carts for a variety of reasons, to include the ugliness of roll carts, the shifting of the cost of bags onto the consumer, the storage of roll carts, the pollution from cleaning roll carts, concerns with moving roll carts to and from the curb in terms of potential injuries to residents, the cost to taxpayers to purchase the roll carts and to replace them every 10 years, and the cost of special trucks needed for roll carts. She commented that the pay-per-throw system would be

too complicated as residents would have to purchase stickers for an unknown cost to place on bags that did not fit into the roll carts or for those people that chose not to use roll carts. In addition, she believed a pay-per-throw system would increase the temptation to illegally dump trash, which would require the understaffed Police Department to increase trash patrol duties and require the involvement of the court system. Trash dumping would also have negative aesthetic and health consequences, and would potentially create divisiveness between neighbors. She asked what the grievance process would be for residents to have charges removed from their bill due to illegal trash dumping, and noted costs would increase because refuse collectors would be required to report the addresses and the numbers of bags without stickers in order for the billing department to record and adjust fees for those addresses. She questioned why taxpayers should have to pay for the extra staff time associated with billing costs. She understood some people would stop recycling if these changes were enacted, so the pay-per-throw system could backfire and not be an incentive to recycling. She wondered why the City would want to change the current residential trash system when people were satisfied with it, and pointed out many residents would not mind paying a bit more to maintain the current collection service. She asked the Council to direct staff to focus on improvements to recycling where they were most needed, and to not create unnecessary problems for residents in terms of the trash collection system.

**Sara Effner and Sean Ma - Ride2Freedom.**

Ms. Effner provided a handout and explained Ride2Freedom involved a group of youth ambassadors from five continents who would bicycle across the United States in order to raise awareness of human rights atrocities in China. The bicyclists began their journey in Los Angeles on June 1 and would come through Columbia on June 29. She stated a public rally to welcome the riders would be hosted at noon at the Boone County Courthouse Plaza on June 29. She thought it was fitting for Columbia to be a stop on the tour given the community's support for bicyclists and the protection of human rights. She pointed out those involved with Ride2Freedom hoped to raise awareness and gain support to end the persecution of people practicing a peaceful meditation practice known as Falun Gong or Falun Dafa as millions of children in China were currently being orphaned, tortured, or murdered because they or their family members practiced Falun Gong. She explained Falun Gong was an ancient Chinese spiritual discipline with slow moving exercises, similar to Tai Chi, with the principles of truthfulness, compassion, and forbearance. Despite its positive health impacts, the movement had come under attack by the communist regime in China. Several thousand people had been confirmed to be tortured to death, but the death toll was estimated to be much higher as it had been alleged that the communist regime had harvested the organs of Falun Gong practitioner prisoners for huge profits. She commented that those involved with Ride2Freedom believed shining a light on this atrocity was the best way to end it, and noted the final mission of the team was to travel to China and return home with five children orphaned by this persecution.

Mr. Ma, a student of the University of Missouri, explained he had discovered a book about Falun Dafa a year ago when he had been in China, and it had answered many questions for him about life and the world. He decided to become a good person by following

the Falun Dafa principles of truthfulness, compassion, and forbearance. He stated many Chinese citizens were afraid of Falun Dafa because of the lies told by the Chinese communist party. Upon discovering that he was reading about Falun Dafa, his parents had become hysterical and had taken him to brainwashing sessions forcing him to say he had changed his belief so he could come to the United States to study instead of having to go to prison.

## **PUBLIC HEARINGS**

### **(A) Construction of a laboratory facility at the Municipal Power Plant for water quality testing.**

#### **B147-15 Authorizing construction of a laboratory facility at the Municipal Power Plant for water quality testing; calling for bids through the Purchasing Division.**

Item A was read by the Clerk and B147-15 was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Mayor McDavid opened the public hearing.

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

B147-15 was given third reading with the vote recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, MCDAVID. VOTING NO: NO ONE. ABSENT: PETERS. Bill declared enacted, reading as follows:

## **OLD BUSINESS**

### **B138-15 Authorizing construction of the Avenue of the Columns streetscape project along Eighth Street, between Walnut Street and Cherry Street; calling for bids through the Purchasing Division.**

The bill was given second reading by the Clerk.

Mr. Glascock provided a staff report.

Mr. Thomas asked how the pedestrian crossing would work at the Walnut Street and Eighth Street intersection and whether vehicles would be required to yield to pedestrians showing the intent to cross. Mr. Glascock replied the pedestrian crossing would be similar to what existed at the Eighth Street and Elm Street intersection, which involved a paddle at the crosswalk on Elm Street and required vehicles to yield to pedestrians in the crosswalk. Mr. Thomas understood the bulb-outs would shorten the distance, and asked if the crosswalk area would have a different visual or textural look. Mr. Glascock replied it was currently a brick crosswalk, similar to the other crosswalks in the downtown, and would remain in that fashion.

