

**CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBER, CITY HALL  
701 E. BROADWAY, COLUMBIA, MISSOURI  
DECEMBER 7, 2015**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, December 7, 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 November 16, 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. Skala asked that B343-15 be moved from the consent agenda to old business.

Mayor McDavid asked that B329-15 be moved from the consent agenda to old business.

The agenda, including the consent agenda with B329-15 and B343-15 being moved to old business, was approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Nauser.

**SPECIAL ITEMS**

**Swearing in of Jim Chapdelaine as the Director of Information Technology of the City of Columbia.**

Mayor McDavid asked Mr. Chapdelaine to join Mr. Matthes, City Manager, and Ms. Amin, City Clerk, to the podium.

The City Clerk administered the oath of office to Mr. Chapdelaine as the Director of Information Technology.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

None.

**SCHEDULED PUBLIC COMMENT**

**Martha Brownlee-Duffeck – Update on the implementation of the Mayor’s Task Force on Community Violence.**

Ms. Brownlee-Duffeck stated she was speaking as a friend of Race Matters and noted she was a clinical psychologist. She commented that from a neuroscience perspective, it was critical to understand how the brain worked as it had two processing systems. One system processed in milliseconds before having a chance to reach conscious awareness. The other processed things slowly within conscious awareness. In addition to processing at a lightning speed, the first system processed into binary categories, such as threat versus

non-threat, good versus bad, black versus white, us versus them, etc., and this was considered to be implicit bias because people did not have a conscious awareness of those biases. She noted everyone had them regardless of their conscious experience because that was how the brain worked. She explained there was substantial social psychology literature that suggested the more people denied the existence of implicit biases, the more they tended to act in ways that were consistent with racial stereotypes. Since these biases were invisible to a person's awareness, the only chance they had to act in ways that were truly fair was to acknowledge these invisible attitudes existed as a part of the human species. With this awareness, people could then use the second system to choose how to respond to highly nuanced and emotional situations. She provided examples and noted the American with Disabilities Act had been signed into law 25 years ago, and as a result, it was not legal access that led people with disabilities to feel marginalized. It was a more subtle and much harder to change implicit attitude of the able-bodied society that led to this. She felt the divide could be healed by listening, having an open mind, and attending to the matter, and thought Columbia could lead the way. She pointed out there were three community panel discussions that would be hosted by the Diversity Awareness Partnership (DAP) of Columbia, and the first would be held tomorrow at Stephens College. The others would be held on Thursday, December 10 at Veterans United and Friday, December 11 at Shelter Insurance.

**Rachel Ruhlen – Consultant/staff parking workshop recommendations.**

Ms. Ruhlen commented that everyone complained about traffic and parking in the downtown area, and believed downtown Columbia could thrive even more if they could resolve the congestion and parking issues. She understood most people believed the problem with parking was that there was not enough of it, but the parking audit recently conducted found the downtown to have ample parking. She pointed out parking also generated congestion, and some studies had indicated that up to 80 percent of traffic was due to people circling the area looking for a parking spot. She urged the Council to enter into an agreement with the Smart Growth America team that had conducted the parking audit so these issues could be addressed with the help of experienced professionals. She understood City staff had supported three of the four recommendations. She noted she was also supportive of a parking commission, but thought a transportation commission that included parking, oversight of roads, the way vehicle traffic moved, etc. should be developed instead. She pointed out this type of commission existed in Jefferson City, Kirksville, and Lawrence, Kansas. She understood staff was not supportive of the fourth recommendation, which was to develop an access and circulation plan, and believed there had been some miscommunication. She commented that the staff response had been that the City had tried one-way streets in the 1970's and it had not worked, and did not understand what that had to do with an access and circulation plan. She understood an access and circulation plan involved improving traffic flow and safety by reducing the number of travel lanes, adding pedestrian space and bicycle lanes, adjusting the light signals, etc. She urged City staff to reach out to Smart Growth to obtain clarification regarding the recommendation of the access and circulation plan, and to potentially revise their response and recommendation to Council based upon that clarification as she believed a better explanation was needed. She

commented that she was excited the City was reconsidering its approach to parking as it was a critical element of traffic.

**Maxine Ferguson and Bill Reahr, Southfork Lake Homeowners Association – Off-site impact of erosion from projects located at intersection of Scott Boulevard and Route KK.**

Ms. Ferguson and Mr. Reahr withdrew their request to speak.

**Roy Hartley – Columbia’s climate change obligations.**

Mr. Hartley explained people’s activities were changing the very atmosphere they all relied upon for every livelihood, and he did not feel business as usual was an option. They needed to stop adding carbon dioxide to the air as their lives depended on it. He commented that six inches of rain overnight was unusual, but it was becoming more frequent. The weather tomorrow would be in the 60’s and was not normal. He stated the evidence was everywhere with drought, floods, hurricanes, tornados, wildfires, etc. He noted each of them needed to do what they could to address the issue of climate change. They were in a climate catastrophe of their own making so everyone needed to take personal responsibility. He believed the Council had the moral obligation to examine the decisions made through the lens of climate science. He commented the City had done quite a few things correctly, but had done some things in the past that were bad or devastating as well. He asked the Council to recognize the situation from this point forward and to make an effort to reduce carbon dioxide in the atmosphere. He suggested the building codes be strengthened for maximum insulation and for LED lighting to be required so as little electricity as possible was used. He also suggested new homes be built to face the south so roofs could accept photovoltaic panels to generate renewable energy, and for subdivisions to be laid out as a grid so people did not have to walk miles through blind cul-de-sacs to get out of a subdivision. He asked that new subdivisions be located along bus routes as well as he believed these types of improvements would improve the quality of life. He reiterated the Council had the obligation to consider climate change with every decision it made.

**Erika K. Patterson – Health inequity in our community.**

Ms. Patterson stated she was licensed psychologist and a member of Race Matters, and wanted to share some tools that could help them move forward with cultural competency. She displayed Edward Hall’s Cultural Iceberg model, which indicated there was surface culture and deep culture. Surface culture, such as classical music, folk dancing, games, cooking, etc., was what they thought of as typical. It was conscious and external. Deep culture involved the subconscious and unconscious, and was internal, difficult to change, and mostly unexamined. These deeper thought patterns and values drove people’s behavior. She explained it was what was assumed was right, and if unexamined, could result in dangerous impacts on choices. She displayed another model developed by Terry Cross entitled the Cultural Competence Continuum, and it was excellent way to think about one’s own level of cultural competency in terms of how one might perceive others. The continuum went from cultural destructiveness to cultural proficiency. The middle sections, cultural blindness and cultural pre-competence, were where most people fell. Cultural blindness was

the idea that what worked for the dominant culture would work for everyone regardless of race or cultural background, and this was a risky and dangerous approach because it was based upon the idea of assimilation. It was unrealistic and lead to blaming marginalized groups for the adversity and difficulties they faced, and was an overall low diversity mentality. She commented that she found cultural pre-competence helpful as a movement to valuing diversity, emphasizing human rights, taking specific steps for hiring practices, etc., but noted it could lead to tokenism or the idea of one person representing the group because there was not a clear plan to maintain or build upon cultural competency. She suggested mission statements, policies, evidence-based practices, the recruitment of actively marginalized members, etc. as specific steps in addressing cultural competencies. She suggested taking self-assessments to get a sense of where one might be, and to then create specific tasks to undertake. She pointed out experts felt the only way to overcome unconscious biases was to immerse one's self in another culture, but she believed specific steps could be taken to help the situation. She urged everyone to participate.

## **PUBLIC HEARINGS**

None.

## **OLD BUSINESS**

### **B295-15 Amending Chapter 20 of the City Code as it relates to the schedule of fees for processing rezoning applications from any district to district R-1.**

The bill was given third reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Peters understood this would allow the rezoning of any district to R-1, and asked how this affected agricultural districts, specifically those along the Rock Quarry Road Scenic Roadway. Mr. Teddy replied the fee would be waived for rezonings from A-1 to R-1, similar to that of a rezoning from a commercial district to R-1 or from R-2 to R-1. He explained they had decided to make it broad because they felt it would simple to administer, and did not know if this would spur applications for downzoning. The fee schedule was graduated and had a base fee of \$300 that increased in cost based upon parcel sizes. He commented that A-1 was a peculiar district in that it allowed subdivision into R-1 sized lots, but required large side yards, which was not practical. As a result, the normal use for A-1 was for 2.5 acre lots that could be used for agricultural functions, a second dwelling, etc.

