INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Tuesday, September 4, 2012, 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 TRAPP, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID and SCHMIDT 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 August 20, 2012 were approved unanimously by voice vote on a motion by Mr. Dudley and a second by Mr. Trapp.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Ms. Hoppe asked that B225-12 be moved from the consent agenda to old business.

Ms. Anthony asked that B217-12 be moved from the consent agenda to old business.

Mr. Kespohl made a motion to approve the agenda with the changes requested by Ms. Hoppe and Ms. Anthony of moving B225-12 and B217-12 from the consent agenda to old business. The motion was seconded by Mr. Dudley and was approved unanimously by voice vote.

SPECIAL ITEMS

None.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

SCHEDULED PUBLIC COMMENT

Frankie Minor - Trash Bags.

Frankie Minor, 403 S. Garth Avenue, commented that he was representing a larger group of people who were interested in retaining the current trash removal system, and asked those in support to stand. Approximately 40 people stood. He explained they liked the current collection method, which utilized trash bags. He noted many had experienced the three basic methods of trash collection in other cities involving trash cans, roll carts and trash bags, and based upon those experiences, they believed the current method was far more superior for customer use and convenience. They did not want the City to expend public funds on a pilot program for something the public did not want or need, and hoped the Council would abandon the proposed pilot program as well as the roll cart plan. After reading the City’s publication on the roll cart proposal and meeting with City staff, he understood the proposed change was based on the assumption that roll carts were an improvement, and while roll carts were better than trash cans, they were not better than trash bags in terms of
customer use, efficiency and ease of collection. He also understood staff believed compressed natural gas (CNG) was better than diesel fuel for sanitation vehicle fuel needs, but new CNG trucks would cost $50,000 more per vehicle than diesel trucks. In addition, the proposed fuel farm would be built free of charge only if the city guaranteed to use 15,000 gallons per month, and the City’s own estimates indicated it would use 5,000 gallons per month at most. This left a deficit of 10,000 gallons per month, which could result in higher fuel costs or a future rate increase to Columbia citizens. He commented that the effort to increase worker safety and decrease workman compensation claims was admirable, but he believed the assumption the claims would change needed more scrutiny. Workman compensation claims had fluctuated over the last few fiscal years and the approximate $75,000 per year in claims was a small percentage of the nearly $1 million in total claims the City paid annually. He pointed out the 2007 and 2011 surveys had cited a 85-94 percent satisfaction with current solid waste service, and the fact some on the Council had indicated overwhelming opposition to the new proposal. He urged the Council to abandon the pilot program and the overall proposed change for trash collection in Columbia.

Andrew Ouart - Implementing the Tiger Town USA Concept.

Andrew Ouart explained he would try to implement the Tiger Town concept this season. He stated he had lived in Gainesville, Florida for twelve years, Starkville, Mississippi for eight years and Oxford, Mississippi for eight years. He was trying to find a way to host 30,000 visiting SEC fans in Columbia as he believed it would be beneficial to all local businesses in terms of more money in the community. He asked to meet with the Council and noted he was open to suggestions and feedback in an effort to make it work better for everyone in the community.

PUBLIC HEARINGS

B205-12  Adopting the FY 2013 Annual Budget for the City of Columbia.
B206-12  Amending Chapter 6 of the City Code relating to building permit fees.
B208-12  Amending Chapter 11 of the City Code relating to Public Health and Human Services Department fees.
B209-12  Amending Chapter 17 of the City Code relating to Parks and Recreation fees.
B210-12  Amending Chapter 14 of the City Code relating to parking fees for unmetered off-street facilities.
B211-12  Amending Chapters 13 and 22 of the City Code relating to sewage service utility rates.
B212-12  Amending Chapter 22 of the City Code relating to the Solid Waste District boundary, services and fees.
B213-12  Amending Chapter 27 of the City Code relating to service fees, security deposits and water service line fees.
B214-12  Amending Chapter 27 of the City Code relating to electric rates.
B215-12  Amending Chapter 27 of the City Code relating to water rates.
B207-12  Amending Chapter 22 of the City Code relating to the Rental Unit Conservation Law including fee increases.

B205-12, B206-12, B208-12, B209-12, B210-12, B211-12, B212-12, B213-12, B214-12 and B215-12 were given third reading by the Clerk, and B207-12 was given second reading by the Clerk.

Mr. Matthes and Mr. Blattel provided a staff report.
Mayor McDavid understood they were starting with a $1.3 million deficit. Mr. Matthes replied the total general fund deficit in the FY 2013 budget was $2.3 million, but staff had identified a closure of $1 million, which left a $1.3 million deficit for the FY 2014 budget.

Mayor McDavid assumed PILOT income to the general fund would be higher than anticipated due to water and electric use during the past couple of months, and asked for the impact of the PILOT to the general fund for the current fiscal year. Mr. Blattel replied he would be able to provide that information at the next meeting. Mr. Matthes pointed out the increase in PILOT due to an increase in water and electric use would be included in the FY 2012 budget for accounting purposes and would technically not be available for the next fiscal year. Mayor McDavid understood it would go into the reserve fund, which the Council could make available if it felt it was necessary. Mr. Matthes stated that was correct.

Mayor McDavid asked for clarification regarding the status of using City funds to initiate a roll cart program. Mr. Matthes replied it was not in the budget. He explained they had the capacity to implement it through the internal debt fund, which was included in the budget, but it was not available at this point. Mayor McDavid understood staff had not yet recommended the initiation of the roll cart trash collection system for next year, but if that changed, approval by Council would be required for funding. He noted the City was not initiating a roll cart program at this time, but this did not preclude staff from proceeding with a pilot study. Mr. Matthes explained the budget did not institute a roll cart program. It did include the capacity to do it at some future point, if desired. Mayor McDavid understood staff did not have the authority to initiate roll carts. Mr. Matthes pointed out staff planned to present all of the information it had with regard to the trash collection system at the next Council Meeting, and would then present a concept for a pilot program.

Mayor McDavid asked for the impact on the general fund due to the loss of tax revenue from car sales as a result of the bill vetoed by the Governor. Mr. Blattel replied he did not know because he did not know how many people would purchase cars outside of the State of Missouri.

Ms. Hoppe stated she was interested in the comments made by Dan Hemmelgarn regarding the subsidy for retirees under age 65 at the last Council Meeting as it appeared promises had been made indicating it was not a temporary subsidy. If this was the situation, she planned to offer an amendment. Mr. Matthes stated there were many documents in the Council record clearly indicating this was a temporary subsidy. The vision point in 2007 was to maintain the benefit for the interim, but that it reach self-sufficiency by 2012. Ms. Hoppe asked that the documents referred to be provided to her. Ms. Buckler pointed out a resolution that included guidance for a five year period that would expire at the end of this year had been adopted, and staff was now at a point where direction was needed with regard to how to move forward. Ms. Hoppe asked for a copy of that resolution as well.

Ms. Anthony understood the staff recommendation was to keep the addition of one city counselor dedicated to the Police Department in the Law Department, and to add the police officers and firefighters if the 911 ballot was approved. Mr. Matthes stated that was correct. Mayor McDavid asked how this could be put in the budget since it was dependent on a public vote. Mr. Matthes replied a motion would establish the will of Council. Mayor
McDavid understood a change in the budget would be contingent upon passage of the ballot issue.

Mr. Kespohl commented that Council had received a document from the Water and Light Advisory Board indicating the problem with the current electric rate structure was that it was dependent on higher usage in order to generate sufficient income, and as a result responsible fiscal management was at odds with encouraging conservation. He thought this situation needed to be reviewed as the rate structure appeared to be a problem.

Mr. Kespohl asked why the building fee for residential was being increased by 2.5 times the current rate. Mr. Matthes replied this was due to the current approach which involved a half price discount. He stated staff was unsure of the reason residential development had been charged half of the rate of other types of development since there was not a difference in the cost structure or the cost to build in terms of wood, drywall, electric, etc. He explained staff was trying to address this deep discount. Mr. Kespohl understood the value had not been raised since 1991. Mr. Matthes replied that was correct. Mr. Kespohl understood the City was raising the values and the rate at the same time. Mr. Matthes stated that was true on the residential side. Mr. Kespohl suggested this be reconsidered.

Mayor McDavid opened the public hearing for all of the bills associated with the budget.

Melinda Hemmelgarn, 412 Thilly Avenue, commented that the City Manager’s 2013 budget proposal might harm retired City employees and their families by essentially pricing them out of access to health insurance and healthcare, and broke the promise of a health insurance subsidy to retired employees as established by R280-07. She explained her husband was a retired firefighter and she was self-employed, and they were both covered by City insurance. She noted she had a pre-existing condition, and she would be denied if she were to seek healthcare in the open market. This left her and other families in a bind as they had no choice other than to stay with City health insurance and pay soaring premiums or lose access to healthcare. She felt most of the affected retirees did not know how the removal of the subsidy might financially price them out of healthcare. The letter received by the Human Resources Director indicated the City would be stopping the subsidy but did not provide a dollar value. In her family’s situation, their insurance premiums would increase from $1,100 per month to just under $1,400 per month. Insurance premiums for retired employees with children still eligible for the plan would go from just under $1,600 per month to $1,900 per month. She asked the Council to put themselves in the shoes of retired City employees and to not fund new projects and personnel on the backs of retirees, many of whom were on a fixed income. She asked Council not to break its promise to City employees and to keep the full subsidy to retirees. She also asked the Council to reconsider an increase in revenues by increasing progressive taxes as citizens already paid relatively low property taxes. She noted she would rather pay pennies more in property tax than see retired City employees get priced out of healthcare.

There being no further comment, Mayor McDavid continued the public hearing for all of the bills associated with the budget to the September 17, 2012 Council Meeting.
Mayor McDavid commented that the Council was fundamentally dealing with an $80 million budget and about 40 percent of it involved public safety. City revenues had not kept up with the rate of inflation times the rate of growth. He felt the City needed to think about whether it was collecting appropriate fees. He thought the lack of a use tax to allow the City to capture sales tax for a car purchased out of state was an issue and noted a couple million dollars in sales tax revenue were lost per year due to internet sales. This was a problem because the City still needed to hire police officers and firefighters. Globally, it cost money to provide the services citizens wanted and the City needed to look at the fees being charged to ensure they were being charged fairly and equitably, and were consistent with fees charged throughout the State of Missouri and the United States.

Ms. Hoppe made a motion to amend the budget by not reducing the retiree health insurance premium subsidy. The motion was seconded by Ms. Anthony.

Mr. Schmidt stated he appreciated the detailed cost accounting done in terms of all of the fees. He commented that someone would pay for what was needed, and the question involved who should pay. If there was not 75 percent cost recovery from the builder/buyer, the general public would pay for it. He felt they needed to determine what was fair when looking at all of the fees, and he was tempted to rely on the cost accounting for all of the fee increases. If the fees were not charged to the user, they were charged to the general public, and he wondered why the general public needed to pay for it.

Mr. Trapp commented that he was comfortable with a one time allotment in terms of changing the budget rather than something in perpetuity, such as adding staff or restoring the insurance subsidy forever, as that was a long term cost that would continue year after year. He felt they had room to address one time costs.

Mayor McDavid stated he felt for retired employees who had to pay for healthcare. When leaving a job in the private sector, one could purchase insurance through COBRA for eighteen months, but the person was on his own afterwards in terms of finding and purchasing health insurance. For this reason, people were no longer retiring. He noted he was surprised to find the City was providing healthcare to retirees and understood a promise had been made to do it for five years, which he respected, but pointed out the continuation of funding retiree healthcare at $200,000 per year was equivalent to three police officers not being hired. He commented that over the last twelve years, the City had gone from 1.65 police officers per thousand to 1.45 police officers per thousand. The same was true for firefighters as the ratio had gone from 1.45 firefighters per thousand to 1.25 firefighters per thousand. He noted one fire station was not staffed because of this situation. He believed funding retiree healthcare would be at the expense of public safety officers, and stated he would support the original staff recommendation, which was to discontinue the retiree subsidy for healthcare this fiscal year.

Ms. Hoppe agreed with Mayor McDavid in that Council needed to look at all of its sources of income and to ensure the fees were fair. She explained she was on the Council when the retiree insurance was reviewed and believed there had been an understanding that there would be a subsidy. She also believed the City needed to honor its commitments to existing retirees. She thought the situation for future retirees could be different. Mr. Noce commented that the budget amendment would address this year only, and would not
necessarily be for perpetuity. Ms. Hoppe understood and stated she felt the existing subsidy should remain for existing retirees for the FY 2013 budget year.

Mr. Schmidt commented that he had reviewed the documents of the City as well as the documents provided by the Hemmelgarns, and believed the City was clear the subsidy was for five years, but the letter sent to the retirees by the third party administrator had implied the subsidy would continue. As a result, he was inclined to support a partial reduction in the subsidy instead of a full reduction.

Ms. Anthony stated she would support a subsidy of some kind at the very least because she felt it was too harsh an imposition on the retirees to eliminate it fully.

The motion made by Ms. Hoppe and seconded by Ms. Anthony to amend the budget by not reducing the retiree health insurance premium subsidy was defeated by voice vote with only Ms. Hoppe voting in favor of it.

Mr. Trapp made a motion to amend the budget by adding 50 percent of the retiree health insurance premium subsidy back into the FY 2013 budget. The motion was seconded by Ms. Hoppe.

Mr. Trapp commented that he believed this was acceptable since it was a one time expenditure. It was not something that would continue year after year and would ease a difficult transition. From his reading of the documents, he did not feel the elimination of the subsidy had been made clear to retirees through the information they had received, but it had been made clear through the public budget process.

Mr. Kespohl asked if it was Mr. Trapp's intention to phase this out over time. Mr. Trapp replied yes. Mr. Kespohl asked if he would phase out the other 50 percent next year. Mr. Trapp replied yes, if it was needed.

Mr. Schmidt commented that many employees, retired and still working, had made a number of compromises to ensure the pensions promised were deliverable.

Mayor McDavid stated post retirement healthcare issues were tragic, but it was societal. It was to the point no one could retire early unless they had another job with benefits.

The motion made by Mr. Trapp and seconded by Ms. Hoppe to amend the budget by adding 50 percent of the retiree health insurance premium subsidy back into the FY 2013 budget was approved unanimously by voice vote.

Mr. Kespohl made a motion to amend the budget by reducing the building permit fee increase by 50 percent. The motion was seconded by Mr. Dudley.

Mayor McDavid stated he did not like taxes, but the City had a government to fund and police officers and firefighters to hire, and this building permit fee was 0.34 percent of the cost of construction. It was a market rate and consistent with building permit fees throughout Missouri and the Midwest. He pointed out $217,000 was equivalent to six police officers. He did not believe $300 on a $200,000 house was unreasonable and noted part of the premise was to recapture the actual cost of permitting. It was not a cash generating activity. He understood there could be an issue beyond the scope of this discussion in terms of whether all of the inspections were necessary, but he viewed this building permit fee as necessary to deliver the degree of service the community expected from City government, so he planned to vote against the motion.
Mr. Kespohl agreed the fees were at a level that could be higher, but his concern was that this increase would make homes more unaffordable, and an issue in the community was affordable housing. He suggested the increase be implemented in stages.

Mr. Schmidt understood these fees had not been raised for more than a decade and this would not even recover the full cost. It would only recover about 75 percent of the cost. He agreed they could review whether the inspection service was being delivered efficiently and understood it was a huge increase, but noted someone else had been footing this cost since 1991. He did not think the general taxpayer should bear this cost. He felt the buyer of the house should be responsible for it.

Ms. Anthony stated she would not support the reduction in the building permit fee as she believed it was overdue. She felt they should have been increasing these costs all along as cost recovery was important. She also did not believe a phased in approach would work due to the valuation and calculation they had to use, so she thought it should be increased by the full amount now.

Mr. Dudley asked if staff had looked into the cost difference of having a private inspector versus the City providing this service. Mr. Matthes replied they had reviewed this in terms of rental inspections and had found private inspections tended to be more expensive since a profit margin was built in. Mr. Dudley understood the City was still saving the contractor and construction company money even though the fee was being increased.

Mr. Schmidt suggested they incorporate cost of living and inflation adjustments in these fees. Mr. Matthes explained the budget proposal included an annual review of this particular fee to stay in line with the values and noted those costs tended to fluctuate.

The motion made by Mr. Kespohl and seconded by Mr. Dudley to amend the budget by reducing the building permit fee increase by 50 percent was defeated by voice vote with only Mr. Dudley and Mr. Kespohl voting in favor of it.

Mayor McDavid stated the per capita number of police officers had declined by eight percent over the last ten years and given that public safety was the second highest priority in the citizen survey, he thought they should add two full time police officers.

Mayor McDavid made a motion to amend the budget by adding two full time police officers at a cost of $135,782. The motion was seconded by Mr. Kespohl.

Ms. Anthony thought the issue of police officers versus the city counselor position should be discussed together. The consultant hired by the City to review issues in the Police Department recommended hiring a city counselor dedicated to the Police Department and she believed they needed to follow through with that recommendation to help resolve problems. She suggested a city counselor dedicated to the Police Department and a police officer.

Mr. Schmidt suggested they provide funding to Chief Burton and let him decide which option allowed for more officer hours on the street. Ms. Hoppe agreed that if the city counselor position allowed the Police Department to do a better and more efficient job, it would create a savings in terms of officer hours on the street. Ms. Anthony felt that was contrary to the recommendation of the consultant as the consultant felt a full time city counselor was needed.
Mr. Matthes pointed out the potential of the 911 ballot would allow for both in terms of a city counselor, police officers and firefighters. Mr. Kespolh asked if it would be a total of two or four police officers. Mr. Matthes replied they were listed in two different places, so it was a total of only two police officers.

Mr. Trapp believed the 911 ballot would free up money to add to public safety. He agreed they had not been able to keep up with growth for a variety of reasons, but had made long term decisions to better position the City to add to public safety. If the hiring of a city counselor would help the police force, he was supportive of the recommendation. He pointed out Chief Burton had taken and would continue to take action to maximize hours on the street.

The motion made by Mayor McDavid and seconded by Mr. Kespolh to amend the budget by adding two full time police officers at a cost of $135,782 was defeated by voice vote with only Mayor McDavid and Mr. Kespolh voting in favor of it.

Mayor McDavid asked if the 911 ballot issue would be on the April ballot. Mr. Matthes replied Boone County Commissioner Atwill had indicated it would be on the April ballot. Mayor McDavid understood two police officers and three firefighters could be added if the 911 ballot issue was approved. Mr. Matthes stated four firefighters were needed to re-staff Fire Station No. 2 and the dollar amount on the amendment sheet would accommodate four firefighters. In addition, another vehicle might be needed with the addition of two police officers. Mayor McDavid asked for clarification regarding his recommendation. Mr. Matthes replied two police officers and four firefighters.

Mayor McDavid made a motion to amend the budget adding two police officers and four firefighters contingent upon the passage of the 911 ballot issue. The motion was seconded by Mr. Kespolh and approved unanimously by voice vote.

Mr. Kespolh understood the cost of service for reconnection after hours was higher than during office hours. Mr. Matthes stated that was correct.

Mr. Trapp made a motion to amend the budget by eliminating the increase to the disconnect fees and the increase to the residential reconnect fees during working hours. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mr. Blattel explained he had researched the restructuring of the 2006C debt further, and if the principal payment was raised to $500,000, the savings would be $7.4 million instead of $6.8 million. He suggested the motion be to restructure the debt so principal payments early on would be approximately $500,000 and level debt payments would occur in 2017 or thereafter as it would allow him to time and adjust to market conditions for a maximum savings. Mayor McDavid understood this would not require a rate increase. Mr. Blattel stated that was correct.

Mr. Kespolh made a motion to amend the budget by restructuring 2006C debt to pay approximately $500,000 principal per year until about 2017 and for a level debt payment afterwards. The motion was seconded by Mr. Trapp.

Mr. Trapp thanked Mr. Kespolh for suggesting this as it would save the City money.

The motion made by Mr. Kespolh and seconded by Mr. Trapp to amend the budget by restructuring 2006C debt to pay approximately $500,000 principal per year until about 2017 and for a level debt payment afterwards was approved unanimously by voice vote.
Mr. Matthes explained Mr. Dudley had asked for a sponsorship to the Salute to Veterans be added to the budget. Mayor McDavid asked if it would come out of the FY 2013 contingency fund and if there would still be another $93,000 in it. Mr. Matthes replied yes.

Mr. Dudley made a motion to amend the budget by providing a $5,000 scholarship to Salute to Veterans from the Council contingency fund. The motion was seconded by Mr. Kespohl and approved unanimously by voice vote.

Mayor McDavid understood the rest of the changes could be addressed with one amendment to the budget. Mr. Matthes stated that was correct as they were primarily housekeeping issues.

Mayor McDavid made a motion to amend the budget as suggested by staff per the amendment sheet dated for August 30, 2012 for all other items not previously discussed. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

OLD BUSINESS

B187-12 Amending Chapter 12A of the City Code as it relates to stormwater management.

The bill was given second reading by the Clerk.

Mr. Matthes, Mr. Glascock and Mr. Noce provided a staff report.

Ms. Anthony asked Mr. Glascock for his position in terms of development versus redevelopment. Mr. Glascock referred to an aerial photo on the overhead, and explained if the owner wanted to sell the restaurant building, it would be considered a new development due to subdivision. In his opinion, it was redevelopment as it involved a 100 percent impervious site, but they were having trouble defining it as redevelopment. He suggested staff be allowed to work through that issue as there were many highly impervious lots over an acre in size.

Mr. Schmidt asked if an amendment could be made tonight to address that issue. Mr. Glascock replied it was highly complicated and he did not believe the Council wanted to give him discretion in terms of making the decision.

Mr. Matthes suggested the proposed bill be passed while staff continues to work on this one outstanding issue.

Mr. Kespohl stated he was concerned with large sites and sites along Business 70 because if this issue of subdividing and redevelopment was not addressed, those sites would never redevelop due to the expense.

Mayor McDavid understood a lot of time had been spent on this and stated he was surprised this issue had not been resolved. He attended a meeting in December of last year and felt they were not any closer to resolution than they had been then. Mr. Glascock pointed out there had actually been resolution on about fifteen items. The one left was difficult since it was over an acre and subdivision did not cause a disturbance.

Jay Gebhardt stated he was a civil engineer with A Civil Group, and encouraged the Council to approve the storm water ordinance and to ask staff to come forward with an amendment within a certain amount of time to address the last concern. He thought it was something staff had a good feel for and could resolve fairly quickly.
Mayor McDavid agreed this was a complicated issue and that there would be some unintended consequences that might need to be addressed at a later date. He noted Business 70 had some vibrant businesses, but it also had empty buildings and asphalt parking lots, and he wanted to ensure they did not make it too expensive to redevelop these areas. He thanked Mr. Gebhardt for his comments as it made it easier for him to support the proposed ordinance. He noted he viewed it as unfinished work.

Mr. Dudley commented that it had taken a long time for the Storm Water Advisory Commission and City staff to come up with the proposed ordinance, and he thought they should pass it. He looked forward to seeing the amendment to it in the future to address the issue mentioned.

Ms. Hoppe thanked staff for their work and for arriving at this resolution, and asked how long it would be before an amendment was brought forward. Mr. Glascock replied he hoped it would not take longer than one month. Ms. Hoppe commented that while she wanted redevelopment along Business 70, she did not think they should sacrifice needed storm water control. She noted there were ways to incentivize redevelopment in the area other than not having storm water controls.

Mr. Schmidt agreed with Ms. Hoppe and believed properties were more valuable in Columbia because it was a better piece of property due to storm water, etc. They wanted it to be economically efficient while resulting in good property.

Ms. Anthony thanked staff and noted the storm water ordinance that had been previously enacted had some problems. She thought they needed to find a happy median. They did not want to stifle growth, but needed to address storm water issues. She felt the give and take and hard work of staff and the development community was impressive. She noted she was happy to support the proposed ordinance and was anxious to see the forthcoming amendment.

B187-12 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B217-12 Approving the Final Plat of Red Oak South, Plat No. 1 located on the south side of Grindstone Parkway, across from the intersection of Grindstone Parkway and Grindstone Plaza Drive; authorizing a performance contract.

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Anthony asked if Norfleet would connect with Grindstone Parkway. Mr. Teddy replied yes, and explained it would be right in/right out only as there would be a barrier median on Grindstone Parkway at that location. In addition, an opposing street or private drive would not be aligned with it. Ms. Anthony asked if there would be an extra lane going in and out of the development. Mr. Teddy replied no. He noted it was a fairly wide two lane road and all movements going northbound would be forced to turn right.

Ms. Anthony commented that Grindstone Parkway was supposed to move east/west traffic and there would be less traffic flow with more interruptions in traffic. There was already a traffic light at Grindstone Plaza Drive and a turn lane going in and out of Norfleet was not planned, so drivers would be pulling into the existing two lanes. She asked if an
extra lane had been discussed. Mr. Schmidt stated he was concerned it would come from the bike lane as he understood there was a bike lane on Grindstone Parkway. Ms. Anthony asked if the traffic engineer had reviewed this as she was concerned with keeping the traffic moving. Mr. Teddy replied a traffic study had been done in 2010 and was updated with an addendum as part of the preliminary plat. He noted it had included some recommendations and believed there would be subsequent analysis as the development as whole was built out. Ms. Anthony asked who would be responsible for the cost of the recommendations. Mr. Teddy replied it could be assigned to the development if generated by a user of the development.

Mayor McDavid understood this only involved the acceptance of the plat and it did not provide approval to build anything since it was C-P. Any permission to develop would require Planning and Zoning Commission and Council review, so the questions asked by Ms. Anthony would be addressed at that point. Mr. Teddy explained one lot had been approved for development, but other C-P plans would be required so there would be an opportunity to revisit the 2010 traffic study and 2012 addendum or require a new analysis.

Mr. Kespolh asked if the bike lane was wide enough for a car. Mr. Schmidt replied it was wide enough, and he would rather have vehicles turning right into the bike lane than eliminating the bike lane. Ms. Hoppe stated she did not believe the bike lane was wide enough. Mr. Schmidt agreed improvements could be addressed at the time the C-P plan came back to Council. Mr. Teddy commented that there could be a well used right turn lane that crossed a bike lane similar to that at Forum and Stadium. Mr. Schmidt believed that situation would be ideal.

B217-12 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B225-12 Amending Chapter 26 of the City Code to allow hotel/motel gross receipts license tax revenue to be used for economic development.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Ms. Hoppe asked if the Convention and Visitors Advisory Board or the Columbia Hospitality Association had been given the chance to review and provide feedback on this issue. Mr. Matthes replied he had presented this to the Convention and Visitors Advisory Board and had answered the questions they had. He did not believe there was any opposition, although he was asked when it would end. He could not answer that specific question, but could address it in terms of the proposed budget. He noted there was a connection between the Economic Development Department and the Convention and Visitors Bureau, and economic development could help grow the fund. Ms. Hoppe explained she did not object to this, but was not clear on whether they had been allowed the opportunity to provide input. She suggested tabling this item to provide the opportunity for comment. Mr. Matthes stated he had presented this to the Convention and Visitors Advisory Board in July when the budget was released. He had presumed they would have communicated with the Council if they were opposed. He asked if further communication
could occur without tabling the issue since it was part of the budget. Mr. Schmidt thought they might be able to meet prior to September 17 depending on their meeting cycle.

Mr. Matthes stated in his view the communication had occurred and there was very little concern. Ms. Hoppe understood the communication was with the Convention and Visitors Advisory Board, but not the Columbia Hospitality Association. Mr. Matthes commented that the Association had no role in the budget and was independent of the City. Ms. Schneider stated the hotels were notified by e-mail when Mr. Matthes made his presentation to the Convention and Visitors Advisory Board. Ms. Hoppe asked if she had received any responses. Ms. Schneider replied questions had been asked and answered by Mr. Matthes at the Advisory Board meeting, and she had not heard much since then. Mr. Matthes stated his sense was that they were somewhat concerned until they learned there would not be a cut to the funding of the Convention and Visitors Bureau. They would just share the natural growth in that fund with Regional Economic Development, Inc, who also contributed to room nights.

Mr. Schmidt understood the City would still make an additional contribution out of the general fund because this was only $50,000 out of approximately $400,000. Mr. Matthes stated that was correct. He explained they had taken away $25,000, but had given back $50,000 from a different funding source.

Ms. Hoppe stated she wanted to ensure it was discussed and that the groups had been provided the opportunity to comment, and she understood, per staff comment, they were supportive.

Mr. Trapp commented that when revenue did not keep up with growth and inflation, they had to be creative, and moving things out of the general fund was a great idea. He noted he agreed there was a connection between economic development and hotel rooms.

B225-12 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B226-12 Electing to change the Missouri Local Government Employees’ Retirement System (LAGERS) benefit for City employees hired after September 30, 2012 to remove the unreduced age and service retirement eligibility for such employees whose age and years of service total 80 or more.**

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

B226-12 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B227-12 Authorizing an agreement with Community Foundation of Central Missouri and Greater Horizons for establishment of the Columbia Arts Foundation.**

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Trapp made a motion to amend B227-12 per the amendment sheet. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.
Ms. Anthony asked if this would be a substitute to City funding for the arts. Mr. Matthes replied it was not a substitute. He explained there was not a cut to the Cultural Affairs budget other than the two percent cut required of every department. This was an effort to enable a way to grow the arts budget. It was a private sector solution for future needs.

Ms. Hoppe asked for the amount of money the City was hoping to collect and whether other communities had done this. Mr. Matthes replied the initial contribution would be $10,000, which was the minimum to establish the fund and they hoped to use this money to create matching and fundraising opportunities. He understood other cities had used endowment funds for various efforts and those efforts were usually only successful when outside of the government, which was why this was driven by the private sector.

Mr. Schmidt asked if this would be analogous to the Columbia Public Schools Foundation. Mr. Matthes replied yes.

Mr. Schmidt understood the Community Foundation of Central Missouri was the 501c(3) that would be the fiduciary organization and Greater Horizons would be the fund manager. Mr. Matthes stated that was correct. He explained the City received assistance from Greater Horizons, but locally controlled what was done with the funds. Mr. Schmidt thought the fees seemed reasonable.

Mr. Stevens pointed out this would not replace the Cultural Affairs budget. He explained they had been using money from a reserve fund over the last few years to help augment the annual funding process for arts agencies, and that fund balance would be zero after this year, so this was a way to replace that reserve fund and increase those funds for the future. He noted the City was funding about half of what was requested from arts agencies and this would allow them to potentially provide more programs and services in the future.

John Clark, 403 N. Ninth Street, stated he believed the idea of raising money for the arts was good, but he did not believe the City should decide how the money would be spent as he believed it would have a deadening effect on donations. The discussion tonight even indicated the fund would replenish the Cultural Affairs budget. He suggested an independent foundation board because he believed the idea of the City making decisions would undermine the long term success of the foundation. He believed the real goal was to have more funding for the arts in Columbia and not necessarily for the City's Cultural Affairs budget.

Mr. Matthes pointed out an advisory committee would be established and would consist of the Chair of the City's Commission on Cultural Affairs, three members appointed by Council and the Manager of the Office of Cultural Affairs. Mr. Clark stated he believed it was still the City government and suggested a seven member board with the Council only appointing one member.

Ms. Anthony stated she intended to support this proposed ordinance. She wanted to ensure it was clear that the City still planned to fund the cultural arts, now and going forward, as it was important to the community. She did not want this to become a substitute for that type of funding. She preferred it augment City funding.
B227-12, as amended, was given third reading with the vote recorded as follows:

VOTING YES: TRAPP, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID, SCHMIDT.
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.

B216-12 Approving the 1109 Locust C-P Plan located on the north side of Locust Street, between Hitt Street and Waugh Street; approving a revised statement of intent; accepting a conveyance for street purposes.

B218-12 Authorizing an agreement for professional architectural services with Peckham and Wright Architects, Inc. for the design of a new vehicle maintenance building at the Parks and Recreation facility located at 1615 Business Loop 70 West; appropriating funds.

B219-12 Authorizing construction of a portion of the south section of the 24-inch East Transmission Water Main Project from the Shepard Water Tower to the intersection of Maguire Boulevard and Stadium Boulevard; calling for bids through the Purchasing Division.

B220-12 Accepting conveyances for utility purposes.

B221-12 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Park and Recreation Department’s Career Awareness Related Experience (CARE) Youth Employment Program.

B222-12 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Park and Recreation Department’s Adapted Community Recreation Program.

B223-12 Amending Chapter 6 of the City Code as it relates to toilet facilities required by the Building Code and Plumbing Code of Columbia, Missouri.

B224-12 Amending Chapter 12 of the City Code relating to Human Relations and the Commission on Human Rights.

B228-12 Accepting a grant from the Missouri Office of Homeland Security for the Fire Department’s Community Emergency Response Team (CERT) program; appropriating funds.

B229-12 Accepting donations from Landmark Bank and MFA Oil to be used for awards ceremonies for Police Department employees; appropriating funds.

B230-12 Authorizing a subrecipient monitoring agreement with Boone County, Missouri relating to acceptance of the FY 2012 Justice Assistance Grant (JAG) Program Award to purchase equipment for the Police Department.

R137-12 Setting a public hearing; construction of improvements at the Columbia Regional Airport to include a larger passenger holding area, relocation of the baggage claims area, providing for a controlled access system to the ramp, and constructing an overflow parking lot with lighting on the west side of Airport Drive.

R138-12 Setting a public hearing; consider grant applications relating to the Transportation Enhancement and Safe Routes to School Programs.
R139-12 Authorizing Amendment No. 2 to the agreement with the Missouri Department of Health and Senior Services for Maternal Child Health Services.

R140-12 Authorizing Amendment No. 2 to the agreement with the Missouri Department of Health and Senior Services for Public Health Emergency Preparedness Services.

R141-12 Authorizing a sewer repair cooperative agreement with Boone County, Missouri for the removal of a deteriorated manhole as part of the Courthouse Plaza renovation project.

R142-12 Authorizing an agreement with Partnership for a Healthier America, Inc. as it relates to a grant application for a “Play Streets Program” through the Department of Parks and Recreation.

R143-12 Authorizing an operations agreement with Thumper Productions, LLC for the 2012 Roots ‘N Blues ‘N BBQ Festival.

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

NEW BUSINESS

R144-12 Authorizing agreements for transportation services with SCI Gateway at Columbia Fund, LLC and Grindstone Properties I, LLC.

The resolution was read by the Clerk.

Mr. Matthes provided a staff report.

Mayor McDavid asked how much funding the City had for the Black and Gold routes. Mr. Glascock replied he did not have that number with him. Mayor McDavid asked for the number of other apartment complexes the City had not entered into a contract with. Mr. Glascock replied there were several. Mayor McDavid understood that would be the focus of the marketing people. Mayor McDavid asked for a report providing a status update on the success of recruiting riders on the Black, Gold and FastCAT routes to be presented at the October 1, 2012 Council Meeting as he wanted to know how close they were to sustainability.

Mr. Kespohl asked if these two apartment complexes were on the Gold route. Mr. Glascock replied yes. Mr. Kespohl asked if the first two apartment complexes the City entered into agreements with were on the Black or Gold route. Mr. Glascock replied they were on the Gold route. Mr. Kespohl understood all of the contracts were on the Gold route. Mr. Glascock stated he believed that was correct.

Ms. Hoppe commented that three large apartment complexes would be constructed by next year, so the City would be looking to add those the following year. Mr. Glascock stated the City had been in discussion with the apartment complex on Grindstone already. Ms. Hoppe noted Aspen Heights had made statements indicating they would be interested in City transit service.

Mayor McDavid understood the University of Missouri Transit Report had indicated the cost of the buses was $56.00 per hour and asked if that was consistent with the whole system. Mr. Matthes replied the cost differed every time it was measured since there were
many variables that moved each day. If measured today, it would probably be different than $56.00. Mayor McDavid noted the report had also indicated there was not a subsidy, but the buses were purchased through an 80/20 Federal match so there was a substantial subsidy.

Ms. Hoppe commented that the bus system allowed students to get to and from campus quicker and more efficiently than driving and parking, and also relieved traffic congestion, which helped the entire community.

Mr. Kespohl stated he conducted a crude calculation of the cost to run the buses and came up with about $269,973 to run one bus. He understood these contracts totaled $108,058, which was 40 percent of the cost, and they had agreements with two other apartment complexes, so he thought they were getting close to paying for the one bus.

The vote on R144-12 was recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDavid, SCHMIDT. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

INTRODUCTION AND FIRST READING

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

**PR145-12** Establishing revised policies relating to appointments to City boards and commissions.

**B231-12** Rezoning property located at the western terminus of Southampton Drive, east of Sinclair Road and north of Muirfield Drive, from R-1 and PUD-8 to R-1 and PUD-10.5.

**B232-12** Rezoning property located on the north side of East Prathersville Road, east of North Tower Drive (1775 East Prathersville Road) from C-1 to M-P.

**B233-12** Vacating a drainage easement on Lots 6A and 6B within Tower Industrial Park Plat 2 located on the northeast corner of Prathersville Road and Tower Drive.

**B234-12** Approving the East Locust II C-P Plan located on the south side of Locust Street, between Hitt Street and Waugh Street (1100-1108 Locust Street); approving a revised statement of intent.

**B235-12** Approving the Final Plat of East Locust Plat 1 located on the southeast corner of Hitt Street and Locust Street (1100-1108 Locust Street); granting variances from the Subdivision Regulations.

**B236-12** Granting a variance from the Subdivision Regulations regarding sidewalk construction along a portion of the east side of Russell Boulevard within Jaynes Subdivision Plat 2.

**B237-12** Approving the Final Plat of Oak Park Plat 1, a Replat of Williamson Place Plat 1 located southwest of the intersection of Route K and Highpoint Lane; authorizing a performance contract.

**B238-12** Approving the Final Plat of Oak Park Plat 2, a Replat of Williamson Place Plat 2 located southwest of the intersection of Route K and Highpoint Lane; authorizing a performance contract.

**B239-12** Approving the Final Plat of Oak Park Plat 3, a Replat of Williamson Place Plat 3 located southwest of the intersection of Route K and Highpoint Lane; authorizing a performance contract.
B240-12 Approving the Final Plat of Oak Park Plat 4, a Replat of Williamson Place Plat 4 located southwest of the intersection of Route K and Highpoint Lane; authorizing a performance contract.

B241-12 Authorizing a consolidated grant agreement with the Missouri Highways and Transportation Commission for transportation planning services.

B242-12 Amending Chapter 22 of the City Code as it relates to transportation fares on fixed route buses.

B243-12 Authorizing construction of traffic signal improvements at the intersection of College Avenue and Walnut Street; calling for bids through the Purchasing Division.

B244-12 Authorizing construction of traffic signal and sidewalk improvements at the intersection of Fairview Road and Ash Street; calling for bids through the Purchasing Division.

B245-12 Accepting conveyances for sidewalk, utility, sewer and temporary construction purposes.

B246-12 Authorizing a lease extension agreement with the Carolyn J. Adams Revocable Living Trust for property located at 2311 East Walnut Street.

B247-12 Appropriating funds received as reimbursement for the commercial structure fire at the Loop 70 Plaza strip mall located at the intersection of Business Loop 70 and Garth Avenue.

B248-12 Accepting and appropriating donated funds from the Boone Electric Community Trust for the free school-based influenza vaccinations program provided by the Department of Public Health and Human Services.

B249-12 Accepting and appropriating donated funds from the Boonslick Kiwanis for the free school-based influenza vaccinations program provided by the Department of Public Health and Human Services.

B250-12 Accepting and appropriating donated funds from the David B. Lichtenstein Foundation for the free school-based influenza vaccinations program provided by the Department of Public Health and Human Services.

B251-12 Amending the Classification Plan; adopting the FY 2013 Pay Plan; providing for implementation of the Pay Plan.

B252-12 Adopting the City of Columbia, Missouri, Money Purchase Plan; authorizing the City Manager to execute the Plan; authorizing the Director of Finance to administer the Plan.

B253-12 Amending Chapter 18 of the City Code as it relates to Police and Fire Pension Plans.

B254-12 Amending Chapter 19 of the City Code as it relates to personnel policies, procedures, rules and regulations.

REPORTS AND PETITIONS

REP134-12 Street Closure Requests – Ninth Street Summerfest and Art Huddle.

Mayor McDavid made a motion to approve the Ninth Street Summerfest and Art Huddle street closure requests and waivers of the open container ordinance as requested. The motion was seconded by Mr. Schmidt.
Mr. Kespohl understood a dead end public alley on the east side of Orr Street that ran by Orr Street Studios would also be closed for Art Huddle and believed that needed to be included in the request.

Mr. Kespohl made a motion for the dead end public alley on the east side of Orr Street that ran by Orr Street Studios to be added so it was part of the street closure request of Art Huddle. The motion was seconded by Ms. Anthony and approved unanimously by voice vote.

The motion made by Mayor McDavid and seconded by Mr. Schmidt to approve the Ninth Street Summerfest and Art Huddle street closure requests and waivers of the open container ordinance as requested was approved unanimously by voice vote.

**REP135-12 Bengals LIVE.**

Mayor McDavid stated he had received an e-mail from the organizer of Bengals LIVE questioning the need for an operations agreement when one had not been required of Summerfest. He asked if an operations agreement should be required of all downtown events. Ms. Rhodes explained the Special Events Committee was in the process of overhauling the entire special event application process. They had a draft application consisting of ten pages for non-residential streets in hopes of eliminating the need for future written operations agreements. They were working with the Legal Department to codify changes that would be required to implement the new form. She commented that a written operations agreement had not been required for Ninth Street Summerfest as the event pre-dated any written operations agreement. The Roots N’ Blues N’ BBQ Festival was the first event in which the City required a written operations agreement. She explained Bengals was comparing its event to a Ninth Street Summerfest event, but staff felt they were two different events. The Bengals LIVE event was much more complex as they had requested the turning off of street lights during the event and hinted at the possibility of removing a stop sign to accommodate a fencing plan. Those decisions could not be made at the staff level and should be outlined in a written operations agreement requiring Council approval.

Mayor McDavid understood staff was recommending the Council direct staff to bring back a written operations agreement for Bengals LIVE. Ms. Rhodes replied yes. She explained Bengals had been in agreement when it met with the Special Events Committee on July 11, 2012 because it wanted to advance its request for the street closure and the waiver of open container to Council prior to a comprehensive review by the Special Events Committee. It was understood they would work toward the details of an operations agreement at that time in terms of how Bengals would handle security, the sale of alcohol, fencing, etc., and whether they had an agreement with the University regarding trash clean up, etc.

Ms. Hoppe made a motion directing staff to bring back a written operations agreement for Bengals LIVE. The motion was seconded by Mr. Trapp.

Mayor McDavid stated he would vote in favor of the motion, but felt the City needed to develop a consistent standard approach to deal with all events. Ms. Rhodes agreed. Mayor McDavid asked if this would be required of all events in the future. Ms. Rhodes replied it was
her hope the new application would avoid the need for any future written operations agreements.

Mr. Schmidt commented that while they did not have an operations agreement for Summerfest, the details had been worked out over time. He hoped that the new process would allow for flexibility as the Heart of America Marathon was a different type of event than concerts. Some events requiring street closures did not necessarily involve the expenses of other events.

The motion made by Ms. Hoppe and seconded by Mr. Trapp directing staff to bring back a written operations agreement for Bengals LIVE was approved unanimously by voice vote.

**REP136-12 Re-striping a Portion of the South Side of Ash Street to Accommodate Front-in Angle Parking.**

Mr. Matthes provided a staff report.

Mayor McDavid made a motion directing staff to re-stripe the south side of Ash Street, between Seventh Street and Ninth Street, to accommodate front-in angle parking, to amend Section 14-373 of the Code of Ordinances to allow for front-in angle parking on this section of Ash Street and to rescind Section 14-375 of the Code of Ordinances that currently allowed for back-in parking. The motion was seconded by Mr. Dudley.

Mr. Schmidt commented that this was a pilot project that was not popular and thanked staff for trying it.

The motion made by Mayor McDavid and seconded by Mr. Dudley directing staff to re-stripe the south side of Ash Street, between Seventh Street and Ninth Street, to accommodate front-in angle parking, to amend Section 14-373 of the Code of Ordinances to allow for front-in angle parking on this section of Ash Street and to rescind Section 14-375 of the Code of Ordinances that currently allowed for back-in parking was approved unanimously by voice vote.

**REP137-12 Forum Boulevard Speed Limit, Forum and Woodrail Markings, and Tree Maintenance.**

Mr. Glascock provided a staff report and explained he was not sure the Homeowners Association had seen this proposal.

Ms. Anthony commented that she believed everyone in the neighborhood would disagree with the speed limit at the bottom of the hill next to Wilson’s regardless of the traffic studies. Mr. Glascock suggested Council direct staff to make it 35 miles per hour if that was what it wanted. Ms. Anthony stated she thought should do this to be responsive to the neighborhood. Mr. Glascock pointed out the speed limit would need to be enforced if this was done.

Ms. Anthony stated she thought the growth on the median was too tall. Mr. Glascock replied he though that issue had been addressed. Ms. Anthony explained the growth in the median was prohibiting people from seeing traffic coming down the hill near the intersection when coming out of the Country Club. She did not know if that was understood. She noted she would send this on to the Homeowner’s Association for their review.
Ms. Anthony made a motion directing staff to provide this to the Homeowners Association for review and to proceed with changing the speed limit from 45 miles per hour to 35 miles per hour. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

REP138-12 Boards, Commissions, Committees and Task Forces.

Mayor McDavid pointed out Council had discussed this report during the Pre-Council Meeting.

Mayor McDavid made a motion directing staff to prepare legislation to add a REDI member to the Airport Advisory Board and to remove the Missouri CORE position from the Airport Advisory Board. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Ms. Hoppe made a motion directing the Convention and Visitors Advisory Board and the Airport Advisory Board to review whether it would be beneficial to add a member of the Convention and Visitors Advisory Board to the Airport Advisory Board and to report back to Council. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to prepare an ordinance to add a member of the Convention and Visitors Advisory Board to the Airport Advisory Board and to remove the Missouri CORE position from the Airport Advisory Board. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Ms. Hoppe made a motion directing the Convention and Visitors Advisory Board and the Airport Advisory Board to review whether it would be beneficial to add a member of the Convention and Visitors Advisory Board to the Airport Advisory Board and to report back to Council. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to prepare legislation to add a REDI member to the Airport Advisory Board and to remove the Missouri CORE position from the Airport Advisory Board. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Mayor McDavid made a motion directing the Convention and Visitors Advisory Board and the Airport Advisory Board to review whether it would be beneficial to add a member of the Convention and Visitors Advisory Board to the Airport Advisory Board and to report back to Council. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid understood the Council had agreed to keep the Board of Electrical Examiners, Board of Mechanical Examiners and Board of Plumbing Examiners intact, but to ask for a report to be provided in six months with regard to participation.

Mayor McDavid made a motion directing the Board of Electrical Examiners, Board of Mechanical Examiners and Board of Plumbing Examiners to provide a report to Council in six months regarding participation. The motion was seconded by Ms. Hoppe and was approved unanimously by voice vote.

Mayor McDavid made a motion directing the Building Construction Codes Commission to review its membership and to provide feedback in six months as to how many members it felt was appropriate since they currently had ten regular members and ten alternates. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion directing the Building Construction Codes Commission to review its membership and to provide feedback in six months as to how many members it felt was appropriate since they currently had ten regular members and ten alternates. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion directing the C.A.R.E. Advisory Board. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.
Mayor McDavid made a motion directing staff to prepare an ordinance to eliminate the Columbia Special Business District Board. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Kespohl made a motion directing the Columbia Vision Commission to review its establishing ordinance for any suggested changes and to provide feedback to Council. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to prepare an ordinance to eliminate the Community Cooperation Board. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to prepare an ordinance to eliminate the Planning and Zoning Commission liaison position from the Environment and Energy Commission. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Mayor McDavid suggested they leave it up to the Environment and Energy Commission as to whether or not it would like to add another member to keep its membership at eleven, and to report back to Council.

Mayor McDavid made a motion directing staff to prepare an ordinance to eliminate the Get About Columbia Non-Motorized Transportation Pilot Project Advisory Committee. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to prepare an ordinance to eliminate the Internet Citizens Advisory Group. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to prepare an ordinance that would establish the Mayor’s Committee on Physical Fitness by the name it went by and to accommodate any other necessary details or changes. The motion was seconded by Mr. Kespohl and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to prepare legislation to allow the addition of two alternate members to the Personnel Advisory Board to serve in the place of a regular member that might not be able to attend and to remove Section 19-23(c)(5) of the Code of Ordinances. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to prepare an ordinance to eliminate the Public Communications Resource Advisory Committee. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to prepare an ordinance to make changes to the Public Transportation Advisory Commission to include changes in the name of the commission, its duties, membership, and to eliminate the Transit System Task Force once an ordinance change was made to the Public Transportation Advisory Commission. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid asked staff to bring forward legislation to eliminate the Storm Water Advisory Commission when it brought the amendment to the storm water ordinance forward.
Mayor McDavid made a motion directing the U.S.S. Columbia Commission Committee to report to Council in six months regarding its governance. The motion was seconded by Ms. Anthony and approved unanimously by voice vote.

Ms. Hoppe made a motion directing the Columbia Vision Commission to provide more detail to Council regarding the need and role of an Intercultural Council. The motion was seconded by Ms. Anthony and approved unanimously by voice vote.

Ms. Anthony thought the Council needed to take an affirmative action with regard to the Planning and Zoning Commission to change the ordinance to remove the liaisons. Ms. Amin stated the liaison requirement was not in the establishing legislation of the Planning and Zoning Commission. It was in the establishing legislation of the Bicycle/Pedestrian Commission and the other commission which had a liaison.

Mayor McDavid commented that he believed staff had done an excellent job of reviewing these commissions as they were very important to the City, and it was important to have vibrant, energized commissions full of committed people.

**REP139-12 State Legislation: Override Governor’s Veto of HB 1329.**

Mayor McDavid made a motion directing staff to prepare a letter for the Mayor’s signature to Columbia’s legislative delegation recommending a veto override of HB 1329. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

**REP140-12 Efforts to Enforce Over-Occupancy – Occupancy Disclosures.**

Ms. Anthony commented that she thought the occupancy disclosure form, although somewhat burdensome for the landlord, was an excellent tool for the Office of Neighborhood Services to have when conducting inspections because having the names of the occupants was easier than trying to determine who lived at the residence. She felt it was a relatively small inconvenience for a large gain. She stated she wished they had been provided a form tonight. She did not believe it needed to be as complex as Iowa and suggested it be as simple as possible while allowing them to achieve what they needed to achieve.

Ms. Anthony made a motion directing staff to bring forward an occupancy form for Council review. The motion was seconded by Mayor McDavid.

Mayor McDavid stated he was in agreement with Ms. Anthony. He wished they did not have to do this, but there were substantial abuses in the Grasslands area and a lot of citizens were substantially impacted by these abuses.

Ms. Hoppe commented that she was not sure the form needed to be notarized. She agreed they needed to develop a form that was sufficient while being the least burdensome as possible.

Mr. Kespohl stated he was in favor of an occupancy form, but thought there might be situations where a landlord was not aware of a change in occupancy. He asked what the penalty would be to the landlord and how the enforcement process would work. If it had to go to court, the process would take at least two months. Mayor McDavid noted Mr. Kespohl had brought up a good point and asked who was complicit in a situation where a tenant told a landlord and signed a disclosure form indicating that two people would be living in a residence, but six people were found living there when the property was inspected. Ms.
Anthony stated she liked the Indiana affidavit because it also put the burden on the occupants.

Mr. Schmidt suggested an ordinance be prepared indicating there would be an occupancy disclosure form and to let the Office of Neighborhood Services determine how to implement it. Mr. Noce stated that if a penalty was to be imposed, an ordinance would have to effectuate it. Mr. Schmidt understood, but thought they could leave some details to staff so adjustments could be made without coming back to Council. He agreed penalties would need to be established by ordinance.

Mr. Kespohl stated he understood the intent and the penalty, but was uncertain as to who would be responsible for enforcement. He wondered if the Circuit Court would enforce it like they did with evictions or if the Police Department would enforce it. Mr. Teddy commented that the Community Development Department would enforce it if the violation was over-occupancy or failure to produce the form. Mr. Kespohl asked how someone would be forced to move out once a violation had been identified. He wondered if the landlord would be expected to force someone to move out. Mr. Schmidt thought they could provide the landlord some tools. Mr. Kespohl noted tools would be required.

Mr. Teddy commented that there were many different ways to structure this. Staff agreed it should be simple and consist of an accurate address, up to date tenant information with signatures, the occupancy limits so the tenant signing the form were aware of the limit and a statement indicating the owner or its agent needed to produce the form on request. The forms would be designed and distributed by the City, but would reside with the landlords.

Mr. Schmidt noted the intent was that some enforcement would be done by the landlord. He explained he was a landlord and had been a tenant, and good landlords came around every few months for various maintenance issues, so they would know if six people were living in a residence when the lease only allowed for three.

Mr. Kespohl stated he understood the intent and reasons, but he wanted to know who would enforce the ordinance. Mr. Noce replied typically staff would send a report to the City Prosecutor who would file and the issue would be addressed in Municipal Court. Mr. Kespohl understood, but explained it took two months to evict tenants through the court process if they violated a lease, and asked if the landlord would then be in violation for those two months and whether the landlord would be fined. Mr. Noce replied it depended on how it was structured in the ordinance.

Ms. Anthony felt there was a clear delineation in the Indiana form in that the tenants signed the form, and if there were more people living there than should be, the tenants would be in violation. She noted the burden would be on the tenant instead of the landlord. Mr. Kespohl asked about the penalty. Ms. Anthony replied they had to determine the penalty. Mr. Noce explained they might be able to include a defense to certain actions and noted there were many ways to set this up to effectuate the goal.

Mr. Teddy pointed out one of the suggestions during the public comment phase was to combine this with the crime-free housing addendum, which was voluntary, and something a landlord could use if a tenant was engaging in illegal activity.

Mayor McDavid suggested staff continue to discuss the process with Mr. Kespohl and Ms. Anthony as it evolved in the creation of a draft ordinance.
Ms. Hoppe pointed out this had an educational value because the landlords and the tenants would know the occupancy limits, and she hoped that would be beneficial.

Mr. Kespohl commented that the only recourse a landlord had to evict a tenant was to go to Circuit Court. Mayor McDavid stated if the tenant was in violation, the City could take the tenant to court. Mr. Noce agreed the City could prosecute the tenant, if allowed in the ordinance.

The motion made by Ms. Anthony and seconded by Mayor McDavid directing staff to bring forward an occupancy form for Council review was approved unanimously by voice vote.

REP141-12 Economic Impact of Historic Preservation in Columbia, MO Study.

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

Ms. Hoppe stated she had participated in the economic category of the strategic planning process, and the draft of this report had been shared with the group, and one of the economic objectives for the strategic plan included a historic preservation component as a result of this report. She noted she was interested in hearing from the Historic Preservation Commission with regard to anything else they felt the City could do to enhance historic preservation.

REP142-12 Spay/Neuter Voucher Program Report.

Ms. Anthony asked if the City allocated money toward the spay/neuter vouchers. Ms. Browning replied vouchers were included as part of the City’s annual agreement with the Humane Society. In addition vouchers were included in the $20,000 municipal shelter agreement. There were not contracts specifically for the vouchers. The vouchers were included in the two contracts between the Humane Society and the City.

Ms. Anthony understood the redemption of vouchers was at 70 percent. Ms. Browning stated she had discussed this issue with the new Humane Society Director, and they would now merged their spreadsheets so they could track the number of vouchers provided compared to the number of surgeries done by the Humane Society. She understood the Humane Society Director was not satisfied with the percentage or the number of days it took, so she had instructed her staff to make those with City vouchers a priority. As a result, she expected to see an improvement. Ms. Browning explained they were also proactively calling people to get surgeries scheduled in advance and providing reminders. Mr. Schmidt felt 70 percent on a voluntary basis without intervention was good. Ms. Browning stated she planned to propose an expiration date of three months on the vouchers next year since this would allow the voucher to be provided to someone else if not used. Mr. Kespohl understood the percentage had decreased from 80 percent in 2010 to 70 percent in 2012. Ms. Browning pointed out that was a year to date percentage, and the City had just issued more vouchers within the last six weeks so she believed the percentage would improve.

Ms. Anthony commented that she also wanted a response to the Maddie’s Fund from the Humane Society. She understood the City had cooperated and offered its data, but they were still waiting for the Humane Society with regard to its data. Ms. Browning explained she had sent a letter indicating they would support any grant application with regard to Maddie’s
Fund, but had not heard anything further in terms of what they were applying for and how the City could help. She understood the Humane Society had all of their data on the website, but she was not sure of the grant requirements, and noted she would talk to the Humane Society Director. Ms. Anthony stated she would appreciate it.

REP143-12 **Questions from Charity Baptist Church and Staff Responses.**

Mr. Kespool noted the Church had several issues it wanted to discuss, and he believed most could be resolved. Mr. Glascock stated that was correct and pointed out some had already been resolved. Mr. Kespool understood the Church wanted a driveway out to McKee if possible. Mr. Glascock stated he thought it was possible, but it was not something the City would fund. Staff would try to help them through the process though.

REP144-12 **Use of Gross Receipts License Tax on Hotels and Motels (Hotel Tax) to Fund Construction of a New Airport Terminal.**

Mayor McDavid commented that he had asked for this report because the hotel occupancy tax in St. Louis was seven percent and the hotel occupancy tax was 7.25 percent in Kansas City plus $1.50 per day, which was a 9.2 percent tax. Jefferson City also had a seven percent occupancy tax. He understood Columbia could increase its rate as well, and noted he did not believe this was a venue to debate whether they should attempt to increase the rate. He thought it was dependent upon whether the City had more providers for the Airport.

Mr. Noce explained the citizens of Columbia could require an additional three percent tax, but the proliferation of special legislation did cast shadows in the background. In reading the analysis, the City could ask for the additional three percent and could use a license fee as well. This was not limited or denied by the City Charter or State Statute.

Ms. Hoppe commented that if this were pursued in the future, she thought it was important to discuss it with the Convention and Visitors Advisory Board and the Columbia Hospitality Association and to know they were convinced it was something that benefited them directly. She would not want to pursue this without communicating with and obtaining input from those groups. Ms. Anthony agreed.

REP145-12 **Intra-Departmental Transfer of Funds Request.**

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

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

John Clark, 403 N. Ninth Street, commented that the City’s storm water system had been underfunded for so long that the storm water infrastructure was not viable. There was none downtown or on Business Loop 70, and it would essentially need to be rebuilt if they wanted a significant revitalization. In his opinion, every place was new development. He noted Mr. Schmidt had reminded them it was important to internalize the cost of projects, but the City had not forced anyone to internalize costs for years. He agreed this Council had made steps in that direction. He understood costs would increase, and he thought they should increase. He did not believe it would kill the growth of the City and thought it would be better for everyone. He noted the question was who was in the best position to pay for the
improvements and he did not believe it was the taxpayers. In the 2007 survey, two-thirds of the respondents felt the new development should pay for most of these costs. He understood comments made indicated a concern as to whether Business Loop 70 would be redeveloped if too costly, and suggested the Council have faith. He stated Columbia was a great community that would attract people. They only put people off when not taking care of things in an equitable and timely manner. He commented that redevelopment did not need to happen right way for it to happen. He also suggested the City develop a good regulatory corridor plan for Business Loop, College and Providence as redevelopment would take place and the citizens would be happy with it. He thought businesses would come if the City had an equitable program. He did not believe the lack of incentives deterred new business. He felt it was the uncertainty with regard to utility and tax rates that deterred new business.

Eugene Elkin, 3406 Range Line, commented that he was hurt to hear the retirees of the City might be financially impacted when they thought their future was secure. He understood the Governor had called a session to discuss the tax credits being handed out by the government and thought the City needed to re-evaluate its approach. He questioned providing REDI $400,000 in funding and wondered if the budget should be reduced. He pointed out the former Regency Mobile Home Park owner never paid fines for violations, and thought issues of that nature needed to be enforced. He noted the FastCAT route was not running a 20 minute route and stated he felt sorry for the drivers because it was stressful route. He thought another route within the University might be needed to address the timing of the route.

Greg Ahrens, 1504 Sylvan Lane, commented that Money Magazine recently listed the best cities to live in, and although Columbia was listed as #8, it was Columbia, Maryland. He noted Columbia, Missouri did not make the top 100 when it had been #2 several years before. He was not sure whether this was good or bad news because Columbia used to be a nice, small enjoyable town.

Albert Prouty, 3714 Santiago Drive, commented that the weeds were six feet tall along the roadway and ditch at the southeast corner of Bethel, and that they needed to be cut as many people had allergies. He asked City to ensure it was mowed again.

Mr. Schmidt stated he had received complaints from those in the North Central and Arts District neighborhoods regarding the Brookside Apartments and asked the Office of Neighborhood Services to check into the complaints. He pointed out some residents had expressed an interest in a resident parking permit, and asked if staff would consider a 90 day pilot in the area. Mr. Matthes explained staff was researching a City-wide approach in terms of resident parking permits. He understood different neighborhoods might require slightly different programs. He noted they could react more quickly with a pilot if necessary. Mr. Schmidt thought a pilot should be tried in this area because there was a need now. Once construction was complete and parking was in place, some of the issues might be alleviated.

Ms. Anthony suggested an increase in police presence as well. She understood students were using the Boone County Family Resources parking lot as a cut-through, and
thought certain patterns needed to be broken before they were established. Mr. Matthes agreed it was a chaotic situation at the moment with all of the construction.

Mr. Schmidt reiterated this would be a good location for a pilot. Mr. Matthes noted they might be able remove some hourly spots for the residents.

Mr. Kespohl stated his concern was the lack of lighting on Walnut Street and the safety of those living in the area. He thought some students were parking on St. Joseph instead of the parking lot provided because it was closer and better lit.

Mr. Schmidt stated he had received requests for traffic calming on Sexton and Hirth. He wondered if Sexton was eligible for traffic calming since it was a feeder or collector and asked if anything could be done to slow traffic down in that area.

Mr. Schmidt asked for traffic calming on Fourth Avenue as well as people cut-through the area at high speeds. He understood the residents of Fourth Avenue were already gathering petitions.

Mr. Dudley stated he had been approached by residents on West Worley near Smithton Middle School with regard to the speed of vehicles coming down the hill on the east side of the school, and asked for more enforcement in the area.

Ms. Hoppe stated there was a lot of interest and concern with regard to trash bins and asked for a report as to the details of the potential pilot project. She understood the City wanted 100 people to volunteer per ward. She thought the public needed to be informed of the program, and that those adamantly against it should be included in the pilot.

Ms. Hoppe commented that Rosemary Street in East Campus had been severely deteriorated as a result of construction at the Beta House. She understood staff had plans to repair it, but wondered who would pay for the repairs. The City’s budget was tight, and she felt the development should pay to repair the road if heavy equipment and construction were the cause. She noted there had been a similar situation with the development of The Crossings Church, and the City had contacted The Crossings causing the developer to pay to repair Southland from Rock Quarry to the Church property. She asked staff to look into having the repair of Rosemary Street be paid for by the development. She suggested City ordinances be made stronger if necessary as well so this payment process could be applied more routinely.

Ms. Hoppe stated the Hominy Branch trail, which was a bike/pedestrian trail, and a sewer line were being constructed south of Berrywood, and the concern was that there were two large clearings for each of the paths. She asked why there was not coordination so both projects were on the same path and asked for a report, which would include the companies involved as well. In addition, there had been a tremendous amount of soda bottle debris in the area and she assumed the workers had thrown the bottles in the woods. She asked staff to look into the situation and to ensure future contracts made it clear this was not acceptable.
Mr. Kespohl commented that he had received several e-mails from a resident in the Woodridge Subdivision who was concerned with blasting in the area. He thought rock was being blasted to install a new water or sewer line down St. Charles Road. The blast tended to occur at about 4:15 p.m. everyday and this resident was concerned about the foundation of his house. He asked if staff had any idea as to when the project would be completed. Mr. Matthes stated he would find out and get back to Mr. Kespohl. Mr. Kespohl noted the resident wanted a completion date so he could his house checked.

Mr. Kespohl noted a resident had contacted him regarding speeding on Thornberry and Savannah, and asked for more police presence in the area.

Mr. Kespohl asked staff to draft an ordinance to increase the height of buildings on the east side College Avenue to 50 feet near the Beta House as long as the development faced College Avenue. He understood the building height restriction was 35 feet. He stated this was a corridor to the University and Stephens College and felt the Beta House was a wonderful example of what could be built in the area. He wanted to ensure the development faced College Avenue and did not get into East Campus through side streets.

Ms. Hoppe asked staff to consult with the East Campus Neighborhood regarding this proposal prior to drafting an ordinance.

Ms. Anthony asked how tall the Beta House was when it was completed. Ms. Hoppe replied 42 feet.

Mr. Kespohl understood the building height on the west side of College Avenue was 50 feet.

Mr. Kespohl asked for the amendment to the storm water ordinance to be brought to Council by the November 5, 2012 Council Meeting as he wanted it done within two months.

Mr. Kespohl understood Clark Lane was finished except for the round-a-bout at St. Charles Road, and asked when the dedication of the road would take place.

Mr. Kespohl asked for the net present value of the existing trash trucks. He assumed there were ten trucks since ten were being replaced. He also asked for the net present value of ten new trucks. He felt the difference between those values was money lost by the City, which would never be recovered.

The meeting adjourned at 10:24 p.m.

Respectfully submitted,

Sheela Amin
City Clerk