Mr. Thomas understood the owner of the Tiger Hotel had concerns when this project had previously been discussed, and asked staff and the owner of the Tiger Hotel had participated in any additional conversations regarding the project. Mr. Glascock replied he believed staff had spoken with the owner, and noted the City still intended to put a bulb-out at that corner as they would on all of the other corners. Mr. Thomas asked for clarification regarding the concerns of the owner. Mr. Glascock replied he understood one concern was that the City would remove the heated sidewalks the Tiger Hotel had installed, and pointed out the City would not get into that portion of the sidewalk as it was located within five feet of the hotel. Mr. Thomas understood the bulb-out would go into Cherry Street. Mr. Glascock stated that was correct, and noted it would also have seating similar to the corners at Eighth

Street and Broadway. Mr. Thomas understood that would allow the north-south crossing distance to be shortened as well. Mr. Glascock pointed out it would only be shortened on the north side of Cherry Street as a bulb-out would not be installed on the south side of Cherry Street.

Mr. Skala asked what the City would do with the stoplights that would be removed. Mr. Glascock replied they would be repurposed. Mr. Thomas understood the removal of the stoplight would save a lot of energy. Mr. Glascock commented that not as much energy would be saved as had been saved in the past due to the new LED lights, but some money would be saved with the removal of the stoplight.

B138-15 was given third reading with the vote recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, MCDAVID. VOTING NO: NO ONE. ABSENT: PETERS. Bill declared enacted, reading as follows:

**B144-15 Amending Chapter 14 of the City Code as it relates to downtown parking zones.**

The bill was given second reading by the Clerk.

Mr. Glascock provided a staff report.

Ms. Nauser asked how much of a discount this would provide compared to the cost of feeding a meter all day. Mr. Bitterman replied it would be quite a discount as the current rate was 60 cents per hour and feeding the meter all day could add up to \$8.00 per day.

Ms. Nauser asked if any spaces in the parking garages could have been used. Mr. Bitterman replied there were spaces available in the parking garages. He noted the 10-hour meter spaces would not typically be located in front of a business where turnover was needed. Many of the meters would be on the west side of Providence or other locations where people did not usually park.

Mr. Skala commented that he liked this idea in general, but wanted to ensure it would not negatively impact any residents from the opportunity to park in front of their own properties. Mr. Bitterman stated these permits would only be for locations where there were currently parking meters. If a parking meter was located in front of a house, that resident likely had a driveway or other location where they parked. Mr. Skala asked how this might impact Lee Elementary School at Locust Street and Waugh Street. Mr. Bitterman replied 10-hour parking meters were currently located on Locust Street in front of the school, and the school had asked that those be changed to two-hour meters. He noted some 10-hour meters would be in that vicinity on Waugh Street, north of Locust Street, but the meters south of Locust Street would remain the same. He pointed out the City had previously worked with the school on hangtags that could be used by school volunteers on a short-term basis.

Mr. Skala asked if the City was pursuing a policy of converting its meters to smart meters. Mr. Glascock replied R100-15 involved an agreement with Parkmobile, which would allow the use of a smart phone in terms of technology. It would not require the City to invest a lot of money and infrastructure into the meters.

Mayor McDavid understood the City currently had about 250 10-hour parking meters and this program would add 60 more meters. He asked if there was a lot of demand for those meters. Mr. Glascock replied no, and explained that was the reason the City was

looking into putting 10-hour meters in areas where there was not a lot of demand for metered parking.

Mayor McDavid asked if the program would be monitored by City staff and downtown businesses, as he envisioned students trying to take advantage of this program. Mr. Glascock replied this was a pilot program, so they could always eliminate the program.

Mr. Thomas asked for a status on the transit component of this downtown employee pilot program. Mr. Glascock replied it was still being worked on by City staff. Mr. Thomas understood everyone involved had been supportive of the idea that downtown employees be included in a category for paying a reduced fare. Mr. Glascock agreed that had been discussed and noted it would need to come to Council for approval. Mr. Thomas stated he had hoped the parking and transit components would go into effect at the same time so they could be marketed together. Mr. Glascock explained this program would not go into effect until August, and he hoped the transit component would be ready for Council by then.

Katie Essing, 11 S. Tenth Street, stated she was the Director of the Downtown Community Improvement District (CID) and noted the Downtown CID Board fully supported this program. They often heard concerns with regard to parking for businesses, and this program would allow people to park longer and further away without being too far to walk, and would allow more turnover in the spaces closer to businesses.