Ms. Peters asked why A-1 to R-1 was considered a downzoning. Mr. Teddy replied it was because the agricultural district allowed for some commercial functions.

Carol Rogers, 111 Anderson Avenue, noted she lived in the West Central Columbia area, and encouraged the Council to support the waiver of advertising costs. She stated she believed they could work in small block groups in terms of downzoning, and felt people would be more likely to downzone if they did not have to pay any fees. She did not want her neighbors to have to come before Council to obtain a waiver every time someone was ready to downzone. She thought it would be good for the neighborhood if downzoning to R-1 could occur without any costs.

Dan Cullimore, 715 Lyon Street, commented that he was the President of the North Central Columbia Neighborhood Association (NCCNA) and urged the Council approve the waiver of fees in the manner proposed by the amendment sheet. He noted they had been concerned about the rezoning of A-1 districts to R-1, and thought that should probably not be allowed. They also had some concern for the inclusion of advertising fees and had discussed the capping of those fees or splitting them in some manner to encourage low-income homeowners to downzone their properties because most properties in the central city had been previously blanket upzoned by Council action without a request of those previous property owners.

Mark Farnen, 103 E. Brandon Road, stated he was opposed to this bill because he felt it was unnecessary. He thought it would contradict the West Central Columbia Neighborhood Action Plan the Council would consider next as indiscriminate downzoning would result in a peppering of individual R-1 zoned lots within a matrix of higher zoned parcels. He noted staff had suggested willing participants and property owners, when possible, jointly petition the Council for a change in zoning with other interested neighbors in order to maximize the stabilization potential of the action, and believed this bill would eliminate the thought to do this in a group as it would allow for individual downzoning. He felt this contradicted an earlier action of the Council in that same regard as well. He commented that the West Central Columbia Neighborhood Action Plan, while not perfect, achieved better equity and helped to resolve zoning disparities through the cooperation of stakeholders and the use of accessory dwelling units in an overlay rather than creating a downzoning free-for-all. He pointed out the bill would waive normal fees without any requirement to demonstrate hardship, need, or economic impact. He suggested leaving the fees intact and earmarking them for an affordable housing fund as that would truly begin to address a community and neighborhood need, and would specifically address the fact that downzoning could result in fewer rather than more affordable housing units. He commented that he believed downzoning had the potential to intentionally diminish the value of a piece of property that might secure a mortgage or business loan or be subject to a lien. As a result, if the bill passed, he suggested requiring applicants to disclose any encumbrance on the property and for the City to report to such applications to loan or mortgage holders since they were interested parties. He noted the new zoning code would be discussed next year, and it was anticipated that owners of lower zoned properties would be able to exercise control over other properties they did not own. The bill cleared the way for individuals to mess with the legitimate property rights of other landowners. He stated property owners already had the right to downzone their property during the open enrollment period, and this bill did not have to be passed to allow the West Central Columbia Neighborhood Action Plan to move forward. He did not feel this was a situation of good public policy, and believed it was an attempt to use the City Code to enact a political tactic. He asked the Council to vote against the bill and the proposed amendments.

John Clark, 403 N. Ninth Street, commented that a lot of the area north of Broadway, such as the West Central, North Central and Benton Stephens, had been blanket upzoned to R-2 or R-3 and contrary to the actual use of the property at that time. This caused massive neighborhood changes and North Central had gone from majority owner-occupied to 75

percent absentee landlord. He felt the idea of making downzoning easier was a matter of maintaining some sort of equity for property owners and did not see an issue with requiring someone with R-2 or R-3 zoning to negotiate with their R-1 zoned neighbor as he believed it was a matter of equity and ensuring negotiations took place.

Janet Hammen, 1844 Cliff Drive, explained it had been a great surprise to everyone in East Campus when upzoning took place in the 1960's as they had not had any prior knowledge it would occur. Between then and 1993, there had been three attempts by the East Campus Neighborhood Association to downzone the neighborhood and all three had failed. As a result, the 1993 resolution, which specifically listed the East Campus and Benton Stephens neighborhoods, had provided the opportunity for owners to voluntarily downzone their properties in December and January. Since that time, 65-70 properties had downzoned from R-3 to R-1 or R-2 in the East Campus neighborhood. She did not feel that was an insignificant number, and hoped the allowance for groups of properties to submit for downzoning together would be as pertinent as it was with the 1993 resolution. She encouraged the Council to pass this bill as a way to keep the character of neighborhoods intact.

Mr. Skala commented that he thought some of the concerns of Mr. Farnen were legitimate, but noted he was generally not in agreement with Mr. Farnen. He pointed out a blanket upzoning of R-1 to R-3 had occurred in 1967 in many areas of the community and there had been some consequences as a result of that action. He stated he was of the opinion that it was not unreasonable to downzone one property as a property owner was still involved, and an argument could be made that the property owner was devaluing their property with that action. He commented that he wanted to encourage the downzoning of property as he believed it had been a mistake to blanket upzone many of these properties. He suggested they encourage downzoning to protect the integrity of those neighborhoods, and did not feel there would be many violations or egregious instances of someone downzoning to R-1 to impede the property rights of adjacent R-2 or R-3 zoned property owner. He believed the recommendations of staff were reasonable and noted he would support this bill. He stated he also wanted to know how the Council felt about the advertising fees. He understood it was a pass through cost the City did not want responsibility for, but noted he also wanted to make it as reasonable as possible for people to downzone properties for the integrity of neighborhoods.

Ms. Nauser stated she believed the City needed to recover its costs, and the proposed ordinance was contrary to their attempt to recover at least 75 percent of the costs for service provided. As a result, she noted she would not support the waiving of the application fees. She pointed out not approving this ordinance would not prohibit anyone from downzoning, and stated she might consider waiving some of the fees if there was a group application. She indicated she generally opposed the waiving of fees and would vote against this bill.

Mr. Trapp commented that he thought they needed to determine whether downzoning offered some public benefit in terms of cost recovery, and believed it did in spite of his desire to see increased density in the central city area. By protecting the character of the inner-ring neighborhoods, he thought they might have more people that would want to live there and who would make choices about transportation systems, etc. that were less impactful. He

stated he would support this bill as amended per the amendment sheet. He felt it was wise to protect the City by not expanding this waiver to include the advertising costs, and believed the amendment sheet had included a nice compromise of providing the City Council the authority to grant a waiver of the advertising costs in certain situations, such as the request of a group of property owners. He commented that a role of Council was to facilitate good changes and to protect the things they most loved about Columbia, and thought this was a community benefit where it was worthwhile to not recover all of the costs. He noted the property owner was already making a sacrifice by lowering the value of their property, and felt they should recognize there was a compelling City interest in facilitating the process by waiving the part of the fee that did not have to be paid and was essentially staff time. He reiterated he planned to support this bill as amended per the amendment sheet.

Mr. Thomas stated he would support the bill as well. He understood a lot of their decisions were on the spectrum between private property rights and community benefit, and believed they were trying to fine tune the policy to the right position for the time now. He commented that he did not have a strong personal opinion on this issue. In general, he thought they wanted to increase density to improve the viability of public transportation and the efficiency of the utility system and to reduce the carbon footprint per person, but also believed in the stability of neighborhoods. He noted he thought it was impressive that residents wanted to downzone to preserve the character of neighborhoods, and reiterated he would support the amended ordinance.

Mr. Skala made a motion to amend B295-15 per the amendment sheet. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

The vote on B295-15, as amended, was recorded as follows: VOTING YES: PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NAUSER. Bill declared enacted, reading as follows:

**B328-15     Adopting the West Central Columbia Neighborhood Action Plan.**

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Skala asked how this process differed from an overlay district process. Mr. Teddy replied the plan had an implementation recommendation to enable the use of accessory dwelling units. A number of people that lived in or owned single-family homes did not welcome the idea of tearing down structures for duplex dwellings on R-2 zoned lots, and the allowance of accessory dwelling units would provide some flexibility. Staff had discussed the potential of an overlay that would allow R-1 zoned lots to participate in the accessory dwelling unit program, and although it would require further review and a public hearing, the plan could be used to show how they had arrived at the idea.

Ms. Nauser understood there were many priorities listed in the document, and asked how progress would be tracked and communicated to the Council and the public. Mr. Teddy replied he thought a review would be done every several years. He did not believe there would be an ongoing monitoring of every plan objective, but they would look back on data they were already gathering that could be presented for this geographical area, such as public improvements and code enforcement cases. The information could be used to

determine if the plan needed to be updated or if it was even effective. Ms. Nauser understood Priority 5 was to provide energy efficient street lights to improve safety, and noted it would be nice to know whether that was done in the course of a year. She thought an ongoing dashboard was needed. Mr. Teddy stated he did not want to promise an extremely detailed dashboard, but thought they had the capability of obtaining data for City investments. Ms. Nauser commented that she believed it would be beneficial to track capital projects so they all knew what had been done on a yearly or every two-year basis.

Evan Prost, 1404 Gary Street, stated he resided in the southwest part of this area, and noted he was a member of the Gary Atkins Neighborhood Association, but was speaking as an individual. He thanked staff for listening to them and for facilitating this process. He noted John and Janell Drane of D&D Investments, who owned property at the corner of Broadway and Clinkscales Road, had attended two meetings and had indicated that they intended to develop commercial in the area. He stated he believed strongly that the properties east of the intermittent creek that ran north/south through that area should remain residential.

John Clark, 403 N. Ninth Street, explained he had followed this process closely and thought it was a mistake to complete a neighborhood plan prior to an area plan. He believed this had been an excellent learning exercise, but felt a central city area plan of 6.5 square miles needed to be completed prior to working on any other neighborhood plans because issues involving stormwater, affordable housing distribution, etc. had to be addressed and only made sense when looking at it for a larger area. He thanked the Council for dealing with the downzoning issue earlier tonight, and noted they had not yet dealt with the affordable housing policy or urban development codes. He stated he was concerned after reading the Planning and Zoning Commission information as the Commissioners were not aware of the 6.5 square miles of central city area and had confused area plans, such as the Northeast Area Plan and the East Area Plan, with neighborhood plans. He suggested a central city area plan be completed prior to moving forward with any other neighborhood plans.

Christine Gardener, 112 Anderson Avenue, stated she had participated in this process and pointed out she was not against change, but believed there was positive change and negative change. Although much of this plan was good, she noted the infrastructure needs had not been addressed even though they were being asked to allow for population growth in the neighborhood. She understood some of her neighbors could not allow their children to play outside because of the high bacterial content in the grass, and other neighbors had flooding in their basements when it stormed. She stated the neighborhood had serious infrastructure problems, and she had not seen any work done over the last 30 years until recently, and that was only some street work. She commented that she was not against population density or infill, but did not feel any more toilets should be allowed until the current problems were solved. In terms of the question of Ms. Nauser regarding measuring the plan, she understood the expectation was for the neighbors to monitor building permits, etc. so that they were within the character of the plan and neighborhood. She did not believe they had the ability to do that work, and noted she felt there were serious problems with the plan and its implementation.

Dee Dokken, 804 Again Street, commented that staff had done a good job in terms of what the plan meant to accomplish, but noted she agreed with the comments of Ms.

Gardener. She stated the postcards they had received at the beginning were too small, hard to read, and easy to lose, and thought more people might have shown up in the beginning of the process if more resources had been put into those postcards.

Mr. Thomas asked for the procedures to ensure infrastructure would be addressed if this area developed more densely and for clarification as to why this size area had been chosen. Mr. Teddy replied adequacy would be reviewed on a case-by-case basis. The document created was not highly technical and there had been no intent to examine the carrying capacity of each parcel. He explained staff was looking at including information as to whether infrastructure facilities were built to City standards as part of its mapping process in order to provide a general indication of the facilities in place at the parcel level. In a development scenario, staff had to have the development data, and might ask for studies to be done or for more information to be provided. Mr. Thomas understood every infrastructure system was reviewed for its accommodation ability without a significant reduction in the level of service. Mr. Teddy stated that was correct. He noted they would take a more deliberately coordinated approach to land use changes with regard to the infrastructure systems that were available, and this would be reported to the Planning and Zoning Commission. With regard to the scale of the plan, he noted he had referred to this as an area plan since it was a geographic subarea of the City. He explained this plan included more than one neighborhood association so it was large in that perspective, and they believed it had logical boundaries. Most of the residential section was within a single census tract, so it was a logical unit of analysis for staff and allowed for participation. If they had gone to 6.5 square miles, they would not have had the ability to obtain input on a street by street basis. Mr. MacIntyre explained this size of area had been chosen based upon an analysis of existing neighborhood association boundaries. They had considered a larger area by going further east to Providence Road, but that would have split two existing neighborhood associations. He noted they had done their best to respect existing neighborhood association boundaries while capturing an entire census tract area and a portion of another census tract to the west.

Mr. Skala commented that the East Area Plan and other area plans were largely plans with less dense areas and neighborhoods, but this was a developed area and driven by the neighborhood associations. He thought that provided some value, and noted it did not preclude any of the considerations for infrastructure or other issues. He agreed it would be nice to get a better handle on infrastructure and felt that could be addressed by the Mayor's Task Force on Infrastructure. He reiterated that he saw great value in the neighborhood participation for these plans.

Ms. Peters stated it appeared the corner of Broadway and Clinkscales Road was single-family residential on the future land use map, and asked if that was how it would stay since Mr. Prost had indicated the owners had planned to develop it commercially. Mr. MacIntyre replied the owners had expressed an interest in some form of future development other than single-family at that corner, which was currently zoned R-2. He explained they had scaled back the multi-family, mixed-use component in response to concerned neighbors and had retained it only as a placeholder for a potential mixed-use location since the corner was at the junction of two major streets. This did not necessarily mean mixed-use of a commercial aspect would be appropriate. It was merely a placeholder as many details would

need to be worked out for any particular upzoning or redevelopment. It was being shown as single-family with a mixed-use overlay and was consistent with several other corners on which there was an established commercial use. He noted they wanted to identify the corners to direct any potential mixed-use type of development into the most appropriate locations. Ms. Peters understood these were R-2 zoned properties even though they appeared to be R-1 on the map. Mr. MacIntyre stated that was correct, and explained that had been done in response to the recommendation to support downzoning in the area. He pointed out they were not suggesting all of the R-2 zoned properties should be forcefully downzoned, and were merely supporting downzoning to match the predominant single-family housing that existed in the area as a whole. Ms. Peters understood this map displayed what it might be nice to go to in the future, but it was strictly advisory and did represent the current zoning of those properties. Mr. MacIntyre stated that was correct. Mr. Teddy pointed out this neighborhood was characterized by lot sizes that were too small to support two-family structures in the sense that the zoning ordinance required a 10,000 square foot lot, and there were very few actual two-family structures in an area zoned for two-family structures. Most of the lots were improved with single-family homes, so downzoning would reflect the existing use. He reiterated the lots were too narrow or lacking in area to legally support conversion from single-family use. He noted lots could be consolidated whereby an investor purchased multiple lots, replatted the property, and tore down the homes. Ms. Peters understood this could be done even with the way the future land use map had depicted the property. Mr. Teddy stated that was correct, and explained the existing zoning would trump a future land use recommendation map. Ms. Peters understood the zoning was R-2, but the lots would not support a two-family dwelling, and that someone could combine lots in order to develop a two-family structure. Mr. Teddy stated that was correct, and noted he did not have a good feel for how many packages of lots were owned by the same person or entity. Mr. MacIntyre stated he thought there was some consolidation of ownership in the Gary Atkins neighborhood, which was the area immediately east of the Broadway Shopping Center, and that this level of consolidation was not the trend in that there were likely only small clusters of 2-3 lots.

Mr. Ruffin stated his support for the acceptance of this document. He noted he had attended some of the planning meetings in the early part of the year and had been impressed with the sensitivity of staff and the engagement of the community. He explained he viewed this as a visioning document, and thought it validated neighborhoods as significant and worthy of consideration. He hoped this document would be used in a way that the efforts of the residents that had actively participated in the process would not be forgotten and that the character of the neighborhoods would be retained and enhanced. He also hoped this proved to be a valuable process rather than an exercise that ended with this document being filed away and not consulted in the future.

Mayor McDavid commented that they each wanted the character of the neighborhoods in which they lived to be maintained, and this had given the citizens of West Central Columbia an opportunity to define the character of their neighborhood. He thought it would satisfy them that the Council was committed to maintaining the character they now saw, and understood it pointed out some of the problems that needed to be solved. He believed this

would remind this and future Councils of the need to fix those problems throughout the community.

Mr. Trapp stated he thought this had been a great process and was pleased to see items come out of the Comprehensive Plan. He commented that 2-5 plans per year might be overly optimistic, but noted they might also find the process to be less fractious now that they understood it. He believed a balance was needed between wanting to provide people lots of opportunities to participate and getting the product completed. He pointed out there were lots of unplanned areas and believed the neighborhood level was a more human scale than some of the bigger areas. The East Area Plan had made sense in order to get ahead of the development as that area was in the process of developing. He commented that he leaned heavily on planning documents in his decision making, but noted they were bound by current zoning and could not forcefully downzone areas. He felt this plan acknowledged how they wanted things to be while recognizing the facts on the ground. He explained that voting this plan down would not improve the infrastructure in the area and believed they needed to continue to restore and rebuild. He pointed out the last sewer bond was about 80 percent remediation and 20 percent expansion, which was opposite to what had been historically done. He thought they were moving in the right direction, but noted the City moved slowly. He reiterated that he had been pleased with this process and looked forward to seeing the next neighborhood pull together and tackle these issues. He noted this process had resulted in the formation of the Gary Atkins Neighborhood Association and a healthy community dialogue.

Mr. Thomas stated he was happy to see a Comprehensive Plan priority being implemented. He understood there had been a lot of neighborhood participation and noted he had heard many good reports with regard to the process. He thought they had processes in place to ensure the sufficiency of City infrastructure systems, and pointed out he had asked for these checks to be brought together in a single place in the Code so they could guarantee they did not allow development that would overwhelm existing infrastructure. He commented that he liked the mixed-use corners shown in the plan, and hoped mixed-use developments in those areas would be small in scale with limited parking so great neighborhood destinations that were walkable and reduced the use of cars were created. He thought they could also become transit nodes as the bus system expanded, which would ultimately stimulate neighborhood level economies. He stated he would enthusiastically support this plan.

B328-15 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:

**B329-15 Rezoning property located on the north side of Lynn Street, approximately 200 feet west of Garth Avenue, from District PUD 4.3 to District PUD 6; approving the PUD Plan of Lynn Street Cottages; approving less stringent setback requirements.**

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid understood the City of Columbia owned this land at this time. Mr. Teddy stated that was correct. Mayor McDavid asked for a timeline of when this project

would be brought before the Council. Mr. Teddy replied staff would meet this month to discuss putting the housing trust document together and might be able to submit a report to Council this winter. He thought they wanted to get this done this fiscal year.

Ms. Nauser noted there had been concern expressed about the City owning the land and an individual owning the structure, and thought this already occurred throughout the community in terms of condominiums on leased land or commercial properties owned by someone different than who owned the land. Mr. Teddy explained a community land trust would involve the purchase of a home, and the affordability was made by purchasing the home and not land itself. It was an idea that had generated some excitement and would allow them to respond to the Council initiative of a model that guaranteed long-term affordable homeownership.

Ms. Peters asked for clarification regarding how the houses would face and how that would affect the view from the street. Mr. Teddy replied neighboring would be in a courtyard fashion. There would be an orientation of the front door to the street for the two homes that were on the south side. The idea was that it was more economical for the four units to share a single yard. He thought it would contribute positively and was a good way to use really deep lots. Ms. Peters asked how this layout would affect the street itself because it likely would destroy the neighborhood feel even though it improved the courtyard feel. Mr. Teddy replied there would be two driveway cuts for the four homes so that would help.

Mr. Skala assumed sewer and any other issues would be addressed prior to issuing any occupancy permits. Mr. Teddy stated they would want each building to be separate so they did not anticipate creating a common collector, but it would be a design decision.

Mayor McDavid stated he appreciated the compassion and altruism to affordable housing, but did not feel the City had the competency or capacity to design residential housing as it was not something they did. Outside of the Columbia Housing Authority, he did not believe the City had the experience, competency, or capacity to manage residential housing. He understood \$200,000 in surplus funds would be used to help fund four \$50,000 first mortgages so whoever got the houses would receive a \$50,000 gift of equity and the City would be at risk for \$200,000. He also understood there would be a second mortgage of \$75,000 on each house for a total of \$300,000, and noted he had been told the City would guarantee that mortgage, which meant the City's liability was \$500,000 instead of \$200,000. He commented that he was not familiar with housing trusts and was bothered by the fact the City would have to decide which four families would receive this benefit as there were 20,000 citizens in poverty in Columbia. He was also concerned about the Council having to deal with people in default and potentially putting a single mother on the street because she could not pay the mortgage. He pointed out it was really not home ownership when people did not have a lot of equity in the home. It was a rental situation. He wondered how much they could sell a \$125,000 cottage for a month later when there were \$90,000 homes across the street. He reiterated he appreciated the altruistic motives, but was skeptical of the City getting into the management and construction business when it did not have that core competence. He stated he also understood the issue being discussed today was a rezoning and not the housing trust. Mr. Teddy stated staff had conducted some preliminary sources and uses of fund analyses that had not accompanied this rezoning case, and noted they

would accept the challenge by trying to make a good case for a housing trust. He pointed out one of the ideas was to involve a separate entity, so he would not necessarily characterize the housing trust as being a City department or even the City itself.

Ms. Peters thought there had been discussion at the Symposium on Affordable Housing that had been held last week about selling the land and homes and having something in the title indicating only a certain amount of profit could be made when the properties were sold and thought that might be worth looking into as well as she agreed the City might not want to get into the rental property business.

Mr. Matthes stated he thought they would have good answers to most concerns in the future, and noted there were different models. He explained they did not intend to be landlords, and were striving for home ownership opportunities. Mayor McDavid pointed out the City would be the landlord if the mortgage was guaranteed by the City.

B329-15 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:

**B339-15 Amending Chapter 27 of the City Code as it relates to residential electric meters.**

The bill was given second reading by the Clerk.

Mr. Williams provided a staff report.

Ms. Peters asked for clarification regarding how this could be used aside from electricity the City generated. Mr. Williams replied it could be used for solar energy, but the reason for this bill at this time was for backup generation. This would be used to backup each individual living facility. He thought this could also apply to centralized renewable energy, such as a centralized solar system. It would up to the discretion of the Council in planned zoning districts for people to come forward with alternative power designs.

Mr. Thomas understood this would allow a multi-unit development to have a single master-meter when the ordinance currently required an individual meter on each residential unit. Mr. Williams stated that was correct. Mr. Thomas asked how billing would be affected. Mr. Williams replied the current ordinance would require multiple meters, and those meters would be held under the same owner name. This revision would allow for one meter and one utility account. Mr. Thomas asked how much would be paid. Mr. Williams replied electricity consumption would be the same. It would be one central utility bill instead of bills divided among all of the residents. Mr. Thomas understood there was a fixed minimum or meter charge that was dependent upon the number of meters in the building. Mr. Williams stated there would be one appropriate sized meter instead of several small distributed meters, and there would be one minimum monthly fee instead of twenty. Mr. Thomas asked for that minimum monthly fee. Mr. Williams replied it would depend on the development. Mr. Thomas asked for an example. Mr. Williams replied he did not have that information with him.

Mayor McDavid understood the base fee for ten units backed up would be ten times the base fee for each individual unit. Mr. Williams stated that was not correct. He explained it would not be an apples to apples comparison, and noted this would be installed in a three-

phase application. This particular situation involved a centralized single three-phase meter versus twenty single-phase meters, and the minimum monthly fees were different. It was more commercial than individual residential.

Mr. Skala asked how this would be dealt with on a practical level because it would still have to be divided equitably. He wondered if it would be divided by ten. Mr. Williams replied the meter fees were to charge for the meter and appurtenances required, so the expense to the City was less for one meter than ten. They were only trying to recover the costs associated with metering, monitoring, and replacing each individual meter. Mr. Skala understood the same person or persons would pay the cost regardless of whether it was ten or one. Mr. Williams stated that was correct.

Mr. Thomas asked for the formula showing how the base fee was calculated based upon the amortization of the meter, the time it took to read the meter, the process for generating individual bills, etc. He wondered if there was an actual relationship between the base fee and the related City expenditures on a per customer bases. Mr. Williams replied it would be included in the most recent cost of service study, which he did not have with him. Mr. Thomas asked if it was the opinion of Mr. Williams that the base fee was an as-accurate-as-possible reflection of the costs associated with each individual customer of the system. Mr. Williams replied yes.

Mary Hussmann, 210 Ridgeway Avenue, asked if there was incentive for someone to reduce usage to save money or if they would have to pay the same as others regardless of use if costs were distributed evenly. Mr. Williams replied the original intent of having a meter on each residential unit was so each individual person or household was capable of reflecting the electricity utilized for that particular facility. This specific situation involved an assisted living facility, and while each individual unit technically qualified as a residential dwelling unit, the centralized facilities, such as HVAC, would be shared. He commented that it was not feasible to switch between the utility and the backup generation, and to then have the ability to distribute it equitably. Ms. Hussmann asked if there was incentive to save electricity by the individual. Mr. Williams replied in this particular situation the heating and cooling was centralized to the facility.

Mr. Skala understood they were trading the potential for conservation on an individual basis for reliability. Mr. Williams stated that was correct in this particular situation.

Martin Hoy, 4808 Meadow Lark Lane, understood they would charge ten people the same flat rate for this electricity consumption, so the person that used the least amount of electricity would pay the same as the person that used the most. Mr. Williams explained this particular situation involved an assisted living facility and the caretaker of that facility paid all of the bills for their clients. Due to the way the facility was built, each unit qualified as an individual residential dwelling unit, and in the future, it would not be possible for this property to revert back to an apartment style facility without rewiring the building. For this particular use, none of the residents were paying an individual electric bill. They were paying rent to an assisted living facility for their room. Mr. Hoy understood they did not cover the electricity costs and only paid a flat fee. Mr. Williams replied that was correct, and explained they had a flat fee for their room and the electric was included in that flat fee.

Mr. Trapp explained the City had a requirement for individual meters in an effort to encourage conservation and allow people to be in charge of their own usage. He noted reliable electricity for lifesaving technology, however, was likely needed at assisted living facilities, and facilitating this backup generation was a higher good. He commented that those living there would already be in a somewhat prescribed situation since they could not control their own heating and cooling. He thought this bill made sense as it addressed an immediate need and also looked ahead in the future in terms of facilitating systems, such as geothermal or solar, behind the meter as technology changed. He believed this was something they would want to support.

Mr. Skala stated he believed Mr. Trapp was correct in terms of the benefits versus drawbacks of the communal system. He noted there was still leverage in terms of energy savings should the person who paid the bill on behalf of everyone conserved electricity, and there was also a benefit to the backup generation. He pointed out this was a limited circumstance, and not a City-wide situation, and explained he would support it on that basis.

Ms. Peters stated she was still somewhat confused and asked for clarification. She understood these were not separate apartments and were only rooms, but were considered separate residential dwellings. Mr. Williams explained they technically qualified as residential dwelling units per the building codes because the kitchen area of the apartments included a stove. The City's current code required each residential dwelling unit to be individually metered, and this bill would create an exception by allowing the City Council to be able to accept alternative power plans in planned zoning districts.

Ms. Peters asked what had been done at Lenoir and other residential care facilities in town. She wondered if those units had been individually metered. Mr. Williams replied it was dependent upon whether or not the units qualified as a residential dwelling unit. He understood it was not a residential dwelling unit if it did not have an oven even though it might have a sink and a microwave. If it had an oven, however, it was a residential dwelling unit. Ms. Peters asked if there were other places in town that had ovens. Mr. Williams replied there could be other places with ovens, and the City would have required them to install individual meters. He noted those places might not have had the backup generation facilities they were trying to distribute to all of their rooms either.

Mr. Matthes explained he had not seen anything like this, but backup generation was compelling and good idea so the City was trying to accommodate it.

B339-15 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:

**B343-15 Authorizing an amendment to the employment agreement with Michael Matthes as City Manager for the City of Columbia.**

The bill was given second reading by the Clerk.

Ms. Thompson provided a staff report.

Mayor McDavid commented that a point of confusion was that Mr. Matthes' base salary had been reported to be \$150,000, but he had actually received across the board increases. This was confusing to the general population that believed the Council was

increasing Mr. Matthes' base salary from \$150,000 to \$165,000. Ms. Thompson explained the employment agreement actually called for Mr. Matthes to receive the across the board increases that applied to other City employees, but he had not yet reached \$165,000 figure. She reiterated that while it was in excess of \$150,000, it had not yet reached \$165,000. The Council would provide a merit increase that would get Mr. Matthes to \$165,000 if this bill was approved tonight. She noted he would continue to be eligible for the across the board increases as well.

Ms. Nauser understood the City had been going through a process since 2014 to bring all employee salaries up to the midpoint after they had been with the City for at least five years, and the salary range for the City Manager was about \$121,722 to \$200,842. As a result, the \$165,000 would be at about midpoint as the midpoint was \$161,282.

Mr. Thomas asked for benchmarks. Mayor McDavid understood the Council had received information regarding the salaries for city managers in cities the size of Columbia. Mr. Skala stated the information provided to the Council by the Human Resources Director, Ms. Buckler, suggested a minimum, a midpoint, and a maximum based upon an E11 category for the salary study. Ms. Buckler explained that was the current range built into the City's pay plan adopted four years ago. Ms. Nauser noted they also reviewed what other communities were paying.

Ms. Nauser reiterated Mr. Matthes' salary would be around that midpoint if this bill was approved.

Mr. Thomas asked how many other employees had received salary adjustments from being with the City for five years or more. Ms. Buckler replied some people were already over the midpoint because they had been with the City for a long time, and they had moved 300 or so people by 20 percent two years ago and had moved another 300 or so people recently. She noted they would have new people hit the five year mark every year so it was additive. Mr. Thomas understood it likely involved about half of the work force.

Mayor McDavid commented that the market the City competed in was different as they competed with comparable cities that employed city managers, and asked for the median for comparable cities. Mr. Skala replied it was across the board dependent up on size. Ms. Nauser noted it was dependent on services provided as well. She agreed it was not an apples to apples comparison, but \$165,000 was in the range.

John Clark, 403 N. Ninth Street, stated the city manager was one of three people hired directly by the City Council, and the people in the other categories were hired by the city manager. As a result, he was not certain the ideas of ranges and midpoint applied to the city manager because most of the categories being discussed involved lower salary ranges. He agreed the recruitment by other cities did apply, and asked if Columbia had been in any competition to keep the city manager. He noted he did not believe city managers should stay in a community longer than seven years as the situation with Mr. Beck had been a disaster for the Columbia. He commented that the same situation had occurred with the Columbia School District with superintendents. He did not view Mr. Matthes as a 10-20 year employee. He stated this felt as though Mr. Matthes would receive a bonus, and reiterated he did not believe the midpoint, etc. applied unless Columbia was about to lose its city manager. He noted Mr. Matthes had received a two percent raise this year like other City employees, and

the move to \$165,000 would result in a five percent raise, which was a bonus. He did not feel Mr. Matthes should receive a bonus or should be a part of the compensation process that applied to other employees. He did not believe Mr. Matthes had done a good job in terms of his part in creating a successful council-manager form of government.

Eugene Elkin, 3406 Range Line Street, commented that there were ongoing money issues and believed the City needed to stop spending as much so they could to hire more police. He did not feel any raises should be given if the City was low on money.

Ryan Clearwater, 5215 S. Cowan Road, echoed the sentiments of the previous two speakers.

Mr. Skala stated he wanted to emphasize that there had be misinformation in the press with regard to the City Manager as he was not receiving at ten percent raise from \$150,000 to \$165,000. He noted Mr. Matthes was currently making \$157,186 on the bases of four across the board raises. It was about \$519 or a half-percent in 2011, \$562 or a half-percent in 2012, there was not increase in 2013, \$3,022 or two percent in 2014, and another \$3,083 or two percent increase in 2015 based on the across the board increase the Council had agreed to as part of the budget document for all employees. As a result, they would not be increasing his salary by ten percent. He commented that the Council appreciated Mr. Matthes and noted he was always up for recruitment. He believed Mr. Matthes had done a Yeoman's job in the last year, and agreed there had been some rocky times a couple years ago in terms of the district-wide TIF, infrastructure issues in the downtown, etc. He pointed out Mr. Matthes was genuinely behind the strategic plan and the idea of social equity, and with that in mind, he was not willing to penalize Mr. Matthes. He felt Mr. Matthes should be allowed the follow the same pattern they had agreed to with regard to all City employees at the very least, and should be close to the midpoint. He reiterated he did not want to penalize Mr. Matthes as he believed he was doing good work, but understood the public had concerns based on past issues and the City's tight budget. He suggested they provide Mr. Matthes \$160,380 instead of \$165,000 since it was the midpoint.

Mr. Skala made a motion to amend Exhibit A associated with B343-15 by changing the base salary in the agreement to \$160,380. The motion died for the lack of a second.

Mr. Thomas understood Mr. Matthes had received the two percent across the board raise that every City employee had received by standing ordinance. Ms. Thompson replied yes, and explained that was in accordance with Mr. Matthes' current employment contract. Mr. Thomas understood any additional raise had to go through this process. Ms. Thompson stated that was correct.

Mr. Thomas stated he thought the suggestion of Mr. Skala was interesting. Although it was not a ten percent increase and was only a five percent increase, he was concerned about going against the will of Local 773 as they had opposed this increase and had indicated they had to fight for very small increases every year for the people they represented. He commented that he appreciated the work of Mr. Matthes, especially in the past year and one-half, and noted they had a policy of moving all employees to the midpoint, which he thought was good. He asked if the study that had created the ranges had been adjusted. Ms. Buckler replied it was adjusted every year. Mr. Thomas agreed with Mayor

McDavid in that they had to be concerned about other communities wanting to employ Mr. Matthes and what that would mean to Columbia if he were to leave.

Mr. Skala clarified the midpoint was \$161,282, and not \$160,380. The \$160,380 was what his salary would be with the two percent raise in 2015. Mr. Thomas thought \$157,186 was the current salary of Mr. Matthes.

Mayor McDavid commented that some members of the public did not like the performance of Mr. Matthes, but noted the job required a very complex skillset and a lot of experience. The person had to know law, infrastructure, finance, personnel, etc. He agreed \$165,000 was a lot of money, but pointed out it would cost at least \$100,000 for a national search for a new city manager. In addition, they would choose from applicants that were currently assistant city managers or city managers from smaller communities, and this was a risk since the person would either not have city manager experience or not have dealt with as many issues. Other options were to hire someone mature, but they would likely have been fired and be in between jobs. He commented that people thought football coaches, superintendents, chancellors, and presidents of schools made too much money, but the schools had to compete in the market. The market for a community the size of Columbia was over \$200,000. The City might get a hometown discount, but a city manager with skills and experience was a valuable commodity. He believed paying below the market rate meant taking the risk of having to go through a search process along with the uncertainty, trauma, chaos, etc. of filling the most important job in the City of Columbia. He recommended they pay \$165,000, and noted it was still a 20 percent discount to the market.

Mr. Trapp stated he agreed with the comments of Mayor McDavid. He believed Mr. Matthes had done a great job and was a great manager. The 360 reviews, which were based on the people he managed, were outstanding, and indicated they had a lot of respect for his leadership. He noted satisfaction for City services had increased under Mr. Matthes' tenure. The pension issue had been dealt with in a very mature and sober way, and had put the City in long-term good financial standing. He commented that Mr. Matthes was routinely headhunted from much larger cities and by more lucrative opportunities. He stated no one was perfect, and the mistakes made by Mr. Matthes had been political. He noted the Council had hired Mr. Matthes as a manager and the Council was supposed to be involved in the politics. He explained none of them had agreed with every action of Mr. Matthes, but he had always had the support of four Council Members prior to moving any initiative forward. He commented that the critical feedback he had provided Mr. Matthes was in the way the City rolled out big, complex projects and ideas. He commented that with the Enhanced Enterprise Zone, Mr. Matthes had not realized it would be controversial and would have likely rolled it out differently if he had. He noted Mr. Matthes had been here longer now so he better understood the lay of land, and had grown in stature as a leader. He explained they risked this by underpaying him, and believed it was also a question of respect. Mr. Trapp pointed out Mr. Matthes had never asked for a raise. This was a Council initiated action based upon what they felt was in the best long-term interest of the City as described by Mayor McDavid. It was a small amount of money to secure the goodwill and continued employment of Mr. Matthes. He noted he would love to see Mr. Matthes make a career in Columbia because he really believed in servant leadership and his stamp would be based on who sat at the dais.

He stated Mr. Matthes had really tried to be a resource to his people and took direction from the public based on the survey data and through the City's elected representatives, and pointed out they tended to be a factious and schizophrenic bunch. He commented that through that, Mr. Matthes had honored his values, had tried to steer the City in a consistent and good direction, and had honored the wishes of any of them that could get a majority around any particular issues. He explained Mr. Matthes received the benefits of being the chief executive, which included the highest pay. When comparing Mr. Matthes' salary to those of the deputy and assistant directors, it appeared as though there would soon be bottleneck affecting the City's ability to offer competitive compensation to all upper level executive management. He felt this space needed to be created and that they should show Mr. Matthes respect for his good work, and he did not feel anything spoke better to that than pay. He noted Mayor McDavid had made the case that this was good for the City as it was expensive to recruit and bring in a new manager. He believed this would be a net win for the City and a good thing to do for Mr. Matthes.

Ms. Nauser commented that she had worked with three city managers during her tenure on the Council, and believed the Council had more latitude and ability to direct the issues under Mr. Matthes' tenure than ever before. She disagreed with those that felt Columbia did not have a strong mayor/council. She stated she had been called into a meeting with the city manager and the city counselor during her first year on the Council when Mr. Beck was the manager for having the audacity to ask someone in utilities when the lights at Daniel Boone would be turned on, and that would not happen today. She noted Columbia had an ever changing Council with ever changing ideologies and issues that were important to them, and Mr. Matthes was keen on listening for the issues the majority of the Council supported. She found it interesting that some in the public felt Mr. Matthes had created the increase in the cost of living in Columbia when most of the issues affecting cost of living were out of his control. She pointed out the City did not control the cost of gas, food, goods, services, etc. As a community, Columbia had adopted one of the highest renewable requirements, which resulted in higher utility costs. She stated the land prices in Boone County had always been high compared to other communities in Missouri. Columbia had one of the lowest property tax rates in the area and across the country. She reiterated she was not sure how Mr. Matthes was to blame for the increase in cost of living. She noted Columbia was one of the best cities with some of the best amenities. She pointed out that in addition to normal city services, such as police and fire services, Mr. Matthes was also in charge of utilities. She stated she would support this raise, and wished those that reported the news would work to gather information because the rate of his increase would not be at the percentage that had been communicated.

B343-15 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:

**B345-15 Authorizing renewal of provisions pertaining to the operation of the Columbia Fire Department and conditions of employment of the Columbia Fire Department personnel; and fixing the time when this ordinance shall become effective.**

The bill was given second reading by the Clerk.

Ms. Buckler and Deputy Fire Chief Fansler provided a staff report.

Ryan Adams explained he was the Vice President of the Columbia Professional Firefighters and thanked the City for its continued support and efforts through the meet and confer process. One of the greatest challenges they had faced during the last six years had been staffing levels due to tight budget constraints and the expansion of the City. They had worked together in trying to solve this problem, and had been able to achieve the goal of having the Fire Department fully staffed this year with the four new positions approved in the budget. Without continued work toward these problems, they would not be the organization they were today. He noted the work agreement was a result of these actions and the cooperation between labor and management, and thanked the City for its consideration of the renewal of the work agreement.

B345-15 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.

- B327-15**     Reimposing a sales tax of one-eighth of one percent for the purpose of providing funding for local parks.
- B330-15**     Rezoning property located on the north side of Old Plank Road, approximately 700 feet west of Abbotsbury Lane, from District R-1 to District PUD-2; approving the Barcus Ridge PUD Plan.
- B331-15**     Rezoning property located on the southwest corner of Old Plank Road and State Route K from District R-1 to District O-P; approving the Barcus Ridge O-P plan.
- B332-15**     Vacating a portion of Fourth Street between Turner Avenue and Conley Avenue; accepting conveyances for access purposes.
- B333-15**     Authorizing an electric distribution line relocation agreement with Boone Electric Cooperative as part of the Scott Boulevard Phase III, Vawter School Road to Route KK, reconstruction project.
- B334-15**     Repealing Ordinance No. 022554 which authorized a right of use permit with McAlester Park, LLC for the construction, improvement, operation and maintenance of a private storm sewer and retaining wall in a portion of the Ninth Street and Elm Street rights-of-way; authorizing a revised right of use permit with McAlester Park, LLC.
- B335-15**     Authorizing a right of use permit with The Curators of the University of Missouri for construction, improvement, operation and maintenance of a private storm sewer system in a portion of the Ninth Street and alleyway located between Eighth Street and Ninth Street (south of Locust Street and north of Elm Street) rights-of-way.
- B336-15**     Authorizing an agreement with The Curators of the University of Missouri for development of a bridge maintenance program for the City of Columbia.

- B337-15 Accepting conveyances for street, sewer, storm sewer, temporary construction and sidewalk purposes.
- B338-15 Accepting conveyances for Stormwater Management/BMP Facilities Covenants purposes.
- B340-15 Accepting conveyances for sewer, temporary construction and utility purposes.
- B341-15 Accepting conveyances for utility purposes.
- B342-15 Authorizing a grant agreement with the State of Missouri – Missouri Arts Council for the Parks and Recreation Department Heritage Festival and Craft Show; appropriating funds.
- B344-15 Amending the FY 2016 Classification and Pay Plan relating to positions in the Finance Department – Accounting Division and City Manager’s Office; appropriating funds.
- B346-15 Establishing plan year 2016 active employee medical and dental premium rates, non-Medicare medical rates, and retiree dental premium rates; providing for payroll withholdings; adopting the Choice Plus \$750 Plan, the Choice Plus \$1,500 Plan and the Choice Plus \$2,600 High Deductible Health Plan for the City of Columbia.
- R186-15 Setting a public hearing: construction of the Rollins at Rockcreek culvert replacement project.
- R187-15 Setting a public hearing: construction of irrigation improvements at Columbia Cosmopolitan Recreation Area.
- R188-15 Setting a public hearing: construction of improvements to the archery range at AmericannLegion Park.
- R189-15 Approving the issuance of bonds by the Housing Authority of the City of Columbia, Missouri for the Bear Creek Apartments housing project.
- R190-15 Authorizing a First Amendment to the software license and services agreement with SunGard Public Sector, Inc. for a Records Management System (RMS) for the Police Department.
- R191-15 Authorizing an agreement with Simpleview, LLC for the design, programming and maintenance of a customer relationship management system for the Convention and Visitors Bureau.

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

**NEW BUSINESS**

- R192-15 Adopting an implementation plan for the expenditure of local parks sales tax revenue.

The resolution was read by the Clerk.

Mr. Griggs provided a staff report.

Mr. Thomas understood there was a certain amount of funding over the six years for land acquisition for new parks, and asked about the process for deciding which parcels would be purchased. Mr. Griggs replied in 2010 and in 2015, they had proposed to delay the land

acquisition to the later years so they could get the construction projects completed by the time the sales tax was up for renewal. He explained a closed meeting would be held January 19 to seek the input of the Council on a list of land acquisition projects in terms of priority. Based upon this discussion, staff would then come back with individual acquisition items.

Ms. Nauser commented that she believed one of the reasons the City received high marks was because they obtained input from the community to create a list of projects, and then completed the projects identified. This was the beginning of a new list for the next several years, and allowed citizens to ensure they received what they had requested with their tax dollars.

Mayor McDavid agreed it was a highly transparent process with a lot of accountability and the reason for the 70 percent approval rating for the sales tax. He noted it was credit to the Parks and Recreation Department personnel and management.

Mr. Trapp thought it helped that they were able to complete all previous projects so he agreed with frontloading the projects that would take the most time to complete. It put them in a good position for renewal in six years.

The vote on R192-15 was recorded as follows: VOTING YES: NAUSER, PETERS, MCDAVID, RUFFIN, TRAPP, SKALA, THOMAS. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

## **INTRODUCTION AND FIRST READING**

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

- B347-15**     Approving the Preliminary Plat of The Vineyards, Plat No. 2 located southwest of the intersection of Route WW and Rolling Hills Road; authorizing a development agreement with Columbia School District No. 93 and Vineyards Columbia, LLC; setting forth a condition for approval.
- B348-15**     Approving the Final Plat of The Vineyards, Plat No. 4 located on the southwest corner of the intersection of Columbia Gorge Parkway and Howell Mountain Drive, west of Rolling Hills Road; granting a variance from the Subdivision Regulations relating to sidewalk construction subject to a condition.
- B349-15**     Authorizing a contract for sale of real estate with The Housing Authority of the City of Columbia for the purchase of property located at 115 Lynn Street, 107 Lynn Street, 105 Lynn Street, 700 Oak Street and 104 W. Sexton Road; authorizing a contract for sale of real estate with The Columbia Community Housing Trust for the purchase of property located at 106 W. Sexton Road, 108 W. Sexton Road and 110 W. Sexton Road.
- B350-15**     Authorizing the 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; calling for bids through the Purchasing Division.
- B351-15**     Authorizing the acquisition of easements for 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.

- B352-15 Authorizing construction of the Clark Lane West Sidewalk and Hinkson Creek Trail Connection Project; calling for bids through the Purchasing Division.
- B353-15 Authorizing the acquisition of easements for construction of the Clark Lane West Sidewalk and Hinkson Creek Trail Connection Project.
- B354-15 Authorizing construction of street improvements on Providence Road from Stadium Boulevard to Stewart Road; calling for bids through the Purchasing Division.
- B355-15 Authorizing the acquisition of easements for construction of street improvements on Providence Road from Stadium Boulevard to Stewart Road.
- B356-15 Levying a special assessment and authorizing the issuance of a special tax bill as it relates to the reconstruction of the sidewalk along the south side of Broadway, from Eighth Street to Ninth Street.
- B357-15 Authorizing a waterline relocation contract with Consolidated Public Water Supply District No. 1 of Boone County, Missouri relating to the Discovery Drive roadway and sanitary sewer extension project.
- B358-15 Appropriating funds received from the Missouri Highways and Transportation Commission as part of a cost apportionment agreement for roadway pavement improvements to Clark Lane between Woodland Springs Court to McKee Street.
- B359-15 Amending the FY 2016 Annual Budget by adding positions in the Public Works Department and deleting positions in the Public Works Department and Utilities Department; amending the FY 2016 Classification and Pay Plan to add a classification; transferring funds.
- B360-15 Authorizing application to the United States Department of Transportation Federal Aviation Administration and the Missouri Department of Transportation for airport capital assistance grants.
- B361-15 Authorizing the filing of applications for public transit planning, operating and capital assistance grants with the Federal Transit Administration.
- B362-15 Appropriating grant funds received from the Federal Aviation Administration for the purchase of an Aircraft Rescue Fire Fighting (ARFF) vehicle to be used at the Columbia Regional Airport.
- B363-15 Appropriating grant funds received from the Federal Aviation Administration for the Runway 13-31 Design and Bid Schedule I Construction Project at the Columbia Regional Airport.
- B364-15 Authorizing construction of sanitary sewer improvements along the MKT Trail and Providence Road from Stadium Boulevard to Elm Street, more specifically described as the Flat Branch Watershed Relief Sewer Project No. 1; calling for bids through the Purchasing Division.
- B365-15 Authorizing a Contract of Obligation with the Missouri Department of Natural Resources to satisfy financial assurance requirements for proper closure and post-closure care with respect to a permit for operation of a solid waste disposal area.
- B366-15 Authorizing the construction of irrigation improvements at Columbia Cosmopolitan Recreation Area; calling for bids through the Purchasing Division.

- B367-15 Authorizing the construction of improvements to the archery range at American Legion Park; calling for bids for a portion of the project through the Purchasing Division; appropriating funds.
- B368-15 Authorizing a contract with the Missouri Department of Transportation – Traffic and Highway Safety Division for a DWI enforcement unit; appropriating funds.
- B369-15 Authorizing a contract with the Missouri Department of Transportation – Traffic and Highway Safety Division for youth alcohol enforcement; appropriating funds.
- B370-15 Authorizing a sub-recipient monitoring agreement with Boone County, Missouri relating to acceptance of the FY 2015 Justice Assistance Grant (JAG) Program Award to purchase equipment for the Police Department; appropriating funds.
- B371-15 Authorizing a business associate agreement with The Curators of the University of Missouri, on behalf of the Department of Family and Community Medicine, for the provision of physician services.
- B372-15 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for HIV prevention.

**REPORTS AND PETITIONS**

**REP116-15 Appointment of North 763 Community Improvement District Board of Directors.**

Mr. Trapp made a motion to approve the slate of the directors as recommended, which would reaffirm the appointments of Roger Moser and Robert Walters to terms expiring in December 2016 and Michael Imhoff and Gary Meyerpeter to terms expiring in December 2018, and would appoint Craig Valone to a term expiring in December 2018. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

**REP117-15 Administrative Public Improvement Project: Aquatic Facility Virginia Graeme Baker Act Drain Cover Replacement.**

Mr. Griggs provided a staff report.

Mayor McDavid understood no Council action was necessary.

**REP118-15 Broadway Accessible Parking Project.**

Ms. Peters thought these were finished, and asked for clarification. Mr. Nichols replied they had started on the one in front of Landmark Bank, which was when they learned of the vaults. Staff then stopped and found another location further east. They wanted Council to be aware of this change since they were unable to move forward with the one they had proposed at the interested parties meeting and the public hearing. They were staying on the same block and only moving further east.

**REP119-15 Intra-Departmental Transfer of Funds Request.**

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

## COMMENTS BY PUBLIC, COUNCIL AND STAFF

Yvonne Chamberlain, 601 N. Ann Street, Apt. A, stated she was the coordinator for the Room at the Inn, the emergency winter homeless shelter, and requested the continued support of the City for the 2015-2016 winter season. She explained they had served 189 individuals last year with the time and energy of over 480 volunteers to ensure individuals were safe and warm. She asked for the City's continued support.

Mr. Thomas asked when Room at the Inn started this year. Ms. Chamberlain replied they started December 20 and would run through March 3.

Mr. Thomas asked for the participating churches. Ms. Chamberlain replied Fairview United Methodist Church, Broadway Christian Church, Missouri United Methodist Church, First Presbyterian Church, which was new to them, and First Baptist Church.

Eugene Elkin, 3406 Range Line Street, commented that the financial situation of the Turning Point and Loaves and Fishes was not good, and suggested assisting them.

Ms. Peters asked what support the City currently gave Room at the Inn. Mr. Trapp replied they City had provided overtime for police for three hours each night to set a tone as long as officers were available, and this had been highly effective as there had not been any safety issues. The City had also supplied cots early on, but they had become old and dilapidated through use so those were signed over to the group. He explained Room at the Inn raised about \$40,000 per year and handled obtaining volunteers. They were not a social service agency so they were not part of that funding process. They were an affiliation of churches organized around this one project. He noted the City had to purchase services or goods, and could not just give money, so in the past they had supplied a small amount of money from council reserves to help defray the cost of the shelter manager because it was hard to do something with only volunteers. He pointed out they usually hired a formerly homeless person.

Mr. Trapp made a motion directing staff to draft legislation to provide \$3,500 in council reserve funds to help defray the cost of the shelter manager. The motion was seconded by Mr. Thomas.

Mayor McDavid stated he was supportive and asked if it was something they should do during Council comments. Mr. Thomas replied that was how it had been handled in the past. Ms. Amin explained it would have to come back as an ordinance or resolution for Council consideration.

The motion made by Mr. Trapp and seconded by Mr. Thomas directing staff to draft legislation to provide \$3,500 in council reserve funds to help defray the cost of the shelter manager was approved unanimously by voice vote.

Mr. Thomas commented that a couple of years ago, the winter shelter had started in late November and had run through when the Room at the Inn normally started in late December. He thought that was something to aim for and was working with another church with regard to starting the shelter earlier for next year.

Mr. Thomas stated a successful Affordable Housing Symposium had been held last week, and noted it had been a good move to spend Council funds to hire a professional facilitator and strategic planner to guide the process. He looked forward to receiving the report and recommendations gleaned from the discussions.

Mr. Thomas recognized a number of Missouri Student Association (MSA) students that were in the audience as some had attended the Affordable Housing Symposium. He was happy the MSA was taking an active role in connecting with City government.

Mr. Thomas commented that the Council had voted down a proposal to bring back red light cameras, and asked for a report on the practice of extending either the yellow light phase or having an all red phase with information as to effectiveness of those strategies in terms of crashes. He also wanted to know the current process for setting the timing of the lights. He understood some intersections were controlled by MoDOT so there might be two sets of information.

Mr. Thomas noted a young man had been killed on Rollins Road near Maplewood where there was a sharp kink in the road on Friday night. He felt it was a schizophrenic road and poorly designed in terms of speed management. He noted the Pedestrian Safety Task Force had adopted the Vision Zero concept as a framework for all of its recommendations. Typical components of a Vision Zero policy included a review of places speed was an issue leading to crashes. It was not limited to pedestrian deaths and injuries as it included the deaths and injuries of all road users. It was designed to reduce deaths and serious injuries on the road to zero. He pointed out he had asked for a crash analysis at that location because he had heard complaints about the road. He understood there had been several crashes there over recent years, and asked that suggestions as to how to improve the safety at that location be provided.

Mr. Thomas stated he was disappointed to hear the Columbia Police Department Traffic Unit was being terminated because it would reduce speed enforcement and undermine some of the City's efforts to make roads safer, but understood it was in the interest of the community policing initiative. He thought this underscored the staffing issues at the Police Department as they had to choose between traffic enforcement and community policing. He stated he was excited about the pilot community policing project in three neighborhoods that would start in January, but was concerned about staffing and noted they needed to find a way to increase staffing in the Police Department. He explained community policing was one approach to some of the systemic oppressive situations that had been encountered in Columbia, and wanted to notify Council of an excellent op-ed by Ally Price in yesterday's Columbia Daily Tribune. He commented that he had been asked to participate in a forum tomorrow evening at Stephens College on the subject of systems of oppression and a response to turmoil on the University of Missouri in terms of what it meant for the community. He believed implicit bias and cultural competency were important components in moving to an inclusive community.

Mr. Skala expressed his full confidence in Mr. Matthes, and explained their discussion had been a reflection of the concerns of some of his constituents. He noted he had been obligated to have the discussion due to the misinformation in the media.

Mr. Skala explained he had attended an interested parties meeting that involved traffic calming on Rice Road and that there had been a good deal of consensus at the meeting indicating this should include roads connecting to Rice Road as well. This involved the neighborhood with Kelsey Drive, Gemstone Drive, etc. that eventually connected with Lake of the Woods Road. He understood the consensus suggested some ticketing and enforcement in the short term to ensure they knew they were not supposed to speed. He noted some people were worried about a potential fatality, and one gentleman suggested the evaluation of a stop sign at Kelsey Drive. He asked that these issues be reviewed and addressed.

Mr. Skala stated he had been asked by a constituent to consider another transit route on St. Charles Road. He was not sure it was warranted, but wanted to bring it up since they were discussing bus stops and service. He asked that it be evaluated.

Mr. Skala commented that he had received a complaint by a constituent with regard to the brightness of the wall packs on the new building at Tenth Street and Broadway. He stated he had noticed the street lights and wall packs had appeared brighter there than anywhere else in the downtown area. He asked staff to evaluate it to determine if it was an issue.

Mr. Skala agreed they needed to find a way to increase the number police officers in Columbia because they did not have the capacity to deal with traffic issues or to really do community policing. He referred the public to an article in the July 2013 issue of Governing Magazine that discussed community policing in Washington D.C. as it was the kind of policing the Columbia needed to do, but they needed the resources in order to do.

Ms. Nauser asked for an update on her request regarding the proliferation of signs in the easements along roadways, and wondered if volunteers could be commandeered by the City to remove those signs. She asked if an evaluation of a volunteer program could be included in any report regarding this issue.

Ms. Nauser noted a constituent had contacted her with regard to traffic calming at Glen Eagle Drive and Royal Lytham Drive, and asked that it be evaluated with a traffic study if warranted by a speed trailer because it was turning into a cut-through area for people traveling to Nifong Boulevard from Forum Boulevard.

Ms. Nauser understood Monteray Drive was a private road, but traffic had increased on that road due to the reconfiguration of Providence Drive and people no longer being able to cross Providence Road. She asked the City to look into taking over the streets in that area. She noted she did not understand the reason for private streets as she did not feel it benefited the community.

Ms. Nauser noted the Mayor's Task Force on Community Violence had recommended an examination of the City's social service processes for funding. She explained they had suggested the applicants be reviewed in terms of efforts to provide cultural competency training to its staff and for an increase in funding for violence prevention programs. She understood the City currently had certain categories and provided funding based upon those categories and wondered if violence prevention could be added within one of those categories.

Ms. Nauser explained two successful update meetings with regard to the Mayor's Task Force on Community Violence had been held, and invited the public to a third meeting which would be held on December 11 at 5:30 p.m. at City Hall. Mr. Trapp stated they would discuss enforcement, reentry, and an implementation strategy, and another meeting would be held on January 12 if it was deemed necessary.

The meeting adjourned at 10:33 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk