MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
NOVEMBER 21, 2011

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, November 21, 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 DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL and KESPOHL 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 November 7, 2011 were approved unanimously by voice vote on a motion by Mr. Dudley and a second by Mr. Thornhill.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Mayor McDavid made a motion to remove B328-11 from the Introduction and First Reading section of the agenda. He suggested the issue be brought back in 60 days as he understood some of the stakeholders including the Storm Water Advisory Commission and the Chamber of Commerce had requested more time to analysis it. He noted Ms. Anthony had suggested a work session be held on this item as well. The motion made by Mayor McDavid to remove B328-11 from the Introduction and First Reading section of the agenda was seconded by Mr. Kespohl and approved unanimously by voice vote.

The agenda, as amended, was approved unanimously by voice vote on a motion by Ms. Hoppe and a second by Mr. Dudley.

SPECIAL ITEMS

Image Award Recipient Recognition.

Ms. Messina commented that Columbia envisioned itself as a City with character where history and natural assets were celebrated and citizens enjoyed beautiful surroundings. On November 10, 2011, the Columbia Image Award Committee recognized three significant city structures. The glass and steel Keys to the City sculpture at the City Hall Plaza won the Inspiration Award for its unique use of art or mediums other than landscaping, the Martin Luther King Jr. Memorial Garden at Battle Park won the Ray Rothenberger Award for outstanding landscape design and the Daniel Boone Hotel portion of City Hall was a finalist for the Historic Preservation Award presented for excellence in restoration of a historic business property. She noted it was an honor for the City to be included in an exceptionally strong field of nominees and winners, and officially presented the awards to the City Council and the community. She thanked those that had contributed to these successes and included the Commission on Cultural Affairs, its Standing Committee on Public Art, the Parks and Recreation Commission, the Martin Luther King Jr. Memorial Committee, the Public Building Committee and the artists, designers, architects, laborers, city staff members, etc. as they had pulled it all together. She noted the two Image Awards received were glass
sculptures by Columbia artist, Susan Taylor Glasgow, and the plaque provided for being a
finalist for the Historic Preservation Award had the Image Award shown on it.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

BOARD OF ADJUSTMENT
Reichert, Christopher, 5011 Wood Shire Drive, Ward 3, Term to expire November 1, 2016

CITIZENS POLICE REVIEW BOARD
Neal, Sandra, 812 Timbers Court, Ward 6, Term to expire November 1, 2012

COLUMBIA COMMUNITY DEVELOPMENT COMMISSION
Crouch, Terence, 919 Marcassin Drive, Ward 6, Term to expire November 1, 2014

COLUMBIA VISION COMMISSION
Grossmann, Jan, 3205 Westcreek Circle, Ward 5, Term to expire December 15, 2014
Mutrux, Ellen, 1231 Jake Lane, Ward 4, Term to expire December 15, 2014

COMPREHENSIVE PLAN TASK FORCE
Hancock, John, 1100 Club Village Drive # 211, Ward 5

MAYOR’S COMMITTEE ON PHYSICAL FITNESS
Drapeau, Allison, 1807 Park de Ville Place, Ward 1, Term to expire November 30, 2014
Galloway, Nancy, 802 Sunstone Lane, Ward 6, Term to expire November 30, 2014
Gwartney, Daniel, 3950 North Oberlin Valley Road, Boone County, Term to expire November 30, 2014
Kelly-Gwartney, Christina, 3950 North Oberlin Valley Road, Boone County, Term to expire November 30, 2014
Kelly, Glenda, 500 Overland Court, Ward 5, Term to expire November 30, 2014

SCHEDULED PUBLIC COMMENT

Spencer Vyrostek-Turning on the power to the outside outlets at City Hall.
Spencer Vyrostek, 1101 Pannell, explained the power to the outlets in front of City Hall
and by the side entrances had been shut off. This was an inconvenience to everyone who
wanted to use City Hall for its intended purpose and included maintenance staff, the media,
attendees of public meetings that wanted to charge their portable devices and the occupants
of 701 E. Broadway themselves. At the last City Council meeting, the media had to stream
cable from their van to the lobby, which caused a trip hazard and made their job harder. He
noted the power had been turned off since October 15, 2011 and the City Manager’s Office
had contacted him on November 15, 2011 to explain the power had been cut due to a mulch
fire caused by a space heater. He pointed out this was odd because there had never been a
space heater on the Plaza. In addition, the power had already been cut when the mulch fire
supposedly happened. He noted the City Manager’s Office had also indicated no outlet
inside City Hall had been turned off and suggested everyone check the outlets by the front wall in the lobby as he assumed they were on the same circuit and therefore not working. He commented that the 99 Percent People wanted the power turned back on, and if that could not be done, he thought the true reason it was not being turned on should be stated.

PUBLIC HEARINGS

B307-11 Authorizing Change Order No. 1 to the contract with Emery Sapp & Sons, Inc. for construction of the Chapel Hill Road Project from Scott Boulevard to Gillespie Bridge Road; accepting the work on the Chapel Hill Road Project; approving the report of the Director of Public Works; levying and assessing special assessments; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Ms. Hoppe asked for a more detailed explanation regarding the $416,000 in additional costs. Mr. Nichols replied he believed $112,000 of it was due to a water line relocation the Water and Light Department had asked to be included in the project. In addition, there had been some grade changes in locations where the site distances were a problem requiring a variety of items needing to be changed after construction began.

Ms. Anthony asked who would be assessed and the amount of the assessment. Mr. Nichols replied the properties on the far east end of the project, which included Daniel Boone Little League and two properties with rental units, were being assessed. The rest of the road was constructed under a development agreement whereby the contribution was the local portion of the road, the grading, storm drainage work and some development costs. The amount being assessed to the Daniel Boone Little League was $18,000 and the remainder would be split between the two properties on the south side of the far east end of the project.

Ms. Hoppe understood a part of the cost included the reclamation and mitigation of the Scotts and Goodin Branches as required by the Corps of Engineers and asked if that had been something that had not been anticipated or if it was caused by construction. Mr. Nichols replied they had combined the Corps of Engineers permit for Chapel Hill and Scott Boulevard since they were integrated. When the channel under the new bridge had been realigned, it caused the City to purchase property from the Daniel Boone Little League and other places for mitigation purposes. Reports had been provided to the Corps of Engineers regarding how well the City’s mitigation plan for this project was functioning.

Mayor McDavid opened the public hearing.

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

B307-11 was given third reading with the vote recorded as follows: VOTING YES: DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

OLD BUSINESS

B264-11 Rezoning property located on the northwest corner of Nifong Boulevard and Ponderosa Street from RMH (Residential Manufactured Home) to PUD 9-5 (Planned Unit Development); approving the PUD Development Plan for Aspen Heights.

B265-11 Approving the Final Plat of Aspen Heights located on the northwest corner of Nifong Boulevard and Ponderosa Street; authorizing a performance contract;
granting a variance from the Subdivision Regulations regarding construction of a cul-de-sac bulb.

The bills were given third reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Thornhill made a motion to amend B264-11 per the amendment sheet. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion to amend B264-11 by deleting the sentence reading “if a third party owns a mobile home, one-half of the relocation allowance shall be paid to the mobile home owner and one-half of the relocation allowance shall be paid to the tenant or tenants” from Section 4(b). He believed this change would give all of the payments to the tenants and none would go to the owner of the mobile home park. The motion was seconded by Ms. Anthony and approved unanimously by voice vote.

Ms. Anthony understood the on-site sewer issues would be taken care of during the development process, but she was concerned about the capacity of the sewer off-site as there need to be an increase in the capacity of the sewer off-site to serve the on-site sewer for the new development.

Ms. Anthony made a motion to amend B264-11 by adding a clause to Section 4 indicating the developer shall be responsible for any required off-site upgrade of the sewer.

Mayor McDavid asked if sewer upgrades would be necessary. Mr. Teddy replied upgrades would certainly be needed within the site. He stated he was not aware of an off-site public sewer issue downstream, but noted an issue could present itself after construction drawings were provided. In staff’s review of this proposal, they were not aware of a problem with the existing 12-inch diameter sewer that was available to the site. He understood the developer intended to extend an 8-inch sewer off of it to the site and staff thought it would be adequate in terms of the City taking the wastewater from this development. He reiterated there would have to be a replacement of the sewer system that was on-site.

Mayor McDavid wondered if there should be a sunset. His concern was for a problem with the sewer several years from now that had not been recognized. He wondered if the developer would be tied to the repair at that point. Ms. Anthony noted she would be happy to narrow the wording to limit it to the time of construction.

Ms. Anthony changed her motion so it would amend B264-11 by adding a clause to Section 4 indicating the property owner shall be responsible for any required off-site upgrade of sanitary sewer improvements determined at the time of construction.

Mr. Thornhill asked who would make that decision. Mr. Teddy replied the Public Works Department would evaluate the capacity of the sewers to handle the projected load of the proposed housing. Mr. Thornhill asked if this review had already been done. Mr. Teddy replied no. Staff had only looked at preliminary plans and had not seen any detailed construction drawings on the sewer system yet.

The motion made by Ms. Anthony to amend B264-11 by adding a clause to Section 4 indicating the property owner shall be responsible for any required off-site upgrade of sanitary sewer improvements determined at the time of construction was seconded by Ms. Hoppe and approved unanimously by voice vote.
Ms. Hoppe commented that she had attended the meeting with the residents on Tuesday and understood there was a promise that a check would be provided in advance to those that might not be able to pay the cost of moving the mobile home, if a contract with a mover that had the amount was provided. She suggested this be added to the ordinance.

Ms. Hoppe made a motion to amend B264-11 by adding a sentence stating “if a resident provides to the buyer a contract for moving the manufactured home and an amount, the buyer will pay the resident prior to moving the maximum amount of the relocation allowance” to Section 4(b). The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

Anne Boroff, Lot 85 of Regency Mobile Home Park, commented that the residents of Regency had been on a rollercoaster ride since September when they had learned from the media of the possible sale of the property. The Planning and Zoning Commission had unanimously decided not to recommend rezoning of the property. The issue had been delayed a month by the Council in October because Aspen Heights had requested the matter be tabled to tonight. In the meantime, the landowner had provided the residents with a notice of closure, so they had four months to vacate the property. She felt they would lose regardless of the decision made. If the Council denied the rezoning, the owner would close the park and they would lose their homes. If the Council approved the rezoning, Aspen Heights would purchase the property and provide $2,300-$3,500 to the residents to relocate and at least two additional months on the property. She commented that she was afraid Nifong Boulevard would not be able to handle the traffic from the excess housing created by this development. She asked the Council to make the right decision for the City of Columbia.

Michael Brown, a three year resident of Regency Mobile Home Park, thanked the Council for allowing them to be a part of the process. He noted he had planned to ask the Council to vote against the rezoning, but felt the changes made would make a person think. He thanked the Council for thinking about them when they felt no one cared.

Lorna Brown, a resident of the Regency Mobile Home Park, stated she would be 73 on February 29 and had lived in Regency for over 12 years. She had moved to her trailer because her doctor had told her she needed to avoid stairs and her trailer was handicap accessible. She had always paid her rent on time, had followed the rules and had tried to be a good neighbor. She noted her disabled son lived with her so they could take care of each other. Last week, Aspen Heights made an offer to the tenants of $1,800 for a singlewide mobile home and $3,000 for a doublewide mobile home, and had indicated they would receive an additional $500 if they signed a petition changing their stance on this rezoning issue. She felt this was bribery. She agreed the money would be helpful to a degree, but she still owed $5,000 on her trailer and trying to find a two bedroom place to live with a handicapped shower and ramp was difficult. She was opposed to apartments being built on this land as other land was available. She did not want the beautiful trees to be removed and believed the development would add to flooding due to the concrete on the water table. In addition, apartments would make the traffic on Grindstone worse. The owner and buyer were using students as an excuse, but she believed it was all about money in their pockets. They could care less about the students and those living at Regency. She noted both Aspen Heights and Regency had used scared tactics from the beginning, but her being scared did
not prevent her from being against the zoning change as the new development would destroy the beauty of a part of the City for money that would go to an out of town company.

Michele Blake stated she lived at the El Ray Mobile Home Court and explained they were not trash. They lived in mobile homes because it was all they had. She and her husband had lost their jobs, she was disabled and they had a five year old child. This relocation would affect kids as they would have to change schools and move away from friends. She agreed students helped the economy of the City, but felt there was already enough housing for students. She thought the City needed to focus on more low income housing to help people like her. She suggested the Council not approve the rezoning so everyone understood the fact that even those in a low income area deserved the right to keep their homes. It should not only about profit and beautifying Columbia, if it meant losing a small part of the diverse group that lived there. She did not feel people should be pushed out of their homes and asked the Council to consider that and the current beauty of the property when making its decision.