Mr. Thomas commented that he believed this program would improve the parking efficiency downtown as it would create spaces for customers parking for a relatively short time and would encourage downtown employees to park farther away in locations with a lower parking demand due to the discounted rate. He explained Boulder, Colorado had a very successful program where the Transit Authority provided free bus passes to downtown employees. This had been discussed for Columbia, but those involved did not feel it was equitable to offer downtown employees a free bus pass when low-income people and senior citizens were paying a half-priced fare. He hoped the discounted rate for downtown employees could be implemented prior to August so the Downtown CID could market these initiatives as two complimentary options for downtown employees to change their transportation habits.

B144-15 was given third reading with the vote recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, MCDAVID. VOTING NO: NO ONE. ABSENT: PETERS. Bill declared enacted, reading as follows:

**B149-15 Authorizing a capacity purchase and sale agreement with Dynegy Marketing and Trade, LLC for electric system planning capacity.**

The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Ms. Nauser asked if the annual cost was based on whether or not the capacity was used. Mr. Johnsen replied it was the cost of the capacity. He commented that it would be much more costly for the City to not plan for it, and to incur the need and be penalized for not having enough capacity. If there was not a need for the capacity in the future, the City could unload it on the market. This agreement would allow the City to know its costs for a certain

period of time, and not expose its rates to an unknown market cost. He noted staff believed this was a good deal and would stabilize rates for the future.

Mr. Skala understood this capacity would be the capacity purchased from the market in excess of the physical capacity the City already had. Mr. Johnsen stated that was correct. He explained the Columbia Energy Center (CEC), which the City owned, primarily served as a capacity resource, but it could also provide energy opportunities. As a result, it could be run as an energy resource if the City was told by the market to run it and was paid to run it. Mr. Skala understood those generators were expensive to run. Mr. Johnsen stated that was correct, and explained that was the reason it would be responsive to the price of energy on the market. He reiterated this agreement was for capacity compliance and did not provide the City any options to generate energy.

Mr. Thomas asked who had provided the load resource projections and when those projections were determined. Mr. Johnsen replied the projections were done in 2007 as part of the Integrated Resource Plan by Burns & McDonnell, and were updated in 2013. He explained staff reviewed the projections every year and noted it appeared the City was on track to be able to meet those projections. He pointed out it was important for the City to know the costs associated with meeting the projections as those costs impacted rates. He commented that due to impending regulations, capacity could increase significantly in cost so now appeared to be a good time to secure capacity. Mr. Thomas asked if the load projections had included an estimated growth of the customer base. Mr. Johnsen replied yes. He explained the Integrated Resource Plan was an integrated approach to projecting loads and resources utilizing load projections and existing generation projections along with the demand side management programs and the energy efficiency programs. Mr. Thomas asked if it included a projection for on-site solar photovoltaic installation. Mr. Johnsen replied yes. He commented that projections tended to be wrong, but pointed out staff had tried to come up with a good guess in order to be compliant and meet loads.

B149-15 was given third reading with the vote recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, MCDAVID. VOTING NO: NO ONE. ABSENT: PETERS. Bill declared enacted, reading as follows:

**B153-15 Authorizing a fire service cooperative agreement with the Boone County Fire Protection District.**

The bill was given second reading by the Clerk.

Chief White provided a staff report.

Mayor McDavid asked if it was overly simplistic to suggest the City would be able to fund more firefighter positions in the future since the City only had one more \$350,000 payment. Mr. Matthes replied the Council would see that outcome in the next recommended budget.

Mr. Skala asked if this agreement would affect response times and whether this agreement was an attempt at equity in term of the responsibilities of the County's volunteer fire service and the City's full-time fire service. Chief White replied this agreement was an attempt to get to a level playing field so neither agency was taxed more than the other as far as demand. As a result, they had looked at adjustments that would ensure customers were

still taken care of and response times would not suffer. He pointed out it was difficult to say whether response times would be affected since everything was based on historical data, so he could not definitively say that response times would increase or decrease. He explained they had concentrated their efforts on delta and echo level calls, which were very time sensitive, so lesser level calls might see a single response instead of a dual response.

Mr. Skala asked if and when this agreement would be revisited. Chief White replied he and the Boone County Fire Protection District Fire Chief would compare the data and re-adjust responses, as necessary, every six months per the agreement, but pointed out they actually met more often. He noted a benefit of this agreement was that it was a living, breathing document, and could be revisited at any time to make adjustments to keep it a functioning document.

Ms. Nauser commented that in 2009, when the last agreement had been negotiated, there had been many concerned citizens in the Fourth and Fifth Wards. She noted this year she had only received one phone call, and believed that was a testament to how well the City Fire Department and the Boone County Fire Protection District worked together. She thanked those involved for their cooperation this year.

