

**CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
701 E. BROADWAY, COLUMBIA, MISSOURI
MAY 2, 2016**

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, May 2, 2016, 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, PETERS and TREECE were present. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

APPROVAL OF THE MINUTES

Mayor Treece asked the City Clerk to read the minutes of the special and regular meetings of April 18, 2016 into the record. Mr. Skala made a motion for unanimous consent to waive the reading of the minutes. Mayor Treece asked if there were any objections. There were no objections.

The minutes of the special and regular meetings of April 18, 2016 were approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Ruffin.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Upon his request, Mr. Skala made a motion to allow Mr. Trapp to abstain from voting on B79-16, B80-16, and R51-16. Mr. Trapp noted on the Disclosure of Interest form that Greg Deline was the Vice President of the Board of Directors of his former employer. The motion was seconded by Ms. Peters and approved unanimously by voice vote.

The agenda, including the consent agenda, was approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Peters.

SPECIAL ITEMS

SI10-16 Oath of Office of Newly Elected Fourth Ward Council Member.

The City Clerk administered the Oath of Office to Council Member Ian Thomas, and Mayor Treece presented him with a framed Commission of Office.

Mr. Thomas thanked the voters of the Fourth Ward and his supporters for helping him win a second term. He commented that development proposals had been one of the most difficult and contentious areas during his first term, and explained he had been working on a couple of proposed projects in the Fourth Ward over the last 6-12 months in which impacted residents and developers had been engaged in a truly straightforward conversation and negotiation. He thought a plan satisfactory to both parties would be the result and noted he would like this fair and balanced process of negotiation to be a more common occurrence. He believed the City could assist in the process by providing staff to facilitate conversations. In addition to that issue, he wanted moving forward on the City's strategic plan, which was focused on social equity. He commented that there was immense diversity and discrepancy in the quality of life for different people, which in a majority of the cases was not the fault of

the people themselves. It was the result of federal, state, and local policies and political actions, which had led to unequal access to a decent quality of life. He believed it was reasonable for the City to strive to correct those imbalances. He stated he was happy with the strategic plan and planned to keep that in mind in terms of policies established by the City Council.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

SCHEDULED PUBLIC COMMENT

SPC18-16 Rachel Brekhus, Race Matters, Friends - Pillar Five of the President's Task Force on 21st Century Policing, CPD's report on this pillar, and the need for further follow-through and support.

Ms. Brekhus stated she was representing Race Matters, Friends, and commented that they wanted to keep the Council's attention on monitoring the ongoing efforts of the Columbia Police Department (CPD) in following through on the recommendations of both reports and ensuring the kind of policing outlined in them was taken seriously as mission critical policy. Threaded through the federal report was an insistence on respect by the police for the humanity of the public for whom they were guardians and a recognition that respect for police authority was a result of trust that was earned. She explained Pillar 5 of the report dealt with training and education, and in response to that pillar, CPD had reported a recent overhaul of its recruit training procedures to focus on ethical decision-making, legitimacy, and community engagement. She understood the State would now require 24 hours per year instead of 48 hours over three years of training for all police officers and training would include topics such as implicit bias recognition, de-escalation techniques, critical thinking, and social intelligence. They applauded this and hoped the CPD would make an effort to track the impact of this updated training on its practice. Recommendation 5.1 suggested training programs that used scenario-based training and were modeled less like boot camp. The CPD report indicated scenario-based training was already done for firearms training and response to resistance training, but could be improved by expanding it to include cultural issues, extreme discrimination, sexual harassment, and assault issues. She stated they looked forward to hearing when those expansions were implemented. Recommendation 5.2 indicated law enforcement should engage community members on the training process and make it transparent and open for review. She understood the CPD acknowledged this could be improved by releasing articles and videos of training method scenarios, practices, and goals with an opportunity for feedback, by bringing back the citizens academy program, and by providing training to the City's officers, officers of other jurisdictions, and community members that focused on cultural awareness and bias. CPD had indicated this could carry significant cost, but thought the costs could be shared if they were able to partner with local businesses that wanted to train employees. She commented that Race Matters, Friends agreed providing the public a window on this training and training police and others together when possible on how to mitigate bias were crucial steps because bias was not limited to police officers. She believed recommendation 5.6, which involved making crisis intervention training (CIT) a part of both basic recruit and in-service officer training, was very important. The CPD

had indicated they already did this, but could mandate officers to attend basic CIT and provide bi-yearly training on a CIT topic in-house or on-line. She praised the work of the CPD over the past seven years in providing serious scenario-based training to at least 150 Columbia and Boone County officers, and thought they should continue this excellent program, which she believed had saved lives by preventing suicides and connecting people in crisis with help. She commented that they would recommend against anything that watered down the 40 hours of in-person training that was available now, and urged the CPD to continue to work closely with the National Alliance on Mental Illness, which created and continually updated the national CIT program. She explained recommendation 5.7 called for basic officer training to include social interaction and the CPD had indicated they had begun this process by sending officers to de-escalation training and would continue to expand on that starting block. The CPD also indicated officers should receive a history of the community so they could better understand the issues. She noted Race Matter, Friends concurred strongly with the recommendations.

Mayor Treece thanked Race Matters, Friends for the dialogue they have created in the community.

SPC19-16 Mayor Gene Rhorer; City of Ashland Missouri – Welcoming new Mayor and Council Members.

Mayor Rhorer of Ashland, Missouri, introduced the Ashland Board of Alderman, Jim Fasciotti, George Campbell, Fred Klippel, Danny Clay, Jesse Bronson, and Rick Lewis, and the Chief of Police/City Administrator, Lyn Woolford, and explained they wanted to welcome Mayor Treece and any City Council Members that had gained or maintained a seat.

Mayor Treece thanked Mayor Rhorer and the others representing the City of Ashland for their words of welcome and hoped they could have a new spirit and era of cooperation by working together on projects they found were of mutual interest. He explained the Council had just participated in a meeting regarding the airport and noted he looked forward to visiting with the representatives of Ashland regarding their plans as he understood the airport was important to the economic development of both communities.

PUBLIC HEARINGS

PH14-16 Voluntary annexation of property located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard.

Mayor Treece explained there was a request for this hearing to be canceled as the application for annexation had been withdrawn.

PH15-16 Consider the Water and Light 2016 Renewable Energy Report.

PH15-16 was read by the Clerk.

Mr. Johnsen provided a staff report.

Mr. Thomas explained he was a net meter customer with solar panels, and understood the energy generated when the sun was shining would go straight to his house without going through the meter, but any surplus would go backwards through the meter to the grid for which he would receive credit for from the City. He also understood, at night or when the sun

was not shining, he drew energy through the meter, which was calculated as part of his bill. He asked if the energy he generated locally and used immediately without going through the meter was counted as part of the renewable energy quota. Mr. Johnsen replied the actual production was not metered, but they used some solar cells as a surrogate to provide an estimate. He explained they knew the capacity and estimated the production based on cells they metered. Mr. Thomas understood staff tracked every solar panel that was installed as part of a net metering contract and developed an estimate for what was generated. Mr. Johnsen stated that was correct.

Ms. Nauser asked if the utility bills showed how much the bill would have been without the renewable energy mandate so everyone understood how much the mandate was costing them. Mr. Johnsen replied no. Ms. Nauser asked if it could be included for purposes of transparency. Mr. Johnsen replied they had tried to provide some indication in the Renewable Energy Report through the perspective of a percentage because it would vary from customer to customer, and there would be a different impact on net metered customers as well. He stated they reviewed it from a systemwide basis instead of a specific customer basis.

Ms. Nauser asked how the utility would address the increase in the mandate as she wondered if it would be achievable and what the ramifications would be if it was not achieved. Mr. Johnsen replied staff would try hard to meet the mandate. He commented that wind energy was one of the cheapest renewable energy resources that could be increased rapidly. The landfill gas contracts were some of the most cost-effective, but were limited in terms of fuel source. As a result, wind appeared to be the most economical renewable energy they could obtain. They had started an RFP process and were evaluating responses. Although staff was fairly confident a good contract could be brought forward, they were still in the negotiation process. He pointed out they were also looking at the power plant, but a lot more work had to be done before they could bring something forward in that regard. He explained they were trying to incorporate a variety of renewable energy resources so a change would not impact the entire system and only a piece of it.

Mr. Skala commented that he appreciated the diversification as it was key to this goal, and understood there was an optimistic outlook in terms of achieving the goal. He noted there was a distinction between the communitywide solar arrays people might buy into and the individual solar arrays people might want to put on their own houses. He asked if they would look to increase incentivizing individual solar capacity in the future. Mr. Johnsen replied staff was looking at utility scale solar. He thought they were doing well in terms of people placing solar on their homes as there had been a large increase in the number of net metered customers, so he did not think it would need to be incentivized. He noted they needed to discuss this issue to understand how solar on homes impacted all customers and what it met to have the net meter policy be at full retail rate when pumped back into the system as those customers were net neutral on the costs to put the energy in and take it back out. Mr. Skala understood there were also costs in terms of transmission capacity, etc. Since there had been a 55 percent increase in solar participation, he asked if it had been incentivized. Mr. Johnsen replied it had been incentivized as there was a \$500 rebate for one

kilowatt in addition to the net meter policy of a full retail rate, so there was an upfront incentive and life of the program incentive.

Mayor Treece complimented the City and the Utilities Department on this renewable energy mandate. He noted what the Columbia voters had passed in 2004 had become a model for what was adopted statewide, and was glad to see they were above the current required percentage of renewable energy sources. He noted he was concerned about the 2018 renewable energy goal and what they would do to effectively double what they were currently doing. He wondered how they could develop that renewable portfolio standard in a way that prioritized local jobs and local technology and created a clean cost-effective energy district that could be used to convince businesses to come to Columbia. He asked if staff had a plan for how they would double what they were currently doing over the next two years. Mr. Johnsen replied they were currently looking at wind resources. He thought they could look at the expansion of photovoltaic on the system and community solar if they could get customer participation in the programs. That would be in addition to the biomass project, which was also local. He noted those were the most attractive areas at this time to cost-effectively increase renewable energy resources. The photovoltaic resources would be local and the biomass resources would be the most beneficial to the economics of the community. Mayor Treece understood the City had \$3.38 million in the allowable cost limit for some interesting and innovative economic development oriented initiatives to meet the renewable energy standard. In terms of photovoltaic, he asked if that would be on the individual home or a field of solar panels where people who did not want panels on their homes could invest, and felt photovoltaic would only work if it was counted toward the City's goal of reaching the mandate. Mr. Johnsen stated staff wanted to increase the ability for people to involve themselves in solar going forward as it would allow the rental community to participate in addition to property owners.

Mr. Thomas thought it was important to remember there were real costs to not transitioning away from fossil fuels and included increased taxes, increased investments in the protections of rising seas and different climate impacts, etc. While there was a cost increase on the individual for renewable energy, he felt they were a part of a national and global solution to get costs down by transitioning to a sensible way of using energy.