Bill Easley, 705 Cook, commented that he thought the City needed to think about poor people as they contributed to Columbia as well. He pointed out those at Regency would remember the decision when they came up for re-election. He thought the property owner should be ashamed of himself for taking the tenants’ money. He reiterated that Columbia would not be what it was without poor people as well.

Brenda Procter, 903 W. Stewart Road, stated she was offended that a corporation would come into the City and throw its money around to counterbalance a grass roots effort by the students in opposition to this project. She was also offended by the fact this hearing was being held tonight when students would be home for the Thanksgiving break as it prevented many from speaking. She hoped the City would not let a Texas corporation waive its money around to get a particular rezoning. She opposed the rezoning and hoped the City would protect the residents with whatever decision was made. She noted the bigger issue was affordable housing and pointed out community solutions were needed to help people that were displaced from their homes and to address the affordable housing issue. She urged the Council to vote against the rezoning request.

Joan Wilcox, 13181 Old Highway 63 North, stated she had moved to Hallsville, Missouri to find affordable housing after being a 30 year resident of Columbia. She showed a photo of the property to Council and noted she was taken aback by the beauty of the property and felt it was unconscionable to remove the large trees. They provided beauty, shade and environmental benefits. She also showed the Council some of the homes at Regency where residents gardened, decorated and landscaped on the small lots. She stated it was a community where children played and families looked out for one another. She wished someone had enforced the rules so the residents could have been safe and secure on the land they had raised their families. She did not believe the property should be rezoned. Her wish was for the City to purchase the property and continue to provide affordable and quality housing at this location. She also hoped the City, County and State would to plan for affordable, quality and permanent housing for its citizens in the new year.

Mary Hussmann, 5306 Rice Road, commented that it had been an honor and privilege to meet the families of Regency, visit them in their homes, attend the tenant meetings and
walk with them in the streets. The Regency Mobile Home Park used to be the premier place to live, but it was no longer that type of place because the current owner had allowed the property to become blighted. There had been seven different managers in the past six years. The owner had received lot rent month after month, but had not invested it back into the Park. They had closed the laundry room and swimming pool and had refused to do any snow removal. Deserted and old shells of past mobile homes had been allowed to disintegrate on the property and were unsafe. She had asked the Office of Neighborhood Services for current owner violations and there had been over 350 violations, some of which had been ignored for years. She felt fines and court orders would have gotten the owner’s attention and suggested the owner be taken to court so the damaged land was restored. She understood Aspen Heights had indicated the residents could remain in their homes on the property until the last day in April or until the end of May if they had school children, if the rezoning was approved, but did not understand how they could make this guarantee when they did not own the property. She stated the families at Regency needed a new owner to care for the Park instead of the current owner or an owner from another state who was willing to pay residents to disappear. She believed Columbia would be left with a broken environment, traffic problems and density problems after Aspen Heights left with its profits. She suggested Council deny this rezoning because they would experience more of the same unhealthy tactics that were not in the best interest of Columbia’s people and vision if it was approved.

Roy Hartley, 110 Russell Boulevard, stated he was interested in this rezoning as it affected all of Columbia. He noted the Council had limited responsibility for the well being of the residents of Regency Mobile Home Park and no responsibility for the well being of the owner of the Park. The Council was responsible for deciding on the rezoning of this property from a zoning for manufactured homes to a zoning that would allow the construction of additional student housing. He felt a lot of lip service was given to concept of diversity and zoning was one of the few tools the Council had to foster a multi-faceted city. A large amount of property in Columbia was dedicated to student housing and very little was dedicated to manufactured homes. In an effort to maintain vibrancy and diversity, he asked the Council to keep this property zoned for manufactured homes. He pointed out the owner of Regency would make a good return on his investment as it had its current zoning when he purchased it and he believed the fate of the property should remain with the current owner as it became his when he purchased the property. He did not believe the Council owed the owner a financial windfall in the form of a zoning change.

Branden Leap, 305 Waugh, Apt. A, stated he was a graduate student at the University of Missouri and throughout high school they had learned about the ideal government, which was for the people and by the people and supposed to protect the people, especially those that needed it the most, but the ideal government was often not upheld. Special interests were sometimes protected by the law or considered when a law was written. He commented that by failing to act when it had the chance, the Council had allowed the creation of a situation in which the only choices before them were what the special interest groups wanted. The residents would be kicked out regardless of which option was accepted. He asked what
would be done in the future so this type of situation did not occur again and so those that needed protection would actually receive that protection.

Jim Morrison, Lot 111 of Regency Mobile Home Park, explained he had purchased a trailer in Regency Mobile Home Park that needed to be fixed as a long term project so he could retire there. When he moved there, he loved the variety in terms of peoples’ homes and the fact the trees and area were beautiful. He was disgusted by the development around the area because it all looked the same and the trees were not mature. He understood previous management at Regency had engaged in fraud by not sending rent money to the corporation, which allowed the Park to become run down. Aspen Height asked the tenants to sign a petition, but he did not feel it was a true petition as they were given the choice of receiving no money from Churchill or some money from Aspen Heights and did not support the rezoning. He stated they needed another solution to the problem. He understood nine parks had closed within the past 20 years in the Columbia area, which was sad, since low income housing was being destroyed. He commented that he had moved from California to find affordable housing and retire in Columbia, but now he was uncertain about the future. He commented that decisions throughout the Country were being made for either the top 1 percent of the bottom 99 percent and asked the Council to choose the bottom 99 percent in its decision tonight.

Michael Carney explained he was a housing attorney at Mid-Missouri Legal Services with offices at 205 E. Forest and noted he was speaking on behalf of his clients, who were tenants of the Regency Mobile Home Park. Over the last year and a half, he had been given the opportunity to work closely with many tenants at Regency and had witnessed the difficulties they had faced in working with a company that seemed to care little for them, but would make a lot of noise when they were one day late on their rent payment. He had talked to tenants who had ultimately lost their homes due to unpaid rent, violation of rules, other actions taken by the tenants and the actions taken by Regency Mobile Home Park where the tenant was not at fault. He had also had the pleasure of assisting many tenants save their homes. He noted that no matter how the Council voted the tenants of Regency Mobile Home Park were ultimately going to lose their homes. It was a helpless feeling that had been bettered by the fact that the potential developer, Aspen Heights, had offered at least some financial support for the residents. He believed it was apparent there was no saving the Regency Mobile Home Park, although that was what he and his clients preferred with a different owner. He reiterated Aspen Heights had offered payments of $2,300 to those that lived in singlewide mobile homes and $3,500 for those that lived in doublewide mobile homes. He also pointed out that Regency of Missouri had offered nothing to assist the tenants. In addition, Aspen Heights would allow tenants to reside in the mobile home community until April 30, 2012 or May 31, 2012, depending on specific circumstances of that tenants’ family. Regency had previously sought to empty the park on February 29, 2012 in the dead of winter. As an advocate, he had discussed the issues surrounding this rezoning with each and every one of his clients, and on behalf of his clients, he was urging the Council to rezone the property as he believed the Park would either close on February 29, 2012 or May 31, 2012. The tenants would receive financial assistance from Aspen Heights or receive nothing. While all of the tenants, including his clients, would rather continue living at the
Park, they had to be realistic. He hoped the Council would learn from this extremely unfortunate set of circumstances and asked that the enforcement of violations of code against landlords, such as Regency, be heightened. He felt the City needed to follow through instead of just providing a piece of paper to the landowner. Regency had been cited hundreds of times over the last several years and they should have been held accountable. He noted there was a shortage of low income housing in Columbia and asked the Council to protect current low income housing and to explore avenues to increase the number of available low income housing options. He pointed out he would assist any tenant of Regency or El Ray in obtaining a title if they contacted his office as it could be useful in moving or selling their mobile home.

Will McNeill, Lot 273 of Regency Mobile Home Park, noted Aspen Heights had offered money to help with moving mobile homes and Churchill had offered nothing and would force them out in the middle of winter. He pointed out it was difficult to anchor a mobile home in the middle of winter. He asked Council to vote the way they saw fit and urged them to not put the tenants out in the middle of winter.

Miguel Rodriguez, 309 Waugh Street, commented that he used to live in a mobile home park and was concerned about the people living at Regency as they were being betrayed. He asked the Council to make the best decision for the people of Regency. He noted Columbia had a problem in terms of landlords as they had the power, but he believed all humans deserved housing and food. He asked the Council to do what was best for the people of Regency and to help them.

Elizabeth Doyle, 1021 Ashland Road, stated she was an undergraduate student at the University of Missouri and asked the Council to not support the rezoning request. She saw this as an issue of affordable housing for not only low income members of the community, but for students as well. She understood Aspen Heights had indicated its development would be similar to that of The Cottages. The lowest possible rent at The Cottages was $505 per person per month and she did not believe that was an affordable rate for students. A person would have to make at least $21,000 per year to afford living there if only 30 percent of one's income was used for housing, and she was not aware of many full time students earning that much money. Even if she worked full time at a minimum wage, she would only earn $15,000 per year. In terms of affordable housing for citizens of Columbia as a whole, she believed there was a chronic affordable housing issue. She commented that according to the Columbia Housing Authority, it was approximately 98 percent full all of the time and there was very little turnover. In addition, it would be another two years before they provided the opportunity for someone to add their name to the Section 8 waiting list. She felt it was unfortunate that companies that had the money were able to override the needs of Columbia citizens and noted she was disgusted by the dichotomy that had been presented tonight. The residents would either be kicked out in February without any assistance or kicked out a few months later and receive some money to help relocate a mobile home if they had one that was movable. She preferred other options, such as maintaining the current zoning and finding another mobile home park owner and operator as the tenants would not have to relocate and would likely live in better conditions. She suggested the Council create a task
force regarding affordable housing to allow a voice for students and other citizens of Columbia.

Pam Forbes, 707 Donnelly, thanked the Council for the consideration they had given this issue so far and urged the Council to move forward on this issue with consideration for the dignity of the residents of the Regency Mobile Home Park.

Grace Haun, 809 Richmond Avenue, stated she was representing the Missouri Students Association (MSA) as the Campus and Community Relations Chair and noted MSA passed Bill 51-18, which was a resolution in support of Regency Mobile Home Park residents. The resolution indicated their disapproval of the rezoning of this property as it would displace approximately 300 residents. She explained a four bedroom/three bathroom unit would cost $595 per person per month plus utilities, which was too much for students. They also did not feel there was a need amongst students for expensive student housing projects, such as this one. In addition, the project would only benefit a limited number of students at the expense of Columbia residents. She noted only one person voted against this bill, so it was overwhelming the opinion of MSA. Every year a high-end student housing complex was being built in Columbia, but in reality the complexes were built in haste and with cheap material to reap maximum profits. No one had asked the students if this was needed and it was not what they needed. They wanted affordable housing and did not want to displace Columbia residents. She asked that the property not be rezoned.

Andrew Bisto, 2013 Vine Street, stated he was graduate student at the University of Missouri and was representing GRO-Mizzou, which was a new student group at the University. He noted he was also a member of the Graduate Professional Council (GPC), which had several committees investigating and discussing issues relating specifically to the University of Missouri community and concerns of the larger Columbia area. He commented that a member of GPC had recently met with a University representative regarding student enrollment and understood this current level of record enrollment would not continue in the coming years due to a decline in the number of Missouri high school seniors. As a result, there was not a concern for the need for student housing in the immediate future as indicated by Aspen Heights with this rezoning proposal without a concerted effort in soliciting out of state graduates. In addition, they were unaware of any systematic inquiry of the opinions and concerns of students regarding the notion of student desires that was not accompanied by a marketing scheme of financial awards and incentives for participating. GRO-Mizzou had spent several hours surveying the University community seeking those opposing the production of more luxury student housing in Columbia without any financial incentive or reward. He noted GRO-Mizzou felt this artificially bifurcated the Columbia community between Regency residents and the interests of students. GRO-Mizzou included a small group of students as they had only recently started networking, but their efforts had captured the attention of several people throughout the community. They understood their work was not done and would stand by their objective and commitment to support fellow community members. He presented the Council with a petition with over 1,147 University of Missouri students and faculty signatures and noted they had obtained over 100 more signatures online for a total of over 1,200 signatures. He asked the Council to vote against the proposed rezoning and demonstrate its commitment to local interests instead of out of state interests.
Kara McGee, 4901 Aztec Boulevard, Apt. 67, stated she was a graduate student at the University of Missouri and felt this issue was a form of gentrification, which referred to changes that resulted when wealthier people acquired or rented property in low income or working class communities. She understood the political and economic theory of gentrification involved powerful interest groups following a policy of neglect of low income areas until such time as they became aware policy changes could yield tremendous profits resulting in the displacement of powerless residents with little or no regard from the powerful. She felt Aspen Heights’ offer had been fought for by the residents as it was not a part of the original proposal. She questioned whether the City should serve the interests of out of state corporations or its local citizens. By rezoning the property, she believed Churchill would be rewarded for its neglect of the Regency property, and the end result would be an overpriced mass produced student housing complex that most students did not want or need. She noted the problems of the resident were created by the buyer and seller of the property and thought they should find another option for the residents. She thought the University could work and be a resource for the City. She commented that there was a need for low income housing and this rezoning would make that situation worse. She provide the Council with comments from a student that had lived at The Cottages as this development would be similar and that student indicated the expensive rent and utilities kept her from spending money on campus and in other Columbia locations. In addition, she constantly found repairs that needed to be made as pieces of the stairs had fallen off, the sealant around the sink was loose, etc. She did not believe the apartments were build to the highest quality in light of the cost to rent there.