Mr. Skala stated he concurred with Ms. Nauser in that there had been heated discussions in 2009, and noted he believed this was a far better product.

B153-15 was given third reading with the vote recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, MCDAVID. VOTING NO: NO ONE. ABSENT: PETERS. Bill declared enacted, reading as follows:

## CONSENT AGENDA

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

- B136-15 Approving the Final Plat of Barcus Ridge, Plat No. 1 located on the south side of Route K and west of Sinclair Road; authorizing a performance contract.
- B137-15 Vacating an unused sanitary sewer easement within Veterans Campus located at 2112 E. Business Loop.
- B139-15 Authorizing construction of storm drainage improvements at the intersection of Hitt Street and Elm Street; calling for bids through the Purchasing Division.
- B140-15 Authorizing construction of improvements to the intersection of Worley Street and Clinkscates Road; calling for bids through the Purchasing Division.
- B141-15 Authorizing the acquisition of easements for construction of improvements to the intersection of Worley Street and Clinkscates Road.
- B142-15 Authorizing the acquisition of easements for construction of the Upper Merideth Branch Streambank Stabilization Sewer Project.
- B143-15 Amending Ordinance No. 021999 as it relates to the acquisition of easements for construction of sanitary sewers in Sewer District No. 170 (S. Bethel Church Road/E. Poplar Hill Drive); authorizing the acquisition of a revised permanent sewer easement for the property owned by LAHF Investments, LLC.

- B145-15 Authorizing a right of use permit with Bluebird Network, LLC for the installation, operation and maintenance of fiber optic telecommunications cable within City rights-of-way.
- B146-15 Authorizing a contract with Consolidated Public Water Supply District No. 1 of Boone County, Missouri for replacement of a waterline along Scott Boulevard as part of the Scott Boulevard Phase 3 roadway improvement project.
- B148-15 Authorizing an agreement with Charter Fiberlink-Missouri, LLC for the use of the Water and Light Department’s fiber optic cable system.
- B150-15 Authorizing a software support services agreement with Open Systems International, Inc. as part of the Energy Management System implementation.
- B151-15 Accepting a conveyance for utility purposes.
- B152-15 Authorizing a memorandum of agreement with The Curators of the University of Missouri, on behalf of Osher Lifelong Learning Program, for the use of the Hillcrest Community Center and Moss Building on the Waters-Moss property for Parks and Recreation Department activities.
- B154-15 Amending the FY 2015 Annual Budget by adding a position in the Finance Department – Administration Division; amending the FY 2015 Classification and Pay Plan; appropriating funds.
- B155-15 Amending the FY 2015 Annual Budget by deleting and adding positions in the Department of Public Health and Human Services.
- B156-15 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Human Services for WIC local agency nutrition services; appropriating funds.
- B157-15 Authorizing a specifics of rotation agreement with The Curators of the University of Missouri, on behalf of its School of Medicine, to provide infectious disease medical fellows and supervising faculty members educational experience in STD clinical services.
- B158-15 Authorizing an agreement with The Curators of the University of Missouri for the 2015 Missouri State Senior Games and Show-Me STATE GAMES.
- B159-15 Authorizing a settlement agreement with the Missouri Attorney General’s Office and the Missouri Department of Natural Resources relating to compliance issues at the Columbia Sanitary Landfill.
- R98-15 Setting a public hearing: to consider the FY 2016 Capital Improvement Project Plan for the City of Columbia, Missouri.
- R99-15 Transferring funds for the purchase of property located at 307 and 309 St. James Street.

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

**NEW BUSINESS**

- R100-15 Authorizing a license agreement with Parkmobile, LLC for a software application relating to a proposed downtown employee parking permit pilot project.

The resolution was read by the Clerk.

Mr. Glascock provided a staff report.

Mr. Skala asked if this software would create the opportunity to look at previously discussed residential parking permit programs. Mr. Bitterman replied a website would be set up for the downtown employee permit program, which could be expanded to neighborhood permit programs. Mr. Glascock pointed out a problem was that every neighborhood wanted its own system, and the City could not manage multiple systems.

The vote on R100-15 was recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, MCDAVID. VOTING NO: NO ONE. ABSENT: PETERS. Resolution declared adopted, reading as follows:

**R101-15 Authorizing a hold harmless agreement with Mid-Missouri Surgery Center, LLC and Mid-Missouri Real Estate Holdings, LLC in connection with repair and maintenance of a public storm sewer near Forum Boulevard and Forum Katy Parkway.**

The resolution was read by the Clerk.

Ms. Thompson noted an amendment sheet had been prepared because Exhibits A or B had not been included with the contract that had been provided as part of the Council packet.