Mayor Treece opened the public hearing.

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

OLD BUSINESS

R34-16 Setting a public hearing: construction of a single-lane roundabout, splitter islands and five foot sidewalks and the installation of additional street lighting at the intersection of Fairview Road and Chapel Hill Road.

R34-16 was read by the Clerk.

Mr. Nichols provided a staff report.

Ms. Peters asked why staff wanted to delay a hearing to June 20. Mr. Nichols replied this would allow time for Mr. Thomas to share the new information with residents. In addition, pertinent staff would be out June 6 if the hearing were to be held then.

Mr. Thomas understood there was reference to an additional left turn lane on Chapel Hill Road as it would alleviate a certain amount of pressure and asked if the left turn lane would be going east on Chapel Hill Road for traffic turning north. Mr. Stone replied a fairly narrow left turn lane had been striped when Scott Boulevard was closed in order to alleviate traffic, and it was still in place.

Ms. Thompson pointed out the particular topic for this resolution was to set the public hearing. The public hearing was not being held this evening. This was simply a resolution to set the public hearing and staff was requesting the public hearing be set for June 20, 2016. She did not believe staff was prepared to answer questions related to the project itself as that would occur at the public hearing.

Mr. Thomas stated he had a long list of questions and would send those to staff to consider ahead of the public hearing on June 20.

Mr. Thomas made a motion to amend R34-16 per the amendment sheet to set the public hearing for June 20, 2016. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

The vote on R34-16, as amended, was recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, PETERS, TREECE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

B79-16 Voluntary annexation of property located on the southwest corner of Brown School Road and Range Line Street (Highway 763); establishing permanent PUD-12, O-1, C-P, C-3 and R-3 zoning; approving a statement of intent.

The bill was given third reading by the Clerk.

Mr. Trapp stepped out of the meeting room.

Mr. Teddy provided a staff report.

Matthew Kriete, 1113 Fay Street, stated he was the civil engineering on the project representing the developer and was available to answer any questions.

The vote on B79-16 was recorded as follows: VOTING YES: RUFFIN, SKALA, THOMAS, NAUSER, PETERS, TREECE. VOTING NO: NO ONE. ABSTAINING: TRAPP. Bill declared enacted, reading as follows:

B80-16 Authorizing a development agreement with Christiansen Investments, LLC for property located on the southwest corner of Brown School Road and Range Line Street (Highway 763).

R51-16 Approving the Preliminary Plat of Christiansen Deline Subdivision located on the southwest corner of Brown School Road and Range Line Street (Highway 763).

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

Mr. Teddy provided a staff report.

Ms. Nauser understood there was nothing in the development agreement that would indicate Boone Industrial Drive would be a private drive, and that all of the streets would be City streets. Mr. Teddy explained Boone Industrial Drive and White Tiger Lane would be City public streets. It was, however, conceivable that there might be access roadway as was found with apartment complexes for any multi-family development, but nothing had been proposed at this time. He commented that if a private road was proposed in a PUD or C-P, it

would have to be platted in its own lot, which meant a future review would be required. In addition, any private road would have to meet City specifications.

Mr. Skala asked if the streets would have to meet City standards prior to building permits and occupancy permits being issued. Mr. Teddy replied yes, and explained apartment complexes were commonly built with circulation drives or isles, which allowed vehicles to move from the street to parking spaces. Mr. Skala understood the build out of the PUD, O-1, etc. would not require anything beyond internal circulation types of streets, and asked if that was correct. Mr. Teddy replied yes, and noted the commercial pieces might be resubdivided since they were currently large lots. In those situations, there would be the platting of a street in some form and it would come to Council as a subdivision.

Mr. Thomas understood there was a disagreement between staff and the developer with regard to the timing of extending Boone Industrial Drive, and asked for clarification. Mr. Teddy replied the issue involved the extension of Boone Industrial Drive across the entire way versus only completing part of it. Since it was adjacent to commercial property, there was some value to that property for the street to be extended. Mr. Thomas asked if that property was already developed. Mr. Teddy replied it was the Peppers site, so nothing was happening on it now. There was still a building on the site though. Since it was zoned C-P, it would require additional public review if more buildings were to be constructed. He explained they were comfortable with some delay on White Tiger Lane because the applicant owned all of the land around it. Staff was concerned about delaying the infrastructure improvements associated with Lot 7 because someone would have to extend it the rest of the way across that frontage if lots were sold. In addition, Lot 7 would involve intensive zoning. He thought the minimum that was necessary was to build the entire street if there was platting of the front commercial section of the development.

Mr. Thomas asked if staff was concerned it would set a precedent if they did not require that complete street since it was adjacent to a lot owned by someone else. Mr. Teddy replied although they would try, they were not always consistent, and did not want to give anyone an argument of providing a break to someone with regard to the amount of street built out. He did not feel it would be precedent setting as they could look at the uniqueness in all situations, but it would be an additional concern.

Matthew Kriete, 1113 Fay Street, explained the development agreement covered the entire 70.6 acre property, and had been requested by staff in order to define the obligations of the owner. He noted it would come into play when the land was final platted. The earliest anticipated development would occur on Lot 7, which had created some special conditions, to include the delay of White Tiger Lane until Lots 3, 4 and 6 were developed. It also created an outstanding concern. He commented that currently there was existing access of Boone Industrial Drive from Range Line Street and explained they were really fixed at lining up with the current condition of the roadway, which would require right-of-way acquisition outside of his client's property in order to make it a fully public street. He thought if they extended the entire road as requested by staff, they would end up with a private street. As a result, they were proposing a driveway built to City standards, a right of use permit for the work done in the dedicated right-of-way, and the dedication of right-of-way on his client's property at this time. Boone Industrial Drive would also be extended about 600 feet with a cul-de-sac. When

White Tiger Lane was extended in the future or development occurred on the other side, Boone Industrial Drive would be extended. He noted there was also a possibility they would be unable to acquire the right-of-way, and if that occurred, the road could go to the north minimizing the amount of right-of-way that would be required off-property. This scenario would create a new Lot 8. He pointed out the situation was outside of his client's control so he wanted to ensure there was something palatable and feasible for everyone involved. He asked Council for its consideration of an amendment to the development agreement as shown.

Mr. Thomas asked what would happen if the development agreement as written was approved tonight and his client was unable to acquire the strip of land needed to build the driveway or road. Mr. Kriete replied his client had the right to build a driveway on the cross access easement and it could be built to public street standards. He noted whether the entire road was built or if it was built as proposed by him, it would remain private, and his client would likely consider moving the road to the north in order to limit the amount of right-of-way needed. Mr. Thomas asked if that would satisfy the proposed development agreement. Mr. Kriete replied he believed it would as the intent would be the same, but pointed out it would need to be reviewed by staff. He noted a decision would need to be made when the final plat was brought forward as that was when this could become a concern. He reiterated another option was for the western part of the road to be shifted north so it was completely on his client's property, but there would still be a strip that would be on private property, and there was nothing his client could do about it.

Mayor Treece asked if the acquisition of right-of-way required any demolition of the structure on the adjoining property. Mr. Kriete replied no.

Mr. Kriete reiterated it was an awkward situation because his client did not have any condemnation rights as a private property owner. They could only negotiate and there was the possibility they would not be able to come to terms.

Ms. Peters asked what the Planning and Zoning Commission had approved. She wondered if it included the amendment to go north. Mr. Kriete replied the development agreement did not go to the Planning and Zoning Commission. The preliminary plat and the zoning items had been reviewed and discussed by the Planning and Zoning Commission.

Mr. Skala understood there was an issue in terms of a private driveway or private road, and asked if the alternative of a road to the north would satisfy the circulation requirements. Mr. Teddy replied the boundary of the property was centered on the existing curb cut, and he thought Mr. Kriete was trying to say the property owned by the other owner would have to be acquired and dedicated with the final plat. He pointed out this was in the development agreement as staff felt that should happen because they believed it should be a public street for its full length. He noted there were a number of ways this could happen, and explained the street could be built relying on the easements and to a public standard. Thereby, when the dedication of right-of-way was received by the other property owner, it could become a full-fledge public street.

Mr. Skala asked if the orientation Mr. Kriete was suggesting would make it a private road. Mr. Kriete replied it would still be a public road, but a short section would be on private property in a cross access easement. It would allow a smaller piece of property to be

acquired if necessary. Mr. Skala asked Mr. Teddy for his thoughts on this alternate alignment. Mr. Teddy replied staff had not reviewed the alternate plan. He pointed out it would create an additional lot and the development agreement only referred to seven lots. This meant the development agreement would need to be amended to add an eighth lot and come up with triggering conditions for it. In addition, he thought the configuration of the roadway suggested by staff would benefit the adjacent property, and felt it was in their interest to provide the right-of-way if the road was built for them. This benefit would be taken away if the road was moved as suggested by Mr. Kriete. He noted the Planning and Zoning Commission had not seen this new configuration suggested by Mr. Kriete. He believed it would need to be circulated for staff review and comment and then go back through the Planning and Zoning Commission. Ms. Thompson pointed out it would also require an amendment to the plat because it was a different roadway alignment.

Ms. Nauser understood the development agreement shown as the attachment to the ordinance would require Boone Industrial Drive to be built from its beginning to its intersection with White Tiger Lane, and if this were amended, it would allow the developer to come forward with a final plat with a private drive. Ms. Thompson replied at this point in time, the development agreement provided for the road to be constructed according the configuration shown utilizing the cross access agreement the engineers had described. She noted the cross access easement provided sufficient rights to be able to provide access. Ms. Nauser understood if the Council was to amend this agreement, it would take away their ability to require this to be a public street. Ms. Thompson stated the developer was suggesting an amendment that would allow a private drive with a cul-de-sac terminating at about 600 feet to be built, and to extend it at a later date when additional portions of the property were developed. They wanted the building permit for Lot 7 to only trigger the first 600 feet of construction and were still relying upon that cross access easement so it would not solve the issue of a public or private street. The only solution for that would be to ultimately acquire the property, which could be done by the developer or by the City through eminent domain. Ms. Nauser understood the City could participate and acquire the necessary property since it was in the best public interest for it to be a public street so there was access for everyone. Ms. Thompson stated the development agreement required the developer to construct the street to City street standards even if it was a private drive. Ms. Nauser commented that she had a private drive in her ward that had been built to City standards 20 years ago, but did not conform to City standards now, and no one wanted to bring it up to City standards. She suggested they not do that again.

Mayor Treece asked Mr. Teddy if there was a trigger they could use to satisfy the public roadway requirement before they proceeded with anything else. Mr. Teddy replied he could not think of anything at this time, and urged the Council to think of it as a future public road. He pointed out there would be development on Lot 6, which was west of White Tiger Lane and could include a multi-family community, and thought they might want it to have public road access direct to Range Line Street versus going around to Brown School Road as it could include a lot of units. He did not believe they wanted a private access that was commercialized to be the only corridor to Range Line Street. He thought they should hold out to see if pieces could be put in place for a public right-of-way there.

