

**MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
SEPTEMBER 19, 2011**

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, September 19, 2011, 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 MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY and HOPPE were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of September 6, 2011 were approved unanimously by voice vote on a motion by Mr. Thornhill and a second by Mr. Dudley.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Ms. Hoppe asked for B251-11 to be moved from the consent agenda to the old business portion of the agenda.

Mr. Dudley made a motion to approve the agenda with the change of B251-11 being moved from the consent agenda to the old business portion of the agenda. The motion was seconded by Mr. Schmidt and approved unanimously by voice vote.

SPECIAL ITEMS

Future Percent for Art Project - Short Street Parking Garage.

Mr. Matthes provided a staff report.

Mr. Dudley made a motion to table this item to the October 3, 2011 Council Meeting. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

CITY OF COLUMBIA NEW CENTURY FUND INC. BOARD

Lennon, Brianna, 2269 Concordia Drive, Ward 4, Term to expire September 30, 2014

Robertson, Jim, 4401 Thornbrook Terrace, Ward 5, Term to expire September 30, 2014

Williams, Matt, 2609 Limerick Lane, Ward 4, Term to expire September 30, 2014

Mr. Kespohl made a motion to appoint Mayor McDavid as the Council representative to serve on the City of Columbia New Century Fund Inc. Board. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

COLUMBIA VISION COMMISSION

Grossmann, Jan, 3205 Westcreek Circle, Ward 5, Term to expire December 15, 2011

CONVENTION AND VISITORS ADVISORY BOARD

Beard, Joan, 154 W. Green Meadows Road, Ward 5, Term to expire September 30, 2013
Bell, Susan, 575 E. Sexton, Boone County, Term to expire September 30, 2012
Carlson, Sherry, 7700 County Road 347, Boone County, Term to expire September 30, 2013
Cristal, Scott, 118 Crestmere Avenue, Ward 4, Term to expire September 30, 2013
LaRocca, John, 2507 Corona Road, Ward 5, Term to expire September 30, 2013
McDonald, Bob, 1301 Strathmore Drive, Ward 5, Term to expire September 30, 2013

INTERNET CITIZENS ADVISORY GROUP

Sessions, Jonathan, 1123 Wilkes Boulevard, Suite 230, Ward 1, Term to expire October 15, 2014

MAYOR'S COMMITTEE ON PHYSICAL FITNESS

Melegrito, David, 2512 N. Oakland Gravel Road, Ward 3, Term to expire November 30, 2012

PERSONNEL ADVISORY BOARD

Jenks, Ron, 2509 Woodberry Court, Ward 5, Term to expire September 30, 2014
Kamps, Thomas, 1603 Castle Rock Court, Ward 4, Term to expire September 30, 2014
Rushing, Joy, P.O. Box 61, Ward 1, Term to expire September 30, 2014

PUBLIC TRANSPORTATION ADVISORY COMMISSION

Hanson, Steven, 2105 Doris Drive, Ward 2, Term to expire March 1, 2012

SCHEDULED PUBLIC COMMENT

Christopher Gubera and Nina Wilson-Keenan - Introduce the mission statement of the 'North Village Neighbors' group and register concerns about recent actions of Boone County Family Resources, an agency whose administrative offices are housed in the North Village.

Nina Wilson-Keenan, 305 St. Joseph Street, stated she was representing members of the North Village Neighbors group who lived on St. Joseph Street and provided a handout to the Council.

Chip Gubera, 107 Hubbell Drive, stated he represented Hubbell within the North Village Neighbors group and explained the neighbors of St. Joseph Street and Hubbell Drive had, over the past month, been discussing what they saw as potential opportunities and threats to the residential neighborhoods and with regard to planned growth in the North Village area. He noted their goal was to support the implementation of a guiding plan for neighborhood development that could include the preservation of historic homes on St. Joseph and Hubbell streets as part of an affordable residential art-focused neighborhood and pointed out it also supported the Downtown Charrette recommendations. He commented that Boone County Family Resources (BCFR) had recently bought a number of residential properties on St. Joseph Street and already owned properties on Hubbell Drive, and that those properties had been used in ways that appeared to violate City zoning ordinances. He listed a couple of the potential zoning violations and noted BCFR had expressed interest in purchasing additional properties in the proposed Short Street garage and on Hubbell Drive. In addition, BCFR indicated, per a letter to the City, it was not subject to City zoning

ordinances and could do what it wanted whenever it wanted. The North Village Neighbors group was concerned the BCFR might jeopardize the success of the Downtown Charrette Plan as it pertained to North Village and wanted to make the Council aware of the opportunities and threats facing their neighborhoods. He urged the Council to continue finding ways to support and implement the City's Downtown Charrette Plan and to take a proactive approach in regulating development in the North Village, which included the enforcement of existing zoning ordinances in residential areas that faced pressure from encroaching development.

Mitch Richards, Keep Columbia Free - Implementation of the downtown camera ordinance and some promotional videos the city has put out regarding same cameras.

Mitch Richards, 409 Turner Avenue, stated he represented Keep Columbia Free and pointed out the downtown safety cameras were being used for live surveillance, which he learned due to a promotional video that featured Karen Taylor and Keep Columbia Safe. He explained the video showed their struggles to have the ordinance passed and noted a group similar to them had worked on getting an ordinance passed for medical marijuana and to make marijuana the lowest priority for law enforcement, so he believed that group should be given the opportunity to make a video of its struggles and ideas as well. He noted the video called the cameras "surveillance cameras" instead of "safety cameras" as written in the ordinance. He felt there had been a pattern of misinformation as Keep Columbia Safe had indicated the cameras would not be used for live surveillance and would instead be used as tool for law enforcement. Keep Columbia Free had warned the public that the cameras would be used for live surveillance and were called conspiracy theorists and alarmists. He noted the City had an ordinance that was not being properly implemented. Another issue was that one of the cameras was pointed directly at The Blue Fugue, a local bar and establishment known as a point of assembly and speech for local civil liberties groups, to include Keep Columbia Free, and Section 24-132(d) indicated downtown safety cameras shall not target or observe individuals solely because of their race, gender, ethnicity, sexual orientation, disability or classifications protected by law. In addition, Section 24-132(e) indicated downtown safety cameras shall not be used to infringe upon First Amendment rights. He felt this was an unacceptable and un-American practice and urged the Council to stop this immediately as live surveillance was not part of the ordinance. If the Police Department continued to use these cameras, he believed a live feed of all of the cameras should be available to the public to watch in the comfort of their homes.

Dan Viets, Missouri Civil Liberties Association (MOCLA) - Implementation of the downtown camera ordinance and some promotional videos the city has put out regarding same cameras.

Dan Viets with offices at 15 N. Tenth Street stated he was speaking on behalf of the Missouri Civil Liberties Association (MOCLA) and thought they could all agree that when proponents of an initiative or public policy proposal succeeded in persuading the voters to support the proposal based on it being implemented a certain way, that was a sacred promise made and the voters had a right to expect it to be fulfilled. The City had chosen to go far beyond what the voters intended to authorize and he believed it was clear that a

promise had been broken. He pointed out there was no pressing requirement for the City to violate the promise made to the voters of not using the cameras in this manner. He felt it was irrelevant as to whether the cameras were a good or bad idea and hoped the Council agreed a campaign promise was sacred and the voters had a right to expect those promises to be fulfilled. He believed live, real time surveillance should be stopped in an effort to keep the promise that was made to the voters of the City.