Mr. Glascock provided a staff report.

Mr. Skala made a motion to amend R101-15 per the amendment sheet. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

The vote on R101-15, as amended, was recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, MCDAVID. VOTING NO: NO ONE. ABSENT: PETERS. Resolution declared adopted, reading as follows:

**R102-15 Authorizing a software license and services agreement with SunGard Public Sector, Inc. for a Records Management System (RMS) for the Police Department.**

The resolution was read by the Clerk.

Mr. St. Romaine provided a staff report.

Ms. Nauser asked how long this would take to implement. Mr. St. Romaine replied he thought it would be 12-14 months based on discussions with SunGard and other agencies that had implemented this system.

Mr. Skala asked if there was a possibility for SunGard to serve both the City and County. Mr. St. Romaine replied he understood the Boone County Sheriff's Department liked the SunGard system, but the 911 dispatchers still needed to be convinced as they had used a computer aided dispatch (CAD) product for 22 years. He thought SunGard had planned to demonstrate its software to them and would allow them to use it for a short period of time. He stated it made sense for them to all use the same system, and noted City staff wanted to keep moving this project forward as it was needed.

Roger Fries, 3512 Hedgewood Drive, asked if this system would alleviate the need for another precinct headquarters since the officers would be able to do more work from their vehicles instead of at a desk. Mr. Matthes replied City staff felt the need for the north station was independent of this software decision as it would not mitigate the number or location of

calls received. This system would only make them more efficient in handling the calls. He noted office space was still a critical need, and it made sense to put that space in a location the calls came from.

Ms. Nauser commented that she had participated in the Citizens Police Academy, which had involved a ride-a-long, and she had been struck by the fact the officer had to come downtown to go through a long and arduous process of entering data from the events that had occurred that evening. She pointed out she had the opportunity to view police reports as part of her day job, and they were difficult to read and antiquated. She stated she was supportive of anything that would make those reports easier to read and understand, and believed this new software program was long overdue.

Mayor McDavid understood this technology would enhance productivity, which was needed, and suggested they move forward.

Mr. Skala stated he agreed an upgrade in technology was long overdue.

Mr. Thomas understood the City would pay a one-time cost of a little less than \$1 million. Mr. St. Romaine stated that was correct, and pointed out there was also an annual maintenance cost of about \$68,000, which provided them the opportunity to keep up with software upgrades. It was about 23 percent of the cost of the software license fee.

Mr. Thomas asked if the amount of time that would be saved had been estimated since officers could remain ready to respond to a call as opposed to driving back to the station. Assistant Chief Richenberger replied he could not provide a good estimate, but knew it would help quite a bit.

Mr. Thomas stated he thought this would provide a good return on their investment.

Mr. Trapp commented that he found software contracts to be educational as they tended to break down business practices to show what was done or what entities wanted done. He stated he was excited about the advanced capabilities of this software with regard to tracking data and mapping, as he felt it could help them understand the City's crime problem in more detail and develop more effective solutions. He noted this seemed long overdue, and hoped the City's public safety partners in the region would follow this path.

The vote on R102-15 was recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, MCDAVID. VOTING NO: NO ONE. ABSENT: PETERS. Resolution declared adopted, reading as follows:

**R103-15    Setting a public hearing: discuss the Downtown Charrette Report and options for development of the southeast corner of Broadway and Providence Road.**

The resolution was read by the Clerk.

Mr. Matthes provided a staff report.

Mr. Skala asked how this interfaced with any legislative decision regarding CVS. Mr. Matthes replied he felt the two issues were independent. He explained he was not certain as to when the CVS project would come back before the Council, but thought the 90-day waiting period would end in June or July.

Mayor McDavid commented that he felt this was strange request as the public hearing would be non-binding. There was not any specific proposal, and the property, which was owned privately, was under contract for sale. Mr. Thomas stated the City frequently entered

into land purchase contracts and could decide whether to make a better offer than CVS. He did not believe there was anything wrong with a discussion. Mayor McDavid felt that would be a negotiation.

Brent Gardner, 2209 S. Country Club Drive, stated he was the Chair of the Downtown Columbia Leadership Council (DCLC) and noted the DCLC had requested the Council hold a closed meeting about a month ago due to the sensitive nature of real estate matters. He pointed out it would not be a purchase of the property, as it would be a lease. He understood CVS was in negotiations with the property owner, but the City could lease the property if it and the property owner were agreeable. He explained the City owned what was essentially the parking lot to the west of the Ice House Building, and the property owner had some interest in that property. The DCLC was only asking for a discussion to determine if the public had a desire to pursue the lease of the property. He noted 90 days per his calendar would be July 6 for the CVS proposal to come forward. He asked if the public hearing on the property would be a part of the Council Meeting if it was held on July 6. Mr. Matthes replied the proposal was for the hearing to be held as part of the Council Meeting. Mr. Gardner reiterated the DCLC only felt there should be a public discussion. He pointed out the extension of the park to the corner had been mentioned in the Sasaki Plan as an idea in the 1970's in addition to in being discussed in the H3 Charrette Report.