Jack Butow, 211 Hitt Street, Apt. 307, commented that he was a student and resident of Columbia and provided a timeline of events to the Council. He explained the Regency residents had learned about their impending eviction from news coverage instead of their landlord, the Churchill Group, which was a disturbing lack of regard for the Regency residents. He felt this was important since the Churchill Group was one of the two corporations that would gain from the approval of this rezoning. He noted the Planning and Zoning Commission voted unanimously in opposition to the rezoning on September 22, 2011. The Council tabled this issue at its October 17, 2011 meeting until today at the request of Aspen Heights and when many students, who were in opposition, would be on vacation for the Thanksgiving holiday. The Churchill Group notified the tenants of their imminent eviction at the end of February on October 31, 2011. Aspen Heights and the tenants then met on November 16, 2011 at which time the residents were asked to sign a document indicating they were a resident of Regency and in favor of receiving $1,800 or $3,000 if they resided in and owned a mobile home and of having the option to remain on the Park until April 30, 2012 as opposed to being required to move by February 29, 2012 and receiving no such payment. It did not indicate signers were in favor of the rezoning or of being forced from their homes. He did not feel Aspen Heights was the only entity capable of offering something to these residents. He thought the University, Habitat for Humanity and others could help. He noted the Aspen Heights had offered money for the signing of their petition, which he felt was a lack of regard for the democratic process. He urged the Council to make its decision based on
what was best for the people that lived in Columbia, which he believed was a vote against the rezoning.

Drew Steele, 116 S. College, stated he was a representative of GRO-Mizzou and a four year resident of Columbia and wanted to voice his opposition to the proposed redevelopment of Regency Mobile Home Park. He understood there was popular public opinion in Columbia that the students at Mizzou did not care about the community, but he did not feel that was true. He noted he was supportive of a plan to keep buses affordable by asking the students to do their part in an effort to continue to provide bus service for the disabled and underprivileged, and that the quote attributed to MSA President Eric Woods in a November 13, 2011 Columbia Tribune article was not reflective of the majority of students. He understood the student of the University of Missouri had long been characterized as selfish and unreasonable bullies, and pointed out he and other students that had spoken represented the new leaders on campus, who would strive to provide more accurate information and be more caring. Students would no longer be tricked into supporting companies like Aspen Heights for $500. This student housing was not needed and should not be accepted at the expense of underprivileged and underrepresented neighbors. He encouraged Aspen Heights to help the families stay at Regency if the property was rezoned.

Evonnia Woods, 16 E. Stewart Road, stated she was a student and transient resident of Columbia and asked the Council vote against the rezoning because the only goal of corporations and out of state developers was profit. They would be making a profit through students that were already financially strapped in trying to obtain an education. She wondered why the solution was luxury student housing if the problem was the lack of student housing or the mobile home park being an eyesore. She believed luxury student housing was the solution for a goal to only make money for corporations under capitalism. In addition, she felt the terms urban renewal and gentrification were associated with increasing revenue for the City over time. Aspen Heights had promised to use local builders and suppliers, but she wondered about the local impact after it was built. By paying higher rents, students would be spending less money locally within the community, which meant a decrease in revenue for the City. She did not think Columbia residents needed an out of state developer to tell them what was needed as they did not have a stake in the community. She felt only the out of state developer was in favor of the rezoning request and that everyone else, to include local transient and permanent residents, was in opposition. She believed the Council should be in opposition since they, the voters, were in opposition.

Jeffrey Tucker, a resident of Regency Mobile Home Park, understood a lot of people were asking Council to vote against the rezoning, but this was not helping the residents of the Regency. The residents of Regency had to think about where to relocate and when to relocate. Aspen Heights was offering money for them to move and that was what they needed. He reiterated that voting against the rezoning would not help the residents of Regency because no one other than Aspen Heights was offering to assist them. Without their assistance, many would not be able to move their mobile homes if the homes were movable. He urged the Council to vote in favor of the rezoning so the residents could move on with their lives.
Jeff Fry, 300 Maplewood Drive, asked the Council to oppose this rezoning as they had the opportunity to support communitarian altruism and oppose corporate greed with that action.

Jake Garanzini, 901 Range Line, stated he lived and volunteered at the St. Francis House, which was as a homeless shelter, and wondered where the students supportive of this development were if this housing development was a solution to a problem in terms of student housing. He noted the students in support had been provided $500 as an incentive for that support. He understood the Churchill Group and managers of Regency had never maintained it. They created a problem and provided solutions that benefited themselves as they would sell the property for profit. The people that lived there had been exploited as they had been forced to live in an unkept mobile home park for years since management was above the law. He felt this issue was symbolic of the government's care for its citizens and believed people needed to be considered first in making decisions. He hoped the City solved and better addressed the low income housing issue in the future.

Thomas Weller, 603 Hunt Avenue, commented that he felt the residents of Regency were brave for standing in opposition to their homes being lost and wondered where the justice was if they lost their homes. He questioned whether the City was for the people or for the corporations and noted Columbia would lose taxes since these were out of state corporations. He believed these people would suffer from even more poor housing since they were low income. He thought the Council needed to think about the people as they lived in Columbia and voted for them.

Charles Dudley Jr., 1201 Paquin Street, understood the Planning and Zoning Commission had voted against this rezoning. He also understood the Council appointed people to boards and commissions to advise the Council and staff because they had faith in them to come up with proper solutions on issues such as this. The Planning and Zoning Commission did not feel adequate infrastructure was available to support the project. If the Council voted differently than the Planning and Zoning Commission, he wondered what message that would send to its commissions and the public regarding its faith in those it appointed. As a member of the Disabilities Commission, he thought the Council should follow the vote of the Planning and Zoning Commission.

Ellen Lange, 913 Range Line, stated she was an undergraduate at the University of Missouri and lived and volunteered at St. Francis House and the Lois Bryant House and pointed out the financial assistance being provided by Aspen Heights to the residents of Regency was dependent upon the size of the mobile home, whether the resident owned the mobile home and if the mobile home could be moved. In addition, Aspen Heights had neglected to mention the amount of assistance included the $500 residents received for signing the petition supporting the rezoning. She felt Aspen Heights had misled the residents. She also felt the students in Greek Life that had signed the petition in support of Aspen Heights were misled as well and the $500 incentive for the sorority or fraternity with the most signatures would have likely influenced their decision to sign the petition. She agreed it was commendable for Aspen Heights to provide the residents financial assistance for moving since they were not legally obligated, but even with this financial assistance, some residents might be unable to move their mobile homes or find other affordable housing in
Columbia and become homeless. She pointed out the St. Francis House for men currently had two open beds, the Lois Bryant House for women had one open bed, the New Evangelistic Life Center for men had five open beds and the Harbor House for families did not have any openings, so Columbia was not equipped to handle a higher homeless population. She hoped the City would take more action to improve affordable housing in Columbia.

Jeff Stack, 7890 Turtle Creek Lane, stated he appreciated the efforts made by the Council and Aspen Heights to try to provide some kind of compensation for this sad situation. He thought this issue needed to be revisited. Regency still existed and he believed they needed to look into other possibilities. He suggested the Council table this issue to try to come up with a better solution for the residents of Regency. He thought they should empathize and recognize the plight of those residents and believed the community could do better. He wondered if the City wanted to be known for throwing people out on the streets. He commented that they might be able to find someone that would be willing to purchase the property and operate it as a mobile home park if this issue were tabled. He noted no one had spoken enthusiastically for this rezoning and no one had indicated there was a need for more student housing. He felt that for too many decades the City had been asked to make decisions on behalf of moneyed interests in terms of the closing of mobile home parks and the removal of affordable housing for various developments. He asked the Council to make affordable housing a priority.

Elaine Hartley, 110 Russell Boulevard, commented that she believed the Churchill Group had a lot in common with Goldman Sachs and Bank of America as it was a large corporation that reaped profits from communities while treating the communities and its residents with absolute contempt for years. Churchill had ignored the rule of law and disregarded all of the citations it had received while making millions of dollars from the rents paid by the residents and failing to live up to its responsibilities to the residents. Anyone renting property to human beings had some responsibility to take adequate care of that property. She did not believe the Churchill Group should be allowed to profit anymore as they had created this dreadful situation. She noted this kind of development on the fringes of cities was not consistent with the realities of climate change and energy usage. She believed the development would put a strain on the City’s infrastructure and it would not be high quality housing. She felt that area would end up being a ring of dreadful and unfixable slums in 20 years. She did not believe the City should allow this development.

Henry Empitrack, Lot 212 of Regency Mobile Home Park, stated he had been a resident of Regency for nineteen years and took care of a handicapped woman that had lived at the park for almost 28 years. She would now have to find another place to live. He applauded the Council for changing the notification requirements to 180 days, but felt more time was needed for the handicapped and disabled as it was hard for them to find an accessible place. He also felt the Council needed to consider future generations as he believed they would be walking around with oxygen tanks due to all of the trees being removed. He believed this was a beautiful piece of property and should not be destroyed. He noted the groundwater from this property would impact Nifong Park, the Easley property,
the Blakemore property, Rock Bridge State Park, Clear Creek and Gans Creek, which was federally protected. He asked the Council to vote against this rezoning.

Kathleen Weinschenk, 1504 Sylvan Lane, thanked all of the young people for standing up and fighting for what was right and good.

Zach Rubin, 501 Lyon Street, explained he had come to Columbia for school, but was now, seven years later, fully integrated in Columbia and invested in making it the best community. He agreed this was done by partly making accommodations for students, but also thought the City should be focusing on the building of lasting structures and human and physical connections. He commented that Frankie Minor, the Director of the University of Missouri’s Residential Life, had indicated in a VOX Magazine article that the number of high school graduates in Missouri was predicted to drop by 9,000 students by 2014, which meant fewer students to Columbia. In addition, Dan Johnson, who owned and managed several properties on East Campus had indicated he was wary of the sustainability of demand for student housing in light of the competition downtown and the fact there would be less high school seniors in the future. He believed this spoke volumes regarding the need to continue to build large and high-end student complexes, and asked the Council to consider priorities in terms of development. He also asked the Council to vote against the rezoning.

Sid Sullivan, 2980 S. Maple Bluff, commented that he did not plan to advocate for or against this development as he understood the City needed development and an investment in the community. He noted he had spoken with the individual Council Members privately in an attempt to persuade them to look at a different site as he did not believe this was the right place for student house. He believed student housing should be closer to the downtown in an effort to take advantage of commerce there. He felt some developers used the Planning and Zoning Commission meeting as a practice session for the Council and believed that had happened in this situation. He also believed there needed to be more planning in terms of having affordable housing to place people that were being displaced. He noted he had formed a partnership to consult with municipalities on tax increment financing as a tool to handle blighted areas and asked the Council to consider an amendment to B264-11 to condition this rezoning on the creation of a tax increment financing district that would encompass this project and include the financing of public works necessary by the project as he believed tax increment financing could handle the cost of public works and potentially the cost of low income or affordable housing for the City.

Paul Brown, Lot 38 of Regency Mobile Home Park, stated he lived with his mother and they were both disabled. He noted he spent $4,000 to fix the roof on his mobile home instead of moving last year, and now he did not have the money to move. He explained he had spoken with one of the Council Members recently who had indicated he had lost regardless of Council’s decision and that comment made him mad because he did not feel fight was over. He pointed out Stephens Lake Park was a result of the City investing in it and it turned out great. He thought the citizens of Columbia would vote against this rezoning and in favor of helping the residents of Regency. He noted he was not just asking for himself. He explained it had been a good neighborhood, but in the last 20 years, even though the rent doubled, the owner only spent $600 a month to maintain and operate the Park. He asked the Council to vote against this rezoning.
Paul Allaire, 1004 N. Eighth Street, commented that many mobile home parks had closed since he moved to Columbia. He noted he had been in a situation in the past where he was forced to move his mobile home and it was difficult to find another park that was not full or did not have a restriction regarding the age of the mobile home. He felt this would be less of a problem if people were allowed to open new mobile home parks in the community and asked the Council to allow new mobile home parks in the future. He believed the property owner should be allowed to do what he wanted with the property and understood the developer would provide some assistance, but felt it was not enough. He believed this problem had been created by the City and County since it would not allow new mobile home parks or individuals to put mobile homes on their own land. He asked the Council to consider a partial solution whereby rezoning part of the land for student housing and requiring the remaining portion of the land to remain a mobile home park.

Ryan Blackwell, 5116 Clark Lane, stated he and his mom lived at Regency when he was younger and it was livable during that time. He wanted the property to remain as a mobile home park so he could show his children where he had lived and suggested the City help fix it back up.

Dean Andersen, 814 Timbers Court, commented that he was a long time resident of Columbia and supported the voice of the students that had spoken tonight. He agreed the infrastructure in that part of town was already overtaxed by high density developments and believed it was important to consider the long term goal of the community. He noted he was tired of the cycle of rewarding poor land management with lucrative development that continued to disenfranchise those already economically depressed. He felt it was time to stop that cycle as it did not serve the City well in the long term. He agreed with Mr. Stack in that this was a process that could be slowed down in an effort to find more creative solutions and asked the Council to do that and listen to the will of the people.

Ed Berg, 1215 S. Fairview Road, understood there were numerous cities that had procedures for closing mobile home parks and most did not allow the owners of the mobile home parks to decide whether to close the park or not. Columbia was putting the burden on the residents of mobile home parks to state why the park should not be closed and why the proposal was inadequate. Many other cities put the burden on the buyer and seller by requiring them to provide certain information for other mobile home parks within the city, such as the number of vacancies, cost to live in other mobile home parks, an analysis of the economic impact of the relocation on the residents, a relocation plan, etc. In addition, they considered the entire cost of moving the mobile home, which included the disassembling, removal, transportation and reinstallation of mobile home and accessories, such as blocks, skirting, siding, decks, porches, etc. The buyer and seller were required to pay deposits and a differential if there was an increase in rent. He pointed out a number of the mobile homes at Regency could not be moved and other communities required the buyer or seller to pay the mobile home owner the value of the mobile home. Columbia lacked these requirements. He noted the residents had not caused these problems as the problems had been caused by the buyer and seller of the mobile home park.

Ms. Hoppe asked Mr. Berg if he would share the research and information he collected with the Council. Mr. Berg replied he would provide that information to the Council.
James Mace, Lot 198 of Regency Mobile Home Park, commented that he had been fighting against this rezoning for months, but now believed the rezoning should be allowed so the residents had more time to move and were provided some financial assistance from Aspen Heights. The landowner did not care about the residents, so the only help they were going to get was from the buyer of the property, Aspen Heights. He felt with a little help, which Aspen Heights was providing, he might be able to handle the rest. He just did not have enough money to move. He believed the Park would close regardless of Council’s decision and he preferred to be provided some assistance and more time to save money before he had to move. He asked the Council to approve the rezoning.

James Chapman, Sr., Lot 44 of Regency Mobile Home Park, stated Aspen Heights did not have to offer any money to the residents to help them get started elsewhere or allow them to stay until the school year ended. He did not think there was any other point to argue. He understood money talked and was just thankful they were willing to provide some assistance.

John Clark, 403 N. Ninth Street, commented that Columbia’s policies had created this problem, not Aspen Heights, as it was the only one arguably trying to help the people. He felt the rezoning proposal was poor and not good for the City now or in the future and believed it needed to be rejected. He suggested the Council deny the rezoning request and look for money, such as CDBG and HOME funds, to assist the residents. He also suggested the Council adopt an affordable housing policy within the next few months so this situation did not occur again, and to include it as part of the comprehensive plan.

Melissa Dinwitty, Lot 246 of Regency Mobile Home Park, asked the Council to vote in favor of the rezoning and thanked Aspen Heights for offering some assistance to the residents. She noted she was supposed to move today, but her frame bent as they were attempting to move it. She would find out Monday whether her mobile home would even make it down the highway. The amount they were offered would help some even though it would not take care of everything. She asked the Council to support the rezoning so the people still there could start living their lives again.

Wilma Todd, Lot 257 of Regency Mobile Home Park, stated she appreciated Aspen Heights for agreeing to provide assistance to help them reside elsewhere. She also thought this had been a bad situation since they had obtained all of their information from the newspapers.

Jeff Brotemarkle commented that the current use of this property was good as people could have a little house on a plot of land where they could also grow food beside the house. The tenants at Regency might not be as rich as the tenants of the new development, but they should not be kicked out due to their economic status.

Robert Blodgett, a resident of Regency Mobile Home Park, stated he had been against the rezoning, but was in favor of it now. He explained $2,300 was the first and last months rent, deposits and money for a truck to move his belongings.

Greg Ahrens, 1504 Sylvan Lane, stated he was against this rezoning. He understood this property was across from the Maplewood Barn and the Boone County Historical Museum, which were special places that brought in tourism dollars. He also believed another student housing slum was inappropriate. There was the issue of traffic and the number of cars on AC every morning and evening since it was already congested. He understood the
Planning and Zoning Commission voted unanimously against this proposal and supported its recommendation.

Robin Acree stated she was the Executive Director of Grass Roots Organizing (GRO) and noted she was appalled at the number of examples of coercion with this rezoning. She explained Aspen Heights had become aggressive with its tactics because a similar project they were involved in was rejected recently in Stillwater, Oklahoma by a vote of 6-1. If Aspen Heights truly cared about the people, they would find another site for the development. She thought solutions other than allowing Aspen Heights to put a bad project in a bad location could be found and asked the Council to vote against this rezoning. She pointed out they had not addressed all of the concerns of the Planning and Zoning Commission and believed the seller and buyer of the property had been in collusion with regard to evicting the residents on February 29. She did not think the community would allow the residents to be put out on the street, so they did not have to take this money for a bad project the students did not even want. She believed the community could raise the money to ensure the families had assistance if they were forced to leave the Park. She asked the Council to consider other options, such as resident owned communities, and suggested they either vote against the rezoning or table the issue to another date.

Joann Reeves, a resident of Regency Mobile Home Park, asked the people in the audience that were in favor of the rezoning to stand and approximately 10 people stood. She noted Regency would close regardless of the decision tonight and Aspen Heights did not have to assist. She stated she did not appreciate organizations feeding off the residents in an attempt to make a name for themselves. She asked the Council to vote in favor of the rezoning to help the residents and their families.

Alyce Turner, 1204 Fieldcrest, thought it was unlikely the owner would close Regency if the Council voted against the rezoning because taxes would need to be paid, the lawn would need to be mowed, etc. and it provided an income. She asked the Council to either vote against the rezoning or not make a decision tonight.

Jackie Casteel, 3107 Blackberry Lane, commented that she was a low income resident of Columbia that had served the student population as an employee of downtown restaurants for ten years and had found it very difficult to find a home for a family of four this past fall. She understood the residents wanted money and to be reimbursed, but believed affordable housing for those who served the student population and Columbia and the preservation of the trees and the mobile home park were more important issues.

Robert Hollis, an attorney with offices at 1103 E. Broadway, provided the Council a copy of his presentation and felt the actual issues had not been understood or articulated. There had been many idealistic topics, but not many realistic topics or solutions discussed. He noted this was a land use issue. The property was currently zoned RMH and was basically at a PUD-7. They were asking for an increase to 8.5. If bedrooms were considered, it would be equivalent to approximately 100 additional bedrooms. It was consistent with the zoning in the surrounding area as R-2 and R-3 were to the west, C-3 and Highway 63 right-of-way was to the east and A-1 and O-P was to the south. It was also consistent with the Metro 2020 Plan and how the Highway 63 corridor was being developed with student housing. A concern of the Planning and Zoning Commission was that it was too
dense, so it was reduced from PUD-9.5 to PUD-8.5. Another concern was traffic, and some of the traffic issues that currently existed and would still exist when this development was completed had been addressed by professionals. He noted they agreed with the recommendations of staff and was not sure what else they could do in terms of traffic and sidewalks. With regard to stormwater, the site was currently not compliant with the new stormwater regulations, and if it was redeveloped, as proposed, it would be in compliance with the more stringent stormwater regulations. Fire flow requirements would be met by the proposed waterline. He understood there were currently some private sewer systems that did not function properly and those would be replaced at the cost of the developer with a public system. The climax forest regulations that were applicable would be exceeded. He noted if transit did not exist through the City, Aspen Heights would provide it for this development. With regard to the residents, they had met with about 70 people, and when they left the meeting, they had signatures from people that accounted for 55 of the spaces that existed with occupied residents at the time. Many of them could have spoken, but they had asked them to have just a few representatives speak out of courtesy since they had spoken through their signatures. He thought there were about 60-65 occupied spaces, so they had the support of the virtually all of the people representing the occupied spaces in the Park. He pointed out the Park was closed by the notice of eviction from the current owner on February 29. Aspen Heights was offering $2,300 or $3,500 depending on the mobile home. He noted immobile homes could remain at no cost to the tenant. He commented that organized speakers that purported to represent the interests of the residents did not represent the interests of the residents when it came to what the residents wanted with respect to the Council’s decision tonight as the residents were in favor of the rezoning. He explained they were requesting a few changes to the ordinance. One that was already mentioned by the Mayor was to remove any reference to a third party and they were agreeable. Another was for the restriction on permitting to be limited to building permits instead of all permits because there could be the need for permits to remove abandoned mobile homes prior to May, 2012. The third change was for the November 21, 2011 date to be changed to November 15, 2011 so the residents at the Park as tenants on November 15 would receive benefit as well.

Mr. Kespohl noted a schedule with vacancies in mobile home parks had been included in the handout provided and asked if that had been provided to the residents. Mr. Hollis replied it had.

Mr. Thornhill understood the lot rent at Regency was $273.00 or $253.00 and that was higher than any other mobile home park.

Ms. Hoppe asked when this information regarding the number of available mobile home vacancies had been collected as she wondered if it was current.

John John, a realtor with offices at 33 E. Broadway, replied it was done in September when they were getting ready for the Planning and Zoning Commission meeting. He had revised it the day before they met with the residents and they were still at 400. He noted this did not include El Ray or Regency. Ms. Hoppe asked if those spots had trailers. Mr. John replied they were all vacant spots and explained he had not counted the spots where people could by or participate in a lease to own contract for a mobile home, so those would be in
addition to the vacant spots. Ms. Hoppe asked if they were all within the City limits. Mr. John replied they were all right around the City limits. He explained he did not go as far out as El Ray, which was outside of the City limits, but did include a couple on the north and south sides of town that were just outside of the City limits. He kept within a tight ring around the City of Columbia and had not included any in Millersburg, Hallsville, Harrisburg Centralia or Boonville. Ms. Hoppe asked if he identified which ones might be assessable to disabled individuals. Mr. John replied he did not and explained that would likely be impacted by the mobile home itself, but agreed it would need to be on a level lot.

Mr. Thornhill asked if the mobile home parks with vacancies were notified of the closing of Regency. Mr. John replied he did it as a market survey the first time he called the mobile home parks, but had made sure the person he spoke with knew he was looking for places for people at Regency and would be providing phone numbers the second time he contacted those parks. At the meeting last week, the residents were provided this information, the phone numbers and lot rent costs of the parks.

Ms. Hoppe asked if he had obtained a list of restrictions or criteria in terms of what they allowed in those mobile home parks. Mr. John replied no and explained every park was different. He understood there might be some mobile homes that could not be moved to a specific park or location at a park, but he would have had to have known about each individual case in order to determine if each mobile home at Regency could be located in those parks.

Ms. Anthony understood they would address the issue of stacking at Bearfield and Grindstone and asked what would be done to mitigate the traffic issues that would be created at Ponderosa and Grindstone, particularly in terms of making a left from Ponderosa on to Grindstone as it was already dangerous.

Lee Cannon, a traffic engineer with Crawford, Bunte and Brammeier with offices at 1830 Craig Part Court, Saint Louis, Missouri, explained they had analyzed the traffic issues related to the Ponderosa and Grindstone intersection and it operated with good volume to capacity ratios today and those would be generally unchanged by the development. It had plenty of capacity and operated at level of service B today and would continue to do so.

Ms. Anthony stated she did not understand how he had reached that conclusion and asked for the increase in trips generated by the proposed development. Mr. Cannon replied the left turn traffic currently at Ponderosa included about 90 cars during the morning peak hour and 90 cars during the afternoon peak hour and that would rise to approximately 130 cars for the morning peak hour and 112 cars for the afternoon peak hour, but there was plenty of capacity at the stop controlled intersection and the level of service, which was a measure of effectiveness and looked at travel time, delays, interruptions and driver convenience, would remain at B for the left turn movement off of Grindstone and on to Ponderosa. This information had been provided to City staff and MoDOT and neither had exceptions to the findings.

Ms. Anthony understood 1,148 parking spaces had been proposed this development and found it difficult to believe it would not create more of an impact. Mr. Cannon explained the layout of the site was such that the driveways tended to push traffic away from Ponderosa since it was oriented to and from the west because it was student housing. Ms. Anthony
understood he believed those on E. Nifong coming around to Bearfield and Grindstone would sit through that traffic instead of taking a left on to Grindstone from Ponderosa and stated she did not agree that would happen. Mr. Cannon noted this was student housing that would be marketed toward University of Missouri students, and as a result, a majority of the traffic was headed to and from the west. Only 10 percent of the traffic was anticipated to move to and from the east on Grindstone. He explained they made estimates and assumptions based on the best information they had and that was shared with the City and MoDOT, so all of that information had been vetted through those agencies.

Ms. Hoppe commented that she was familiar with the Ponderosa/AC left turn and she took huge measures to avoid making a left there because it was extremely dangerous. She believed the count was inaccurate in terms of the number of people that wanted to use the intersection. She asked if the level of service determination had taken safety and the fact people were not using the intersection due to it being dangerous into consideration. Mr. Cannon replied he believed it did in terms of the existing population that lived in the area chose to not use that location and to go to another location, which was signalized, to make left turns on to Nifong Boulevard. It tended to push more traffic toward Bearfield than Ponderosa. The access on the site plan was set up to use Nifong or to get on Bearfield if Grindstone was used.

Ms. Hoppe explained she was in the area a lot and believed the intersection of Bearfield and Grindstone was currently overcongested. She asked if cars of friends, etc. had been considered because there was a social network that needed to be considered with student housing that was unlike what existed with manufactured homes or a normal residential neighborhood. There would be cars for more people than just the residents. Mr. Cannon replied that had been taken into consideration. He explained they took traffic counts so they knew what the traffic flows were to and from the existing mobile home park at its current occupancy levels. They also looked at industry standards with regard to the number of trips and compared that information to an apartment complex. Since the traffic generated by student housing might be different than a normal apartment complex, they took traffic counts at the COMO Cottages across the street to understand the trip generation for a similar style of development and found it was higher. As a result, they used that trip generation in their study to be conservatively high with regard to the number of trips that might come to and from this development, which included visitors and the way students traveled. Ms. Hoppe asked if it was compared to the RMH zoning. Mr. Cannon replied it was only compared to the existing traffic, which was lower because not all of the mobile home pads were occupied.

Mr. Thornhill asked if this was a vibrant, healthy and full mobile home park if the traffic would be similar. Mr. Cannon replied it would probably be similar on a one to one basis with something like an apartment complex, but that comparison had not been made. He explained a single family home had the highest trip generation per unit and apartments were slightly less, but noted he was not familiar with where a mobile home park would fall if it were full. He agreed this development would have more trips, but those trips could be mitigated through some improvements.

Ken Midkiff, 1005 Belleview Court, stated he was the Conservation Chair of the Osage Group of the Sierra Club and asked for clarification as to whether this development would be
a PUD-9.5 or a PUD-8.5. Mr. Matthes replied it had been amended downward to PUD-8.5.

Mr. Midkiff commented that Ms. Anthony had addressed his concern regarding an off-site sewer line as he had been told by City staff within the Sewer Division that the current sewer line, which was 12 inches, was inadequate to handle the sewer there now, so he hoped the sewer engineer would address the problem during construction. He noted he would have preferred to ensure it was adequate after occupancy, but assumed the sewer engineer could determine the size of the pipe needed dependent on the number of people. He stated he remained skeptical that two retention ponds would be adequate to handle the stormwater increase because the apartment complex just north of the Regency Mobile Home Park currently drained stormwater into the Park and there would be an enormous increase in impervious surfaces, roofs, etc. He believed stormwater runoff would increase and asked that it not be increased beyond the current site.

Mr. Thornhill asked how the ordinance read in terms of stormwater. Mr. Teddy replied the new project would have to have a release rate that was not greater than the pre-existing undeveloped condition.

Mr. Midkiff commented that there was no indication as to what would be done with the rubble created as there was concrete, asphalt, water pipes, sewer pipes, electric lines, abandon mobile homes, etc., and suggested the agreement be amended to ensure the disposal of rubble would be handled appropriately unlike how it was currently handled. He noted that issue had been reported to the Health Department and the Office of Neighborhood Services, and the mobile home park had been directed to clean up what was an illegal dump. He believed there also needed to be some protection against runoff of sediment into Spring Creek during construction, to include silt barriers instead of the plastic fences normally used.

Jerry Wade, 1221 Bradshaw Avenue, commented that he believed this was an important vote as it would be an informal policy statement on low income available housing since the City did not have a good policy on the issue. He explained that unlike development plans and subdivision plats, which were administrative, zoning was a land use decision and legislative. It was a community policy decision. He noted the applicant only had the right to the existing zoning and had the responsibility to demonstrate the rezoning was a more appropriate land use and had more value to the community than the existing zoning. In 2008, a citizens group submitted a report on affordable housing in Columbia and much of it had not been implemented. It had identified the shortage of affordable housing and the City was urged to address the issue. He felt this rezoning request was contrary to the need for affordable housing as manufactured homes were one way to address the need for low to moderate income housing and one of the few paths for low to lower-middle income families to move into homeownership. He believed Columbia needed every low income housing option it had and needed to encourage every opportunity for people to move toward homeownership. He noted the purpose of zoning and land issue regulations was to provide for an orderly structure of the City while expressing community values and policy. He suggested the Council vote against the rezoning request because the only thing that had been proven was that the owner and purchaser of the property could make more money. They had not met the requirement that the changed land use added more value to the community than the existing zoning. He also suggested the Council direct staff to move
rapidly on a report that reviewed what other communities had in terms of regulations so residents of mobile home parks had basic minimal protections of living conditions in the park. This would prevent the practice of extracting equity for personal property to create intolerable living conditions and then using the slum conditions as a justification for land use change. He believed the City also needed to accept responsibility for a political process that was based upon the intimidation and blackmail of the Council by the applicant through the residents to get their way. It allowed applicants to manage and manipulate the process to get more while building on the backs of the poor and those without power. He questioned rewarding their bad behavior by giving them their way when it was contrary to the long term well-being of the community.

Hank Ottinger, 511 Westwood Avenue, stated he wanted to express the concerns of the Sierra Club with regard to sewage, stormwater, deforestation and traffic, and to reiterate the comments of Mr. Midkiff. He felt it was important for the City to anticipate these environmental consequences and plan for whatever mitigation was necessary, whether that included contractual obligations with the developer or setting aside funds to address these concerns. He urged the Council and City staff to be attentive and protective of the City's environmental quality.

Tim Crockett, an engineer with Crockett Engineering Consultants with offices at 2608 N. Stadium Boulevard, pointed out fourteen detention basins were proposed for the property. They were proposing a bio-retention cell system that would detain and cleanse the water and comply with City regulations for detention and water quality. With regard to sanitary sewer, he noted they had discussed the issue with the Public Works Department during the concept review and were told there was capacity on the property for additional flow. He pointed out when comparing the mobile home park at full capacity with the proposed development, there was not much of a difference. With regard to rubble, he explained they wanted to remove as much rubble as possible from an engineering standpoint. Some rubble, which was found to be safe and suitable to be left on site, could be used as engineered fill. If anything was hazardous, it would be removed from the property. The rubble would be checked and confirmed by a geo-technical engineer to ensure it was not contaminated and the fill on the property was suitable. With regard to erosion control, he understood the Public Works Department would hold them to the highest standard and they planned to comply with the erosion control requirements on the property.

Mr. Thornhill asked if he foresew them doing something other than just using a standard silt fence along the creek. Mr. Crockett replied yes and explained they would have several different systems. There would be a fair cloth basin, which was a filtration basin that allowed sediment to settle out, sediment traps, staked straw bales, silt fences and a wide range of BMP’s to ensure the downstream waterways were protected.

John John, a realtor with offices at 33 E. Broadway, commented that within the last eight years, the University had grown by 10,000 student, and within the last ten years, about 5,000 bedrooms had been added and that figure included those added by the University of Missouri. The University expected to be level for the next three years and to then have an increase. This was the reason they started to recruit out of state students several years ago. He explained the freshman and sophomore classes were larger than the junior and senior
classes, so even if the classes were slightly smaller, the actual population at the University would increase over the next 2-3 years. The reduction of high school seniors would stop in 2014 and growth would then begin again. He pointed out the increase in students had caused a demand throughout housing complexes. Many of his clients that did not predominately provide student housing had increased their rent in the last few years by 10-30 percent due to the demand. He believed the more housing that was built for students that could afford high-end housing, the more they would move into the high-end housing, leaving the moderate housing to stabilize at previous rates. He reiterated he knew several owners of complexes who were getting students these years that had not had students before.

Glenn Fitzgerald, 4002 Sweetwater, stated he resided just south and west of the proposed development and explained he did not know why there needed to be more dense college housing in this area of the City when they already had The Cottages, two developments on either side of Old 63, north of Grindstone, a new development on Rock Quarry, between Nifong and Grindstone, and another development that was just built at the northeast corner of Grindstone and Rock Quarry. He wondered when this type of development would occur in someone else's ward. He appreciated all of the work Aspen Heights had done on the traffic study, but did not agree with it. There was plenty of traffic there already and Bearfield was backing up. He noted he appreciated Ms. Hoppe’s comments indicating the college tenant was a different ilk of tenant. They had girlfriends and boyfriends and people that stayed the night, which added more cars to the traffic problems in the mornings. In addition, the type of traffic was different as the cars were louder due to subwoofers, etc. He commented that he felt for the residents of Regency, but noted there were other residents, such as him who were homeowners, that had a different level of concern. He was comfortable with the amount of traffic there currently, but did not want any more.

Brianna Sivilla, 1406 Anthony Street, stated she was a student of the University of Missouri and noted this type of development was not what students wanted. They too wanted affordable housing that was convenient for getting to campus. There were more convenient locations for students that could afford luxury housing. She pointed out traffic issues were a concern for students as well. They had to go back and forth to campus as their schedules did not allow them to remain on campus all day. Brookside Downtown just broke ground on a new location that was within walking distance to campus and the downtown, and that was a nice housing complex for students. She believed it would fill up prior to this proposed development because it was what students wanted. She noted she was also a member of the Greek community and explained they were not made privy to the circumstances surrounding the rezoning in terms of how many people would be displaced, so there likely would not have been as much support.

Karl Skala, 5201 Gasconade Drive, commented that this reminded him of The Links development, which involved 834 units that was supposed to be phased in over a period of time, but had not been phased in due to the market. It being put in place quickly had caused problems in terms of silting and the creek overflowing. He did not believe The Links was full and believed new developments tended to impair the ability of older developments to fill up since the students tended to move around. He did not feel they had contributed enough to
the off-site infrastructure as well. He stated he did not envy the decision the Council had to make. He understood the issue of manipulation and the human face of displacement had been dealt with although he was not certain it was dealt with adequately. He wondered if there were resources that could accommodate those being displaced at the same level as the buyer. He noted he was bothered by the number of violations the seller had not complied with and asked why the seller was not prosecuted. He believed those violations needed to be enforced. He appreciated the fact the buyer was trying to accommodate some of the displacement and hoped it was not done by manipulation or collusion. He also hoped the Council would look into the affordability ideas in the future, such as requiring developments to incorporate some affordable housing into developments.

Mayor McDavid made a motion to amend B264-11 by changing Section 4(c) so it would read “...before the City issues any building permit in connection with development of the property.” The motion was seconded by Mr. Kespohl and approved unanimously by voice vote.

Mayor McDavid made a motion to amend B264-11 by changing the November 21, 2011 date in Section 4(b) to November 15, 2011. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

Mr. Hollis provided clarification regarding an amendment that had been proposed by Ms. Hoppe in terms of payments being provided to tenants in advance and explained if the tenant had a contract and could not afford the relocation cost, payment would be provided to the tenant and contractor simultaneously. Ms. Hoppe noted she had stated that.

Mr. Dudley understood Regency was closing on February 29, but that some people would be allowed to stay until May, and asked how the City would transfer power, water, etc. to the residents still living at the Park and how it would be paid. He assumed payment of utilities would stop when the park closed on February 29. Mr. Hollis explained the Park was not closing then if it was rezoned.

Mr. Thornhill asked if ownership would change. Mr. Hollis replied ownership would change sometime between now and May 31. Mr. Thornhill thought they needed to ensure the new owner provided the same utilities the current owner provided. Mr. Hollis stated the new owner would have to provide those services.

Mr. Thornhill asked if the ordinances were clear in terms of the disposal of rubble. Mr. Teddy replied the rubble would have to be hauled off to an appropriate landfill. He understood there would be an application for some of the material to be recycled on-site provided it was certified as clean material.

Ms. Anthony commented that they had a land use decision that had been made difficult due to the treatment of the residents of the Regency Mobile Home Park. She noted she had been moved by the beauty of the property despite the fact there were some mobile homes that had not been removed by the landowner as there were beautiful trees, open spaces, etc. She had also been moved by the incredible sense of community as children were running through the neighborhood and there was a real concern for elderly neighbors. She commented that she was sorry the City had not done a better job in enforcing the ordinances and thought a study was needed to determine what more the City could do in that regard. The two questions before the Council tonight were whether the proposed
development was appropriate for this location and whether it was in the best interest of the City. She noted she concurred with the Planning and Zoning Commission’s recommendation of denial of the proposed development. It was too dense for the area even at a PUD of 8.5. She understood the current mobile home park could be considered a 9.0, but pointed out it was operating at a 7.0. In addition, she felt this development should not be reviewed in isolation and the overall area being densely developed with other student housing projects. She explained Grindstone Parkway was supposed to transport traffic from southwest Columbia to Highway 63 with as few stops as possible, but the City had continued to allow development along the corridor, and this had caused problems at the intersection of Grindstone and Bearfield. She understood the developer had proposed to address some of the stacking issues, but she did not think it would improve the situation. In addition, the left off of Ponderosa on to Grindstone was dangerous and she did not think it was acceptable to allow more traffic there. She commented that she also did not believe this development was right for the City. There was too much student housing in the area along Grindstone between Rock Quarry and Highway 63. She felt they City would be faced with a large swath of abandoned student housing in the future. She also felt too few properties were zoned for residential mobile homes, which was affordable housing and something the City lacked. She stated she was not ready to give up on the property or the hope this property would continue to be affordable housing.

Mr. Kespohl stated he felt this rezoning had turned into quite a debacle and was disappointed by the situation. He thought the residents, the mobile home park owner, the City and previous and current Council Members were to blame for the situation in terms of code violations at the park. He believed the residents would lose if the Council voted no to this rezoning, and if the Council voted in favor of the rezoning, the residents would gain something, but still lose in the end.

Ms. Hoppe echoed Ms. Anthony’s statements with regard to her visit of the mobile home park as it was an educational and enlightening experience. She thanked the buyer for providing more time for the residents to move and for offering funds to assist in relocation as it was not required. She also thanked the students that spoke for their intelligent, articulate and thoughtful comments as it showed they were involved in the community. She agreed with Ms. Anthony in that they needed to look at the whole picture in terms of the rezoning decision. Density and its effect on traffic was concerning. Not every individual residing in the mobile home park had a car and most of the mobile homes did not have three bedrooms. Changing the density to student housing with 900 bedrooms would mean 900 cars and a social network that would multiply the number of vehicles and traffic. If the black and gold transit routes were not continued due to the lack of funding, she noted students using those routes would also use their vehicles more often and created a gridlock at Old 63 and Stadium. She explained there were only three and one-half north/south routes in the area and those included Old 63, which would be congested, and Rock Quarry Road, which was a scenic road, too narrow and not a good road for transporting traffic. She also noted the students would all be going in the same direction in terms of traffic unlike a general mix of residents within the community. She agreed with Ms. Anthony regarding the intersection of Ponderosa and Grindstone being dangerous. She believed a mixed residential family and
student use was more appropriate in terms of traffic. In addition, she felt more affordable housing was needed. She noted the list for Section 8 housing only opened up every two years and filled up quickly. The Housing Authority also had a long waiting list for 2-3 bedroom units. There was less affordable housing than was needed and manufactured homes were an important part of the affordable housing mix. She commented that she had researched and learned about manufactured home cooperatives, which had been successful in other states, and noted there were Energy Star manufactured homes. She believed manufactured homes could be a strong component of affordable housing. She also thought cooperatives were needed in Columbia as people were being forced to leave their homes because they did not have the security and stability of owning the land under their home. She noted she had requested a work session be held on the Affordable Housing Task Force Report in an effort to determine what needed to be done. She stated she was pleased the City Manager had asked the Public Health and Human Services Department to coordinate with the Columbia/Boone County Basic Needs Coalition to establish a team of human service and housing providers to assist Columbia Regency and El Ray Mobile Home Park in an effort to link residents to needed resources. She commented that she had been approached by some people who had asked if an account had been established for the community to donate to in an effort to help the residents since they would be forced to leave the mobile home park by February 29 if the property was not rezoned, and noted she would pledge to try to raise at least $10,000. She knew others that were committed to helping raise money to help residents relocate as well and believed there were a lot of possibilities. She pointed out she could not promise they would be able to match the offer of the buyer, but she would try. She explained she had approached the buyer with the option of buying only part of the property so the rest would remain a mobile home park, but the buyer was not agreeable. She also thought a TIF district could be created in the central city area to attract developers in creating student housing as it was better infill development. She noted no Sixth Ward resident had approached her in support of this development. In addition, she believed the balance between student and long-term residents in the area was shifting and inappropriate. Although it was a difficult choice since the buyer was now agreeable to assisting with relocation costs, which would help the existing residents, she would not support the rezoning as she felt it would negatively impact too many people.

Mr. Thornhill commented that he felt careful consideration needed to be given to encouraging residential development in a TIF district as TIF districts were controversial when the rate of return was somewhat known. He noted he had conducted some research and a new Energy Star rated singlewide home was about $40,000. It would cost someone about $825 per month if $275 for lot rent, $400 for payment and insurance and $150 for utilities was assumed as he believed a new owner would insist on newer homes if he was trying to clean up the park. He argued this was not as affordable as many thought. He also noted that he admired the effort and energy of the students that spoke tonight and suggested that energy be converted to affordable housing advocacy as those needing affordable housing could benefit from their assistance.

Mr. Schmidt stated he was saddened when listening to the residents speak as it was always sad when a neighborhood broke up. He commented that in terms of land use, this
really was a continuation of the Old 63 corridor, and questioned why the request went from 9.5 to 8.5 because he believed density was good, green and increased the possibility of public transit. He was optimistic the City would find a solution for transit and felt transit would come if they created a built environment for it. He also did not feel the Council should second guess developers in terms of market conditions and was reluctant to support the argument that there was too much student housing as a reason to not support the rezoning request. He explained he was tempted to vote in favor of this request to assist those people living at the mobile home park.

Mr. Dudley commented that this was a tough decision that would impact a lot of people. He thanked the developer for making some concessions for the residents of Regency. He noted the vote tonight would be made with some reluctance because the residents would lose whether the Council rezoned the property or not.

Mayor McDavid stated he had told the developer he was indifferent to the out of town owner and the potential developer and that this rezoning would not be approved unless they took care of the human problem, which appeared to have been addressed now. He noted it was great to see the University of Missouri student advocacy as Columbia was their town as well and suggested they attend the Basic Needs Coalition meetings at 7:30 p.m. on the third Wednesday of each month to assist with homelessness and low income housing. He commented that this land use issue was a painful situation. Homes would be removed and a neighborhood and families were being displaced. He noted the Council did not have any control over this situation. They could assume Regency was bluffing and would not evict the current residents, but they had stated they would, so he had to assume Regency would close at the end February and the residents would be displaced either with or without financial help. He liked the fact people were trying to come up with other options, such as another buyer or forcing someone to buy it, but there was not another option. As a result, he planned to vote in support of this rezoning in order to help the residents of Regency relocate.

The vote on B264-11, as amended, was recorded as follows: VOTING YES: DUDLEY, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. VOTING NO: ANTHONY, HOPPE. Bill declared enacted, reading as follows:

The vote on B265-11 was recorded as follows: VOTING YES: DUDLEY, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. VOTING NO: ANTHONY, HOPPE. Bill declared enacted, reading as follows:

B301-11 Voluntary annexation of property located on the west side of Scott Boulevard, immediately north of Thornbrook Subdivision; establishing permanent R-1 zoning.

R208-11 Approving the Preliminary Plat of Creeks Edge located on the west side of Scott Boulevard north of Thornbrook Subdivision; granting variances from the Subdivision Regulations regarding cul-de-sac length.

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

Mr. Matthes provided a staff report.

Ms. Anthony asked for clarification regarding the fiscal impact. Mr. Teddy replied no fiscal impact was listed for this item because this action did not require them to go above what was budgeted to handle the processing of development. A fiscal impact analysis of
development was different as it involved the revenue the land would produce and the cost of services it would consume. This type of analysis had not been done. Ms. Anthony commented that she believed this type of analysis was needed for developments of a certain size.

Ms. Anthony stated she wanted the opinion of staff in terms of how to make this type of analysis part of the review process and whether it made sense for all developments, developments of a certain size, etc. She asked for staff to provide a report regarding this issue.

Mr. Thornhill understood this area was next to a developed area and that the developer was responsible for the infrastructure within the development. He asked if the utilities were already in the area or if the City would take on any responsibility. Mr. Teddy replied off-site expenditures would not be required, but there would be a traffic impact. He explained the portion of the neighborhood collector within the development would be built by the developer. In addition, the development would contribute the standard transportation fee of $0.50 per square foot of the houses, which would go toward Scott Boulevard – Phase 3. They would also provide right-of-way at an intersection with Scott Boulevard to enable a future round-a-bout if necessary.

Mr. Thornhill noted this development would be providing a payment in lieu of installing a sidewalk and asked if that payment was consistent with the real cost of constructing the sidewalk. He explained he had asked for a report on the issue because he thought they were asking $4.00 - $5.00 per foot less than the actual cost. He asked if they were committed to the amount currently collected for the payment in lieu of or if it would be increased if it was determined to not be enough. Mr. Nichols noted they could provide a report regarding the cost difference based on the recent Scott Boulevard project.

Ms. Anthony asked for clarification regarding the $0.50 per square foot payment. Mr. Teddy replied it was the development charge and required any new development to pay $0.50 per square foot as a condition of a building permit. As a result, it would be paid incrementally as each house was built. Mr. Matthes explained $1.1 million of the $3.7 million total cost of the Chapel Hill project was funded by the development charge. Ms. Hoppe understood the development charge funded items other than roads as well. Mr. Teddy noted those funds were spent on transportation infrastructure but were not earmarked for a specific project.

Ms. Anthony asked when this portion of Scott Boulevard was scheduled in the CIP. Mr. Nichols stated he thought it was scheduled for FY 2015. Mr. Thornhill understood it was not funded in the CIP. Mr. Nichols stated that was correct.

Ms. Anthony noted Scott Boulevard from Vawter School to Route KK was a bad stretch and the additional traffic was a concern. Mr. Thornhill thought this development might help a little as he felt some of the western Thornbrook traffic would come through the neighborhood collector being built.

Ms. Hoppe understood the development was not tied to the improvement of Scott Boulevard and the development would be built without sufficient road capacity. Mr. Matthes agreed there was not a direct connection. Mr. Nichols explained the issue was funding for the road project.
Ms. Hoppe thought the Council needed to discuss the issue of allowing development when the road structure was not sufficient to support it. She also thought staff might want to differentiate between fiscal note and fiscal impact on its reports to Council since there was a difference.

Ms. Hoppe understood the City was already stretched in terms of snow removal and noted she was concerned about the impact of annexation on services such as this as it created more miles to plow without additional resources. She felt new annexations needed to wait for snow removal until the established areas were cleared. Mr. Thornhill was not sure how that could be accomplished as Thornbrook was ten years old and they would be in the area plowing that development. He wondered if the crews would leave the area without plowing the annexed area. Ms. Hoppe thought the discussion was needed.

Tim Crockett, an engineer with offices at 2608 N. Stadium, explained the infrastructure was in place as sanitary sewer, water, gas and electric was available to the site. The roadway network might be lacking, but the developer was doing more than his share in terms of the collector within the development.

Mayor McDavid commented that he believed it was refreshing to see someone willing to build 180 homes given the economy. He understood growth placed stresses on a community, but noted there were 75 billion more humans on earth this year and 3,000 of them would live and work in Columbia.

Ms. Hoppe stated Columbia was a great community and she expected growth. She also felt it was incumbent on the Council to ensure polices were in place to ensure there were services for new growth a negative impact on existing residents in terms of fewer or slower services.

B301-11 was given third reading with the vote recorded as follows: VOTING YES: DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on R208-11 was recorded as follows: VOTING YES: DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

B306-11 Authorizing an annexation agreement with T-Vine Enterprises, Inc. for property located on the east and west sides of State Route B, between State Route HH and Ketterer Road.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Kespohl asked for the water source of this subdivision and how sewer flow would be measured if it was provided by someone other than the City. Mr. Boeckmann replied the City had agreements with some of the water districts for them to provide water usage information to the City.

B306-11 was given third reading with the vote recorded as follows: VOTING YES: DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. VOTING NO: NO ONE. Bill declared enacted, reading as follows:
B309-11 Authorizing the acquisition of easements for reconstruction of Clark Lane – Phase 2, from the intersection of St. Charles Road and Lakewood Drive westward approximately 700 feet.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

B309-11 was given third reading with the vote recorded as follows: VOTING YES: DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B314-11 Amending Chapter 16 of the City Code to add a new section on notice of intent to excavate.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Kespohl understood this only set the penalty for digging. If someone hit a line, they would have to pay for the damages. Mr. Williams replied the penalty was $200 in addition to the restoration costs. The penalty was to encourage people to use the dig-rite system. Mr. Matthes explained the person would pay to repair any damage and pay a penalty. Mr. Boeckmann noted the penalty would be up to $200 if charges were filed in Municipal Court as $200 was the maximum fine that could be assessed. Mr. Kespohl stated he was more concerned with the repair than the fine. Mr. Williams explained the City was already capable of recovering the repair costs.

B314-11 was given third reading with the vote recorded as follows: VOTING YES: DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B316-11 Amending Chapter 14 of the City Code as it relates to use of coasters, roller skates and similar devices.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Schmidt suggested Section 14-5(d)(4), which involved helmets, be removed from B316-11 because Section 16-238 already addressed helmets. While he felt everyone should wear a helmet, this change would make the use of helmets consistent with the requirements for bicyclists and those that used State parks.

Mr. Schmidt made a motion to amend B316-11 by removing Section 14-5(d)(4). The motion was seconded by Mayor McDavid and approved unanimously by voice vote.

Christopher Bailey, 803 Spencer Avenue, noted he owned Parkside Skate Shop, was the Executive Director of the COMO Skateboard Coalition and was a member of the Bicycle/Pedestrian Commission. In 2006, Columbia was selected to participate in the federal non-motorized transportation pilot program and accepted $22 million to help build infrastructure and establish the public awareness and willingness to use active modes of transport. He felt the term “active modes of transport” should encompass and encourage different types of self-propelled vehicles, and that Columbia’s regulations of its skaters were inconsistent with a healthy, active community. The confiscation, confinement and apprehension of citizens for skating on the street were inefficient uses of law enforcement.
personnel and resources and in the direct contrast with the promotion of active modes of transport. Skateboarding in terms of transportation was practical as it provided the same health, environmental and fiscal benefits of bicycling while being more compact and lighter than bicycles and was a faster mode of transportation than walking. Approval of this ordinance would promote the use of active forms of transportation to Columbia citizens at no additional costs to taxpayers. It would also make it safer for skaters and pedestrians because skaters would be more visible to faster moving traffic and pedestrians would be provided the right-of-way as skaters would be required to yield to pedestrians. He listed other communities that allowed skaters to utilize city streets like bicyclists and asked the Council to approve this ordinance in recognition of skateboarding as an efficient, environmentally friendly, active mode of transportation.

Ryan Blackwell, 5116 Clark Lane, agreed with the comments made by Mr. Bailey and felt skateboards should be allowed on the streets. He thought the Council might want to require the use of helmets if skateboards were used as transportation.

Mr. Schmidt felt this change would simplify the rules while accommodating more people and forms of transportation. It was consistent with non-motorized transportation and the City's vision. He did not believe this change would present the types of problems people feared.

Mr. Dudley noted the main concern he had heard was to ensure skaters yielded to pedestrians, especially in the downtown area. Mayor McDavid pointed out skaters were not allowed on the sidewalks downtown. They would have to be in the street. Mr. Schmidt noted enforcement was sometimes inconsistent since police officers were busy with other important issues and suggested there be an emphasis of enforcement with regard to this issue if necessary.

B316-11, as amended, was given third reading with the vote recorded as follows:
VOTING YES: DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B317-11 Amending Chapter 19 of the City Code as it relates to city employee professional dues and licensing fees.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

B317-11 was given third reading with the vote recorded as follows: VOTING YES: DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B320-11 Authorizing a work ordinance pertaining to the operation of the Columbia Fire Department and conditions of employment of the Columbia Fire Department personnel.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Brad Fraizer stated he represented the Columbia Professional Firefighters, and although they did not always agree, the give and take and open dialogue allowed them the opportunity provide better customer service and made the Fire Department a better place to
work. He pointed out this could not be done without the efforts of the Fire Chief, the Human Resources Director, the City Manager and the Assistant City Counselor. They made time for the Columbia Professional Firefighters when needed even though they were busy with other issues and it meant a lot. He noted this ordinance was a result of those efforts and hoped the Council would vote in favor of it.

Ms. Anthony wondered why the City did not have work ordinances with its other unions. She understood the jobs of firefighters were significantly different, but wanted to further explore this issue when they discussed it at a work session.

B320-11 was given third reading with the vote recorded as follows: VOTING YES: DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL. 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.

B300-11 Voluntary 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; establishing permanent R-1 zoning.

B302-11 Approving the C-P Development Plan of III Forks Prime Steakhouse located on the northeast corner of Providence Road and Green Meadows Road.

B303-11 Approving the Final Plat of Old Hawthorne, Plat No. 6 located on Old Hawthorne Drive East, south of the intersection of Bridle Bend Drive and Saddle Bag Court; authorizing a performance contract.

B304-11 Vacating a utility easement located at the northwest corner of East Broadway and Broadway Bluffs Drive.

B305-11 Vacating an easement for access to storm water facilities and a storm water management/BMP facilities covenant located on the east side of Seventh Street and south of Business Loop 70 (1100 North Seventh Street).

B308-11 Authorizing construction of the Katy Place Trail MKT Connector Project; calling for bids through the Purchasing Division.

B310-11 Authorizing a right of use permit with the University of Missouri for the placement and maintenance of telecommunication conduits in portions of Eighth Street right-of-way and the alley running between Seventh Street and Ninth Street.

B311-11 Authorizing a right of use permit with Father Tolton Catholic High School for the placement and maintenance of a directional sign in a portion of the Discovery Parkway right-of-way.

B312-11 Authorizing a contract for sale of real estate with Frech Leasing Company, LLC for construction of the Hominy Creek Trail Phase II and the future Ballenger Lane extension.

B313-11 Accepting conveyances for sewer and temporary construction purposes.

B315-11 Accepting conveyances for utility purposes.
Amending Chapter 21 of the City Code as it relates to the Citizens Police Review Board, including provisions pertaining to the definition of “misconduct,” closed meetings and the availability of police policies.

Authorizing an agreement with Evidence Control Systems, Inc. for review of the property and evidence unit within the Columbia Police Department; appropriating funds.

Amending the FY 2012 Annual Budget and Classification Plan to add a Cashier position in the Finance Department, Treasury Management Division; transferring funds; appropriating funds.

Authorizing a service agreement with Centro Latino de Salud for implementation of the Health Literacy Project Expansion and Replication grant funded by The Missouri Foundation for Health.

Authorizing an agreement with Lutheran Family and Children’s Services of Missouri for subgrantee services under the Homeless Prevention and Rapid Re-Housing (HPRP) Program.

Authorizing an agreement with the Jefferson City Barracudas for sports development funding under the Tourism Development Program.

Authorizing a tower and ground space license agreement with USCOC of Greater Missouri, LLC for site development and access to an existing antenna tower located at 5250 Scott Boulevard to improve radio coverage for Public Safety Joint Communications.

Authorizing the City Manager to make federal fiscal year 2012 Certifications and Assurances for Federal Transit Administration assistance programs.

Authorizing an architectural agreement with Peckham and Wright Architects, Inc. for planning, design and construction management of commercial space in the Fifth Street and Walnut Street parking structure.

Approving the Preliminary Plat of Old Plank Estates located on the southeast side of Old Plank Road, east of the intersection of Old Plank Road and State Route K; granting a variance from the Subdivision Regulations relating to sidewalk construction along a portion of State Route K.

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

NEW BUSINESS

None.

INTRODUCTION AND FIRST READING

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

Rezoning property located at the northeast corner of Short Street and Walnut Street from Districts R-3 and O-1 to District C-2.

Amending the permitted uses on property in District C-P located on the southwest corner of State Route K and South Nursery Road (7450 South...
Nursery Road) to allow additional uses; accepting a revised statement of intent.

B324-11 Approving the C-P Development Plan of Eastport Plat 1-A-3 located on the south side of Bull Run Drive, west of Port Way; approving less stringent landscaping requirements.

B325-11 Approving the Final Plat of Bus Barn Subdivision located at 3511 Clark Lane; authorizing a performance contract; granting variances from the Subdivision Regulations.

B326-11 Approving the Final Plat of Watson Place Plat 3 located on the east side of Ninth Street, south of the Ninth Street and Elm Street intersection.

B327-11 Approving the Final Plat of Providence South Plaza Phase 2 located on the northeast corner of Providence Road and Green Meadows Road; authorizing a performance contract.

B329-11 Authorizing Change Order No. 1 and Change Order No. 2 to the contract with JC Industries, Inc. for construction of sidewalk improvements along the south side of Broadway, from Eighth Street to Ninth Street; accepting the report of the Director of Public Works; levying and assessing special assessments; appropriating funds.

B330-11 Authorizing a street maintenance agreement with Emery Sapp & Sons, Inc. for restoration, removal and replacement of failed concrete panels on Old Hawthorne Drive from Green Gate Drive to Marcassin Drive.

B331-11 Appropriating funds for reimbursement of the installation of regional stormwater detention as part of the Nifong Boulevard and Bethel Street development project.

B332-11 Authorizing an amendment to the right of use permit with Alley A Association for the installation and maintenance of decorative bollards at the east and west ends of the Alley A right-of-way.

B333-11 Amending Chapter 27 of the City Code as it relates to electric rates for small general service customers.

B334-11 Accepting conveyances for utility purposes.

B335-11 Authorizing construction of the Scott’s Branch Trail from Dublin Park to Weaver Road in the Bonnie View Nature Sanctuary; calling for bids through the Purchasing Division; authorizing a trail easement and agreement and accepting a temporary construction easement from the Columbia Audubon Society Incorporated.

B336-11 Amending Chapter 17 of the City Code to prohibit dogs on a portion of the Scott’s Branch Trail between Dublin Park and the Bonnie View Nature Sanctuary.

B337-11 Authorizing a purchase and sale contract with St. Charles Road Development LLC for the acquisition of land adjacent to Muriel Battle High School for park purposes.

B338-11 Amending Chapter 4 of the City Code as it relates to alcoholic beverages.

B339-11 Amending Chapter 12 of the City Code to prohibit certain discrimination based on gender identity.

B340-11 Authorizing an agreement with Boone County for Joint Communications clerical services.
B341-11 Authorizing an agreement with Green Valley Rifle & Pistol Club, Inc. for range facility access and use.

B342-11 Accepting a donation from the Sunrise Optimist Club for the purchase of uniforms for the Police Department cadet program; appropriating funds.

B343-11 Authorizing Amendment No. 1 to the agreement with the Missouri Department of Health and Senior Services for the HIV Prevention Project; appropriating funds.

REPORTS AND PETITIONS

REP196-11 Appointment of the North 763 Community Improvement District (CID) Board of Director Members.

Mayor McDavid asked for the location of this CID. Mr. Thornhill replied it was near Brown School and Rangeline.

Mayor McDavid made a motion to appoint Michael Imhoff, Gary Meyerpeter and Annie Juve to the North 763 Community Improvement District Board. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

REP197-11 William & Windsor - Evaluate 4-Way Stop.

Mr. Matthes provided a staff report.

Ms. Hoppe understood the original request was for a 4-way stop. She explained there was a visibility issue due to the height of a property when going east on Windsor and then north on William. The 4-way stop would help with safety and was cheaper than a round-a-bout. Mr. Matthes explained staff felt the 4-way stop would not improve the sight lines. Ms. Hoppe noted it would make cars coming south on William stop.

Mayor McDavid asked for the accident history at the intersection. Mr. Kespohl replied there were five accidents in four years.

Mr. Schmidt understood the traffic engineer had gone out to the site to review the elevations and had explained the advantages and disadvantages of the 4-way stop to some of the property owners at the intersection. The neighbors were concerned the 4-way stop would create problems that did not currently exist, such as the creation of more exhaust and noise from the stopping and starting of vehicles. He thought the question was whether the 4-way stop would reduce accidents and was worth the trade-off. Mr. Nichols explained staff felt people would roll through the stop signs on William due to the low volume cross traffic on Windsor. In addition, there could be an increase in rear end crashes since people would not be used to stopping at William.

Mr. Schmidt wondered why this had come up again as he thought the Benton-Stephens neighborhood had already discussed the issue. Mr. Kespohl noted he had asked for the report because he had been contacted by a constituent.

Mayor McDavid asked if five accidents in four years was a lot. Mr. Matthes replied it was not a lot from a traffic point of view.

Mayor McDavid understood there was not a staff recommendation. Mr. Nichols stated it did not warrant a typical 4-way stop.

Ms. Hoppe asked if the City had approached the owner of the property at issue to find out if the hill could be reduced to assist with visibility. Mr. Schmidt thought the traffic engineer
could discuss the issue with him as they were already acquainted. Mr. Matthes stated staff would talk to the property owner.

REP198-11 Downtown Community Improvement District - Downtown Street Closures.

Mayor McDavid understood this report was provided for informational purposes.

REP199-11 Report on Balancing the Transit Budget.

Mr. Matthes provided a staff report.

Mayor McDavid commented that the elimination of the black and gold routes would have a profound impact on student transportation. He explained one of the goals of the Transit System Task Force was to alert people that transit was headed toward insolvency. The black and gold routes were a result of a heavy City subsidy and the subsidy was self-inflicted. Some students did not see the need for an $80 student fee for transportation because they already had a transit pass. He provided those living at Campus View as an example and noted those students were paying $0.053 a ride. The purposes of the Transit System Task Force was to make it clear the transit system was in crisis and to pursue a collaborative arrangement with the University, and neither the administration nor the students were engaged in the issue at this time. As a result, the City needed to find a private sector solution as the students were citizens of Columbia and the City had to try to meet their needs. He noted information was provided with regard to Campus Lodge, Reserve, Gateway, The Pointe and Campus View, and based on that information, those five apartment complexes had a total of about 2,700 beds. If the City could rework the contracts with those apartment complexes whereby they paid $100 per semester or about $0.42 cents a ride assuming they utilized the service twice a day, it would generate $270,000 a semester to pay for the route. He suggested the City write a letter to the apartment complexes explaining the City would not provide service unless a certain amount of revenue was provided. He thought they needed to alert the apartment complexes as this was a problem for them as well.

Ms. Hoppe suggested they determine what it would cost the apartment complexes to provide the same existing service. She thought it would be great for the City to ultimately provide better and more thorough service as transit served the City in many ways, such as economically, by reducing traffic congestion, etc. She felt they needed to proceed by providing many options and through a dialogue with the students. In terms of stopping the transit service to Lenoir, she asked staff to contact Lenoir to determine if they would want to contribute in some manner so service was still provided to them. She believed efficient and modern transportation was good for all Columbians.

Mayor McDavid asked if the City needed University permission for the red route to go on campus. He assumed they were City streets. He explained students lived to the west and the route went through Wabash without much traffic on it. Fundamentally, he believed they needed to look at restructuring everything for an increase in ridership and a more convenient system. If some of the routes went through the University, they might be used more readily.

Mr. Schmidt thanked staff for providing this information as he thought the City had the duty to the alert the public to the problem. He also believed the Council had the duty to provide a vision for the future. A world class transportation system would be a great selling
point for tourism, businesses, etc. He felt it was the job of the Council to explain that vision to the public so they understood why they should pay for a bus system, and believed it could be done. He was not sure how to engage students or others, but felt it was incumbent on the Council to help. He noted he was looking forward to future reports regarding the transit vision and how it would benefit the local economy and people. He did not see this as a tax on the students or University. He saw it as an offer to the University as an opportunity to use City resources to create something they would value as well.

Mr. Kespohl commented that the black and gold routes had a ridership of 801,000 last year, but the revenue off of it was $137,000, which was about $0.17 per ride. He hated to lose 40 percent of the ridership, but felt the amount of revenue generated needed to be higher.

Ms. Hoppe noted the students felt the cost per ride figure was low in the sense that many more students used the bus and it was not an empty or ten person bus. Mr. Kespohl pointed out these were the actual counts from the black and gold route. Mayor McDavid stated he did not believe the figures were deflated. Ms. Hoppe noted the cost per ride would be lower with more people on the bus. Mr. Kespohl explained that not all of the riders were necessarily students. Ms. Hoppe agreed it did not cover the cost, but felt the students had made a valid point. Mayor McDavid stated he did not agree with its validity. Mr. Schmidt pointed out that was the perception and the job of the Council was to explain it to the students and to ask them to share in the vision. Mr. Thornhill noted the students needed to understand it did not cost any less to run the bus regardless of its ridership.

**REP200-11 Intra-Departmental Transfer of Funds Request.**

Mayor McDavid understood this report was provided for informational purposes.

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Steve Wendling with offices at 555 Green Meadows stated he helped build what was now Columbia Regency when he was in high school and was involved with the last approved mobile home court built within the City of Columbia, which was Richland Heights. He explained the cost was $227 per month to operate a mobile home court in terms of expenses with today’s requirements with the assumption of seven lots per acre and not including property taxes, management or any profit margin. Mr. Kespohl asked if that was per lot. Mr. Wendling replied yes. It was $227 per month per lot. Mr. Schmidt understood that included capital costs and management. Mr. Wendling stated it would not include management. It only included the cost of development, land cost and the cost to carry at a 6.5 percent interest rate.

Mr. Dudley noted a constituent had contacted him regarding 1117 Ridge Road as the property owner was pushing large pieces of concrete into the ravines of the property and was also pushing over trees. He understood the Building and Site Development Division had been copied on the letter and asked staff to look into the situation to ensure the work had been permitted and was legal.
Mr. Schmidt commented that in terms of the power issue the Occupy CoMo people brought up, he agreed it was an inconvenience for the media and general public that used the lobby. He thought that as long as they had the right to assemble, they should be provided power as it was diminemous. He understood they had worked well with the police, and if there were issues in terms of cleanliness, he thought it needed to be worked out.

Mr. Matthes explained the power had been turned off due to a fire in the mulch outside. It would not be a problem to turn the power back on if the camping ended. He noted there was an ordinance that prohibited the camping. They were welcome in terms of their First Amendment right to protest, but needed to stop camping there. He pointed out the number of complaints from customers was rising significantly. He stated most of the people that had assembled were pleasant, but some had crossed the line.

Ms. Hoppe noted the Beta House on College, which was being constructed, had a height of 42 feet while the maximum allowed height was 35 feet. She understood it was an error on the part of the architect and not caught by the City.

Ms. Hoppe made a motion to halt construction at the Beta House. She noted they could go to the Board of Adjustment if they chose, but at this time they did not have legal permission to continue construction. The motion was seconded by Mr. Thornhill.

Mr. Schmidt noted it was November and a roof was needed prior to winter. In addition, it was the City’s error. Ms. Anthony pointed out it was not just the City’s fault as the architect constructed plans that did not meet the City’s ordinances.

Mayor McDavid understood this was a Board of Adjustment issue at this time. Mr. Boeckmann stated they had applied for a variance to the Board of Adjustment. Ms. Amin noted the Board of Adjustment would meet on December 13. Mr. Kespolh asked if they could be asked to call a special meeting. Ms. Amin replied it had been looked into, but they would only have been able to meet a week earlier due to the public notice requirements.

Ms. Anthony commented that she felt a certain course of action needed to be followed. Mr. Boeckmann stated he understood staff was looking into revoking the building permit, but pointed out it could be appealed, and if appealed, all action would be stayed.

Mr. Thornhill asked how this came about. Ms. Hoppe replied the East Campus Neighborhood Association had asked her to try to halt construction. Mr. Schmidt asked if the Neighborhood Association had been supplied a copy of the plans. Mr. Thornhill replied they were not provided plans. Mr. Matthes explained the property was properly zoned. Mr. Schmidt understood they only had to pull permits.

Mr. Thornhill felt this was not allowed regardless of whose fault this was and the only responsible thing to do was to not continue to do the wrong thing. Ms. Anthony agreed.

Ms. Hoppe explained that when the Library was built, the round tower was higher than allowed and the work was stopped. She was uncertain as to whether they tried to obtain a variance or not, but understood they had reduced the height.

Mr. Nichols explained that in the past when the City had issued a stop work order permit, they were told anything done beyond that point was at their own risk and that they might end up having to tear it all out.
Mr. Thornhill felt allowing them to proceed would make the variance decision pressurized.

Mr. Matthes commented that this was one of the most frustrating things at the staff level as staff missed it, and those involved were passionate about the topic, so it was even more frustrating to them.

Ms. Anthony stated she felt the City had the obligation to enforce its ordinances, especially since the issue was being raised by a resident in the ward in which it was being built.

The motion made by Ms. Hoppe and seconded by Mr. Thornhill to halt construction on the Beta House was approved unanimously by voice vote.

Ms. Hoppe noted she had received several e-mails from businesses on Buttonwood that were concerned about parking being eliminated on that road and asked where this was in the process. She explained they had provided alternatives for consideration. Mr. Nichols replied he understood the traffic engineer had sent out a survey and about half of those impacted were in favor of it while the other half was against it.

Ms. Hoppe asked that other options be considered, such as yellow marking on the road near the round-a-bout. She suggested a meeting be set up with some of those concerned in an effort to explore options.

Ms. Hoppe asked that the fiscal impact on staff memos be changed to fiscal notes as that was a more accurate description. Ms. Anthony understood the Council would be receiving a recommendation from staff regarding whether a fiscal impact analysis should be done for developments. Mr. Schmidt thought they wanted to know the fiscal impact and suggested staff indicate unknown or not calculated if it was unknown. Ms. Hoppe agreed to wait for the staff recommendation since they wanted to know the fiscal impact.

Ms. Hoppe commented that she thought she had asked at a previous meeting for the Affordable Housing Task Force Report completed in 2008 to be provided to the Council again and requested it be put on the next meeting agenda.

Ms. Anthony asked if the Affordable Housing Task Force had disbanded. Ms. Amin replied it had been disbanded. Ms. Anthony thought the Task Force might need to be reconstituted.

Ms. Hoppe suggested this issue be discussed at a work session to determine what aspects of the report the City could move forward with. This would ensure some action would be taken as well.

Mr. Matthes stated the report would be provided and the issue would be added to a pre-council agenda.

Ms. Hoppe asked for a report indicating why City codes had not been enforced at the Regency Mobile Home Park. She wondered if it was an enforcement or ordinance issue and wondered what could be done to help the situation in the future.

Ms. Anthony suggested this be discussed as a case study at a work session as she agreed it was a perfect opportunity to determine what was and was not working.
Mr. Matthes pointed out City staff produced the paperwork regarding the violations so the ordinances were being enforced. He thought they needed to research whether the owner acted on those violation notifications. Ms. Hoppe noted that was the part of enforcement she was most concerned with.

Mr. Schmidt stated the most complaints he received involved problem houses, abandoned homes with squatters, run down houses, etc.

Mr. Kespolh noted he thought the report was being worked on as he had asked for a report on this issue two weeks ago. Mr. Matthes stated that was correct.

Mr. Kespolh commented that the staff report associated with B322-11 indicated the Short Street garage would cost $11.8. Mr. Matthes stated he thought that figure included the cost of land and was the total CIP project cost.

Mr. Kespolh noted the motion made involved $9 million and as a result wanted that corrected.

Mr. Kespalh stated a business owner at Paris and Sandifer had asked for a handicapped parking spot on Sandifer for the business, Nora’s Beauty Shop. He understood the neighbor was agreeable and asked if this could be accommodated.

Mr. Kespolh noted he researched mobile home parks with regard to the expenses incurred by mobile home owners and understood the cost was about $10,926 per month for a mobile home park that was currently in operation. In addition, it would include another $5,500 per month if a land payment was involved. He suggested the Council revisit the requirement of the three month abatement recently passed. He commented that the manager at Regency indicated the water, sewer and salary was $15,000 per month and the mobile home park would have to operate with no income for three months. He also was uncertain as to the legality of the three month abatement requirement since they would be interfering with a contract.

Mayor McDavid asked if the three month abatement requirement was legal. Mr. Boeckmann replied he did not think it was due to existing contracts. He explained there was a contract between a tenant and landlord, and the Council, by passing that requirement, was saying the tenant did not have to honor the contract.

Mr. Kespolh asked for an ordinance that would remove three month abatement requirement to be put on the next agenda.

Ms. Anthony suggested a work session be held on TIF districts as she wanted to look at TIF areas. She understood it had been discussed for the downtown. She asked for this issue to be moved up on the Council’s priority schedule. Mr. Matthes noted the Downtown Columbia Leadership Council had done an entire charrette and the Council had asked him to analyze it and provide a recommendation. He explained they could accelerate the part involving TIF districts or could leave it as a package and bring it back all together. Ms. Anthony asked that the TIF portion be handled separately so they could move forward with it.

The meeting adjourned at 12:51 a.m.
Respectfully submitted,

Sheela Amin
City Clerk