INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, December 5, 2011, in the Council Chamber of the City of Columbia, Missouri. The recitation of the Pledge of Allegiance was lead by Boy Scout Troop 989 of Mill Creek Elementary. The roll was taken with the following results: Council Members ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPohl and DUDLEY were present. The City Manager, Assistant City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of November 21, 2011 were approved unanimously by voice vote on a motion by Mr. Thornhill and a second by Mr. Dudley.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

The agenda was approved unanimously by voice vote on a motion by Ms. Hoppe and a second by Mr. Kespohl.

SPECIAL ITEMS

Swearing In of Amy Schneider as the Convention and Visitors Bureau Director.

The City Clerk administered the oath of office to Amy Schneider, the newly hired Director of the Convention and Visitors Bureau.

Mr. Matthes congratulated Ms. Schneider and noted she had a vision for Columbia in terms of a certified tourism ambassador program, which recognized the fact everyone in the community was involved in welcoming visitors to Columbia instead of only those in the hospitality industry.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

SCHEDULED PUBLIC COMMENT

Brittany Perrin - Support and enthusiasm among University of Missouri students for expanded bus service in Columbia.

Brittany Perrin stated she was a graduate student at the University of Missouri in the Public Affairs Program and a member of the Graduate Professional Council (GPC) and represented some students by serving on the Columbia Transit System Task Force. She explained she had followed and was invested in this topic since she was an avid Columbia Transit rider and believed there was still hope in terms of expanding the transit system. She noted Mayor McDavid had introduced the idea of a student-centric transit system, imitating successful systems in Ames, Iowa and Champaign, Illinois, and pointed out she was fully in support of this type of system as long as it was approached in the right fashion. It was
apparent that many students appreciated an expanded transit system, but the majority did not know what that meant. In addition, there were many issues with the current system that needed to be fixed in order to adequately serve everyone. The routes needed to be more frequent and less confusing and the requirement of a transfer at the Wabash Station was time consuming and did not make sense for most students. She explained she knew this because she had asked the students and felt that had been lacking. Those on the Task Force only represented a few voices. If they wanted the entire student body behind a solution to the issue, they needed to include them in the process. With the support of PedNet and the CoMET Campaign, she and others had started a Transit Visioning Committee on campus to find out what the students really needed and wanted from a transit system because while many students were unaware of the transit situation, she believed with the right information and the appropriate engagement they would be on board. Their intention in forming the committee was to create a campaign that informed students of the issue, asked students what they want and need from a transit system and engaged them in helping find possible solutions. They hoped to do this through a campus-wide marketing campaign, student surveys, a possible trip to either Ames, Iowa or Champaign, Illinois with student leaders to see them a good student-centric bus system, etc. She noted it was probably unrealistic and unfair to expect students to take on the entire burden of the expansion being envisioned. Since a new system would provide a top class transit service for students, community members, local businesses and others, they wanted to look at a range of financing options and for the expansion to take place over an extended period of time. While she could not speak on behalf of all of the students at this time, she commented that a passionate few felt they could come up with a reasonable solution to help reinvent the Columbia Transit System.

PUBLIC HEARINGS

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 work on the Broadway Sidewalk Reconstruction 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.

Mayor McDavid understood this project was incomplete at this time. Mr. Schmidt stated that was his understanding and suggested this item be tabled so the technical details could be worked out.

Mayor McDavid asked how much time it would take to address the issues. Mr. Glascock suggested this be tabled to the January 3, 2012 Council Meeting.

Mr. Schmidt made a motion to table B329-11 to the January 3, 2012 Council Meeting. The motion was seconded by Mr. Kespohl and approved unanimously by voice vote.

Mayor McDavid opened the public hearing.

There being no comment, Mayor McDavid continued the public hearing to the January 3, 2012 Council Meeting.

OLD BUSINESS
B293-11 Amending Chapters 13 and 22 of the City Code relating to sewage service utility rates.

The bill was given third reading by the Clerk.

Mr. Matthes provided a staff report.

Ms. Hoppe thought there was an error in Section 22-263(b) of the amendment sheet as “October, November and December” was added, but “January, February and March” was not crossed out. In addition, “two (2)” needed to be struck through.

Mayor McDavid made a motion to amend Section 22-263(b) of the amendment sheet by striking through “January, February and March”. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Ms. Hoppe made a motion to amend Section 22-263(b) of the amendment sheet by striking out the “two (2)”. The motion was seconded by Ms. Anthony and approved unanimously by voice vote.

Ms. Anthony asked when the new system would be put in place. Mr. Matthes replied they hoped to shop for the new system early next year. He explained the systems were huge and would take a number of years to fully implement, but it would be early in the implementation phase since it was part of the financial system. He noted it took a year or so to purchase these types of systems and help would be needed for its implementation.

Ms. Anthony asked if the sewer billing issue would be reassessed once the new system was available. Mr. Matthes replied it could be reassessed. Ms. Anthony stated she wanted to ensure that was done as a new system would likely provide more accurate readings and billings.

Bill Weitkemper, 3717 Bray Court, commented that the recommendations of staff with regard to B293-11 were based on sixteen complaints received involving the current winter quarter average section of the ordinance. He understood City staff had recommended changing the months because customers who had a winter quarter average of 2 ccf's or less were billed on actual water usage and the proposed change might get usage levels up so those customers would qualify for greater than 2 ccf's and be billed on the winter quarter average. He agreed the usage level would go up for everyone by using October, November and December for the winter quarter average, but believed a better solution would have been to eliminate the minimum requirement of 2 ccf's. He noted 435 accounts had a zero for the winter quarter average and 1680 accounts had a 1 ccf average. There were a number of reasons for a low winter quarter average, to include snowbirds, vacant houses/apartments due to the economy, student housing where the residence was vacant for part of the time and small apartments with older occupants that were frugal in terms of water usage. He understood fraction calculations for water usage was not used either and explained a friend of his had used 70 ccf's in the past 81 months. His friend had 25 months with a zero reading, but that did not mean he did not use any water during that time. His friend only used less than 748 gallons those months. Mr. Weitkemper did not feel this change would reduce sewer revenue. He believed sewer revenue would increase due to the proposed change as it would include water usage of people watering their lawns in October and November. He felt this was a result of staff wanting to do what was easy in terms of master water meters and the winter quarter average, and believed it should be done in a fairer manner. If they wanted an
easy solution, he believed they should just divide the $15 million needed in sewer revenue by the total number of customers and charge everyone $27 per month.

Ms. Anthony stated she appreciated the time Mr. Weitkemper had put into this as he had educated her on the issue. She had requested this report and felt staff had done a great job in providing options, but believed they might not want to change the months the winter quarter average was based upon since water usage would be higher in October, November and December. She thought they should continue with changing the minimum volume from 2 ccf's to 1 ccf.

Mr. Blattel pointed out the winter quarter average did not have to be based upon October, November, December or January, February and March. It could be November, December and January or any other three month combination.

Mayor McDavid asked if January reflected December usage. Mr. Blattel replied yes. Mayor McDavid understood if the change was made to November, December and January, the months being measured were actually October, November and December in terms of water usage.

Ms. Anthony noted it was not only the issue of increased water usage due to lawn irrigation, but the holidays were within that time frame and would result in an increase in water usage due to entertaining. She felt the winter quarter average being based upon January, February and March since it was the water usage for December, January and February was acceptable.

Mayor McDavid stated he would be agreeable to switching the winter quarter average to November, December and January. Ms. Anthony noted November would be measuring October and people were still irrigating their lawns in October and November.

Mayor McDavid explained they could not measure what was in the sewer. Anything decided would be a surrogate as they were making an estimate. He stated he appreciated the Sewer Task Force for the amount of time they spent on the issue and thanked staff and Mr. Weitkemper for their input as well. He noted the City needed $20 million to run the sewer system and the amount of material going into the sewers could not be measured. He also was not sure the City should try to measure it because he believed it was a public interest issue. It was as beneficial for a wealthy couple using very little water to have an adequate sewer system as it was for a low income family with three children using a lot of water. He noted this was not like electricity in that the amount electricity used necessitated the need to purchase more coal or drove up peak rates. Since they could not measure the exact amount material flowing through the sewer and since they might not want to measure it even if they could due to unintended consequences, he stated he would be agreeable to go with the recommendation of staff and the Sewer Task Force. He pointed out he was also willing to potentially change the months of the winter quarter average.

Ms. Anthony asked if the original recommendation of January, February and March had come from the Sewer Task Force. Mr. Glascock replied he believed it had. Ms. Anthony understood the change to October, November and December was recommended by staff. Mr. Glascock stated that was correct and explained they were trying to minimize the number of affected people.
Ms. Anthony made a motion to amend the amendment sheet so the winter quarter average was based upon January, February and March. The motion was seconded by Ms. Hoppe.

Ms. Hoppe was concerned about a change in the months and felt the change from 2 ccf’s to 1 ccf would solve the issue of the snowbird effect and was more equitable.

Mayor McDavid made a motion to amend the amendment sheet so the winter quarter average was based upon November, December and January. The motion was seconded by Mr. Schmidt.

Mr. Kespolh asked if those were the billing months or actual usage months. Mayor McDavid replied those were billing months, which meant it entailed the water usage of the previous month.

Mr. Matthes commented that he understood the goal of including the water usage in October was to ensure the winter quarter average was greater than 1 ccf. This would ensure they were not charged for actual usage.

Mayor McDavid understood usage for October, November and December meant the billing for November, December and January and was what he had suggested.

Mr. Schmidt suggested they go with the staff recommendation.

Mayor McDavid understood the staff recommendation was for October, November and December, which would capture September, October and November water usage due to the billing cycle.

Mr. Matthes stated the goal was to capture some usage so they did not end up with zero for the winter quarter average.

The motion made by Ms. Anthony and seconded by Ms. Hoppe to amend the amendment sheet so the winter quarter average was based upon January, February and March was defeated by voice vote with only Ms. Anthony and Ms. Hoppe voting in favor of it.

The motion made by Mayor McDavid and seconded by Mr. Schmidt to amend the amendment sheet so the winter quarter average was based upon November, December and January was approved by voice vote with only Ms. Anthony and Mr. Thornhill voting against it.

Mr. Kespolh made a motion to amend B293-11 per the amended amendment sheet. The motion was seconded by Mr. Dudley and approved by voice vote with only Ms. Anthony voting against it.

The vote on B293-11, as amended, was recorded as follows: VOTING YES: HOPPE, MCDAVID, SCHMIDT, KESPOHL, DUDLEY. VOTING NO: ANTHONY, THORNHILL. Bill declared enacted, reading as follows:

R199-11 Authorizing Amendment No. 1 to the agreement with Black & Veatch Corporation for engineering services relating to construction of the Columbia Regional Wastewater Treatment Facility.

The resolution was read by the Clerk.

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

Mr. Thornhill asked if there was a penalty for not finishing the construction project on time. Mr. Glascock replied yes and explained the contractor was currently 84 days behind. Mr. Thornhill asked if part of those damages could offset some of the additional costs
currently being incurred. Mr. Glascock replied it could, but staff would not know for sure until
the project was completed, which was a year from now.

Mr. Schmidt wondered how they evaluated the contractor since they were behind and
under budget. Mr. Glascock pointed out the bid was under budget.

Mr. Matthes commented that everyone appeared to be doing good work, but there was
some work that had not been anticipated, and the increase was an estimate. Mr. Glascock
pointed out the contractor was anticipating more hours, but he planned to hold them to this
figure. Staff would come back to Council the cost was even more. He noted the work of the
contractor was quality work, but management of the project was costing more than
anticipated.

Mr. Kespohl asked if 279 RFI’s was a large number for this kind of project. Mr.
Glascock replied another job in another state that was comparable and was at 56 RFI’s and
further along in the project.

Mr. Kespohl asked if the American Reinvestment and Recovery Act (ARRA)
paperwork required extra time. Mr. Glascock replied yes. Mr. Kespohl asked if staff had
been aware of that when the project started. Mr. Glascock replied no.

Ms. Hoppe asked for clarification regarding resident inspection services in terms of the
55 day contract extension at $165 per hour. She wondered if that was the cost for just being
on-site. Mr. Hunt replied Black & Veatch had a full-time inspector on-site and that was the
cost to have him on-site for the extra 55 days. Mr. Glascock explained the City did not have
staff to cover inspections, so the consultant was hired to provide that service. Mr. Schmidt
understood hiring outside inspectors was a model the City was considering in other areas.

Mr. Schmidt asked for clarification regarding the quality of work. Mr. Glascock replied
the quality of work was good. Management of the project had just taken more time than
anticipated.

Mr. Matthes agreed $165 per hour seemed like a lot of money, but it was cheap in the
context of the alternative of hiring an engineer as the City did not have to sustain this type of
work once the project was done.

Ms. Hoppe noted it appeared as though a lot of the expense was related to soil
condition issues. Mr. Hunt explained the first six months of the project had been pretty wet,
so the 55 day extension was related more to weather than anything else.

Mr. Thornhill stated the information provided in the supplementary report was the type
of information he would expect to receive when the request was initially made as it answered
all of the questions he had.

Mr. Schmidt commented that if it was quality work and staff was satisfied with the
work, he was agreeable.

Mayor McDavid thanked staff for the perspective and follow up.

Mr. Kespohl understood the City had received a grant for $3 million. Mr. Glascock
stated that was correct. Mr. Kespohl understood part of those funds would be spent on the
additional hours anticipated by Black & Veatch to comply with the ARRA grant. Mr. Glascock
stated that was correct.
The vote on R199-11 was recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

B322-11  **Rezoning property located at the northeast corner of Short Street and Walnut Street from Districts R-3 and O-1 to District C-2.**

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Schmidt commented that this property appeared to be located at the southeast corner instead of the northeast corner. Mr. Matthes explained Short Street was being used as the reference. Mr. Teddy noted it was southeast of Short and Walnut.

Ms. Anthony asked why this was put forth to the Planning and Zoning Commission before the City actually owned the property. Mr. St. Romaine explained at the time the Planning and Zoning Commission voted on this issue, the Regency Hotel was still owned by E & O Hospitality and the City could not officially purchase the land from Broadway Lodging until they owned it. In addition, the City negotiating with North Light in terms of a section along Walnut and a new plat for the site would need to be completed so they had a legal lot. He understood the Planning and Zoning Commission’s concern at the time of their meeting was the fact the City did not own the property, which was unfortunate, but they knew this would not be an issue by the time the issue came before the Council. He noted the City was not trying to avoid the Planning and Zoning Commission, but certain things needed to happen in rapid sequence.

Mr. Schmidt understood this issue would come to Council again due to the plat. Mr. St. Romaine explained the City could not finish negotiating with North Light for potential sale of the strip along Walnut until the property was replatted. Mr. Schmidt asked if all of the parties involved were okay with the process. Mr. St. Romaine replied yes. The new owner of the Regency Hotel had announced they would begin demolition of the hotel on January 15, 2012. A resolution to close Short Street would come before the Council soon because all of the brick pavers would need to be removed prior to demolition. Construction on the hotel would begin in April, which was around the same time he hoped construction of the parking garage would begin. A final design of the parking garage would be available in February and he hoped to bid out the project in March.

Mr. Kespohl asked when Council would receive a final cost on the garage. Mr. St. Romaine replied when the project was bid. He noted the bid would be for a 410 space parking garage. He explained the original construction estimate had been $7 million for 300 spaces and adding another 110 spaces would cost an additional $1.2-$1.3 million, but they would not know for sure until the bids came back. He pointed out he understood the parking utility was solvent enough to provide for the additional costs.

Mr. Kespohl recalled the motion approved by Council was to build a $9 million dollar 410 space garage. Mr. St. Romaine explained they would bond for $9 million. Mr. Kespohl stated his interpretation was that it would be a $9 million garage, and if they planned to move forward with a garage that would cost more, he felt they needed change that motion.
Mr. Matthes noted his understanding was to not borrow any more than $9.1 million, and explained when they had the conversation about adding more spots, staff had figured out a way to add them without increasing debt. The additional spaces would be funded from money received by creating the spaces or from money already in the parking utility. He noted it would cost more than $9 million to build the garage with the extra spaces, but it would not increase the debt amount.

Mr. Kespohl suggested the motion he referenced be amended.

Mayor McDavid suggested a motion be made with regard to whether they wanted a 340 space garage or a 400 space garage.

Mr. Matthes commented that it might be best if they bid the garage with a bid alternate for the extra spaces even though it would cost more up front as it would allow them to move forward with full information. Mayor McDavid stated he would like to see that happen. Mr. Matthes noted he would proceed in that manner since there appeared to be consensus on the Council through the shaking of heads.

Pat Fowler stated she was the President of North Central Columbia Neighborhood Association Board and explained they believed the hotel was a good idea as a catalyst project for the North Village Arts District and also understood the need for the parking garage. The process, however, made them nervous. She noted Boone County Family Resources, a property owner in the North Central Columbia Neighborhood, was for all practical purposes exempt from zoning, control by the City and input from citizens. The liner building being discussed as part of the garage, which would front Walnut Street and change ownership when the property was replatted, was a concern for the neighborhood. The parking garage would meet the neighborhood, and Boone County Family Resources, as a large landowner, had the ability to affect their neighborhood, which she believed was one of the most affordable neighborhoods in Columbia with housing costs ranging from $40,000-$100,000. She suggested the Council pay closer attention to the parties involved in the negotiations and determine what could be done to preserve and protect owner occupied and single family residences as the City had this opportunity during negotiations. She asked the City to use its negotiating leverage in terms of the liner building to help the North Central Columbia Neighborhood as no one else had that type of tool available to them.

Ms. Hoppe commented that she was concerned with comments made at the Planning and Zoning Commission and the Commissioners felt this issue had been pushed through without allowing them to truly evaluate it. It appeared as though the Commission did not want to recommend rezoning it to C-2 without provisions since the City did not own it yet. She asked if staff could have suggested it be approved contingent upon the City owning the property. Mr. Teddy replied that was not the normal procedure. He explained he had walked in during the middle of the discussion so he might have misunderstood some of the concerns, but during that part of the meeting, the discussion had turned to the potential agreement with North Light, LLC, and he understood that to be the concern. He pointed out staff could have handled this situation better by providing information to the Commission up front to set the context and better explain the complexities of the real estate transactions. Ms. Hoppe understood the Planning and Zoning Commission could have made a recommendation for approval contingent upon City ownership of the property. Mr. Teddy stated he believed
zoning should be determined by looking at the property and not the person, company, etc. that would be entitled to the zoning because it was a general district and not site specific. He thought staff should have done a better job of explaining why this zoning was being requested now.

Ms. Anthony stated she wanted the Planning and Zoning Commission to know this was not being pushed through by the Council. She asked that staff discuss the issue with the Planning and Zoning Commission to ensure they understood the Council was not disregarding their evaluations. She did not believe staff handled this situation well and wanted the Planning and Zoning Commission to know the Council valued their consideration and this was not an effort of Council to push this through in a manner not consistent with they way they operated.

Mr. Schmidt commented that Ms. Fowler brought up a good point and noted he would further discuss that during Council comments as it was separate from this issue.

Mayor McDavid asked if Boone County Family Services was subject to the City’s zoning laws. Mr. Noce replied perhaps not on zoning alone, but they might be with regard to public health, safety and welfare and police powers issues. He noted the law was not particularly clear. Mayor McDavid commented that he thought the Council would be interested in this issue as the City moved closer to replatting the property and selling a portion of the land to an organization that potentially did not have to comply with the City’s zoning regulations. He agreed it did not affect the decision on this rezoning issue, but it was something he thought needed to be assessed in the future. Mr. Noce stated they could try to delineate into the gray in an effort to provide some answers.

Mr. Schmidt thought they could be proud of what they had accomplished as a City in terms of this project minus these two issues.

B322-11 was given third reading with the vote recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

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.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Schmidt explained the missing signature of Chris Davis had to do with the assumption of financial liability. He understood the other property owners had excused him. In terms of access, he understood the property owners would work it out. He believed this would be an asset to the City and was a good public/private partnership.

Ms. Hoppe believed the use of the alley to allow for businesses and residences was a great example of infill.

Ms. Anthony asked how the collapsible bollards would work. Mr. Matthes replied he understood there would be lock box and the Fire Department would have a key to that lock box. The key to unhook the bollards would be in the lock box. He noted he believed the bollards would just fall over.
Mr. Kespohl asked if the City owned the alley. Mr. Teddy replied the alley was a public right-of-way. Mr. Kespohl asked if the bollards were on private property. Mr. Teddy replied no. He explained the right of use granted these private parties the permission to install small structures in the public right-of-way. Mr. Thornhill noted utilities ran through the alley as well. Mr. Kespohl wondered if the City should install the bollards so they could be removed if needed. Mr. Schmidt pointed out Landmark Bank had put up a gate to their parking lot and the bulk of the parking lot was a part of a public alley. He thought Landmark had done a nice job of marking the pedestrian walkway through the parking lot.

Mr. Kespohl thought the City should install the bollards if it was within the public right-of-way. Mr. Noce explained it was within a public right-of-way. This just changed the access from both cars and pedestrians to just pedestrians. He noted the bollards would be maintained by the private entities through this agreement versus the City being responsible for maintenance. Ms. Hoppe thought the City should allow it if the private entities were willing to pay for it. Mr. Kespohl stated he was concerned the City would lose control of the alley. Mr. Noce explained the right of use permit was similar to a license and could be revoked. He noted the City was not ceding control of the public right-of-way. The right of use was granting permission for the installation of the bollards.

B332-11 was given third reading with the vote recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

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

The bill was given second reading by the Clerk.

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

B333-11 was given third reading with the vote recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

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.

The bill was given second reading by the Clerk.

Mr. Hood provided a staff report.

Mr. Dudley commented that he had spoken with members of the Audubon Society and the neighbors, and believed everyone was happy. A few people had concerns regarding the amount of soil that had been moved from Rollins, but everyone seemed to be generally happy with this.

Ms. Hoppe stated she appreciated having the different surface types along with the pros and cons to review.

Mr. Dudley made a motion to amend B335-11 per the amendment sheet. The motion was seconded by Mr. Thornhill.
Mr. Matthes explained the amendment sheet addressed some minor issues, such as the City agreeing not to obstruct the Audubon parking lot.

The motion made by Mr. Dudley and seconded by Mr. Thornhill to amend B335-11 per the amendment sheet was approved unanimously by voice vote.

B335-11, as amended, was given third reading with the vote recorded as follows: YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

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.

The bill was given second reading by the Clerk.

Mr. Hood provided a staff report.

Mr. Schmidt asked why this was necessary since the Council had agreed to this when they voted to proceed with the trail. Mr. Hood replied Mr. Boeckmann had indicated that while this had been addressed in the easement, he believed it needed to be included in the Code of Ordinances since the provision restricting dogs on the other portion of the trail had been included there.

Greg Ahrens, 1504 Sylvan Lane, understood there was an alternate route, but wondered if there would be signage indicating dogs were prohibited from this point forward along with an alternate route so someone jogging with a dog could take the alternate route and not have to turn around.

Mr. Schmidt agreed with Mr. Ahrens in that signage was needed. Mr. Hood stated they fully intended to have signs at the appropriate locations advising the users of the rules and providing directions.

B336-11 was given third reading with the vote recorded as follows: YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

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.

The bill was given second reading by the Clerk.

Ms. Anthony asked how much per acre the School Board paid for the elementary school tract. Mr. Hood replied he did not know the exact per acre value, but the amount reported in the media was $1.5 million for the 32 acres, which was about $30,000-$40,000 per acre.

Rob Wolverton, 2504 St. Regis Court, stated he was a member of the St. Charles Road Development Group, which was the group that owned the property in question and was selling the property to the Columbia Public Schools for the elementary school.

Ms. Anthony asked for the selling price of the school tract. Mr. Wolverton replied it involved 32 acres for $1.5 million, but included in the contract was a $500,000 donation to the Columbia Public Schools, so it was a net of $1 million. Ms. Anthony asked for the price per acre. Mr. Wolverton replied it was roughly $32,000 an acre.
Ms. Anthony asked for clarification regarding who was paying for what infrastructure and how the tract would be accessed. Mr. Hood replied, as part of the contract, the seller of the property had agreed to extend Battle Avenue northward to the point it would provide access through the stem to the park property. The seller had also agreed to extend a public sewer line to the park property. He pointed out both provisions would be completed before the City would close on the property.

Paul Love, 100 Sondra Avenue, noted he understood the assessed value for this property was one-fourth to one-fifth of what the City was being asked to pay for the property and explained he would be happy to sell his home for four to five times its assessed value. He understood the seller might be paying for roads and sewer, but felt this needed to be clarified. He wondered why the City was paying so much when it was tight on money. Mr. Thornhill pointed out there was a certain amount of money the voters approved for only land acquisition and that money could not be used for anything else. Mr. Love stated he was still concerned about the cost as they could potentially purchase more land with the same amount of money. He wanted to ensure the City was getting a good value for its money.

Mr. Matthes explained the purchase price was based on an appraisal instead of the assessment as the assessment measured something different. It measured the land use the last time it was assessed. Appraisals were based on the potential use of the property so they were always very different. He had not known anyone that had been allowed to purchase land on the assessed value. Appraisals were what they had to use and what was used in this process.

Mr. Thornhill asked if a third party appraisal had been done. Mr. Hood replied yes.

Ms. Anthony stated she was concerned about the price along with this location for the school. She hoped the next school site was reviewed as a comprehensive project because she felt they had not coordinated efforts in terms of purchasing the property needed. Although she liked the idea of having a park in between the elementary school and the high school, she felt they sometimes did not look at the entire site before acting. She believed this location was problematic and the City was paying a premium for the land.

Mr. Thornhill noted that was almost the exact same argument when the School Board chose the location for Rock Bridge High School because it was outside of the City on a two lane road with nothing around it.

Mr. Schmidt thought the same argument was likely made when Hickman High School and Grant Elementary School were built, but noted it did not mean it was not right. He stated he was not sure why 100 acres was needed for the high school and 30 acres for the elementary school. He thought it would be nice if they could build up instead of out and use land closer to the City so they did not create more transportation issues.

Ms. Hoppe commented that it made sense to put the park next to the schools where it would be well used. It was a logistical decision that she believed was wise.

B337-11 was given third reading with the vote recorded as follows: YES: ANTHONY, HOPPE, McDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B339-11 Amending Chapter 12 of the City Code to prohibit certain discrimination based on gender identity.
The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Ms. Hoppe commented that in reading Section 12-18(6) it appeared as though some things were out of place. She asked if it was age only as it related to employment. She thought the housing and employment needed to go together.

Mr. Schmidt agreed the language was odd, but felt it had always been that way since the proposed amendment did not change it.

Mr. Noce agreed the wording had been there previously and if there was another intent at the time it was written, he did not know what it was.

Ms. Hoppe understood the definition of protected category in Section 12-32 did not include age and asked if it should. Mr. Matthes replied he thought it should be added.

Ms. Anthony made a motion to amend B339-11 by adding age to the definition of protected category in Section 12-32. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

David Finke, 1106 Maplewood, commented that he had previously served the City for six years as a member of the Human Rights Commission and during that time they had tried to learn more about gender issues. Leadership had been provided by a fellow member of the Commission, Kylar Broadus, who was a transgender and had helped them understand some of the situations faced by transgender people. He read a letter he had written to the Columbia Daily Tribune in December of 2000, which indicated he was supportive of adding gender identity to list of those protected from discrimination. He provided a copy of excerpts from the November 20, 2002 Human Rights Commission Meeting minutes to the Council and noted it had indicated the Council had voted to accept the report regarding the inclusion of gender identity as a protected class, but had taken no further action. He thanked the civic leadership for helping to rectify this situation and noted he looked forward to celebrating the vote that would allow Columbia to join other communities that were for the advancement of human rights.

Ms. Anthony stated she was happy to support this item and noted she was shocked no action had been taken nine years ago. She believed this was long overdue.

Mayor McDavid believed it said something of the community that this was not an issue and would pass without any contention or disagreement. He wondered why that had not happened previously. It might be that the times and people had changed.

Mr. Schmidt noted America's great strength was its diversity and Columbia had continued to expand the notion of what that meant.

B339-11, as amended, was given third reading with the vote recorded as follows: YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY. 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.
B323-11 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.

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.

B334-11 Accepting conveyances for utility purposes.

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

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.

R209-11 Authorizing agreements with various social service agencies.

R210-11 Authorizing an agreement with LexisNexis VitalChek Network Inc. to provide the online application of birth and death certificates.

R211-11 Authorizing an agreement with Robert E. Lamb, Inc. for engineering services necessary for planning the consolidation and relocation of the Water and Light Department transmission control center.

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

NEW BUSINESS
R212-11 Authorizing a license agreement with Socket Telecom, LLC to place fiber optic conduits and related equipment on property located on Clark Lane between U.S. Route 63 and the U.S. Route 63 Extension.

The resolution was read by the Clerk.

Mr. Matthes provided a staff report.

Ms. Hoppe understood this was an unnamed park and asked when it was acquired. Mr. Hood replied the property was donated to the City at the time the Home Depot property was being developed and the City accepted it with the understanding it would be part of the Hinkson Creek Greenbelt and the potential route of the Hinkson Creek Trail.

Mr. Schmidt commented that they might want to do some grading when they dug. Mr. Noce explained they would be boring to try to minimize the impact of the area.

Matt Kohly stated he was with Socket Telecom and was supportive of this license agreement.

Mr. Schmidt asked for clarification regarding this project. Mr. Kohly replied the fiber optics would go from their headquarters located at 2703 Clark Lane, across the City park, which bordered Hinkson Creek, and connect to the State right-of-way on the other side. They would directional bore, so they would not disturb the surface or leave anything at the surface level.

The vote on R212-11 was recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, THORNHILL, KESPOHL, DUDLEY. 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.

B344-11 Amending Chapter 14 of the City Code as it relates to parking for veterans.

B345-11 Authorizing the acquisition of easements along portions of Bernadette Drive, Fairview Road, Stadium Boulevard, Beverly Drive and Worley Street as part of the Stadium Boulevard corridor street and storm sewer improvement project.

B346-11 Authorizing the City Manager to apply to the United States Department of Transportation Federal Aviation Administration for airport capital assistance grants.

B347-11 Authorizing a grant agreement with the State of Missouri – Missouri Arts Council for the Parks and Recreation Department C.A.R.E. Gallery program; appropriating funds.

B348-11 Authorizing a consulting contract with PedNet Coalition, Inc. for implementing activities associated with the Robert Wood Johnson Foundation – Health Impact Assessments Grant; appropriating funds.

B349-11 Authorizing a contract for services with Central Missouri Community Action for implementation of The Missouri Foundation for Health – Support for Local Policy Change Grant; appropriating funds.
B350-11 Authorizing an agreement with Regional Economic Development Incorporated (REDI) for the lease of space in the Fifth Street and Walnut Street Parking Garage.

B351-11 Appropriating funds for bonus expenses reimbursed by Regional Economic Development Incorporated (REDI).

B352-11 Appropriating funds for personnel expenditures in the Department of Economic Development.

B353-11 Establishing new group insurance premiums for employee and retiree/COBRA health and dental care plans.

B354-11 Adopting the Choice Plus Plan, the Choice Plus $1,500 Plan, the Choice Plus $1,500 High Deductible Health Plan and the Dental Plan for the City of Columbia.

B355-11 Amending Chapter 19 of the City Code as it relates to personnel policies, procedures, rules and regulations.

REPORTS AND PETITIONS

REP201-11 Speed Study - Prairieview Drive.

Mr. Glascock provided a staff report.

Mr. Thornhill asked for the procedure to get this added to the 2013 project list. Mr. Glascock replied it could be added to the CIP as part of the budget process. Mr. Matthes explained it would come back to Council for formal vote.


Mayor McDavid commented that it was interesting to read a report that was written four months before the housing collapse and noted he was not sure the issues had changed. Mr. Matthes pointed out staff was working on a follow up to this report and would bring it to the Council in the future.

Ms. Hoppe understood the report included recommended future actions for Council consideration and noted she wanted to know what Council had and had not done to date. She assumed that would be included in the report. She understood one recommendation was to establish a committee to specifically review ways of maintaining and improving manufactured housing and felt they needed to move forward with that recommendation. She asked when this would be ready for a pre-council discussion. Mr. Matthes replied he thought it would be ready in January if that was an acceptable time frame.

Ms. Hoppe provided the Council a handout regarding ROC USA, a non-profit that worked in establishing cooperative manufactured housing parks.

Ms. Anthony commented that she wanted to know if the City was doing what it needed from a planning and zoning perspective as well when staff reported back to Council. She assumed some of the recommendations were being rolled into the comprehensive plan process, but wanted confirmation that was in fact happening.

Mr. Kespohl asked if staff was planning on updating the numbers in this report as well. Mr. Teddy understood some quantitative targets were in the goals and staff would determine what the production had been as best as they could.
Mr. Kespohl stated he felt this was good information, but that the numbers had likely changed for the worse.

Mr. Schmidt commented that he was interested in seeing what had changed and wondered if the new database would help them keep more of these metrics in real time. Mr. Matthes understood it would have dashboards to assist.

Mayor McDavid understood one of the members of the Task Force was Jeff McClellan, who was a highly respected banker, but lending standards had dramatically changed since the report. He did not know how that could be factored into the affordable issue, but felt it would be interesting to see. Mr. Teddy noted the foreclosure phenomenon did not get a lot of discussion since it was still early in terms of that issue nationwide.

Mayor McDavid believed it would also be interesting to see what happened to housing prices at the lower end due to the foreclosures. He wondered if they had declined in value or had become more affordable even though more people were unemployed. Mr. Schmidt commented that traditionally the bottom of the housing market had been relatively stable because it tended to not go up, but he had seen a lot of $40,000 houses around his neighborhood that just needed a little bit of help. He agreed it was time to address this issue along with the manufactured housing issue. Mayor McDavid understood the Reapportionment Committee had indicated eight percent of residences were unoccupied and he was interested in seeing how that impacted had housing prices.

**REP203-11  Business Loop - Pedestrian Crossing to Access Bus Stop.**

Mr. Matthes explained this report had been provided for informational purposes.

**REP204-11  East Campus Curbs.**

Mr. Matthes explained this report had been provided for informational purposes.

Ms. Hoppe recalled many curbs had crumbled and did not exist where the residents wanted the curb painted yellow to indicate no parking. She noted she would take this report back to the East Campus Neighborhood Association for discussion and would then meet with them and staff to develop a plan to move forward. Mr. Glascock explained they had filled in the curbs with asphalt all of the way to the top in some locations.

Mr. Schmidt understood none of this affected sidewalks. Mr. Glascock stated he did not think it affected sidewalk.

**REP205-11  Intra-Departmental Transfer of Funds Request.**

Mr. Matthes explained this report had been provided for informational purposes.

Mr. Kespohl stated he was happy to see the transfer of funds to close out accounts totaling about $300,000.

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Karl Skala, 5201 Gasconade Drive, stated he had been a member of the Infrastructure Task Force, which had been suspended, but was still seated, since they had to inform the Council on the comprehensive plan, and noted the Infrastructure Task Force had provided Council two reports, a majority report and minority report. The first goal of the Task Force
had been to identify infrastructure funding issues, some of which affected the transportation system, and in their review, it was determined the half-cent transportation sales tax funded new infrastructure, the maintenance of old infrastructure and subsidized the bus and the airport. He explained the difference of opinion between the majority and the minority reflected what to do with those monies. The majority report suggested the bus system and airport system needed to stand alone through revenue streams that would provide for their own subsidies, and in exchange, they could increase funding to new infrastructure for growth and increase funding for maintenance. The minority report suggested a continuation of subsidizing the transportation and airport systems to the extent possible while considering a change to a trip generation approach instead of just a development fee approach. The trip generation approach could be revenue neutral with respect to the current development fees or could be increased. He thought this might be a way to continue the subsidies for the bus system while generating money for new growth infrastructure from a different source with a different model. He also noted that in his capacity as the Chair of the Smart Growth Coalition, they were concerned with affordable housing and some of them had donated money to the Voluntary Action Center to help those being relocated from the Regency Mobile Home Park. He commented that there were a lot of other groups that would help if asked as they were concerned about the affordable housing issue.

Paul Love, 100 Sondra Avenue, stated he believed the City would have a hard time finding affordable housing if they were buying land at $20,000-$30,000 an acre. He also thanked the Council Members for their service to the community as he understood they invested a lot of time.

Mr. Schmidt stated he was pleased to see enthusiasm from the students in terms of taking an interest in the future of transit as they were the majority of the riders of the transit system. He noted they were in a crisis with the current transit system and hoped a world class transportation system would come out of that crisis.

Ms. Hoppe commented that she was also pleased there was a student interest in looking at transit. It appeared they were taking this on as their own issue in an effort to determine how to proceed in terms of what would work best for them. She hoped the City would work with the students as much as possible so something good for transit would come out of this effort.

Ms. Hoppe noted they discussed utility assistance at the pre-council meeting and learned there was a great need since funding for the CASH and HELP programs, which helped people keep their utilities on, were down 35 percent from 10 years ago. She wanted to remind people who were doing well that there was a great need in the community for this type of assistance and to donate to these programs through their utility bills. She stated she would increase her donation by $10 per month and try to get 10 other people to either start donating or increase their donations by $10. She challenged others that could afford to do so to do the same.
Mr. Kespolh understood work had been suspended for the project burying lines in the Woodridge Subdivision due to another project on Clark Lane. He wondered when the work at Woodridge would be completed as it was about half of the way done and asked for staff to check on its status.

Mayor McDavid stated he was pleased to hear the comments of Brittany Perrin, the graduate student who spoke earlier about transit, as this was an acute problem. He noted a collaborative transit system with the University was a conversation and would not end tonight as it was an ongoing conversation. The model in Ames, Iowa was one he had become attached to since it was transparent. One could go to the website, www.cyride.com, to see statistics and metrics going back to 1977. It provided the history of their transit system and indicated they now had 100 rides per capita. Columbia only had 20 rides per capita. He believed this model showed where Columbia could go and felt the conversation would continue.

Mayor McDavid noted he had spoken to some groups regarding the airport based on information developed by an airport consultant, the Boyd International Group, which was pessimistic to small airports since the airline industry was consolidating. He was pleased the City had hired this consultant so they would be aware of the bad news. He understood the City had plans for a three gate terminal that would cost $10-$14 million and had been developed at some point in the past. He asked staff to present those plans to the Council as a report. He noted he had been approached by many in the community that were engaged in this issue and was delighted to see the Chamber of Commerce was forming a task force to deal with the issue. He believed it would take widespread community, multi-jurisdictional and geographic support to solve this problem. He commented that Jefferson City needed this airport as much as Columbia did and Columbia would likely be confronted with changing the name of the airport. He looked forward to seeing the work of the consultant and his recommendations on how best to feed this momentum.

The meeting adjourned at 9:18 p.m.

Respectfully submitted,

Sheela Amin
City Clerk