Mr. Ruffin stated he would support the opportunity to hear from the public, and this would provide the option for people to speak directly to the Council regarding ideas they had for that corner. He thought the discussion should occur before the CVS proposal came back to Council and noted he would try to make the July 6 Council Meeting.

Ms. Nauser commented that she felt this was inappropriate as the City did not own the property and did not have the money to purchase it. In addition, the property was subject to negotiations between two private individuals. She did not believe the City should hold a public conversation to do something different with the property. She noted the Council had passed interim C-2 zoning to add another obstacle to the development of this property and other developments that were in the process. She understood a group of citizens who did not want a CVS located at that corner and preferred a park at that location had asked for the public discussion. She stated she would not vote in favor of holding a hearing on this issue, and believed CVS should be welcomed as they would provide competition for Walgreens and other businesses, which would lower the costs of prescription drugs and other products, and would provide more jobs in the downtown area. Property taxes for the schools and the community would be paid if CVS developed the property, and this would not occur if the City developed a park at that location. She reiterated she believed holding a hearing on this issue was completely out of line, and stated she would not support this resolution.

Mr. Skala stated he did not see this as a taking or foreclosure. He noted he only wanted to restore and build trust between the community and the City, and believed the best way to do this was to invite the public to participate. He did not feel that would jeopardize the ongoing lease negotiations. He stated he only wanted to harvest ideas and believed this was a legitimate forum. He commented that he did not have any particular position and only wanted to listen to public.

Mr. Thomas agreed he believed it was legitimate to hold a public hearing on this issue so the Council could hear the community's vision for this critical piece of property in the downtown. He did not feel ownership or the lack of ownership of the property meant the public could not create a vision or share ideas for the property. The Council could then choose whether or not to negotiate with the property owner if the property owner even wanted to negotiate. He commented that he personally did not favor the park extending to Broadway. He believed a mixed-use, two-story or taller building should be located at the corner of the Broadway as it would create an architectural entrance to downtown Columbia. He envisioned a nice restaurant with an outdoor deck overlooking the park, and thought the public hearing could generate other ideas.

Mayor McDavid noted the H3 Charrette Report suggested streetscape improvements in the area and for the park to extend to the Ice House. The H3 Charrette Report also included an integrated funding mechanism for its ideas, which included tax increment financing (TIF). He explained Mr. Matthes had proposed a TIF to fund improvements to the downtown and it had been soundly rejected by the community. He commented that he thought it would be terrific for the City to own this property and for it to be converted to a park, but understood the property was not for sale. The owner intended to pass down this family resource to his children and grandchildren. He also understood the 1.4 acre property was valued at \$5 million, and that the City could force the sale of the property through eminent domain, which he would not support. He did not believe the City could afford the purchase or lease of this land as money was already lacking to fund more firefighters and police officers and to repair streets in a timelier manner. He understood a lease would cost about the same as the purchase of the property with a 30 year mortgage and three percent interest rate, and was about \$250,000 annually. In addition, the cost to demolish the Ice House would be significant since it would involve asbestos and lead paint. He hoped the public realized this was a very expensive piece of property that was currently not for sale.

Mr. Skala stated he felt Mayor McDavid had made a lot of assumptions and he preferred to hold the public hearing without making any assumptions. He agreed the public needed to be educated as to the reality of the situation, but did not feel that should preclude the Council from obtaining public input.

Mayor McDavid explained he would vote against holding a hearing on this matter until the land use issue was resolved as there was a contract between two private parties at this time. He stated this would be a moot point if the Council accepted the changes made by CVS, and noted the attorney representing CVS had told him they planned to come before the Council with another proposal soon. He pointed out he was willing to hear from the public on this issue and could be reached by e-mail or telephone.

Mr. Thomas stated he did not believe the TIF mechanism had been roundly dismissed forever. He felt there had been a lot of suspicion because it had been rushed without a proper explanation of the reason for the rush. He thought they could look at the TIF as a mechanism in the future for downtown improvements, and believed this might be a good way to start that discussion.