PUBLIC HEARINGS

- B214-11A** Adopting the FY 2012 Budget for the Special Business District.
- B215-11** Adopting the FY 2012 Budget.
- B228-11** Amending Chapter 11 of the City Code relating to Public Health and Human Services Department fees.
- B229-11** Amending Chapter 17 of the City Code relating to Parks and Recreation fees.
- B230-11** Amending Chapter 22 of the City Code relating to transportation fares on fixed bus routes and paratransit services.
- B231-11A** Amending Chapters 13 and 22 of the City Code relating to sewage service utility rates.
- B232-11** Amending Chapter 22 of the City Code relating to residential service solid waste utility rates.
- B233-11** Amending Chapter 27 of the City Code relating to electric rates.
- B234-11** Amending Chapter 27 of the City Code relating to water rates.
- B252-11** Amending Chapters 4, 6, 9, 13, 20, 22, 23, 24, 25, 26, 27 and 29 of the City Code as it relates to reorganization of the Public Works Department and the Community Development Department (formerly the Planning and Development Department) and the duties of the directors of those departments.
- B253-11** Amending the Classification Plan; adopting the FY 2012 Pay Plan; providing for implementation of the Pay Plan.
- B254-11** Amending Chapter 19 of the City Code as it relates to personnel policies, procedures, rules and regulations.

Bills 214-11A and 215-11 were given fourth reading by the Clerk, bills 228-11, 229-11, 230-11, 231-11A, 232-11, 233-11, 234-11 were given third reading by the Clerk and bills 252-11, 253-11 and 254-11 were given second reading by the Clerk.

Mr. Matthes provided a staff report. In terms of transportation, he noted the Council restored all of the service cuts recommended in the City Manager's budget except for one hour on Thursday and Friday nights. In addition, the football shuttle had been restored by the Convention and Visitors Bureau and the parking utility fund would pay for some of the downtown orbiter. Full fares would increase from \$1.00 to \$1.50 effective October 1 and students 18 and over would pay those fares. Half fares would increase from \$0.50 to \$0.75 effective October 1 and students ages 5-17 were eligible for the half fare. Children under the age of 5 would ride for free. Para-transit fares would increase from \$2.00 to \$3.00 and the student semester pass would increase from \$60 to \$100 effective October 1.

Ms. Hoppe asked for clarification regarding the eligibility requirements as there had been a proposal to reduce the eligibility for the half fare. Mr. Matthes replied the recommended change in the budget was to adopt the federal definition to determine who would be eligible for half price fares, but due to Council input, the eligibility would remain the same except that those 18 or over, to include students, would not be eligible.

Mr. Schmidt wanted to ensure the public understood they were not changing the reduced fare eligibility since there was not an amendment sheet specific to that issue. He noted it would include Medicare, Medicaid and low income people.

Ms. Anthony noted B230-11 needed to be amended as the intent of requiring students 18 and over to pay the full fare had not been included.

Mr. Schmidt made a motion to amend B215-11 per the September 19, 2011 amendment sheet. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mr. Dudley made a motion to amend B252-11 per the amendment sheet. The motion was seconded by Mr. Schmidt and approved unanimously by voice vote.

Ms. Hoppe made a motion to amend B254-11 per the amendment sheet. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

Mr. Schmidt understood paratransit was expensive, but noted many of those requiring paratransit services were on fixed incomes and suggested they use Council contingency funds to eliminate the need for that increase.

Mr. Schmidt made a motion to amend B215-11 by eliminating the increase in paratransit fees through the use of \$28,666 in Council contingency funds. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mayor McDavid opened the public hearing.

Peter Davidson commented that he understood Council had planned to cut Saturday service, Thursday evening service and increase fares, and noted he did not believe even a small increase was fair as most bus riders were blind, crippled, in wheelchairs or on crutches and were on fixed incomes. The public bus system was their only way of transportation. He asked the Council to not increase fares or cut evening hours as people used the bus in the evenings to shop.

Mr. Matthes pointed out that Council had just taken action to not increase paratransit rates. Reverend Davidson noted he rode the regular bus and did not ride paratransit.

Bill Easley, 705 Cook, commented that a few years ago they took a bus off of Sexton Road, which was the bus he rode, and it was now hard for him to catch the bus on Worley as he had difficulties getting there. He suggested some of the buses be removed from campus as the campus route had multiple buses. This would allow additional service elsewhere or evening services on Monday, Tuesday and Wednesday. He felt bus service needed to increase in order to get more riders and asked Council to add service to Sexton Road again. He also noted he received four free rides per month to go to the doctor, but that was not enough as he was on a fixed income and other costs were increasing. He thought people that could afford to pay more, such as those that rode the football shuttle, should pay more.

Mike Seat stated he believed the public transportation system was just as important to those that did not ride it as it was to those that did and relied upon it. He noted he did not

ride it much because service was not frequent enough to be convenient, but felt it was important because it allowed for fewer cars on City streets, which created less stress, less congestion, a lower risk of accidents and more parking for those in cars. It also improved air quality and fuel savings. He believed a reduction in mass transit would impact the economy in a negative way since people relied on it to get to work or to shop. He explained mass transit also saved money as it reduced the cost of maintaining roads. He suggested the City look at Chapel Hill, North Carolina as it was another college town, which had free mass transit that attracted riders.

Christiane Quinn, 719 West Broadway, asked the Council to support a better public transportation system in Columbia as there was a portion of society that did not have the luxury of a car, walking or biking, and depended on public transportation to go to work, school and the grocery store. She stated she supported Mayor McDavid's proposal to create a task force to better understand the current situation and to come up with appropriate recommendations. She noted there were problems with the transit system and explained her son took routes 104 and 101 in the mornings in 2009 to get to Hickman High School, but in 2010, the times and routes had changed. The 104 route moved off of Broadway and the 101 route was no longer a direct route from downtown to Hickman. It went to Oakland Junior High before going to Hickman. She was told the reason for the change was to provide service to parts of the community that did not have service. Alternatives suggested would have made her son late for school and dropped him off at Rangeline and the Business Loop, which was two blocks away from Hickman High School where there was no sidewalk for the first 50 meters or a pedestrian crossing at Eighth Street. In addition, he would have had to walk by a strip club, bar, etc. The return route options were not viable either due to when he would finally get home. She asked that future consideration be given to students, school hours and the safety of the kids when changing routes.

Susan Solomon, Pershing Road, stated she had a handicapped son and the half fare rate would cost her \$50 per month to get back and forth and that was too much. She appreciated the fact paratransit was only \$2.00 per ride as she only received \$900 per month and could not afford another \$50 per month while raising a 10 year old son. She asked the Council to take low income people into consideration in terms of rate increases.

Chris Hexter stated he was an attorney representing the City's Water and Light Department employees and wanted to discuss the wage proposal submitted to the City by Local 2 IBEW. He asked those in the audience from the Water and Light Department to stand and about 40 people stood. He commented that he disagreed with the City Attorney in terms of work agreements, and believed the City agreeing to participate in a one year agreement with the union would not impact the City's ability to stay with the existing agreement as long as the City's position in meeting with unions or associations representing employees met the plausibility test. He was also disappointed with the City Manager's recommendation that no changes to City labor policies be made in FY 2012 as Local 2 had been negotiating with the City Manager since May 20, 2011 with the purpose of achieving changes in the City's labor policies affecting wages, hours, terms and conditions of employment, and at no time had the City Manager indicated he would not consider changes in the City's labor policies. He understood the City was proposing a \$0.25 per hour increase

for all of its employees, which would average 1.23 percent for Water and Light Department employees for the year, but if like in the past, it would be much less or would result in no increase, especially if deductibles and co-pays continued to be passed on to employees. He noted the City's Water and Light Department employees were already behind in pay than those in similar positions in Hannibal, Mexico and Independence, Missouri. He suggested Council determine where the budget could be squeezed to produce a higher wage increase for its utility employees. He provided examples of the discrepancies in pay between Columbia employees and the employees of other communities, and they ranged anywhere from 3-26 percent.

Mr. Kespohl asked about the increases mentioned that were attributed to Hannibal, Missouri. Mr. Hexter replied he would provide that information to the Council.

Anna Coulibaly commented that she was happy to hear Mayor McDavid indicate the City needed to focus on customer-centered services, which she felt was lacking in terms of transportation. She explained information to passengers was deficient and provided the example of not having maps of the system at the Wabash Station. The City was willing to mail maps if one called or suggested a smartphone be used to view the routes. She felt simple, basic information needed to be available at the Wabash Station. She noted those that provided the transit service did not use the service themselves and made decisions and changes without meeting with drivers and customers. She felt changes in routes needed to be marketed and route schedules needed to be available at all bus stops.

Matthew Colgin, 4805 Prestwick Court, stated he was representing The Reserve at Columbia apartment complex and the riders of Route 207, which was known as the Gold East Route. He asked those in the audience that would be impacted by changes to that route to stand and about five people stood. He noted the University had an evening shuttle in the past, but had decided not to do it this school year, and they were told if they wanted to continue the route they would need to pay for it. A contract had been negotiated with Columbia Transit that covered the cost of the route, but Council defeated the resolution authorizing that contract at its September 6, 2011 Council Meeting. After speaking with Council representatives and Columbia Transit, he believed the contract was denied without proper consideration due to the lack of information about the cost involved to run the route. He noted they had gathered 400 signatures, which he had e-mailed to Council and provided to the City Clerk for the record, and he hoped Council would reconsider authorization of that contract.

Phyllis Black stated she was a resident of Paquin Towers and explained she did not see a problem with increases in fares for the City bus system, but wanted the paratransit fares to remain at \$4.00 as she lived in low income housing and did not have a lot of money. She also wanted to know who was responsible for snow removal at businesses, such as Walmart, as they pushed the snow up near the bus stops causing her difficulties. Mr. Thornhill replied it was a private lot and the owner would be responsible for snow removal. Mayor McDavid reminded Ms. Black the paratransit rate would be kept the same.

Cheryl Price, 511 Parkade Boulevard, explained she served on the Disabilities Commission and was a board member of Services for Independent Living. Although she appreciated the Council cutting back on the changes to the transit system and keeping the

paratransit rates the same, she was still concerned about low income riders. The change from \$1.00 to \$1.50 did not seem like much to some, but it was a lot to low income families. She asked the Council to keep that in mind when addressing the issue as part of the budget. She also asked Mayor McDavid to consider appointing a disabled person to the Transit System Task Force.

Marcy Cooper, 1515 Walnut Street, commented that she needed the bus to go places and had other bills she needed to take care of as well. She noted she went to the movies once by taking the City bus and liked it and wanted the ability to do it again at a low cost.

Ian Thomas, 2616 Hillshire Drive, stated he was the Director of the PedNet Coalition and explained PedNet in partnership with the City and other organizations had created the Columbians for Modern Efficient Transit (COMET) campaign in March. He provided a handout and noted the vision of this campaign was that a modern efficient transit system would enrich the lives and support the successes of all individuals, organizations and businesses in Columbia by providing a reliable convenient transportation service that promoted health, opportunity and sustainability. He thanked the Council for working on a short- and long- term plan that would sustain services with an unavoidable price increase and would open up possibilities in the future with a student-centric and customer-centric transportation system that would be better than what they had relied upon for many years in the past. He noted there were many people that relied on public transportation for every journey taken, but there were others that had the choice and preferred to take public transportation, which would allow individuals and City government to save money.

Adam Saunders, 214 St. Joseph, stated he was a board member of the North Central Columbia Neighborhood Association and read a statement approved by the Board, which indicated the Neighborhood Association supported maintaining the current eligibility categories for half fare rates and the continuation of evening service, Thursday through Saturday. The neighborhood included Columbia College, Hickman High School, Douglas High School, the Columbia Public School - Adult Learning Center for the ESL and GED classes, Jefferson Junior High School, Field Elementary School, The Boys and Girls Club, the Boone County Council on Aging and several other school enrichment programs. The Neighborhood Association supported fares that enabled residents and students, regardless of their age or where they lived, to travel to and from the neighborhood at a fare they could afford. While they recognized the budget challenges, they believed removing half fare eligibility for students over the age of 18 was counterproductive to the focus of expanding the number of students who would use the transit system. Getting college kids to consistently use the bus service was a cultural shift that would not be well served by raising the fare they paid. They asked Council to keep in mind the City needed a bus system that worked for middle income residents as well as University students, and such a system should coordinate not only with University class schedules, but with economic and cultural life schedules of the City as well. They suggested the City build a system the Council would ride as it would be one that all of Columbia could use, to include students.

Sherry Brandis, 111 North Stadium Boulevard, # A-158 Holiday House, commented that she was considered low income and used paratransit frequently. She noted it was a good form of transportation for her and the drivers were excellent.

Kathleen Weinschenk, 1504 Sylvan Lane, thanked the Council for its hard work with regard to the transit system.

Thomas Weller, 603 Hunt Avenue, commented that he was aware of an efficient and low fare bus system in Maine that was operated by a non-profit organization, so its funding was not intertwined with City funds. He commended the City for the change to allow the system to accept debit/credit cards for bus fares since many people did not carry cash, but felt problems with the system were that the bus schedules were confusing due to the format and the creation of a mid-day service resulted in fewer routes. This required customers to guess which buses were going in what direction at what time and was difficult on those who were scheduling appointments and interviews, getting to jobs, etc. He believed an efficient and low fare service was needed for low income workers, those on social security, the elderly, etc.

Brittany Parrin stated she was a graduate student at the University of Missouri and noted she was excited to represent the students on the Transit System Task Force. She thanked the Council for the time and effort it had put into considering all of the possibilities. She hoped the student-centric strategic plan considered marketing strategies to students as they current system was confusing. She noted the routes on campus currently existed and from there, students could walk downtown. She believed they needed to focus on marketing the benefits of riding the bus to other areas of Columbia and hoped funds would be geared toward that concept.

Ernest Brown, 1402 Pratt Street, commented that he was supportive of the individuals that had made their concerns known about the transit system and believed the rationalization of routes could be better. He provided an example of the 101 Route, which took him almost outside of the City and to the Country Club area, and he did not see many people using the bus in that location. As a result, he questioned the need to send the bus to that area. He also suggested the City consider the licensure of dollar or jitney buses. He agreed they had advantages and disadvantages and those could be discussed. They provided flexible routes and energy efficiency since they were only sent when full or nearly full. With regard to live surveillance, as discussed earlier, he felt it would have an alienated effect and would reduce trust in the Police Department if it was being done.

Matt Nack, 608 Hunt Avenue, commended the Council on its efforts to maintain the level of service for the transit system by only cutting service back by one hour, but had a concern with regard to getting on and off of the bus. The bus ramps folding out on the street were too steep and made it nearly impossible to get on the bus. He suggested they be let off at curbs instead for the safety of all concerned.

Micah Backus, 302 Loch Lane, thanked the Council for its efforts and noted he appreciated the decision to not raise paratransit fares as those people had the most difficulty paying for it. He asked the Council to focus on simplicity and how to make bus service the most available in terms of the bus schedule and routes. He thought that having the buses run less often while extending service hours might provide people more options.

Charles Dudley Jr., 1201 Paquin Street, stated he was a member of the Disabilities Commission and did disability advocate work. He suggested the Transit System Task Force include a disabled advocate to obtain the disability aspect of the transportation issue. The

City claimed to be diverse and suggested that be practiced in meetings and by its actions. He felt including a disabled view would bridge the gap between the City and the disabled community.

Eugene Elkin, 3406 Rangeline, commented that he appreciated Ms. Hoppe and Mr. Schmidt for riding the buses and obtaining personal input from individuals in terms of problems with bus system. He suggested paratransit drivers that regularly picked up an individual contact someone if the person does not show after a couple of days and provided an example of an instance where would have been helpful as an individual had passed away.

Joe Alder, 511 Parkade Boulevard, stated he had contacted the offices of Representative Luetkemeyer and Senator McCaskill and had asked them to send a representative to this meeting to hear the issues in terms of transit so they could notify the City of any funding at the federal level. He agreed with the comments of several speakers in terms of having a person from the disability community on the Transit System Task Force as they were dependent on public transportation for their daily connectivity and independence. Once the immediate problems of the next fiscal year were resolved, he felt the Task Force should expand its vision in terms of all providers, to include OATS, Services for Independent Living, Mo-X, etc., for an integrated system with park and ride opportunities, feeder buses, etc. as those were successful.

Gary Kelly commented that covered bus stops were needed at the shopping centers so people were not affected by inclement weather with perishable groceries. He understood this request was expensive, but believed it would help get people out of cars. He felt this was important since the travel time was long and there were long periods of time between when the buses arrived at stops.

Karen Hiatt, 2908 Leeway Drive, stated she lived on the 103 Northeast Route, worked at University of Missouri and rode the bus because she wanted to ride it. She noted she had a car so she had the ability to go when and where she wanted. She stated her support for the low income and disabled people that relied on the bus system and asked the Council to continue service on Thursdays and Fridays. She felt they needed to take the preferential option for the poor and thanked the Council for doing so.

Selena Futura stated she worked for Columbia Transit and believed the buses needed to go further out to different areas of town as she believed that would increase the number of riders. She also felt they would see an increase in ridership if they expanded service throughout the day and night with more buses because that would allow people to get jobs and to get to and from those jobs.

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

Ms. Hoppe asked for a list of the various suggestions as she believed it would be helpful to the Council and the Public Transportation Advisory Commission. Mayor McDavid thought the minutes would provide that list.

Ms. Hoppe noted Matt Colgin of The Reserve had indicated the cost of the evening service would have been covered by the contract and asked for clarification from staff. Mr. Brooks replied that contract and the calculations made were based purely on the operation of the bus for that route. They were using a driver from the University shuttle that they agreed to allow them to use from 6:00 p.m. to 10:00 p.m. and the route had been expanded four

miles per trip, and that cost was passed on to the two apartment complexes, so the contracts would have covered the extension. Mayor McDavid stated he disagreed with that analysis. Mr. Matthes commented that the difference was with the philosophy of the cost to run a bus, and was based upon incremental costs versus the cost to the whole system. This contract was tied to the incremental approach and did not cover the cost to have the bus in the area in the first place. Mayor McDavid explained he disagreed with that philosophy because operating on incremental costs caused financial disarray. He noted he wanted to provide student bus service as it was a college town, but they needed to provide a robust service and that could not be offered at \$0.15 per ride when others were being asked to pay \$0.75-\$1.50 per ride. He felt the business model needed to be changed for a more robust and successful service. Mr. Kespohl agreed.

Ms. Hoppe understood Campus Lodge and The Reserve had a bus agreement for day service and evening service would be provided on the basis of students paying per ride or purchasing a pass. She wondered about equity in terms of students already having day service being required to pay the same amount for a pass as those that did not have day service. Mayor McDavid pointed out those students were paying \$0.12 per ride for that day service, which meant they were not paying their own way. These types of financial decisions had put the system in financial disarray. He did not believe it was fair to ask the disabled and poor to pay more than the college students. He noted they had the ability to transform the system to give the college population what they wanted, which was what he was looking forward to in terms of the Transit System Task Force. Mr. Schmidt agreed considering they were charging the poor \$0.75 per ride and paratransit riders \$4.00 round trip. He appreciated the marginal cost model used, but felt they needed a more sustainable system. If they had a sustainable system, they could build it out further with the marginal cost model, but they did not have a sustainable system at this time.

Mr. Matthes commented that staff had made a great attempt to provide inexpensive service to the customer, but the cost to run one bus was about \$100 per hour when looking at the entire system, so the real cost of service was \$65,000 instead of \$14,000.

Mr. Matthes pointed out the changes being discussed today would only get the system through FY 2012. There would be a far grimmer picture for FY 2013 as they would have to come up with another \$800,000 if nothing changed. If they could not come up with a better system, at least two of the three student focused routes would need to be cut in FY 2013, and those were the 207 and 208 routes.

Mr. Schmidt commented that the message to students and apartment owners was not that they did not want them to use the bus, but that their help was needed as they were asking for sacrifice all of the way around. If done right, they would be able to create a cheap and efficient system.

Mr. Kespohl noted one bus operated at \$101 per hour per his calculations and there were three 40 minute headways in two hours, which meant they would need 47 passengers on every 40 minute ride on a 44 passenger bus, which was impossible. As a result, they would not be able to break even. Mr. Schmidt noted the goal was not to break even, but to be sustainable due to the federal subsidies and the transportation sales tax. Mr. Kespohl noted they still needed 36 passengers every 40 minutes, which was more than they currently

had, if the \$1.6 million subsidy was included. In addition, this was calculated with the full fare. If there were half fares, the situation was worse.

Ms. Hoppe suggested they create a \$50.00 evening pass rate for the residents of the Campus Lodge and The Reserve. Mayor McDavid noted students could purchase a pass for \$60.00 until October 1.

Ms. Hoppe made a motion to amend the budget and appropriate ordinances to allow for a \$50.00 evening pass for the current semester for residents of Campus Lodge and The Reserve. The motion died due to a lack of second.

Mr. Schmidt asked if they were still working with the apartments. Mr. Kespohl replied he thought they were. Ms. Hoppe explained the alternative was that the students had to pay per ride or purchase a pass.

Ms. Hoppe commented that she and Mr. Schmidt had ridden the bus recently and it had been elucidating. She encouraged her fellow Council Members to ride the bus as well to get to know those that rode the bus and their stories in terms of what they did to make their lives work with the bus system. She noted she spoke with a lady traveled an hour and a half to get to work and back home only to travel a short distance, but she was happy to do it and to have a job. She thought they needed to try to do better as a system to address those types of situations. She wanted to take all of these suggestions and incorporate them into the proposed student-centric system so they had a system that served all people well and attracted many others to the system.

The vote on B214-11A was recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B215-11, as amended, was recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B228-11 was recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B229-11 was recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

Mr. Boeckmann explained the amendments needed to B230-11 based on decisions made by Council earlier in the evening.

Ms. Anthony asked about the students that were eighteen or over as it did not appear to be clear based on Section 22-29(a)(3). Mr. Koopmans replied juniors were included in the definition of half fares and juniors were defined as being between the ages of 5 and 17. They would still offer semester passes so those 18 and over could purchase a semester pass.

Mr. Schmidt made a motion to amend B230-11 so that Section 22-29(a)(2) would be not be changed from how it currently existed in the Code of Ordinance and only

“Handicapped” would be changed to “Disabled”, Section 22-29(b) would be removed as it did not need to be changed from how it currently existed in the Code of Ordinances, and Section 22-29(c) would be adjusted so the definition of elderly was “any person age sixty-five (65) or over who exhibits a pass showing proof of age, Medicaid, Medicare or other ID,” the word “handicapped” was replaced with “disabled” and the definition of disabled was “any person certified as disabled by reason of illness, injury, age, congenital malfunction or other permanent or temporary incapacity or disability,” the definition of junior was “a child age five (5) through seventeen (17) years inclusive, and the definitions of regular semester and summer semester would not be stricken as they did not need to be changed from how it currently existed in the Code of Ordinances. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

The vote on B230-11, as amended, was recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

Ms. Anthony commented that she had received many complaints regarding the calculation of residential sewer rates and had asked for a report to review whether the current method of charging residential uses was equitable. The issue was whether it was fair to charge residential customers on the average monthly billing for water during the months of January, February and March, and specifically for those that had usage of less than two cubic feet. She noted she was not comfortable voting in favor of an increase until the issue was addressed by staff.

Mr. Thornhill stated he agreed with Ms. Anthony.

Mayor McDavid asked what the implication would be if they defeated B213-11A. Mr. Matthes replied he understood most of this was related to debt service in terms of the expansion of the Wastewater Plant. He asked Council to approve B231-11A with the understanding staff would provide a report as they could always change the rates. He thought there might be significant consequences if this was delayed.

Mr. Thornhill asked if the report could be provided soon. Mr. Matthes replied it would be provided at the next Council Meeting.

The vote on B231-11A was recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B232-11 was recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B233-11 was recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B234-11 was recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

Mr. Dudley made a motion to amend B252-11 by changing “director of public works” in the third line of Section 23-28 to “director of community development” and by changing “director of public works” in the sixth line of the second paragraph of Section 29-21.3(g). The motion was seconded by Mr. Schmidt and approved unanimously by voice vote.

B252-11, as amended, was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B253-11 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B254-11, as amended, was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(A) Reconstruction of Clark Lane-Phase 2, from the intersection of St. Charles Road and Lakewood Drive westward approximately 700 feet.

Item A was read by the Clerk.

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

Mr. Kespohl understood there had been discussion with regard to an entrance into Lakeview Plaza off of the round-a-bout and noted he did not see it on the drawing. Mr. Nichols replied they had not been directed to do this in the initial phase, but it was feasible if Council wanted it accommodated.

Mayor McDavid asked if staff had to come back to Council if it was included. Mr. Nichols replied no and explained it was a detailed design issue related to the access point.

Mayor McDavid opened the public hearing.

Phebe LaMar, an attorney with offices at 111 S. Ninth Street, stated she was representing Lakeview Plaza, LLC and Omkara, LLC, the two parties that were looking for an entrance. With the entrance into the shopping center, she thought Lakeview Plaza, LLC would be in favor of this proposal. They would be opposed to this without the entrance as it would substantially decrease the value of the property. By doing this, however, it took a greater percentage of the Omkara, LLC property and eliminated developable area significantly.

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

Mr. Kespohl made a motion directing staff to proceed with plans and specifications for the project. The motion was seconded by Mr. Dudley.

Mr. Matthes understood Council wanted the inclusion of an entry point to Lakeview Plaza, LLC in moving forward with the plans and specifications. Mayor McDavid stated that was correct. Mr. Schmidt agreed.

The motion, made by Mr. Kespohl and seconded by Mr. Dudley, directing staff to proceed with plans and specifications for the project was approved unanimously by voice vote.

OLD BUSINESS

B235-11 Authorizing an annexation agreement with North Battleground LLC.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Ms. Hoppe asked if the sewer tie in fees referred to were the fees according to the most recent schedule. Mr. Teddy replied the fees for this project would be determined after the construction of the sewer as there was a service agreement between the City and the Boone County Regional Sewer District. Upon completion of construction, there would be a calculation of a special fee. He noted it would follow the current fee schedules. Ms. Hoppe understood it would essentially pay back the cost of that extension. Mr. Teddy stated that was correct as the City's capital cost would be recovered over time.

B235-11 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B240-11 Amending Chapter 14 of the City Code as it relates to parking prohibitions and parking limitations on portions of Melbourne Street.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Schmidt commented that he had heard from many indicating loading and unloading was a problem with the current parking situation and that was the reason for this ordinance.

B240-11 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B243-11 Accepting a grant from the National Association of Counties Research Foundation for the 3M Urban Ecological Restoration Project located along Hinkson Creek and adjacent to the MKT Trail; appropriating funds.

The bill was given second reading by the Clerk.

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

Ms. Hoppe made a motion to amend B243-11 per the amendment sheet. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid commented that this was a beautiful area and a real asset to the park system and the Katy Trail. He commended the Parks and Recreation Department for its relationship with 3M in getting this project done.

Ms. Hoppe noted, in addition to this being a beautiful area, it would also serve a stormwater function since it would improve the wetlands.

B243-11, as amended, was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B251-11 Establishing temporary stands for taxis, limousines, buses and STRIPES vehicles; establishing temporary no pick-up or drop-off zones; providing penalties for violations.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Ms. Hoppe explained she had asked for this to be removed from the consent agenda because she felt some adjustments might be necessary for the remainder of the pilot study. She understood the taxi stand program was implemented everyday of the week and noticed they were not used by taxis on Sunday, Monday, Tuesday and Wednesday. As a result, she wanted the program reduced to Thursday, Friday and Saturday only since taxis were needed then. This would allow people to park in those spaces when less people were downtown and provided a safer environment. Chief Burton stated he believed that might create some confusion. Sergeant Hughes explained the reason it was being done seven days a week was for consistency purposes. It allowed everyone to know it was always a taxi stand between the established hours and the signage was easier and quicker to read. He agreed the busiest days were Thursday, Friday and Saturday, but Tuesday and Wednesday were also busy at certain taxi stands.

Ms. Hoppe asked if the taxi stands extended down the whole street on the designated streets. Sergeant Hughes replied yes. Ms. Hoppe commented that it seemed as though there were five streets where there were no taxis and no parking for the majority of the established evening hours on the less busy nights.

Mayor McDavid asked if there was a shortage of parking during those times. Ms. Hoppe replied there was a shortage of on-street parking.

Mayor McDavid understood the pilot study ended in December of 2011. Chief Burton stated staff would provide a recommendation at the end of December.

Mr. Schmidt commented that he had the opportunity to spend time watching the taxi stands operate with Sergeant Hughes and Carrie Gartner of the Special Business District as he had been a skeptic of the program until learned of the technical issues.

Sergeant Hughes explained they were evaluating how many taxi stands would be needed in each area and noted the parking garages were not full during all of those times with exception of game days, but the heaviest need for taxis were during game days as well.

Ms. Hoppe asked if staff was tracking the number of cars being towed and noted she was concerned the Police Department was being heavy handed as she had recently seen two tow trucks hauling away cars at 9:03 p.m. She wondered if the cars could be ticketed at 9:00 p.m. and towed a little later. She thought some leeway was needed. Sergeant Hughes replied they had statistics, but was unsure as to whether Council had received those statistics. He also noted the interdepartmental policy was to provide a leeway period and they typically did not tow until after 10:00 p.m. They ticketed after 9:00 p.m., but did not tow any vehicles until 10:00 p.m. He was not sure which two vehicles Ms. Hoppe saw being

towed, but if they were the same ones he saw, they had not been towed due to the taxi stand program.

Ms. Hoppe made a motion to amend B251-11 so the taxi stand pilot program was reduced to Thursday, Friday and Saturday evenings only. The motion died due to the lack of a second.

Mr. Matthes explained staff could pay special attention to this issue and count number of days they did not see any use of the taxi stands for the remainder of the pilot study. Ms. Hoppe thought that would be helpful.

Mayor McDavid stated he believed Ms. Hoppe's concerns were legitimate and hoped they would be addressed in the December report.

B251-11 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

- B236-11** **Vacating a sanitary sewer easement located north of the intersection of Rock Quarry Road and Grindstone Parkway; accepting a conveyance for sewer purposes.**
- B237-11** **Appropriating FY 2011 CDBG and HOME funding.**
- B238-11** **Authorizing a consolidated grant agreement with the Missouri Highways and Transportation Commission for transportation planning services.**
- B239-11** **Authorizing construction of improvements to the traffic signal located on Worley Street at the Columbia Mall entrance as part of the Stadium Boulevard corridor street and storm sewer improvement project; calling for bids through the Purchasing Division; appropriating funds.**
- B241-11** **Appropriating funds for repairs to the Central Missouri Aviation (CMA) FBO hangar roof at the Columbia Regional Airport.**
- B242-11** **Accepting conveyances for utility purposes.**
- B244-11** **Appropriating fire equipment sale proceed funds for the purchase of equipment for the Fire Department.**
- B245-11** **Amending Chapter 21 of the City Code as it relates to City commissions for University of Missouri police officers.**
- B246-11** **Authorizing an agreement with Electronic Tracking Systems, L.L.C. for installation and maintenance of electronic tracking systems in Police Department patrol vehicles.**
- B247-11** **Amending Chapter 1 of the City Code to consolidate the legal description for the Columbia city limits.**
- B248-11** **Amending Chapter 2 of the City Code as it relates to city departments.**
- B249-11** **Amending Chapter 8 of the City Code relating to elections.**
- B250-11** **Amending Chapter 25 of the City Code relating to the repeal of old impact fees.**

- R157-11 Setting a public hearing: construction of the Short Street parking garage.
- R158-11 Setting a public hearing: annexation of property located on the southeast side of Old Plank Road, approximately 800 feet east of the intersection of Old Plank Road and State Route K.
- R159-11 Authorizing an agreement with The Curators of the University of Missouri to allow use of University property for the annual Halloween event.
- R160-11 Authorizing an agreement with the Missouri Department of Health and Senior Services for child care health consultation services.
- R161-11 Authorizing an agreement with the Missouri Department of Health and Senior Services for public health emergency preparedness services.
- R162-11 Authorizing an agreement with the State of Missouri, Department of Social Services for the 2011 Emergency Shelter Grant Program.
- R163-11 Abolishing the Employee Benefit Committee.
- R164-11 Authorizing a pole attachment agreement with The Curators of the University of Missouri to allow banners along portions of Ninth Street and Conley Avenue.
- R165-11 Authorizing the City Manager to submit a Sustainable Communities Regional Planning Grant application to the United States Department of Housing and Urban Development to conduct a comprehensive planning process as it relates to housing, transportation, energy and natural resources in the Columbia metropolitan area.
- R166-11 Authorizing a joint funding agreement with the U.S. Geological Survey, United States Department of the Interior for groundwater monitoring in the vicinity of the wetland treatment units and the Eagle Bluffs Conservation Area.
- R167-11 Authorizing Amendment No. 1 to the agreement with Alta Planning + Design, Inc. for consulting services relating to the Non-Motorized Transportation Project, Phase II Bike/Pedestrian program evaluation.
- R168-11 Approving the Preliminary Plat of The Village of Philips Lake Plat 1 located on the northwest corner of U.S. Highway 63 and Discovery Parkway.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

NEW BUSINESS

- R169-11 Directing that a statement of cost be made available as it relates to covering new police and fire employees in the Missouri Local Government Employees Retirement System (LAGERS).

The resolution was read by the Clerk.

Mr. Matthes provided a staff report.

Ms. Anthony asked if a public hearing would be held at the Council level. Mr. Matthes replied he planned to work with staff teams representing LAGERS, Police and Fire as all three retirement plans had problems in terms of cost. This change addressed Police and Fire

as they were the biggest problems in terms of funding. This would stop the growth of the unfunded liability to a certain degree. Ms. Anthony asked if Council would have an opportunity to hear from the Police and Fire representatives. Mr. Matthes replied yes and explained the three groups would work to find specific solutions to the unfunded portions of the pension plans. The City would have an actuary vet all of the ideas explored and those ideas would be provided to Council as the decision maker in terms of how they changed moving forward. He noted this was one of the ideas they would consider.

The vote on R169-11 was recorded as follows: VOTING YES: MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE. 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.

- B255-11** Vacating a utility easement on Lot Two within Lenoir Subdivision located south of New Haven Road on Lenoir Street.
- B256-11** Vacating a drainage easement on Lot 23 within Heritage Woods Subdivision, Plat 1 located at the north end of Covington Court; accepting a conveyance for drainage purposes.
- B257-11** Authorizing the construction of office space for the City's parking utility and Regional Economic Development, Inc. (REDI) in the Fifth Street and Walnut Street parking structure; calling for bids through the Purchasing Division.
- B258-11** Authorizing a waterline replacement contract with Public Water Supply District No. 9 of Boone County, Missouri and an electric distribution line relocation agreement with Boone Electric Cooperative as part of the Rolling Hills Road construction project.
- B259-11** Authorizing grant agreements with the Mid-Missouri Solid Waste Management District for the purchase of indoor office recycling containers for City buildings and a drop-off bin for recycling collection at large apartment complexes; appropriating funds.
- B260-11** Authorizing a right of use permit with Orscheln Farm and Home LLC for the construction, improvement, operation and maintenance of two private driveways within a utility and street easement located on Lot 1 within Sterling University Plat No. 1 adjacent to Buttonwood Drive right-of-way.
- B261-11** Accepting conveyances for utility purposes.
- B262-11** Authorizing a cooperative agreement with Boone County, Missouri for the installation and maintenance of a backup dispatch building for Public Safety Joint Communications to be located on Boone County Sheriff's Department property at 2111 County Drive.
- B263-11** Authorizing a revenue distribution agreement with Boone County as it relates to road and bridge improvements and maintenance.

REPORTS AND PETITIONS

- REP155-11** Street Closure Requests.

Mr. Matthes and Ms. Rhodes provided a staff report.

Ms. Anthony asked if the Special Event Committee (SEC) took into consideration the recommendation of the Central Columbia Association (CCA) as part of its review. Ms. Rhodes replied the SEC reviewed requests prior to the CCA.

Mr. Schmidt understood the SEC did a basic check for legality and compliance with the requirements of the ordinance. Ms. Rhodes stated that was correct and explained the SEC consisted of representatives from across City departments to include Police, Fire, Public Safety Joint Communications and Public Works.

Mr. Schmidt asked if every business owner or a majority of business owners on the street had to agree with the street closure. Ms. Rhodes replied the ordinance did not include a percentage requirement. Mr. Schmidt asked if the signatures provided included all of the business owners on the affected street or if any owners objected. Ms. Rhodes replied there were owners that had objected. Ms. Anthony asked for the percentage. Mr. Matthes understood there was one objection.

Mr. Thornhill asked if the application met all of the criteria. Mr. Rhodes replied it met the ordinance requirements for a street closure request.

Ms. Anthony asked for a brief synopsis of the event.

Allie Yeakey stated she was the Field Marketing Specialist for Red Bull for Missouri, Iowa and Southern Illinois and explained the Red Bull Chariot Race was an event that occurred every year on college campuses and communities throughout the United States. This year the company decided to bring it to Mizzou. She noted teams of three built and raced chariots and the winners received their weight in Red Bull or a paid trip to a national property of Red Bull, such as a music or snowboard event. It brought students downtown on a non-football Saturday, but it was a non-alcoholic event that was open to everyone, not just college students.

Mr. Schmidt asked if they had considered moving the event to a Sunday per the CCA request or if they had talked to the CCA. Ms. Yeakey replied they had not.

Mayor McDavid asked which business objected to the event. Ms. Yeakey replied Top Ten Wines. She explained the course would run from the alleyway to Locust Street, but they were closing the entire street because they could not request the closure of only half of the street. She noted the course would not be in front of Top Ten Wines.

Mr. Schmidt understood this event took place from 4:00 p.m. to 7:00 p.m. on Saturday. Ms. Yeakey explained the closure would be from 1:00 p.m. to 8:30 p.m. to allow time for set up and clean up.

Mr. Schmidt commented that this was significant for Ninth Street and noted he was surprised they did not have a more vocal objection from the CCA.

Mr. Thornhill understood 17 of the 18 people asked did not mind the street closure. Ms. Yeakey pointed out a couple of businesses on the street had expressed interest in creating their own teams.

Mayor McDavid commented that he would have felt better about the CCA objection had they met. He did not feel the e-mail poll was credible, so he was inclined to support the request.

Mayor McDavid made a motion to approve the street closures as requested. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

REP156-11 Chipping vs. Burning for Land Clearing Operation.

Mr. Matthes provided a staff report.

Mayor McDavid made a motion directing staff to send this issue to the Planning and Zoning Commission and the Health Department for the development of an ordinance. The motion was seconded by Mr. Kespohl and approved unanimously by voice vote.

REP157-11 East Broadway Right-of-Way Vacation.

Mr. Matthes provided a staff report.

Mayor McDavid asked if there was a downside to this request. Mr. Teddy replied he was not aware of one. He explained the right-of-way that remained would include the sidewalks and the four lane roadway, so he did not see an issue unless that section of Broadway needed to be widened beyond four lanes in the future.

Mr. Dudley made a motion directing staff to proceed with the requested right-of-way vacation. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

REP158-11 Report from Ward Redistricting Committee.

Mr. Matthes provided a staff report.

Mayor McDavid stated he believed they should include the two that received the most votes.

Mr. Boeckmann pointed out Trial D had a section in the Fifth Ward that was not contiguous, so it did not meet the requirement of being contiguous and compact.

Ms. Hoppe understood Trial E received a 5-3 vote in favor of it. In addition, the public preferred E or a version of E.

Mayor McDavid asked if the Committee had known Trial D was not contiguous. Mr. Schmidt noted this issue had not been mentioned during the Pre-Council Meeting.

Mayor McDavid asked if it was overtly not legal right now. Mr. Boeckmann replied yes and explained it was clearly not contiguous.

Mayor McDavid asked if Trial E was not contiguous either. Mr. Kespohl replied he did not think it was contiguous.

Ms. Hoppe asked if that area was not currently in the Fifth Ward. Ms. Anthony replied it was in the Fifth Ward now.

Mr. Schmidt understood the definition of contiguity for purposes of annexation into the City was loose in the sense it could be a few feet away. Mr. Boeckmann commented that as far as he knew every annexation had been contiguous.

Mayor McDavid asked if both Trial D and Trial E were not contiguous. Mr. Boeckmann replied he had not noticed the issue on Trial E.

Mayor McDavid asked about Trial A. Mr. Kespohl replied he did not believe Trial A was contiguous either.

Ms. Anthony asked for clarification on the contiguity issues prior to discussing it further. She felt it was pretty obvious in Trial D, but was not sure about the other Trials.

Mr. Kespohl commented that he did not believe Trial A or Trial B were contiguous either.

Mr. Boeckmann asked Mr. Teddy if the trail was supposed to be in the Fifth Ward and if that was making some of the Trials contiguous.

Mr. Schmidt asked if a hurried annexation could be done. Mr. Teddy replied an annexation was pending on a 148 acre tract and showed the location of that tract on the overhead.

Mayor McDavid asked if Council could offer a Trial A, Trial D and Trial E pending an analysis.

Ms. Anthony asked how many votes Trial A received. Mr. Kespohl replied two votes. Ms. Anthony asked why they would include Trial A. Mayor McDavid replied it was the only one that was contiguous. Ms. Anthony and Mr. Kespohl did not believe it was contiguous either.

Mr. Schmidt explained what saved Trial A and Trial E was if the trail itself were in the Fifth Ward.

Ms. Anthony suggested they move forward with Trial D and Trial E and try to figure out how to make them contiguous. Mr. Thornhill agreed since they were the top two in terms of positive votes received.

Ms. Hoppe asked if they could revise or clarify the definition of contiguous. Ms. Anthony agreed the definition should be on the table when they reviewed Trial D and Trial E. Mr. Matthes thought the requirement was in the Charter. Ms. Hoppe asked if there were various definitions of contiguous. Mr. Boeckmann replied there might be various definitions, but noted he did not think there would be one that allowed for a mile or two gap.

Mayor McDavid commented that it would have been nice to have had this issue litigated a couple of months ago and asked staff how they should proceed. Mr. Boeckmann suggested the Council move forward with Trial D and Trial E and staff could then determine if the annexation would make the Trials contiguous.

Mr. Dudley asked for clarification regarding the pending annexation. Mr. Teddy replied they had a 148 acre tract that was adjacent to Thornbrook and Copperstone, which had been withdrawn because they were reformulating the site plan. It was on the west side of Scott Boulevard and north side of Thornbrook. Mr. Boeckmann asked if it would make Trial D contiguous. Mr. Teddy replied yes. Mayor McDavid asked if it would make Trial E contiguous. Mr. Kespohl replied yes.

Mayor McDavid made a motion directing staff to prepare Ward redistricting ordinances for Trial D and Trial E to be introduced at the October 3, 2011 Council Meeting. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

REP159-11 Mayor's Pension Review Task Force Final Report.

Mr. Matthes provided a staff report and explained this was provided for informational purposes at this time.

Mayor McDavid thanked the Mayor's Pension Review Task Force for providing the report and noted his analysis of the report was that the City had a major financial liability due to the City employee pension plans and a failure to act now would cause the liability to grow exponentially and become unmanageable. In addition, several remedies existed, but they would all be difficult. He explained the cost of past indifference to the employee pension

obligations had depressed employee salaries, caused a declining in staffing, and caused a decrease in services. He was happy to see Mr. Matthes' response to this issue. This complacency had occurred throughout the nation. Without a fix, Columbia would have even fewer public safety officers, less infrastructure spending, higher taxes and a loss of social services. Per City Charter, the Council did not have the power to influence a pension philosophy since they did not negotiate contracts with employees. The Council's power was with the approval of the budget, but voting down the budget was moot since the City Manager's budget would then go into effect on October 1 in the absence of Council approval. He noted he still had four expectations and those were substantial changes to the employee pension plans this year, the pension obligation expectation being tied to a seven percent rate of return, actuarial verification that the changes were substantial enough to stabilize City finances, and no increases in taxes would pay for these changes. In the absence of these changes, he would vote against the 2013 budget, even if it was only symbolic. He wanted to see a commitment from City Administration to fix the City's unacceptable employee pension liability.

Ms. Anthony asked if there was a proposal or recommendation regarding the hiring of a different manager. Mayor McDavid replied there were several possible recommendations and they noted the City would need legal and actuarial consultation. This was not something City staff could fix alone. They needed professional help.

Mr. Schmidt asked if in-house management had been adequate and equivalent to what one would expect from a typical money manager. Mr. Matthes replied that in the most recent year, the returns had matched or done slightly better than the industry and that was due entirely to taking the advice from a professional money manager. He would recommend embracing that approach by permanently contracting with a private pension fund manager. The City's history until last year was significantly less than the benchmarks and every percentage they could gain would help tremendously.

Mayor McDavid understood one of the advantages of the recommendation to utilize LAGERS was that they provided the professional management.

Ms. Hoppe thanked the Task Force for the way they laid out their report as it showed everything clearly.

REP160-11 Intra-Departmental Transfer of Funds Request.

Mr. Matthes noted the report had been provided for informational purposes.

REP161-11 Memorandum from Disabilities Commission regarding ADA Funding.

Mr. Matthes provided the staff report and noted it had been provided for informational purposes.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Karl Skala, 5201 Gasconade Drive, congratulated Council and staff on the budget as he knew how much work went into it and that it was a significant achievement. With regard to ward redistricting, he noted the issue of contiguity had been identified and discussed in passing at the Ward Reapportionment Committee's second public hearing. It had also come

up a few years ago with respect to annexation and the definition per the Merriam-Webster dictionary was near, and not necessarily adjacent, but he felt it was best to defer to the City Attorney. In terms of the downtown surveillance issue, he concurred with Mr. Richards' and Mr. Viets' request to discontinue the practice of real time surveillance as consistent with the outcome of the public's vote on the downtown safety cameras. He believed the will of the people needed to be observed and thought it was clearly stated in the vote.

Dan Cullimore, 715 Lyon Street, thanked Council and staff for their hard work on the budget and stated he appreciated the attention paid to public comment with regard to transportation and the transit system. He also wanted to thank Council for the approval of the grant for the 3M wetlands area. He noted he was employed by Job Point, Inc. and worked as the construction coordinator for the Columbia Builds Youth program, and they had been partnering for some time with the City's Stormwater Educator to provide service learning opportunities for the students. One of the recent locations they had worked at and would continue to work at was the 3M wetlands area. This provided the students with cutting edge knowledge and experience of stormwater management and he greatly appreciated the opportunity provided to the students.

Charles Dudley, 1201 Paquin Street, agreed with the City Manager in that the City needed control what was spent and noted the ADA Transition Plan indicated the Parks and Recreation Department had roughly over \$875,000 of ADA fixes it need to complete, but it still planned to spend \$250,000 on a new project. He suggested the City fix what it already had in place before starting new projects. In looking at past budgets, it appeared the Parks and Recreation Department had to cut maintenance, but still continued to build new items they could not maintain. He hoped the City Manager could review and obtain a better perspective on the issue. With regard to the downtown cameras, he believed real time video surveillance helped to deter crime. He noted he was not necessarily in favor of the cameras, but felt they would not be needed if people did not commit crime. He also felt if someone was not doing anything wrong, there was nothing to worry about. He suggested a task force be created to determine how this worked in other communities and asked the Council to not be influenced by a select group of people.

Joe Alder, 511 Parkade Boulevard, suggested the Columbia COLT Railroad Facility and the bus shelters within the City be investigated to determine if they were in compliance with the ADA and ADAG requirements, and whether solutions to those locations needed to be added to the ADA Transition Plan. He noted that in 2008, Congress passed legislation known as the Federal Rail Passenger Improvement Act, and as a result, Amtrak was equipping all of its stations with wheelchair lifts. Although the Dinner Train was not accessible at this point, he thought they needed to investigate whether the City had an obligation to equip the station with a wheelchair lift.

Mr. Schmidt noted it had been brought to his attention that the quality of the South Providence Pedway was not good and wondered if the work was remediable or under warranty where it could be fixed. It was not only one of the most expensive GetAbout

projects, but it was also extremely visible from the road. He asked for information regarding this project.

Mr. Schmidt commented that he was interested in the issue involving the Boone County Family Resources (BCFR) that had been discussed as part of scheduled public comment as he found the legal arguments in the letter circulated by BCRF as quite odd and hoped a satisfactory accommodation could be reached. This involved one of the oldest residential neighborhoods in Columbia and he believed it should be identified as a historic area. He hoped Council could do something to help maintain the neighborhood.

Ms. Hoppe understood the City did not have the authority to deny a demolition permit, and as a result, the City had little ability to prevent an irretrievable demolition of a potential landmark, important building that stabilized a neighborhood or something considered important to the downtown. In addition, there might be community opposition or administrative reasons to deny a demolition permit. She wanted staff to work with the Historic Preservation Commission to review the issue and provide a recommendation for an ordinance. She thought it should be limited while providing more control.

Mr. Thornhill asked if a similar mechanism already existed. Ms. Hoppe replied the only mechanism currently in existence was that the Historic Preservation Commission was notified if a building was fifty years old. Mr. Thornhill understood demolition could not proceed until a report was processed. Ms. Hoppe agreed a report was done, but no one had the power to stop the demolition. They could only take pictures and ask the owner to preserve the structure or parts of the structure.

Mr. Thornhill asked who would interpret what was valuable. Ms. Hoppe replied she was sure other cities did this in a very limited way.

Ms. Hoppe asked staff to work with the Historic Preservation Commission on this issue and to provide a recommendation to Council on how to proceed.

Mr. Schmidt asked if Council could just direct staff to draft an ordinance that provided the Council the power to stay a demolition for a period of time.

Mayor McDavid suggested they refer this issue to the Historic Preservation Commission for them to come up with a recommendation.

Ms. Anthony commented that she believed there was already an ordinance in place and that Council should ask for the specific issue of St. Joseph and Hubbell be reviewed. They could recommend a change to the ordinance as well during that process.

Mayor McDavid commented that he felt it would be irresponsible if the City was not monitoring the downtown surveillance cameras. If the City had an ordinance that banned the monitoring with video cameras, a lot of people would be out of work at locations, such as the University Hospital, Boone Hospital Center and the Columbia Public Schools. Live monitoring was happening through the day at public locations throughout the community.

Mayor McDavid stated the Transit System Transit Task Force would evaluate whether or not Columbia could develop a student-centric system, such as Lawrence, Ames, Iowa City and Champaign-Urbana. Joining him on the Task Force would be John Glascock, the

Columbia Public Works Director, Jacqueline Jones, the Vice Chancellor for Administrative Services at the University of Missouri, Eric Woods, President of the Missouri Students Association, Jacob Slone and Brittany Perrin, also of the Missouri Student Association, Kim Craig, President of the Columbia College Student Government Association, Carlos Alvarado, a member of the Public Transportation Advisory Commission, Sam Robinson of PedNet, and Diane Lynch or her designee with Stephens College.

Mr. Thornhill asked for a report on the feasibility of a lift at the Dinner Train station to determine if it was needed and whether there were grants that could help fund it.

Ms. Anthony commented that she thought they needed to address the issue of accessibility on the Dinner Train itself as well. Mr. Thornhill noted the City could not address the actual trains, but thought the City should be ready if the Dinner Train owners succeeded in obtaining or developing an accessible train in the future.

Mr. Kespohl understood there were four open firefighter positions and asked if they were marked as unfunded in the budget. Mr. Matthes replied no and explained they would be added back to the budget once the pension issues were resolved. He understood those positions were deleted last year or the year before. There was one position in the budget that was marked as unfunded as it helped to reach the two percent budget cut.

Mr. Kespohl asked if the City was still conducting a study on back-in parking. Mr. Matthes replied he thought the back-in parking on Ash had been identified to be removed.

Mr. Kespohl commented that the person who spoke in favor of IBEW quoted some numbers from Hannibal with regard to increases in pay for electrical workers from 2005-2008, and Columbia's electrical workers had a 12 percent increase over the same period while Hannibal had an 8 percent increase, so the numbers he stated might not be factual. Mr. Thornhill wondered about the IBEW sources cited for that information.

The meeting adjourned at 10:46 p.m.

Respectfully submitted,

Sheela Amin
City Clerk