Ms. Peters asked if the development agreement could be approved as it was without an amendment, which meant the entire roadway would need to be built, but not until the area was developed, as she thought the issues might be resolved by then. Mr. Kriete replied yes. He clarified they were not asking for an amendment for the road to go northward today. That was only the worst case scenario. He noted the development agreement indicated a good faith effort, and his client was well beyond a good faith effort at this point and still did not have the right-of-way. He was currently proposing a cul-de-sac at 600 feet and a trigger later to extend the road the entire way, such as the development of Lot 6, instead of building the road its entire length at this time as that would create a further right-of-way issue in his opinion and long road that would not serve anything for a period of time.

Ms. Peters asked if the current development agreement allowed for a cul-de-sac there. Mr. Kriete replied no, and explained his proposal would put a cul-de-sac there. He explained that was really the only difference between his proposal and the City staff proposal.

Mayor Treece asked if Lot 6 would have to come back to Council before it was developed as multi-family. Mr. Teddy replied only a plat of Lot 6, which included White Tiger Lane, would come before the Council. Mayor Treece asked if the plat could be rejected. Mr. Teddy replied it could be rejected if there was something they could point to that violated the Code of Ordinances. Mr. Kriete stated the density could be an issue without sufficient access. Mr. Matthes commented that denying plats was hard to do as there needed to be real threats to health and public safety.

Mr. Matthes stated staff felt this development agreement was good considering the circumstances as it provided the access that would be required. The real decision was between having a cul-de-sac that started at the beginning of the development or a road that went through. Ms. Thompson commented that the greatest protection would be to put in the higher requirement now as the developer could come back to Council if needed. She noted this particular roadway construction was not triggered until there was a building permit request for Lot 7. At that point, the developer could come to Council to request a modification to the plat if it was felt a modification was still necessary. She stated it was much easier to go back that direction than to try to force something higher.

Ms. Peters understood what they had in front of them would be the higher requirement. Ms. Thompson stated that was correct.

Mr. Thomas stated he planned to support the recommendation of staff.

Ms. Nauser commented that she would also support the recommendation of staff.

The vote on B80-16 was recorded as follows: VOTING YES: RUFFIN, SKALA, THOMAS, NAUSER, PETERS, TREECE. VOTING NO: NO ONE. ABSTAINING: TRAPP. Bill declared enacted, reading as follows:

The vote on R51-16 was recorded as follows: VOTING YES: RUFFIN, SKALA, THOMAS, NAUSER, PETERS, TREECE. VOTING NO: NO ONE. ABSTAINING: TRAPP. Resolution declared adopted, reading as follows:

Mr. Trapp returned to the meeting room.

- B103-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Building Code.**
- B104-16 Amending Chapter 6 of the City Code as it relates to the adoption of the NFPA 70 2014 National Electrical Code.**
- B105-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Plumbing Code.**
- B106-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Mechanical Code.**
- B107-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Residential Code for One- and Two-Family Dwellings.**
- B108-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Property Maintenance Code.**
- B109-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Fuel Gas Code.**
- B110-16 Amending Chapter 6 of the City Code to enact a new Article X adopting the 2015 Edition of the International Energy Conservation Code.**
- B111-16 Amending Chapter 6 of the City Code to enact a new Article XI adopting the 2015 Edition of the International Existing Building Code.**
- B112-16 Amending Chapter 9 of the City Code relating to adoption of the 2015 Edition of the International Fire Code.**

The bills were given second reading by the Clerk.

Mr. Teddy provided a staff report.

Fred Malicoat stated he was Chair of the Building Construction Codes Commission (BCCC) and explained the Commission consisted of twenty members representing different construction trades and people not related to the construction industry. It took considerable time and effort to review all of the codes in terms of how they applied to the City of Columbia. He noted the BCCC was recommending a few amendments to be adopted with the codes. In terms of the residential code, he referred to pictures included in the packet that showed a typical residence and explained those pictures would allow a contractor to visualize how the residence needed to be built for energy standards as recommended by the BCCC without having to read the entire code book. He pointed out the BCCC recommended foundation insulation be an option instead of a mandate. He stated it would cost an additional \$6,000 to install foundation insulation in a 2,000 square foot slab on grade residence in order to save 20 BTUs per lineal foot, which equated to a 35 or 40 year payback. In addition, it would add to the termite situation. He explained the insulation would need to be above grade by six inches and be protected from the weather, weed eaters, etc., and noted the termite shield allowed a path for termites to get into residence. As a result, the BCCC was recommending foam insulation be an option and not a mandate. He commented that there was an item called solar ready in the appendix, which the BCCC did not believe should be mandated because they felt technology would change in terms of solar installations in the future. He noted several years ago CAT-5 and CAT-6 cable would have been installed in every room of a house, but that was no longer done as homes were now wireless. He imagined solar technology would change as well. In addition, roofs tended to wear out every 17 years so any solar panels on roofs would then need to be reinstalled. He thought there might be a better location than a roof.

Mayor Treece asked for a summary of the changes prior to additional advocacy comments. Mr. Simon replied the best summary of the important changes were in the council memo. The major code changes included the storm shelter requirement, energy efficiency, which Mr. Malicoat had spoken to, and a couple accessibility recommendations by the BCCC.

Mayor Treece asked in what portion of the code the accessibility items were located. Mr. Simon replied the International Building Code. He continued listing the major changes, and explained the existing structure code was located in a new manual and clarified greatly the requirements so the building and owner community could better understand the requirements. The BCCC was recommending the City adopt appendixes for straw bale and straw-clay construction, which appeared to be a forward-thinking idea, and for the BCCC membership to include a member experienced in energy conservation to take part in the review of the building codes.

Ms. Nauser understood daycares were excluded from the storm shelter requirement if they had fewer than 50 occupants. Mr. Simon stated that was correct. Ms. Nauser understood a lady that babysat two children would not need to build a storm shelter. Mr. Simon stated that was correct. He clarified a daycare with 50 children or more would have to have a storm shelter unless the daycare was accessory to a church. Ms. Nauser understood there was a lot of bedrock in the community and asked what would happen if someone had a facility that could not construct a basement storm shelter. Mr. Simon replied there would not be a requirement in the code to build a storm shelter in a residence, but if a property owner chose to build one, there would be mandated requirements of what it would need to meet for code purposes. He pointed out storm shelters could also be built above grade.

Mr. Trapp understood the City had been requiring blower door tests since the 2012 code amendments and asked if anyone had ever failed a blower door test. Mr. Simon replied he understood there had been some confusion, but by the time staff was on site, everyone had passed their blower door tests. In calling contractors who performed that type of work, they had discovered the construction had been amended so it would pass. Mr. Trapp asked if some had failed and retested. Mr. Simon replied yes. Mr. Teddy clarified staff saw tests that had passed. They did not see failed tests. Mr. Trapp understood failed tests had happened. Mr. Teddy stated that was their understanding.

Mayor Treece understood one of the recommendations in terms of accessibility was to give commercial properties the option of just having a low water fountain instead of requiring both a high and low water fountain. He asked why they would want to allow commercial properties to opt out as there could be people with back injuries that could not bend down. He wondered why they would not preserve the high-low requirement. Mr. Simon replied he was uncertain as to whether the BCCC had realized it was an ADA requirement when they made that recommendation. City staff had since discovered the building code and ADA requirements were exactly the same. Mayor Treece understood City staff supported the ADA requirement. Mr. Simon stated that was correct.

Mayor Treece asked about the requirement for an elevator for a two-story property. Mr. Simon replied the City, at this time, was stricter than the ADA requirements, and the BCCC was proposing the City meet the ADA language. Mayor Treece understood the way it was written now was that an elevator would only be required for a two-story building if there was a third story of more than 3,000 square feet or something similar. Mr. Simon explained an elevator would be required if there was a story above or below the accessible level that was more than 3,000 square feet and there were stairs. He noted it would only apply to non-residential properties. Mayor Treece understood commercial properties would be required to

have an elevator for a two-story building under the proposed change. Mr. Simon stated that was correct, except for residential structures.

Mr. Malicoat clarified there were two-inches of difference in the water fountain in terms of accessibility.

Mayor Treece commented that most foundations would last more than 25-40 years and asked if the payback was enough to justify not including the insulation. He asked for clarification on the argument against it. Mr. Malicoat replied he did not feel everyone would purchase the proper insulation and the insulation would cause termite issues, and the damage as a result of termites would cost much more.

Mr. Thomas understood if the upfront cost was \$6,000 and the payback was 40 years, it would result in \$150 per year in energy cost savings, but any termite damage might cost more than that savings. Mr. Malicoat stated that was correct.

Jan Dye, 2222 Bluff Boulevard, explained she was the Chair of the Environment and Energy Commission (EEC) and noted the 2012 International Building Code, which had already been adopted by the City, contained Section R318.3 that included a solution to the problem of termite infestation being hidden by the insulation. It required foundation insulation with termite shields. She pointed out the EEC would not recommend any termite recommendations be dropped so they were at odds with the recommendation by the BCCC to not require foundation insulation. She commented that those opposed to the energy efficiency standard in the new codes did not want to spend the money to implement them, and noted they would hear complaints about the rising costs of homes and threats that the costs of these changes would be passed along to consumers raising the cost of homeownership. They felt many people liked to pretend the cost to build a home was the most important consideration. If that were true, they would want the cheapest possible buildings and would do without granite countertops and custom closets or live in smaller homes with fewer bathrooms and one-car garages or no garages. She stated buyers cared about these things and by and large were willing to pay for them. The National Association of Home Builders had issued a report in May of 2013 titled *What Homebuyers Really Want*, and an important key finding was that only 14 percent of homebuyers indicated they were concerned about the environmental impact of building their home, but 77 percent of homebuyers felt knowing the projected utility costs of a home was important, 73 percent agreed the projected utility costs of a home would influence purchase decisions, and 71 percent agreed they would prefer to buy a home that provided home energy savings. She commented that homebuyers reported being willing to pay an additional \$7,095 in the upfront price of the home if that saved them \$1,000 annually in utility costs. She felt they needed to stop thinking about homebuilding in terms of present costs and start thinking in terms of what it would cost into the future. Now was not the time to cut corners on energy efficiency with climate change looming and continued fossil fuel use threatening to make the problem worse. Conservation was the best way to reduce the impact on the environment, and these new codes were designed to help in that regard. She asked Council to do the smart thing by passing the energy efficiency codes with no changes and by including solar ready as there was not a good reason to put it off.

Ms. Nauser asked Ms. Dye if there were income demographics associated with the statistics she had provided. Ms. Dye replied she had not noticed anything of that nature in the study and provided her the website address for the study.

Mr. Skala understood there was some discrepancy in terms of the termite issue and the category in which Missouri fell and asked for clarification. Ms. Dye stated there was a scale in the code books indicating which regions were moderate to heavy for termite infestation and which were very heavy, and the BCCC recommended Columbia's region be changed from moderate to heavy to very heavy. The EEC disagreed with that recommendation and noted the map in the 2015 Residential Code showed Boone County in the moderate to heavy termite region. The very heavy region was along the gulf coast. She commented that changing the infestation probability from moderate to heavy to very heavy gave credibility to the idea that foundations should be uninsulated to allow for easy viewing by termite inspectors.

Mr. Skala understood the EEC had also recommended including commercial construction in addition to residential construction in terms of energy efficiency. Ms. Dye clarified commercial residential. Mr. Thomas understood that was meant for apartments. Ms. Dye stated that was correct.

Mayor Treece asked if the payback in terms of the foundation insulation changed depending on whether one was in a southern climate or northern climate. He wondered if the payback was shorter in a colder climate. Ms. Dye replied she did not know.

Mayor Treece asked if the EEC had met with the BCCC to try and reconcile any differences and whether they considered them differences. Ms. Dye replied the EEC had only concerned themselves with the energy efficiency portion of the codes. She would not say these were differences, but felt they had different viewpoints. She commented that the EEC planned to ask the Council to organize a round table discussion between the EEC, BCCC, and any other citizen commission that wanted to provide input into the building codes prior to the next code review as she felt they all needed to work together and to come at this as a group.

Rick Shanker, 1829 Cliff Drive, stated he was a member of the BCCC, and explained they had reviewed the blower door issue and were supportive of it. He noted the BCCC was supportive of most conservation efforts. He pointed out they looked at these issues more broadly, and one issue involved termites. He commented that he had texts from three termite companies in town and had all indicated this would be a way for termites to enter the homes. The issue of whether they lived in heavy or not heavy was moot as these companies had been in town for a long time and had treated hundreds of homes that had termites as a result of insulation. He noted he had photos from one company that showed infestation through the foundation, and all three of the companies had indicated this was a problem they had seen for decades. As a result, he was concerned with the foundation insulation. He pointed out the City complied with several items in the solar appendix, but one of the items they did not comply with dealt with documentation, which was what they primarily opposed. He understood Mr. Simon had indicated roofs could support solar panels and the electric service was capable of supporting solar as well. There were some documentary items that would be

cumbersome, which was why he was not supportive. He suggested they take a broader view of the issues and not be myopic.

Mark Walter stated he was the Deputy Director of Renew Missouri, which traditionally worked on a statewide level, and noted they wanted to testify in favor of additions to the building code, specifically solar ready. He commented that he did not have enough knowledge of insulation in terms of the danger of termites to speak to that issue. He explained that having an aggressive renewable energy portfolio standard while maintaining a relatively low cost required a patchwork of supportive policies and building codes was one of those policies that enabled private investment to be leveraged to ensure public costs was as low as possible. Encouraging people to willingly invest their own money, while making it as easy as possible and building capacity, was a benefit to all ratepayers. He pointed out solar was essentially an energy efficiency measure in and of itself even prior to crossing the meter as it was a way to avoid usage or avoid the City having to provide capacity for that customer. He thought encouraging solar would be to the benefit of everyone in the City.

Mayor Treece asked if a special license was required for solar installers in the State of Missouri. Mr. Walters replied there was not any requirement, but noted there were a lot of solar installers that were willing obtain certifications because it was a very competitive market. He explained he had a North American Board of Certified Energy Practitioners (NABCEP) certification and stated it was difficult to obtain. The solar companies he was aware of that were working in Columbia were all NABCEP certified. Mayor Treece asked who did that work. He wondered if it was electricians. Mr. Walters replied electricians were legally required do the work, but anyone that was properly trained could get on the roof to install the panels. The racking systems and components were not live electrical entities so certification was not required for it.

Mayor Treece asked Mr. Walters if he had any idea of the added costs to ensure the roofs were prepared for solar panels or how many new homes in the future might install solar panels. Mr. Walters replied that was beyond his scope of knowledge, but he thought he could research it.

Marilyn McLeod, 2307 Ridgefield Road, stated she was speaking on behalf of the League of Women Voters of Columbia/Boone County and explained they were non-partisan, but took positions on governmental policy issues. She noted positions were taken after extensive study, often two years of time and input from all of the Leagues around the nation. Since the 1990s, the League of Women Voters of the U.S. had advocated nationwide action to reduce greenhouse gases that caused global warming. Conservation of energy and use of energy efficient technologies were key elements of their position. She commented that buildings were responsible for about 48 percent of all U.S. carbon dioxide emissions according to the U.S. Energy Information Administration. Since homes built today would likely last 50 or more years and their energy efficiency or lack thereof would be significant. The International Building Code energy efficiency recommendations were designed to reduce the amount of energy needed to heat and cool buildings, thus reducing utility bills for homeowners. She stated it was far more cost-efficient to incorporate energy saving technologies when the building was constructed than to retrofit the building later. She understood the cost of construction was increased slightly, but noted the savings in energy

bills for the occupant was even greater. She commented that the League of Women Voters disagreed with the recommendation of the BCCC that Columbia's energy efficient standards be reduced from what the Council had adopted three years ago as it was an attempt to roll back the existing construction codes. She noted the recommendations accomplished this by making some items optional. If these changes were adopted, the prospective homeowner would have no way of knowing whether the house was built to international code standards. She congratulated the Council from three years ago for recognizing the importance of the adoption of the International Building Code energy efficiency standards, and urged the current Council to reject any proposals that would result in weakening the standards.

Mayor Treece asked Ms. McLeod if she knew how many communities had adopted the Energy Conservation Code. Ms. McLeod replied she did not.

Tom O'Connor, 806 Leawood Terrace, stated he was speaking in support of the energy conservation codes, specifically the solar ready provisions and Appendix U, as he did not feel the requirements were burdensome or costly. It was mostly documentation and consideration for issues down the road, such as the placement of vent pipes, so a free and clear space was left for solar in the future. He thought this was important in terms of demonstrating what the community felt was important for the future in terms of sustainable infrastructure. He noted some communities were taking larger steps, and pointed out San Francisco had mandated photovoltaic panels on all new buildings and additions. He felt it was good to have the housing infrastructure ready for the future. He reiterated he hoped the Council would give Columbians that gift.

Mr. Thomas asked if San Francisco had a program similar to the solar ready program for several years prior to mandating the panels on all new buildings. Mr. O'Connor replied he thought so, but stated he was not completely certain. He noted that was the natural progression.

Alyce Turner, 1204 Fieldcrest, explained she was a member of the EEC, and commented that she had purchased a new home in 2003 and had assumed the best energy codes for 2003 had been in place. She noted she could not cool her home or keep it warm in the winter, and had learned she had a ventilation problem through an energy audit. The builder had to be called in to make modifications at no charge. She stated a simple duct test would have shown those problems during the construction process. She implored the Council to continue to require the needed tests, such as blower door tests and duct testing. She commented that in 2010, the Chair of the EEC, Larry Lile, had met with the BCCC every week in terms of the building code review, but at the end of the process the two commissions still had not agreed. This time the EEC did not have someone that could meet at 4:30 p.m., which was a reason they had not met with the BCCC. One member of the EEC had suggested a round table approach, which had not been supported by the different commissions, to include the BCCC. She looked forward to better communication facilitated by the City during the next review process. She stated she hoped the Council adopted the recommendation of the ECC.

Eugene Elkin, 3406 Range Line Street, commented that he had the government do the blow door test on his mobile home and it had proved to be in good shape. He commented that they had also placed a vapor barrier under his mobile home due to the moisture level.

He thought a discussion regarding the moisture level might be important in terms of the need to insulate the foundation and whether it would lead to other problems, such as termites. He encouraged the Council to move forward with the solar ready proposal, and noted Boone Electric Cooperative had just adopted plans for 400 new solar panels on the north side of the Business Loop on Range Line Street.

Dick Parker, 215 W. Sexton Road, stated blower door tests worked because the tester identified the problems so they could be corrected prior to inspection. He believed \$6,000 for insulation was extremely high, and noted he thought it would be more like \$2 per linear foot. He pointed out the International Building Code provided the alternative for dealing with termites nationally, and not just for the moderate level. He explained his property had been damaged by termites prior to this technique being developed. He stated this had been on the books for the past three years and the termite problems people spoke about had occurred over the last decades. He commented that he had been surprised with the recommendations of the BCCC as their approach was to roll the City back to 2009 energy efficiency levels, and noted he felt that was inappropriate. He stated the EEC was recommending the residential energy efficiency be applied to duplexes, quadraplexes, etc. in addition to new homes because those were typically occupied by people with limited income. He felt there was huge disparity in the power of landlords and renters in terms of energy efficiency, which needed to be addressed at construction. In 2013, when reviewing the 2012 codes, the EEC had estimated the cost of meeting all requirements and had come up with \$1,700, which was similar to costs in Kansas City and Illinois. Those locations also had an estimated break even time of people's total additional down payment and mortgage payments of 11 months and 13 months. He commented that energy efficiency paid back and paid back quickly.

Ms. Nauser asked Mr. Parker where he came up with his data contrary to the cost of the insulation. Mr. Parker replied it was from a builder in the community that looked at the specific items required. Ms. Nauser asked for clarification of the request of EEC in terms of moderate or heavy for Columbia. Mr. Parker replied Missouri was more than a full state away from the portions of the country that were mapped as being heavy with regard to termites. Ms. Nauser asked if Missouri was listed in the International Building Code as heavy. Mr. Parker replied it was a fabrication that Columbia was in a heavy termite area.

Mr. Thomas understood Mr. Parker had estimated the foundation insulation cost was about \$2 per linear foot. Mr. Parker replied yes although he thought that might be an overestimate as well. Mr. Thomas asked if this was something that went around the perimeter of the foundation. Mr. Parker replied the requirement was two feet of insulation underground up to the base plate and a piece of tin between the concrete and base plate to prevent termites from entering the wood. It was a significant problem to try to retrofit a house that had base plate already attached to the foundation. He commented that this particular problem was the cause of the controversy a year ago regarding the high cost of utilities in some of the rental properties as they had very cold floors. Mr. Thomas understood the cost would be \$320 for a 50 foot by 30 foot rectangular foundation. Mr. Parker thought that was likely correct, but thought a builder could provide a more accurate figure.

John Clark, 403 N. Ninth Street, commented that he wanted higher energy efficiency codes in place because new houses that were not built to higher standards would demand

and use more energy, especially at peak times, which would result in him paying more through his utility bills. He stated the City was already tied to really bad contracts causing them to pay huge amounts of money. He thought it might be useful to determine how much demand for electricity would have been reduced had these provisions been in place ten years ago. He agreed the payback issue should be discussed, but wondered if they could look out twenty years to see how much more money would have to be paid going forward by everyone with better codes and without better codes. He reiterated everyone hooked up to the electric grid would benefit from higher energy efficiency standards, and not just those in the new homes with those standards, because energy demand would be lowered. He viewed this as a demand control mechanism to keep costs down going forward.

John Page, 8391 Forest Creek Drive, explained he had been a home builder in Columbia for 36 years, and had been on the BCCC and had chaired the subcommittee that had reviewed the International Residential Code for a long time. He commented that there were houses that had termites and houses that would have termites. He described a situation at Park de Ville Place whereby a property owner had terminates in a home with treated base plates, foam insulation, and a termite shield. He did not believe termite shields worked because they overlapped and the termites traveled through the areas where they overlapped and up the wall. He felt it was a disservice to the public to require foam insulation. He commented that he was all for energy efficiency, but not when it damaged the house and no one knew until the damage was done because it would then cost a lot of money to address the damages. He pointed out this was a minimum building code and suggested they not make it a maximum building code. He noted they also needed to keep the barriers to affordable housing in mind. He did not believe it made sense to spend \$100 to save \$10 and felt this would affect first time homebuyers the most as they would be out of the market with increases in cost of just \$30-\$50 per month. He stated these things were already being done in \$200,000-\$300,000 homes as it was not an issue for them to absorb those costs like it was to first time homebuyers. He asked for a common sense approach to this issue.

Ms. Peters understood Mr. Page had indicated this was a difficult thing to do and it destroyed homes via termite infestation. Mr. Page stated it was not difficult to do, but he believed it destroyed houses. Ms. Peters asked why the International Building Codes was recommending it. Mr. Page replied it was a problem across the country and he thought many places likely opted out of it.

Mr. Ruffin asked for the alternative solution to the termite problem. Mr. Page understood Mr. Ruffin was asking for an alternative to foam insulation and noted there was not an alternative to it. Ms. Peters understood Mr. Page was recommending against the foam insulation so the termites could be seen easier. Mr. Page stated he would prefer people pay a bit more on their heating bill than pay a lot more due to damage to their house. He reiterated it was a disservice to the public to require this.

Ms. Nauser asked if homes were pre-treated for termites. Mr. Page replied they could be pre-treated. He thought pre-treatment was good if done, but questioned whether homeowners would properly maintain their homes. Ms. Nauser asked if it was a requirement for a home to be pretreated in order to obtain a VA loan. Mr. Page replied there were certain

loans such as VA, FHA, etc. where it was a requirement, but noted it was not a requirement to continue the treatment. Ms. Nauser understood that was where there was a failure.

Dave Weber, 2804 Wild Plum Court, commented that he had been on the BCCC since 1997 and had participated in many code review processes as a structural engineer representative. He felt the Council should be proud of the BCCC as it was a very diverse body and full of very experienced and knowledgeable people. Every time a new code cycle review began, he made a motion to adopt the codes as written as it would be convenient, but no municipality did this for good reason. The locale had the experts that understood how things worked. The reality was that the BCCC was a very unlike-minded body that compromised and the EEC was a very like-minded body that pushed an agenda. He thought the Council should look at the value of the compromise of the diverse commission, and noted Jefferson City wished they had a code commission similar to Columbia. He commented that he looked at a lot of problems with his job and knew styrene against a wall would be moist all of the time due to capillary action and clay soils. He noted it could be done right with certain materials and a drainage system with clean gravel and sump pumps, and pointed out anything could be done with an unlimited amount of money. Everything had a cost-benefit and was a lifecycle problem. He stated they increased restrictions every code cycle as they learned how to construct buildings better. He explained they now knew tight buildings needed to be ventilated because they created humidity and condensation issues, and those were mistakes made in the 1970s. As they continued to learn, the code would be expanded and buildings would cost more to construct because they believed that was the right thing to do through compromise. He asked the Council to listen to the BCCC as he felt they had the expertise.

Mayor Treece asked if there was an energy and environment representative component on the BCCC. Mr. Weber replied that had been suggested by him, and they had agreed to propose it. He thought an energy expert was needed. He did not feel it was good to have a commission assigned to one portion of the building code family, even though it was an important portion.

Mayor Treece asked if there had ever been a joint meeting between the BCCC and the EEC. Mr. Weber replied communication between the groups had broken down fairly badly during the previous cycle. He commented that it was very difficult to make the codes understandable whereby any builder could do the job correctly, so he did not believe they should leave the code as written. He noted Columbia did not have the staff to assist builders similar to Kansas City or St. Louis. As a result, he thought it was good to have diagrams, etc. He felt if they followed the code as written, builders would try to sneak by without doing all of the work because the City did not have the staff to control every step of the process.

Mayor Treece asked if he thought cross training a City staff person on the energy code would be beneficial as that person could make suggestions when reviewing plans. Mr. Weber replied he thought that existed to some extent now. He stated he did not feel they should ignore every other aspect of the codes. He reiterated the BCCC was a compromising body whereas the EEC was a like-minded body, and thought they should consider how to weigh the advocacy aspect of those bodies.

Dan Cullimore, 715 Lyon Street, reminded the Council that the plans for most single-family housing in Columbia were never reviewed prior to construction. Inspections occurred at various points along the way for items such as footings, foundations, structure, etc. The City did not review building construction plans so there was no way to intervene beforehand. He commented that he did not know of a solution to the insulation problem. As someone that worked in the construction industry, he had seen insulation for foundations done well, but he had also seen it done poorly. He had also seen termite damage whether or not there was insulation on foundations. It was an issue that involved two important items, the future of energy consumption and the future of people's homes in terms of soundness. He thought it deserved more deliberation than would happen tonight.

Mayor Treece asked what would happen if the Council approved all ten of the ordinances in front of them tonight. He wondered if there were irreconcilable differences and conflicts within them and if they could become harmonized. Mr. Teddy replied there were only five items that had not been agreed upon. He explained those were the diagram displayed by Mr. Malicoat, the treatment of Columbia as if it was in the very heavy zone for termites even though Missouri was shown as moderate to heavy in the code book, the blower door testing requirement, the inclusion of commercial residential construction, which was essentially multi-family properties, in terms of requiring an increase in the R-values for insulation and a decrease U-values for windows, and the adoption of solar ready provisions.

Mayor Treece commented that he was frustrated by the lack of communication by the two commissions and asked the Council how they wanted to proceed.

Ms. Nauser cautioned the Council in changing the termite infestation probability zones as those zones were used by mortgage companies, lenders, and guarantors to underwrite loans. She wondered how a change would affect people obtaining real estate loans. Mr. Thomas asked who created the termite infestation probability zones. Ms. Nauser replied it appeared the U.S. Forest Service had originally created it. Mr. Thomas understood the BCCC was proposing the designation be changed. They wanted Columbia to act as though it was very heavy while the map indicated Missouri was moderate to heavy. Mr. Simon confirmed the map indicated Missouri was moderate to heavy. Mr. Thomas understood the BCCC had recommended the City treat its risk of termite infestation as if it was very heavy. Mr. Simon commented that the code made it clear that the foam insulation was an attraction to termites, which was why it allowed communities to not have foam in areas that were very heavy. Mr. Thomas understood Columbia was not within the very heavy area according to the map. Mr. Simon stated the code also allowed for the jurisdiction to determine what they would consider for their particular area.

Mr. Skala commented that he was sympathetic to the position of Mayor Treece with regard to the groups improving their relationship. He noted he had served on the EEC for 14 years and had respected the BCCC. The Council received information from three sources on the codes, and they were the BCCC, who were the professionals, the EEC, which he did not consider like-minded, and City staff, who were the Council's research professionals when trying to synthesize all of the information. In addition to the differences of opinion between the BCCC and EEC regarding energy efficiency, there were other items staff had reconciled in their review, which included the height of water fountains, etc. If he were to vote tonight,

his inclination would be to be consistent with how they had voted in the past and to adopt rules to move forward and not roll back. He agreed the relationship between these two groups needed to improve through a liaison, facilitated joint meeting, etc. He explained there had been liaison roles in the past that could provide a benefit. He commented that he thought they had received a lot of information from the three sources to help sort the issues out.

Ms. Peters stated it appeared a lot of work had been done over the past year and she somewhat loathed kicking this down the road as it would just come back again. They had all provided their best recommendations. She commented that she tended to agree with Ms. Nauser in that they might not want to designate Columbia as being very heavy, but might want to act as if they were by not requiring the foam insulation. She did not want to go back on the required air tightness testing as it had been approved by the previous Council. She felt the residential energy efficiency requirements were a good idea and was agreeable to the solar ready provisions. She thought they had the recommendations and should not delay it further. In the future, it might be good to get everyone together, but she did not believe it needed to be postponed at this time.

Mr. Thomas commented that he felt the truth was too unclear. Mr. Malicoat had indicated it would cost \$6,000 per house to insulate the foundation and Mr. Parker had indicated it would cost \$320. This was a big difference, especially if the energy efficiency benefits were fairly small per year. He did not feel they really understood what was being recommended with regard to the risk of termite infestation. He noted he would like to know how many homes in Columbia were discovered to have termite infestation in order to understand the scale of the problem. He stated he would like to develop specific questions with regard to these five points and to make a decision after receiving more information.

Mr. Ruffin stated he thought they should move forward with a decision. The groups had given their best efforts and presented sufficient research information for him. He noted he was prepared to vote tonight.

Mr. Trapp stated he would support moving forward.

Ms. Nauser stated she was supportive of moving forward as well.

Ms. Thompson commented that they had to locate the exact sections that would need to be amended and make those amendments individually. She stated it would be helpful to staff if Council could specify which items they wanted to move forward with and then allow for a short recess.

Mr. Matthes explained it was always helpful to provide one meeting to prepare the amendments, so if Council provided its will, staff could then draft the appropriate amendments for Council to act on at its next meeting.

Mr. Skala noted these five areas were a small portion of what they were considering and understood it only involved energy efficiency. He commented that staff had provided clarity with regard to some other issues, but this was the focus due to the perception of overt differences. Mr. Matthes stated they did not want Council to forget about the ADA water fountain issue either if they decided to move forward tonight.

Ms. Peters understood these were items whereby the BCCC was recommending something different than the International Code Council recommendations. Mr. Matthes

stated that was correct. These were recommended amendments to the codes. Ms. Peters thought if they were putting back some of these items, they would really only have one or two amendments. Mr. Matthes explained what they would see was the undeleting of a code section, and time was needed to allow staff to find the exact code section or sections.

Mayor Treece understood the City was under no obligation to adopt this by a date certain. Mr. Matthes stated that was correct. Mayor Treece asked if sufficient support to adopt all ten recommendations as submitted would provide adequate direction to harmonize the energy code where it conflicted with the other building codes or if they would prefer to come back with amendments. Mr. Matthes replied staff would prefer to come back with amendments. Ms. Thompson understood three codes would be affected, and those were the International Building Code, the International Residential Code, and the Energy Efficiency Code. She did not believe the other codes were affected by the discussion.

Mr. Thomas commented that he heard a proposal to expand the residential code to include commercial residential, such as apartments, and noted he did not see that listed. Mr. Teddy replied it was identified as item number four, which involved amending the International Building Code to change required insulation values for use groups R-2, R-3 and R-4, which was housing other than one- and two-family dwellings. Mr. Thomas understood that was embodied in the list of five.

Mayor Treece asked that staff ensure the water fountain and elevator issues were consistent with the Americans with Disabilities Act. Mr. Matthes stated that would be done, so they might have more than five amendment sheets. Mayor Treece understood they would vote on each amendment separately.

Mr. Trapp suggested they allow the groups to meet if they wanted to present more information during public comment at the next Council Meeting to address the concerns of Mr. Thomas.

Mayor Treece encouraged the BCCC and EEC to reconcile any and all of these issues.

Mr. Thomas asked if they needed to discuss the options so staff knew what amendments to bring forward. Mayor Treece replied he would suggest staff come back with all of the amendments for Council consideration at the next meeting.

Mr. Skala made a motion to table B103-16, B104-16, B105-16, B106-16, B107-16, B108-16, B109-16, B110-16, B111-16, and B112-16 to the June 6, 2016 Council Meeting. The motion was seconded by Mr. Thomas and approved unanimously by voice vote.

CONSENT AGENDA

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

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| B93-16 | <u>Approving a major revision to the PUD Plan of Cotswold Villas at Bluff Creek Estates located on the east side of Bluff Creek Drive and east of Pebble Creek Court; approving a revised statement of intent; approving less stringent setback requirements.</u> |
| B94-16 | <u>Approving the Final Plat of The Gates, Plat No. 1-A, a Replat of Lots 127 & 128, The Gates Plat No. 1, located on the southeast corner of Rivington</u> |

Drive and Brackenhill Court, approximately 500 feet west of Abbotsbury Lane.

- B95-16 Approving the Final Plat of Nova Plaza Subdivision, a Replat of Lots 14, 15 & 16 of Rockbridge Subdivision Block IX, located on the west side of Peach Court, approximately 600 feet south of Nifong Boulevard.
- B96-16 Vacating a portion of right-of-way along Nocona Parkway and Arrendale Drive within Discovery Park Subdivision Plat 3A.
- B97-16 Vacating a sanitary sewer easement located on the east side of Richmond Avenue (912 Richmond Avenue).
- B98-16 Authorizing a municipal agreement with the Missouri Highways and Transportation Commission as it relates to the temporary closure of St. Charles Road at its intersection with the westbound I-70 ramps to allow for pavement replacement.
- B99-16 Authorizing construction of sanitary sewer improvements along Providence Road from 125 feet south of Stewart Road to Turner Avenue and along Turner Avenue to Fourth Street, more specifically described as the Flat Branch Watershed Relief Sewer Project No. 2; calling for bids through the Purchasing Division.
- B100-16 Amending Ordinance No. 022782 which was intended to add and delete a position in the Finance Department - Administration Division.
- B101-16 Accepting the 2016 Public Health Volunteer Award from the State of Missouri Emergency Management Agency - Department of Public Safety for the Medical Reserve Corps program; appropriating funds.
- B102-16 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Human Services for tobacco control coalition services; appropriating funds.

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

NEW BUSINESS

- R49-16 Establishing an official flag design for Columbia, Missouri.

The resolution was read by the Clerk.

Mr. Musgrove provided a staff report.

Mayor Treece asked how often the City used an official flag. Mr. Musgrove replied not very often, and noted this would be the beginning of the use of an official flag.

Mayor Treece asked for the fiscal note for having an official flag. Mr. Musgrove replied a request for proposals would be done to determine who would design and produce the flags. Mr. Matthes commented that, presumably, it would become part of the marketing materials the Convention and Visitor's Bureau might use. If the Council adopted an official flag, he would also envision a third flag pole, coffee cups with the flag, etc. Ms. Nauser recalled lapel pins in the past. Mr. Matthes noted it was not an immediate expense of any kind, but it would depend on where they went with it and the demand for it.

Ms. Nauser asked for clarification regarding when this was initially discussed. Mr. Musgrove replied this started in the autumn of 2014, and the desire was to create a design and flag the citizens enjoyed having as many major Missouri cities had a flag.

Ms. Peters stated she appreciated the education on what made a good flag last year, and this looked as though it met all of those requirements.

Mr. Matthes explained it was up to the Council as to whether they wanted to adopt an official flag or not. This was the design chosen through the public process as a recommendation to Council.

Mr. Thomas stated a constituent had shared a concern regarding the design. The constituent had indicated the white cross was considered Christian symbolism and reminiscent of thirteenth century crusades, and therefore not inclusive. Mr. Thomas noted he had told the constituent he would share that concern publicly.

Mr. Trapp commented that he felt the white cross was only there by negative space and did not feel it was the dominant thematic element. He thought it was a nice design. He stated it was not the one he had chosen from the 78 initial designs, but it was the best of the three finalists. They had been discussing the idea of an official flag and this was a great design as it captured the logo and included symbolic colors. He thought they should adopt the resolution.

Mr. Skala stated he thought this was a very attractive design and felt they should honor the process. He noted he was prepared to support it.

Mayor Treece stated he was concerned about any increased fiscal note as a result of approving this flag with respect to future flag poles, flag stanchions, flag printing, flag lapel pins, etc. He thought there were other priorities. He understood the first one would cost about \$20,000 and the others would cost about a dollar.

The vote on R49-16 was recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, PETERS, TREECE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R50-16 Accepting the Neighborhood Traffic Management Program 2015 Year End Report Summary; authorizing a comprehensive study for possible traffic calming projects on Rice Road, Kelsey Drive, Sexton Road and Stewart Road.

The resolution was read by the Clerk.

Mr. Nichols provided a staff report.

Mr. Thomas asked how the volume was calculated. Mr. Stone replied it was actually measured with plate counters or a side mounted radar. Mr. Thomas asked if it was the number of vehicles in the peak hour. Mr. Stone replied it was a 24-hour count. Mr. Thomas asked how they came up with the number that went into the score for the prioritization. Mr. Stone replied every street was scored from the same formula so a baseline was factored in the amount of volume. Mr. Thomas asked how he would interpret Sunset Drive having a volume score of nine and West Parkway Drive having a volume score of three in terms of volume of traffic. Mr. Stone replied Sunset Drive had more traffic than West Parkway Drive. Mr. Thomas asked for the actual formula. Mr. Nichols replied they would provide that after looking it up.

Paul Tatum, 215 W. Parkway Drive, stated he resided about four homes from Stewart Road and noted his wife had previously sent a letter regarding traffic issues of high speed cut-through traffic in front of the house along with a request for vehicular speed abatement. He commented that this was especially important to them because their son suffered from a degenerative eye condition so they worried about him crossing the street to go the park. In addition, the neighborhood was the pathway for numerous small children to pass safely across a bridge that took them to school. He was not sure the counters captured the volumes during the times the kids were walking to and from school. He noted he personally had seen a vehicle traveling through at 50 mph. He asked for a simple, low-cost measure to help with the speeds in the neighborhood particularly due to the importance of it being a passageway to school. He hoped the City would work quickly for the safety of his son and neighbors, and asked the Council to consider them as a part of Stewart Road.

Will Scherer, 19 W. Parkway Drive, explained he was the President of the Park Hill Stewart Park Neighborhood Association and thanked City staff for its support for improving pedestrian safety. He noted the Neighborhood Association was supportive of timely improvements to mitigate automobile traffic. He noted a traffic study was conducted in 2014 and West Parkway Drive was in the queue for traffic calming, but improvements likely would not occur for a number of years due to current budget funding. He commented that they were concerned about pedestrian, bicycle, and car traffic together, and the more than fifty families that sent their kids to Grant Elementary School and lived west of Stewart Park. He explained Stewart Park was about a quarter mile long from north to south, and West Parkway Drive was essentially a barrier that was difficult to cross during peak, high traffic times. Stewart Park was one of the most used open spaces near the City, and as a result, there was a tradition of pedestrian and community usage, which they wanted to keep safe in the future. He pointed out the traffic on their street was expected to increase after the completion of a bike boulevard on the street just to the west of West Parkway Drive because Edgewood Drive would have a restricted traffic going south so cars would be encouraged to use parallel streets, which included West Parkway Drive. He stated he thought it was in the public interest to implement improvements and require lower speeds on West Parkway Drive, and the Neighborhood Association would be delighted to see the improvements take place.

Ms. Nauser asked if there were speed limit signs on West Parkway Drive. Mr. Scherer replied no. Ms. Nauser asked if this would be a good potential location for a kid friendly sign since the actual traffic calming would not be done in a timely manner. Mr. Stone replied signs could be installed, but there was a breakdown on the cost share dependent upon street volume, which he thought staff had expressed to the neighborhood. Mr. Scherer stated he thought the neighborhood would have to purchase the signs.

Ms. Nauser asked for the cost of the signs. Mr. Stone replied it was \$262 for an individual kid-friendly sign and \$77 for a regular speed limit sign. Ms. Peters asked if that was the installed cost. Mr. Stone replied yes.

Ms. Nauser asked if there was a cost share for streets on the list waiting for improvements. Mr. Stone replied the cost share approved by Council indicated the City would pay for half of the cost if the volume was higher than 500 vehicles. Ms. Nauser asked for the volume on West Parkway Drive. Mr. Stone replied it was between 360 and 400.

Mr. Scherer asked if the fact they had a child on their street with an ocular degenerative condition might change their rank in terms of getting traffic calming. He wondered if it would increase the urgency. Mr. Stone replied the formula would not take that into account.

Ms. Nauser made a motion for the City to pay half of the cost of signage on West Parkway Drive.

Mr. Thomas stated he was in favor of traffic calming, but felt there was a larger problem in that the City had been designing streets without proper attention to design speeds. He thought they should use street parameters in such a way that it essentially forced drivers to drive at speeds of 20 or 25 mph. They also did not have enough money to mitigate the problems of previous poor design of residential streets. Although they doubled funding this year, it meant West Parkway Drive was still ten years out. He commented that he thought the formula used was good as it took into account the important features. Before he would support changing the formula, he would prefer to ask staff how they could take into account factors such as a child with a certain disability on the street. He was afraid other neighborhoods would come forward with extenuating circumstances as to why they should move up the list, and thought they needed to address the problem in terms of traffic.

The motion made by Ms. Nauser for the City to pay half of the cost of signage on West Parkway Drive was seconded by Mayor Treece.

Mayor Treece commented that he did not think they could wait ten years. West Parkway Drive was built in the 1930's and it would not be improved in a timely manner. He thought they could incorporate traffic calming on new roadways, and was not sure why they would not pay 100 percent of the cost of signage.

Mr. Thomas asked if they were changing the policy. Ms. Nauser replied no. She thought they were only making an exception due to an extenuating circumstance that had been brought to their attention.

The motion made by Ms. Nauser and seconded by Mayor Treece for the City to pay half of the cost of signage on West Parkway Drive was approved unanimously by voice vote.

Mr. Thomas asked if they wanted to have a discussion with regard to adapting the formula in some manner.

Mr. Stone stated the formula Mr. Thomas had requested previously was the total volume divided by 120. The 120 was chosen to provide a manageable number that allowed for 100 for a score. Mr. Thomas understood it represented speed, volume, destinations, land use, etc. Mr. Stone stated schools, speeds, traffic volumes, proximity to pedestrian generators, collisions, and bicycle routes were considered in the score.

Mr. Thomas stated he thought the formula used was good, and that there could be some value in considering a person with a disability that was at high risk as a factor as well. He commented that there might be other factors they would want to consider. He asked if staff had received other suggestions to modify the formula. Mr. Stone replied staff had noticed that there was no real differentiation with regard to whether the street had a sidewalk or not so they might want to capture it in the next traffic management report. Mr. Thomas asked that staff consider persons with disabilities also. Mr. Nichols asked if there would be a process whereby staff would be notified so staff did not have to make a judgement regarding

the situation. Mr. Matthes commented that it was a complicated situation in terms of which disabilities should be weighted higher, etc. Staff also was not generally aware of those situations. Mr. Thomas was agreeable if they were happy to address these situations on an ad-hoc basis. Mayor Treece stated he would prefer to treat the disability situation similar to how they handled it today.

Mr. Skala commented that he was glad to see a continuing discussion on this and was happy to see the expanded version of Rice Road included. He noted there were other considerations such as corridors of illegal cut-through traffic in terms of public safety, and thought traffic calming could help with public safety as well.

Mr. Nichols pointed out the Council had put more funding toward traffic calming projects and staff would look to consultants to help move the projects forward more quickly.

Mr. Thomas stated he believed this was a really good program as staff had put a lot of good work into designing the formula and creating a consistent approach to ranking these problems. He was not sure the installation of a sign was what the residents of West Parkway Drive wanted, but it was a small step in the right direction. They likely needed physical traffic calming, but were 32nd on the list at this time.

The vote on R50-16 was recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, PETERS, TREECE. 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.

- B113-16** Calling a special election on the question whether to increase the gross receipts license tax on hotels and motels.
- B114-16** Calling a special election on the question whether to continue the collection of local sales tax on out-of-state sales of motor vehicles, trailers, boats and outboard motors.
- B115-16** Approving the Final Minor Plat of Compass Church Subdivision located on the northeast corner of Silvey Street and Worley Street; authorizing a performance contract; granting a variance from the Subdivision Regulations relating to sidewalk construction subject to a condition.
- B116-16** Appropriating funds for the installation of active warning devices at the Columbia Terminal (COLT) Railroad's crossing with O'Rear Road.
- B117-16** Accepting conveyances for sewer purposes.
- B118-16** 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.
- B119-16** Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Adapted Community Recreation Program.
- B120-16** Authorizing an inspections participation agreement with the Missouri Department of Health and Senior Services for the summer food service program for children.

- B121-16** Amending the FY 2016 Annual Budget by adding a 0.25 FTE cashier position in the Finance Department - Treasury Division; transferring funds.
- B122-16** Amending the FY 2016 Annual Budget by adding and deleting positions in the Police Department - Operations Division.
- B123-16** Establishing an Administrative Delay on the Processing of Applications for a Building Permit for Multi-Family Housing in Specified Areas.

REPORTS AND PETITIONS

REP36-16 204 E. Broadway Alley Right-of-Way Vacation.

Mr. Teddy provided a staff report.

Mayor Treece asked what had precipitated this request. Mr. Teddy replied he imagined it was the desire to add 15 feet to their property so it could be counted as part of the lot. Mayor Treece asked if they controlled both properties. Mr. Teddy replied he did not know, and noted that could be the reason for the delay as half of the vacated alley would go to the adjoining property unless it was taken from one or the other originally.

Mayor Treece asked if the City owned the real estate in fee simple title or had an easement for access for east-west alleys. Mr. Teddy replied it was a right-of-way in the same way a street right-of-way was present, but they considered where the alley came from originally.

Mayor Treece noted there was an alley vacation at the April 4, 2016 Council Meeting about a block north of Ambrosia Flowers, and asked if that was similar to this. Mr. Teddy replied that one was also pending and Central Bank of Boone County owned both sides. They wanted to vacate a portion of the alley where it connected with Providence Road.

Mayor Treece understood this was an alley that went nowhere. Mr. Teddy agreed this was on paper as he did not see a physical alley there. He noted they had found that Ameren UE, Mediacom, and City electric facilities were in there. At minimum, a utility easement would be needed.

Mr. Teddy stated this report was to advise the Council that staff had received an application. On occasion, the City received requests for alleys that could be viable as pedestrian ways or a continued use as an alley.

Mayor Treece understood this one had been withdrawn. Mr. Teddy replied it was not withdrawn, but the applicant had indicated they did not want to proceed at this time.

Mayor Treece stated he would prefer to take a more comprehensive view of all of these requests rather than dealing with them individually, especially in the downtown as those easements or variances had value in terms of how they planned effectively. He was glad to see they were holding off on the request.

REP37-16 C.A.R.E. Art Gallery Program - MKT Trail Mural Corridor.

Mr. Griggs provided a staff report.

Ms. Nauser understood C.A.R.E. students would be the ones painting and asked about the role of the artist. Mr. Griggs replied the artist would help with the design and would be the lead supervisor of the project. He explained she would meet with all of the

stakeholders to help develop an idea of how the mural might look, and complete a rough outline of the mural. The kids would then be able to paint, and afterward she would dress it up and finalize it.

Ms. Nauser understood the City helped about 225 at-risk youth last year. Mr. Griggs stated that was correct. Ms. Nauser asked what the C.A.R.E. students were paid. Mr. Griggs replied they were paid minimum wage. Ms. Nauser understood any exponential increase in the local minimum wage would really affect this program since they would not be able to afford to pay the students. Mr. Griggs commented that they would have to lower the number of students or find additional money if that occurred.

Ms. Nauser stated she thought the C.A.R.E. program was great and did not want a penny cut. She noted if she had her way, she would double the amount of funding. She commented that she had seen the great work that had been done as she worked with that population. It gave kids an opportunity and a hand up in terms of the critical work ethic and skills needed they sometimes did not receive from their families. She thought this was a great avenue to assist kids to become productive, working citizens. She also felt it was better to help people versus paying for services on the back end.

Mayor Treece asked if they always used visiting artist or if they sometimes used local artists. Mr. Griggs replied it was primarily local artists even though they called them visiting artists as they only worked a couple of weeks. He commented that Ms. LeMieux lived in Columbia and had great experience with murals across the country. He thought it was a perfect opportunity for this test project.

REP38-16 Pavement Management Plan Overview for 2016.

Mr. Nichols provided a staff report.

REP39-16 Re-route Hinkson Sewer Line.

Mr. Johnsen provided a staff report.

Mr. Trapp stated he had requested this report and appreciated the information as to why they were taking this approach.

Mr. Skala understood some of the recent controversy had to do with whether they were trenching or not and the relative costs of the techniques. Mr. Sorrell stated boring was typically about six times more expensive than trenching. In addition, pits on both sides could be created when boring under a creek, which could then result in more sedimentation and damage to the creek if a big storm came through during the boring project than with an open cut project because an open cut project could be completed more quickly. Mr. Skala understood another trade-off was that trenching required a wider area to prepare due to safety concerns for workers. He also understood there would be remediation to the extent possible. Mr. Sorrell stated that was correct.

REP40-16 Certification of the Recall Petition involving Fifth Ward Council Member Laura Nauser.

Ms. Amin provided a staff report.

REP41-16 Intra-Departmental Transfer of Funds Request.

Mr. Matthes provided a staff report.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Syed Ejaz stated he was a member of the Missouri Student Association (MSA) and explained the MSA had passed a resolution a few weeks ago urging the City Council to form a task force specifically designated for the discussion of student housing issues. They wanted something that would bring all of the stakeholders into the same room to determine what they knew, what they did not know, and what the best steps forward might be from a public policy perspective. He commented that there were two main points he thought everyone should keep in mind. He felt there could be a market driven arrangement for this issue that would satisfy all stakeholders, but they could not get there if everyone was not in the same room. He also believed there were two different discussions going on with regard to student housing, the economic discussion in terms of pricing and bubbles and the geographic and public policy discussion in terms of where the housing should go and whether new housing developments should be approved. He felt these discussions occurring simultaneously caused a lot of confusion. He reiterated he thought some of these issues could be remedied if they brought everyone together, and suggested the Mayor's Task Force on Pedestrian Safety model, which had been headed by Mr. Thomas and Mr. Ruffin. He felt this was important especially if Council was considering a temporary moratorium on the development of new projects. He provided a copy of the MSA resolution to the Council.

Mr. Thomas commented that he believed housing and transportation were tied together. In looking at affordable housing, one also had to look at where it was located and whether it was on a bus route, accessible to places people needed to go, etc. because sometimes people had affordable housing in a place where transportation cost were very high. He stated he thought this was very true of the student segment in particular. He noted he would be interested in broadening any special focus on student housing to include student transportation, which was different from the resolution the MSA had adopted. Mr. Ejaz explained they had a similar discussion with the previous mayor, and understood transportation and housing were very much linked.

Mr. Thomas asked if the Administration of the University of Missouri had been engaged in the resolution the MSA had adopted. Mr. Ejaz replied the Administration itself had not been engaged in the resolution, but he thought the University's Office of Off-Campus Student Services and the MSA Department of Student Services had worked collaboratively to conduct a survey of students with regard to student housing. He noted they had learned that 24.19 percent of students at Mizzou financed student housing with a loan, which meant they were financing something they did not own at an interest rate that would likely stay with them for over 30 years. He thought this resulted in the downgrade of the value of a college education since the student would likely work a number of jobs to pay rent, which would cause their involvement in academics to be reduced. He commented that if the financing of housing was going to take up time and money, it needed to be included the decision-making calculus of a potential student in terms of where they might go to college, and he did not feel the results would be particularly good in Columbia.

Mr. Thomas understood a fairly large number of students felt they were forced into more expensive student housing than they might want simply because of what was available. Mr. Ejaz stated that was correct. He explained there was a lack of early, adequate information for consumers to help make a proper decision, which he thought could be solved if the City and University worked together to develop a database that could be integrated in the Office of Off-Campus Student Services. He felt truthful information with regard to vacancies and pricing would be beneficial. He also felt antitrust policies needed to be put in place so developers and landlords could not artificially keep prices high. He noted he was not sure those issues existed, but thought it should be reviewed.

Mr. Skala stated there had been anecdotal evidence with regard to the marketing aspects of student housing at the University and asked how that worked. He wondered if it was first come, first served, or if there was a payment for a larger table, etc. Mr. Ejaz replied the Office of Off-Campus Student Services website had an application that a property owner could complete to request marketing space on campus. The University then evaluated the properties in terms of whether they met benchmarks for a satisfactory development where they might want students to live. He noted he thought there might be a fee with the application as well. He commented that this granted the property preferential treatment as resource for students in terms of housing during the housing fair and with the GoMizzou app. The issue was that the University did not provide locations as resources that had not paid the fee. He explained this was something he was interested in changing, and noted he was not sure there was much the City could do in that regard.

Ms. Nauser asked Mr. Ejaz what had led him to believe there might be collusion or violation of anti-trust laws in terms rents as she understood those were based on the market. If there was an oversupply of rental units, rents would go down, and if there was a shortage, rents would rise. She also asked if he had looked at the symbiotic relationship of the federal government setting the student loan policies, which allowed students to borrow money to apply to rents without reminding them that loan would be due in the future. Mr. Ejaz replied there was not anything in particular that raised a concern to him that there was collusion, and noted he did not believe anyone was doing anything that was tactically harmful or would create a monopoly. He only wanted to ensure the law on the issue was clear. He commented that it was something he was personally willing to investigate. He was not asking the City to look into it. In terms of the student loan policies, he agreed it was an issue which the federal government had some control, and understood work was being at that level. He explained he did not expect the City to become involved in financial literacy, but that literacy issue made the student housing issue even more important. He did not think students financing their housing with loans could be completely resolved by a task force, price controls, etc., but the City's engagement with the student body and other stakeholders could ensure everyone was aware of all of the issues. He only wanted to get a discussion started in a unified and credible way.

Mary Hussmann, 210 Ridgeway Avenue, commented that on Friday, February 5, 2016, Jane Accurso gave notice to the City, volunteers, and sponsors that after twenty-one years, the New Year's Eve Fest was being terminated. She provided the Council a copy of

this e-mail. She understood many people in Columbia had enjoyed Eve Fest, which was formerly called First Night, but many low income families she had spoken with had felt left out and uninvited due to the fee required to attend. She agreed some free tickets were made available, but many people lacked clear information as to how to obtain the limited number of passes and others felt awkward knowing the rest of their family or neighbors were unable to attend. Although the City had devoted many public employees and resources to sustain and grow the event, admission costs were still a barrier. She commented that she and others were working on a blueprint for the next New Year's Eve and New Year's Day celebration. She noted Los Angeles, CA, Austin, TX, Duluth, MN, and other locations had provided free admission to New Year's events for years. She stated vendors and stores could continue to sell their food and products downtown, but there would be no cost to attend. She understood it would be challenging to make it a not to be missed, fun attraction, but believed there was an ample amount of local, music, art, and cultural resources and locations downtown whereby committed Columbians would volunteer their talents and buildings for a truly inclusive, family friendly, non-alcoholic, not-for-profit celebration. She stated they did not have any specific proposal or budget to submit at this time, but noted they would need the Council to direct some City resources. She explained they wanted the Council to know about this positive work in progress so the downtown would not be reserved in advance for some for-profit event. She also hoped they could encourage talented people they knew to volunteer, and reiterated they would be reaching out to the City later.

Mr. Ruffin asked Ms. Hussmann if they had scheduled any meetings with the Convention and Visitors Bureau or the Downtown Community Improvement District (CID). Ms. Hussmann replied no, and explained they had just started working on this. She thought that was a good suggestion.

Glyn Laverick stated he was the President of the Columbia Hospitality Association (CHA) and the owner of the Tiger Hotel, and asked if they really knew enough about the proposed terminal project. The FAA application had not yet been filed and a final cost was not yet known. There were sources of funding outside of a hotel tax that were not yet finalized. REDI had publicly presented a budget showing \$8 million of net parking revenue as source that accounted for 40 percent of the local match, but the City Manager's Office had expressed publicly that this was an uncertain source of funding and it was the City's preference not to charge for parking. This was something that had also been echoed by the Airport Advisory Board. He felt they were moving too quickly as they were asking for a tax to fund something for which they did not have a final cost. He asked if there was a business plan, and noted a person asking for a loan at a bank without this type of information would be laughed at and not receive the loan. He commented that it was not the position of the CHA or the hoteliers at-large that they did not want a revitalized airport. He thought they could all agree the airport development was an integral part of the City's growth, but to say a tax increase would not affect local citizens was not true. The University of Missouri was the largest user of hotel room nights, and they would not be exempt from the hotel tax. It would create a six figure budget issue for the University and other organizations, such as Shelter Insurance. It was a significant amount of money they would have to find in their budgets.

Mayor Treece asked Mr. Laverick to make his comments on May 16, 2016 when this item would be considered by the Council.

Eugene Elkin, 3406 Range Line Street, commented that a new executive director of the Turning Point, which was housed on the top floor of Wilkes United Methodist Church and assisted with homelessness, had been hired and noted any donations would be appreciated.

Mr. Elkin stated a sidewalk came to an end about 20-30 feet from the corner of Parker Street and Northland Drive, and suggested that be reviewed.

Mr. Elkin wondered if the issue of the safety of students walking to Grant Elementary School could be addressed by the immediate installation of rubber speed bump. He commented that he avoided Derby Ridge Drive due to the speed bumps on that road, and believed it could be the solution.

Mr. Elkin stated he believed C.A.R.E. was a good program as it assisted with the long term costs to the City in terms of trouble youths. He suggested the kids that have gone through the program be recognized, and for the City to obtain suggestions from them as to other things that could be done to assist.

Mr. Elkin asked if bus passes could be provided to the homeless.

Mr. Elkin asked if the motel tax could be pushed to 10 percent or higher. He thought a person that could afford \$170 per night could afford a higher tax.

Mr. Ruffin expressed his appreciation to the Public Works Department for the crosswalk and signage on Worley Street, across from Smithton Middle School. It was more than he had expected and had been completed very quickly. He noted he had heard from people in the neighborhood that had indicated it had made a tremendous difference, and stated he had seen children, adults and staff members using the crosswalk.

Mr. Trapp commented that he missed the last meeting and was sorry he missed the transition in the mayoral position. He noted he did not fully realize a month ago that it would be his last meeting with Mayor McDavid, and wanted to express his keen appreciation for Mayor McDavid and his excellent work in his six years as mayor. He explained Mayor McDavid had been very gracious to him as a candidate and a new council member, and stated Mayor McDavid had been a shrewd negotiator that had done some great things. He commented that he had been supportive of Mayor McDavid, which had resulted in some criticism.

Mr. Trapp welcomed Mayor Treece and stated, all things being equal, he would also be supportive of him as the highest local elected official in the City. He explained he liked being a cheerleader for the City and promoting the things done by staff and the mayor. He looked forward to supporting Mayor Treece and his agenda and working with him for the next three years.

Mr. Trapp commented that he had been involved in pawnshop reform and expansion, both in an effort to tighten up rules for existing pawnshops and to consider expanding pawnshop regulations to other secondhand goods dealers that had found themselves embroiled in the trade of illegal goods, and that the issue had been tabled for more

stakeholder engagement. He stated he had met with Family Pawn, and had reached out to a number of secondhand dealers. He explained he wanted to refer the pawnshop reform issue to the Substance Abuse Advisory Commission (SAAC) to engage stakeholders and hold public hearings similar to how the Board of Health reviewed Tobacco 21 reform as it had resulted in a well-vetted and thorough discussion prior to coming to the City Council. He worried about the capacity of the Police Department to be able to properly engage stakeholders and thought the SAAC would be a great vehicle to examine the issues. He commented that he thought it was better to do it correctly than quickly as crime in Columbia was a chronic problem, but not a crisis. He felt they should be thoughtful and engaging, and support the work of police officers since they had too few to do everything they would like done.

Mr. Trapp stated he had visited Parkade Park today, and the improvements made were really well done. Staff had tied the new playground equipment with the Parkade Elementary School playground equipment with a clever set of stairs in the rocks. It made both properties more valuable. The ongoing partnership between the City and the Columbia Public Schools served the community well since the citizens funded both of those entities, so it made sense to maximize that value by working together.

Ms. Nauser stated she had been contacted by a constituent that had company that had been doing business with the City for 20 years that lost a bid to a company in Chicago, IL. Now people in Chicago would be producing goods and services for Columbia. She hoped the City would consider local businesses that were employing Columbia citizens, paying local sales tax, and providing to the City's economic prosperity instead of considering only the dollar amount of the bid. She preferred people in Columbia be employed versus those in Chicago for City products and services.

Ms. Nauser commented that she had previously asked for a review of the sign ordinances in terms of flag signs for grand openings, sales, people with sandwich boards, etc., and asked for a status. She noted she would like the Planning and Zoning Commission to review the issue at this point to determine if changes to the sign ordinances were needed.

Ms. Nauser made a motion directing the Planning and Zoning Commission to review the sign ordinances with regard to the issue of flag signs, people with sandwich boards, etc. The motion was seconded by Mr. Thomas. Mayor Treece asked if there was any objection. There was none.

Ms. Nauser explained she had participated in the interested parties meeting for the Forum Boulevard and Green Meadows Road roundabout and noted a concern raised was that this roundabout would have two lanes that merged into one on Forum Boulevard. She asked that staff look into making the section from the roundabout to Nifong Boulevard two lanes as part of this project. She wanted to know the cost estimate and the ability to make it happen.

Mr. Skala commented that former Council Member Karl Kruse and former Planning Director Roy Dudark had forwarded some recommendations with respect to signage and

thought those recommendations should be forwarded to the Planning and Zoning Commission for consideration.

Mr. Skala explained the City was looking at an eastside substation near Demaret Drive and understood this would happen in the near future. Mr. Matthes stated he thought it would happen in either June or July.

Mr. Skala stated he had been contacted by Jerry Dowell of the Columbia Chamber of Commerce with regard to whether the City was still accepting applications for the boards and commissions from last time. He thought he had seen that the application period was open until Friday, May 6 at 5:00 p.m. Ms. Amin stated that was correct. Mr. Skala encouraged anyone still interested to apply for any of those positions.

Mayor Treece commented that he had not had the chance to review the proposed administrative delay ordinance before it was put on the agenda, and had he had the chance to review it, he likely would have included the word “demolition” in addition to the words “building permit.” As a result, he had asked the City Manager to come back with an amendment for it, and wanted to make everyone aware that it would be added to the May 16, 2016 Council Meeting agenda. He noted the whereas statements dealt with historic cultural assets and demolition thereof, but that protection had not been included in Sections 1, 2, or 3.

Mayor Treece stated he had also asked for a resolution to pay down the airport debt and sunset the hotel tax earlier if it could be paid down sooner than anticipated. Mr. Matthes noted it would be brought forward at the next meeting.

Ms. Nauser made a motion to adjourn. The motion was seconded by Mr. Ruffin. Mayor Treece adjourned the meeting without objection at 11:14 p.m.

Respectfully submitted,

Sheela Amin
City Clerk