Ms. Nauser commented that the only interested parties meetings the City had held were for project they intended to move forward with in some manner. She was not sure how

they could hold a hearing on a hypothetical situation. She wondered how someone's judgement might not become clouded with regard to the CVS proposal if the citizens indicated they preferred a park at that location. She stated she agreed with Mayor McDavid in that the CVS issue needed to come to fruition in terms of land use before a community discussion was held. She noted the public could speak when the CVS issue came back before the Council as well. She commented that if the CVS project was denied by Council as a result of a public hearing on this issue, she would oppose the parks sales tax initiative as she did not feel that should be used to pay for this property. She reiterated she thought they needed to wait to hold a hearing until the CVS issue was resolved.

Mr. Trapp stated his impetus to support holding a public hearing was to honor the request of the DCLC and the views of Mr. Ruffin, the Ward 1 Council Member. He thought Mayor McDavid made a good case with regard to the obstacles of this becoming a park. It would involve a lot of money to not own the park at the end of 30 years of hefty payments. He thought this hearing might restore dialogue and conviviality, and would likely save time in the long run. He agreed allowing the public a chance to speak would not abrogate the rights of the property owners or CVS moving forward with their project, and the Council could then weigh the law and make a decision in the best interest of the City independent of the public process.

The vote on R103-15 was recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NAUSER, MCDAVID. ABSENT: PETERS. 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.

- B160-15**     **Rezoning property located on the east side of Brown Station Road and south of US Highway 63 from PUD-12 and M-R to M-R and M-C; approving a revised statement of intent; setting forth a condition for approval; requiring a traffic study.**
- B161-15**     **Approving a major revision to the 1109 Locust Street C-P Plan located on the north side of Locust Street, between Hitt Street and Waugh Street.**
- B162-15**     **Changing the name of “Diamond Creek Lane” located south of Old Hawthorne Drive East to “Screaming Eagle Lane.”**
- B163-15**     **Approving the Final Minor Plat of Broad Building Supply located on the southeast corner of Brown Station Road and Paris Road; authorizing a performance contract; granting a variance from the Subdivision Regulations, and a waiver from the requirements of the City Code, regarding sidewalk construction.**
- B164-15**     **Approving the Final Plat of Red Bird Run Subdivision located on the west side of Old Plank Road and south of Glasgow Drive; authorizing a performance contract.**
- B165-15**     **Authorizing construction of sidewalk improvements along the south side of Elleta Boulevard from Rangeline Street eastward to the existing sidewalk; calling for bids through the Purchasing Division.**

- B166-15 Authorizing construction of accessible parking improvements on the northeast corner of Broadway and Eighth Street, the northwest corner of Broadway and Tenth Street and on the south side of Broadway adjacent to the alley between Hitt Street and Waugh Street; calling for bids through the Purchasing Division.
- B167-15 Amending Chapter 14 of the City Code to prohibit parking along the north side of Greeley Drive.
- B168-15 Amending the FY 2015 Annual Budget by adding and deleting positions in the Public Works Department; amending the FY 2015 Classification and Pay Plan to add and close positions.
- B169-15 Authorizing the Havens Drive and Wilderness Way Area customer transfer agreement with Consolidated Public Water Supply District No. 1 of Boone County, Missouri.
- B170-15 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Career Awareness Related Experience (CARE) Program for youth employment placement and mentoring services.
- B171-15 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Adapted Community Recreation Program.
- B172-15 Authorizing a participation agreement for state investment in local public health services with the Missouri Department of Health and Human Services.
- B173-15 Authorizing a program services contract with the Missouri Department of Health and Human Services for the Show Me Healthy Women program.
- B174-15 Authorizing a memorandum of understanding with the Missouri Department of Health and Human Services for the Children's Health Insurance Program health services initiatives.
- B175-15 Appropriating funds to recover costs associated with the formation of the Business Loop Community Improvement District.

## REPORTS AND PETITIONS

### REP67-15 Zoning Text Amendment to Kennel Use Standards.

Mr. Matthes provided a staff report.

Mayor McDavid made a motion directing staff to prepare the necessary text changes and to refer the matter to the Planning and Zoning Commission for a public hearing. The motion was seconded by Mr. Skala.

Mr. Thomas understood the City's nuisance ordinances regarding barking dogs would continue to apply. Mr. Matthes stated that was correct.

The motion made by Mayor McDavid and seconded by Mr. Skala directing staff to prepare the necessary text changes and to refer the matter to the Planning and Zoning Commission for a public hearing was approved unanimously by voice vote.

### REP68-15 Proposed Revisions to Chapter 22 of the City Code relating to Industrial Pretreatment Requirements.

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

### REP69-15 Vision Commission Implementation Status and Media Mentions Reports.

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

**REP70-15 Intra-Departmental Transfer of Funds Request.**

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

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Jim Loveless, 2404 Topaz Drive, explained he had concerns about holding a public hearing on an evolving matter that the public had very little influence over as it involved private property being pursued by a private corporation. He stated there would be a litany of testimony with regard to how wonderful this property would be as a park. He was afraid the Council would risk losing credibility by listening to the people and then ignoring their wishes since the City would not have any authority in the matter.

Eugene Elkin, 3406 Rangeline, thanked the City Manager for thinking about the homeless, the poor, and the needy.

Mr. Elkin pointed out corporations did not necessarily pay taxes to the State of Missouri since they operated out of other states. He agreed with the previous speaker in that the City did not need to be involved with two private entities, but wondered if the City would actually gain taxes in that situation.

Mr. Elkin understood a homeless man had passed away at the laundromat on Garth Avenue around April 1, and noted he had contacted the Police Department to determine what had happened, but had not received a response. He asked the City to look into the passing of any homeless person. He explained he did not need details, but wanted to know if the family had claimed the body.

Ms. Nauser explained CVS would pay property taxes and sales taxes to the City, and any employees working there would pay income taxes to the State of Missouri. More property taxes would be gained from a pharmacy and store than a park.

Mayor McDavid suggested everyone read a December 1, 2007 article written by Ray Beck in the Columbia Business Times regarding the restoration and renovation of Flat Branch Park. He noted the park looked awful in the late 1960s and getting it cleaned up was a testament to the efforts of Mr. Beck and City staff.

Mr. Ruffin asked Ms. Effner to clarify what she was requesting from the Council in regard to the Ride2Freedom event. Ms. Effner replied they were asking for support in any matter agreeable and provided a letter of support, speaking at the event, donations, etc. as examples. She wanted to invite the community to help provide a warm welcome to the Ride2Freedom bicyclists and believed it would be a wonderful event for the community and human rights.

Mr. Ruffin understood Ms. Effner was requesting the Council personally endorse and inform people of the event. Ms. Effner stated that was correct.

Mr. Ruffin commended Mayor McDavid for presenting some compelling points of view regarding the complexities of the issue of the property at Providence Road and Broadway.

He felt the Council should listen if people wanted to speak, even if it risked compromising the Council's credibility or acknowledging they had no authority to make a final decision. He thought the facts would eventually speak for themselves.

Mr. Trapp thanked Mr. Matthes for his letter to Governor Nixon asking for a veto of HB722, which was the pre-emption bill that would strip away local control to enact ordinances regarding employment law and plastic bags. He believed the local governmental process was the best venue to vet ideas because local officials had more time, local officials were in closer contact with the people, it was more of an open process, there was less monetary influence, and the Council met for the entire year so there was not a rushed time frame. He asked if the each Council Member would be willing to sign a letter in support of Governor Nixon vetoing HB722. The Council was agreeable.

Mr. Trapp made a motion directing City staff to draft a letter to be signed by the City Council urging Governor Nixon to veto HB722. The motion was seconded by Mr. Thomas and approved unanimously by voice vote.

Mr. Trapp explained an idea was raised when he, Mr. Thomas, and representatives from St. Louis and Kansas City had met with Governor Nixon's policy advisor, Jeff Harris, to express concerns about local employment law with regard to an ordinance that would grant unpaid leave to crime victims testifying in court as this could be difficult in terms of prosecution, especially in sensitive cases such as domestic violence and sexual assault. He asked City staff for a report on a potential draft ordinance that would grant unpaid leave to crime victims so they would be able go to court and follow through with court procedures.

Ms. Nauser commented that she believed the current trash collection system had been implemented by Mr. Beck and understood some of the very same arguments had been presented then as were being presented now with regard to illegal dumping and aesthetics. She suggested the trash bag conversation be taken in stride.

Ms. Nauser explained she had requested staff to look into potentially requiring property owners to show their property was not polluting the sewer system a while ago, and asked for a status on the feasibility of that requirement. She believed this was important in light of the regulations of the Environmental Protection Agency (EPA) and state regulatory agencies, and would help the City in terms of the inflow and infiltration issue. She noted the City was currently trying to find leaks by looking at every house in each watershed, and this program was being paid for by the ratepayers and taxpayers. She felt each property owner should be responsible for showing their property was not illegally polluting the sewer system.

Mr. Thomas assumed the Police Department collected information when someone passed away, and asked if Mr. Elkin's request could be addressed. Mr. Matthes replied yes.

Mr. Thomas commented that he did not feel the conversation involving Flat Branch Park and the Ice House property was substantially different from a previous conversation involving Stephens Lake Park. He recalled the property owner at the time, Stephens College, had been interested in selling the property and developers had been interested in developing

it with a strip mall and condominiums. This resulted in the public voicing their opinions, and eventually led to the City purchasing the property. He believed the public should be able to express their opinion regardless of whether this conversation would lead to a similar result.

The meeting adjourned at 9:03 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk