INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, December 3, 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 SCHMIDT, TRAPP, KESPOHL, DUDLEY, HOPPE and MCDAVID were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of November 19, 2012 was approved unanimously by voice vote on a motion by Ms. Hoppe and a second by Mr. Trapp.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

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

SPECIAL ITEMS

B335-12 Accepting donated funds from the John W. Boone Heritage Foundation for the Blind Boone Home landscaping project; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Clyde Ruffin stated he was the President of the John William Boone Heritage Foundation, and commented that since 1889, the home of John William Blind Boone, a world renowned composer and pianist, had stood adjacent to the historic Second Missionary Baptist Church at 10 N. Fourth Street. When Fourth Street had been known as River Street, Boone’s home sat on the banks of the Flat Branch Creek and had provided inspiration for Southern Rag Melody No. 2 - Strings from the Flat Branch. In 1997, a group of dedicated citizens, who became the original members of the Foundation, joined together to petition the City to purchase the Blind Boone Home in order to establish a cultural heritage center. He noted the Foundation secured grant funds with the assistance of the City in order to stabilize and restore the most deteriorated portions of the structure, and in 2003, the United States Secretary of the Interior placed the home on the National Register of Historic Places. The goals of the Foundation were to preserve and restore the home to its original Victorian splendor, ensure the home remained a vibrant gathering place for the community to celebrate Boone’s unprecedented achievements in music and philanthropy and inspire future generations of young people to use their gifts and abilities for the greater good. He commented that they were grateful for the partnership with the City of Columbia as it had provided the necessary institutional support to bring this vision to its present level. The next step in the partnership was the installation of the tribute gardens, which would serve as a
venue for outdoor performances and a welcoming environment to draw attention to the
progress of the project and solicit broader community support for the complete restoration of
the home. As President of the Foundation, he acknowledged the City’s receipt of a check
representative of their fundraising efforts to date in support of this phase of the restoration,
and requested the Parks and Recreation Department oversee the development of the
gardens. He stated the Board would remain an active collaborator and continue to pursue
grant funding, private fundraising and volunteer support. He explained he was confident the
complete restoration of John William Boone’s home would stand as a proud historic symbol
for the City of Columbia that acknowledged the extraordinary history of the City and
celebrated the life of one of the most beloved African-American citizens.

Ms. Hoppe commented that she had participated in a tour of neighborhoods in Boston,
Massachusetts as part of the National League of Cities Conference and believed a sense of
place and the history of a community was very important in terms of why people wanted to
live in a particular area and for economic development. She thanked Dr. Ruffin for his work
and thought the City should do even more to ensure this home was restored.

B335-12 was given third reading with the vote recorded as follows: VOTING YES:
SCHMIDT, TRAPP, KESPOHL, DUDLEY, HOPPE, MCDavid. VOTING NO: NO ONE. Bill
declared enacted, reading as follows:

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

SCHEDULED PUBLIC COMMENT

Bruce Summers – Water fluoridation.

Bruce Summers commented that he was concerned about the use of the water supply
to deliver medication, which in this case was fluoride. He noted the definition of a medication
was the administration of a drug or medicine that treated, prevented or alleviated symptoms
of a disease. He understood the reason fluoride was added to water was to attempt to
reduce the number of cavities or dental caries. Chlorine and chloramines were added to the
water to clean the water, but fluoride was added to medicate the population. He noted a
doctor would not prescribe medication through the water supply because he/she would not be
able to control the dosage, and asked how one could control the amount of fluoride that was
consumed when it was delivered via water. He understood the target dosage of fluoride was
achieved by drinking five glasses of water per day, but noted many people drank more than
five glasses per day or drank beverages or ate food prepared from the City’s water supply.
He commented that if he calculated it correctly, one glass of water included more fluoride
than the OSHA threshold. He pointed out he was not debating the positive or negative
effects of fluoride. He was debating the larger issue of using the water supply to deliver
medication. He asked the Council to approve a motion to temporarily suspend the addition of
fluoride to the water supply and to study a voucher system, similar to the trash bag program,
allowing for a fluoride prescription to be filled.
Monta Welch – Climate Change updates, People’s Visioning request.

Monta Welch stated the People’s Visioning wanted the Council to raise Columbia’s renewable energy standard goals and help take Columbia farther as a community of note in terms of its leadership in becoming a sustainable, healthy, just and livable city. She explained Columbia’s renewable energy standards were passed in 2004 with 78 percent approval, and noted this was the first voter mandate of its kind in any U.S. community. She commented that these same voters were coming to the Council to acknowledge and respond to the present circumstances of climate change by asking for a new renewable energy standard of 80 percent by 2015 to signal and help spur real climate change solutions through efficiency, conservation and renewable energy. She listed communities with 90 and 100 percent renewable energy standards. She pointed out the World Bank had recently stated humans needed to begin a series of aggressive measures to halt carbon emissions or prepare for unprecedented stresses on human systems, and that this request would help address climate change, improve the local economy through green job creation without blighting large areas of the community and assist in living up to reducing the greenhouse emissions as a signatory to and participant in the Mayor’s Climate Protection Agreement. She stated the foremost U.S. climate scientist, James Hanson of NASA, had indicated the world had little time left and a few years to change before a tipping point beyond what they were unable to return from was reached. She understood they needed to get from 391 parts per million to 350 parts per million of greenhouse gases. She commented that the People’s Visioning believed renewable energy was the answer instead of natural gas, fracking and other fuels that were cheap due to taxpayer subsidy, and noted they were working on energy and sustainability proposals that addressed climate change and would bring good, longer term green jobs for many. These ideas would also keep more energy dollars in Columbia. She reiterated that they were asking the Council to raise Columbia’s renewable energy standard goals to 80 percent by 2015. She also asked the Council and appropriate City staff to meet with them so they could present their ideas in detail, and provided a handout to the Council.

Ms. Hoppe asked Ms. Welch for clarification on the two cities whose standards were at 100 percent. Ms. Welch replied Cincinnati, Ohio was looking at implementing something based on a plan that had already been accomplished in Oak Park, Illinois.

Ms. Welch asked those in the audience in support of increasing Columbia’s standards to stand, and approximately twelve people stood.

PUBLIC HEARINGS

None.

OLD BUSINESS

B323-12 Authorizing the issuance of Special Obligation Electric Utility Refunding Bonds (Annual Appropriation Obligation) Series 2012E.

The bill was given second reading by the Clerk.

Mr. Blattel and Mr. Matthes provided a staff report.
Mayor McDavid understood the City would save $11 million over the life of the bonds, which was 20 years and $5.5 million in today’s money. Mr. Blattel stated that was correct.

Mr. Schmidt understood the short rates were higher than the longer rates. Mr. Blattel explained the shorter term was priced to generate a premium because the premium was how the bond underwriter recovered its cost. The City still yielded the amount of cash from the overall issue needed to retire the refinanced bond issue. Mr. Schmidt understood the yield curve was not inverted. Mr. Blattel stated the true interest rate for the entire issue was 2.53 percent as it took the premium into account. The actual interest rate on the first issue was around .35 when the premium was removed.

Mr. Kespohl understood this was the $38 million electric bond. Mr. Blattel stated that was correct. Mr. Kespohl commented that he had brought eight bonds to the attention of staff and four were now refinanced. He understood they had four more to go as they reached five years old. Mr. Blattel explained two of the four remaining issues were Build America Bonds, and those could not be refinanced. The other two bonds were smaller issues, and staff was waiting for the opportunity to refinance those. He pointed out he was able to refinance the ones already done due to their size since there was a cost of refinancing issues, and noted it was only worth doing if there was a net benefit of 5 percent on the interest rate. Mr. Kespohl asked Mr. Blattel if he felt they were pretty much finished with the process. Mr. Blattel replied yes.

Mr. Kespohl made a motion to amend B323-12 per the amendment sheet. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Shari Korthuis, 2987 Running Deer Court, understood the City never paid any principal on the 2006 $38,535,000 bond issue, and had only made interest payments. Mr. Blattel stated that was correct. Ms. Korthuis understood the City combined that bond issue into this $46 million bond issue. Mr. Blattel stated that was correct. Ms. Korthuis understood the City would pay interest to Cede & Co., and asked if that had been researched. She also asked how the City would pay the interest and principal of this bond issue. Mr. Blattel replied this new bond issue would retire the old bond issue, so the revenue would come from the sale of the new bonds. Ms. Korthuis understood Cede & Co. would own the bonds. Mr. Schmidt stated he believed Cede & Co. was the dealer. Ms. Korthuis understood they were the registered owner of these bonds. Mr. Blattel stated that was correct, but it was only until they resold the bonds to the public or mutual funds. Ms. Korthuis commented that she was concerned because cities all over the country were filing for bankruptcy because they had bonds issued that could not be paid. Mr. Blattel explained these bonds were backed by the electric utility revenue. Ms. Korthuis suggested the City investigate this further since municipalities all over the country could not make their bond payments.

Mayor McDavid congratulated Mr. Kespohl and Mr. Blattel for saving the City money. He commented that the utility required the building of big things, and noted money was borrowed from bondholders and the City paid those bondholders back with the proceeds from the utility bills. He noted the City was considered to be financially stable and explained the last report he saw by Fitch in February 2012 had Columbia rated as a strong, economic entity. He stated he believed the Finance Director had done a great job in saving the citizens
of Columbia a lot of money and noted it would be reflected in lower utility bills in the years ahead.

Mr. Blattel explained the financial market looked at a debt to equity issue when issuing debt and anything above a ratio of 1.1 was considered healthy, and the City’s electric utility ratio was above 3, so the utility was in strong financial shape.

Mr. Kespohl commented that the old bond issue showed a principal payment of $6.5 million starting in 2028 for five years, and it was spread out between $2.6 million and a little over $3 million in the new bond issue. He was pleased with this because it took debt off of future generations and thanked Mr. Blattel for refinancing the bonds.

Mr. Schmidt stated cities went broke by borrowing money they could not pay back, but in this situation, they were borrowing money they could pay back. He understood at the time the bonds were initially issued, they had to issue bullet bonds, but they were now able to issue amortizing bonds. Mr. Blattel explained there was currently a demand for debt issues in the market. Corporate balance sheets were strong so corporate borrowing was not as great as it had been in the past and the appetite for municipal bonds was greater and created a greater competition, which lowered the effective rate the City had to pay. Mr. Schmidt stated he was pleased with the 35 basis points on the short end as it allowed the City to amortize.

B323-12, as amended, was given third reading with the vote recorded as follows:

VOTING YES: SCHMIDT, TRAPP, KESPOHL, DUDLEY, HOPPE, MCDAVID. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B329-12 Authorizing a contract for sale of real estate with Central Concrete Company for the acquisition of property near the intersection of Vandiver Drive and Lake Ridgeway Road for a compressed natural gas fueling station.

The bill was given second reading by the Clerk.

Mr. Glascock provided a staff report.

Mayor McDavid asked if the City had a contract with Clean Energy. Mr. Glascock replied the City did not. He explained a place for the fueling station was needed before they could move forward with a contract with Clean Energy to build a station. He noted staff had spoken with Bass Pro and other neighbors, and they did not feel it would be detrimental.

Mayor McDavid understood Clean Energy was a Boone Pickens company, and Mr. Pickens had a plan that had not yet come to fruition whereby he believed the United States could save 20 percent in oil imports if all big rigs used compressed natural gas (CNG). If big rigs started using CNG, he wondered if the proposed location would be used as it was not easily accessible from I-70. He asked if this would mostly be for City use. Mr. Glascock replied the City and private entities would use it as the City could make royalties off of it. He noted they were in discussions with Central Concrete as they were considering changing their truck fleet to natural gas, and the City was considering changing its buses and solid waste vehicles to natural gas. It would take time to change over to CNG, but this would be the only station between St. Louis and Kansas City. Mr. Matthes commented that in order to realize the vision of Mr. Pickens, vehicles had to make it to the next gas station. As a result, Columbia was critically important in terms of vehicles making it across the State.
Mr. Schmidt asked if Clean Energy was agreeable to this location off of Highway 63 instead of I-70. Mr. Glascock replied they had seen it and noted it had interchange access. Mayor McDavid understood access from the interstate would not be difficult. Mr. Glascock stated that was correct.

Mr. Dudley commented that he believed Lake Ridgeway was narrow and old, and not in the best condition. Mr. Glascock replied it was built when Bass Pro was built, so it was a fairly new road. Mr. Schmidt asked for the width of the street. Mr. Glascock replied he thought it was either 32 or 38 feet wide as it had been built to the old standards.

Mr. Kespohl understood there was a minimum amount of natural gas that had to be used per month. Mr. Glascock stated that was correct and explained he thought they could get to 40 percent of that amount if they purchased certain CNG vehicles this year. He believed it would take 3-4 years to meet the minimum. Mr. Matthes explained the City would pay the company for the gap for providing the service, and once they were at the minimum, the City no longer had to pay the fee. He commented that he believed it was a good financial bet because the City would still save money in the short term. Mr. Kespohl asked if the City would convert vehicles or purchase new vehicles. Mr. Glascock replied the City would order new vehicles because it was hard to convert the vehicles the City currently had.

Ms. Hoppe understood the cost of these two acres was $300,000, and asked if the land had been appraised. Mr. Glascock replied it had been appraised. Ms. Hoppe asked if that was the going rate for M-1 property. Mr. Matthes replied this was a good price.

Ms. Hoppe asked if natural gas produced less carbon emissions. Mr. Glascock replied it was a cleaner burning fuel. Ms. Hoppe asked where the natural gas would come from. Mr. Glascock replied he believed it would be supplied by Ameren UE. Ms. Hoppe asked where Ameren UE obtained the natural gas. She pointed out there were concerns about fracking and water contamination. Mr. Glascock replied he did not know, but could try to find out. Mayor McDavid understood there was a national market. Mr. Glascock stated that was correct and noted he understood Ameren UE supplied all of the natural gas to the City. Mr. Schmidt understood it was the same gas people were already burning in their furnaces. Mr. Glascock stated that was correct.

Ms. Hoppe asked if this would impede or prevent the City from pursuing other forms of energy efficient clean energy vehicles such as electric, hybrid, etc. Mr. Matthes replied the City’s fleet was big enough to allow them to do a little of everything. There was a minimum the City needed to procure to do this, so for the next few years, the City would replace its older vehicles with natural gas burning vehicles, but they did not plan to replace every truck in Public Works fleet with compressed natural gas. He believed the City needed a diversified pool to minimize the risk. He did not plan on committing 100 percent to any one fuel source. Mr. Schmidt understood the City already had hybrid cars. Mr. Glascock stated that was correct.

Ms. Hoppe asked if the City would continue to own the land. Mr. Glascock replied yes. He explained they would like to enter into a lease/purchase agreement on the natural gas site. Mr. Schmidt understood the City would not be taking on a huge environmental risk since it was CNG instead of gasoline. Mr. Glascock stated that was correct. He pointed out
the City would conduct an environmental study on the site. Ms. Hoppe understood the City could get out of the contract if something was found. Mr. Glascock stated that was correct.

Monta Welch, 2808 Greenbriar Drive, stated she was speaking on behalf of several organizations and the People’s Visioning, and explained they felt this was the wrong direction for the community to go for a variety of reasons. She commented that fracking involved pumping pressurized fluids into underground shell deposits to create fractures to release gas. The fluids used were water based, but also contained chemical additives, and it had been found that methane was released in this process as well. As a result, it was not a climate friendly fuel source. She noted Chicago had recently purchased electric trash trucks, and suggested this technology be used. She pointed out renewable energy was cleaner and better for public health. She urged the Council to not continue moving forward with CNG, and to meet with the People’s Visioning with regard to how they would propose to provide renewable energy for the community. She provided a handout to the Council.

Shari Korthuis, 2987 Running Deer Court, stated she agreed with Ms. Welch, and suggested the City purchase electric, solar, etc. vehicles instead of natural gas vehicles. This might save the City money, but in the long run, it would not save the environment and would be a life threatening cost savings decision. She commented that fracking involved boring as deep as 10,000 feet and as much as two miles horizontally with 944 chemicals into tight seams of rock formations to loosen methane or natural gas, and every well used 8 million gallons of water and there were already one million wells across the country. She did not believe this was good for the environment. She reiterated the City needed to focus on renewables, which included solar, wind, electric and geothermal. She believed there was a water scarcity in the country, and the U.S. was fighting wars for resources such as water, oil and natural gas. If the City converted its vehicles to natural gas, the City was then support that industry. She asked the Council to watch the Gasland documentary prior to making a decision.

Eugene Elkin, 3406 Rangeline, commented that he was concerned about the explosive nature of trucks using CNG, and wondered if one truck could do as much damage as a bomb.

Mayor McDavid asked for the cost of an electric trash truck. Mr. Glascock replied he did not know. Mayor McDavid asked how the electricity was put in the battery of an electric trash truck. Mr. Glascock replied the battery was charged. Mayor McDavid asked if the electricity would be produced from coal. Mr. Glascock replied it was dependent upon what the power company provided.

Mr. Matthes stated staff could provide the Council more information on the process of weighing the alternatives, and the reasons they believed this was a good step forward, but pointed out they wanted to go ahead and purchase land as it was time sensitive. He noted natural gas was an improvement over diesel in terms of the environment, and in that regard it was a positive step.

Mr. Schmidt commented that a few years ago everyone believed natural gas was the clean solution, and he believed the City’s strategy of pursuing a diversified energy policy was a good one since the City did not know what the future held. Currently, the City’s electricity came mostly from coal, but it might come from other sources in the future. He noted they did
not yet have the technology to produce enough solar to fuel all of the City’s cars. He assumed more and more vehicles would be multi-fuel sourced, and if reasonably priced, a vehicle that could be electric or run on gas could be purchased.

Mr. Trapp stated he was in favor of this proposal as he believed natural gas was an important transition measure as other better alternatives became available. He understood the targets of the cap and trade bill had been met by decreasing prices due to utilities moving to natural gas. He pointed out it was much cleaner than diesel, and noted they had to work in the world of the possible. He did not believe it was good to equate electricity with clean energy. A previous Council had locked the City into a long term coal contract, so the City’s electricity would be very dirty for a very long time. Electric vehicles might be a good idea down the road when the City had clean electricity, but at this time, the technology was lacking and the City had contractual obligations to continue to supply coal generated power. He stated he liked the idea of diversifying, but they had to work with was what possible while working toward the idealistic goals and visions of a sustainable community. He felt it was better to do something to move significantly forward even though it was less than perfect.

Ms. Hoppe stated she was interested in receiving the additional information Mr. Matthes indicated could be provided. It appeared as though this was a good deal, so if they made a decision to not continue with CNG, the City could likely sell the land for more than it paid for it. She noted she had concerns with regard to fracking and water quality, and hoped those would be addressed. She commented that she had read yesterday in the New York Times that natural gas produced less carbon emissions than coal, and pointed out she was interested in increasing the City’s renewable goals. She asked if trucks tended to explode more with natural gas than with diesel. Mr. Glascock replied he did not believe they did, and noted all fossil fuels were explosive. The gas tanks were dual-walled, so there were preventive measures made to keep it from occurring.

B329-12 was given third reading with the vote recorded as follows: VOTING YES: SCHMIDT, TRAPP, KESPOHL, DUDLEY, HOPPE, MCDAVID. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B339-12 Amending Chapter 15 of the City Code to establish a two dollar surcharge on municipal court cases to be paid into an Inmate Prisoner Detainee Security Fund.

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Trapp asked for the percentage of costs this would recover. Mr. Matthes replied it would create anywhere from $18,000-$35,000 per year, but would not cover much of the cost. It would, however, help the City replace some of its equipment.

B339-12 was given third reading with the vote recorded as follows: VOTING YES: SCHMIDT, TRAPP, KESPOHL, DUDLEY, HOPPE, MCDAVID. 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.
B324-12  Voluntary annexation of property located on the south side of Stanley Pitts Lane, east of Sinclair Road; establishing permanent PUD-0.5 zoning; rezoning property located on the south side of Stanley Pitts Lane, east of Sinclair Road, from R-1 to PUD-0.5 and C-P; approving less stringent screening and landscaping requirements.

B325-12  Voluntary annexation of property located on the west side of Bearfield Road, approximately 1,800 feet south of Nifong Boulevard; establishing permanent R-1 zoning.

B326-12  Rezoning property located on the north side of Broadway, approximately 250 feet east of Silvey Street, from R-3 to O-P; approving the Kelly’s Ridge O-P Plan; approving less stringent screening and landscaping requirements.

B327-12  Amending Chapter 14 of the City Code as it relates to parking limitations on a portion of Waugh Street.

B328-12  Authorizing application to the United States Department of Transportation Federal Aviation Administration and the Missouri Department of Transportation for airport capital assistance grants.

B330-12  Authorizing the acquisition of easements for construction of the Hominy Creek Trail Phase II project.

B331-12  Authorizing a right of use permit with North Light, LLC to allow construction, operation and maintenance of balconies and awnings to extend within a portion of the Walnut Street right-of-way (1200 East Walnut Street).

B332-12  Authorizing a right of use permit with Charity Baptist Church for the placement and maintenance of a directional sign in portions of the McKee Road and Clark Lane rights-of-way.

B333-12  Authorizing right of use permits with E Locust, LLC for the construction, improvement, operation and maintenance of balconies and a private storm sewer within a portion of the Locust Street right-of-way (1102 and 1118 Locust Street).

B334-12  Accepting a conveyance for water utility purposes.

B336-12  Authorizing a program services contract with the Missouri Department of Health and Senior Services for a billing plan for local public health agencies; appropriating funds.

B337-12  Authorizing a program services contract with the Missouri Department of Health and Senior Services for the Teen Outreach Program (TOP); appropriating funds.

B338-12  Amending Chapter 12 of the City Code to add a new section on service animals in places of public accommodation.

R215-12  Setting a public hearing: construction of improvements to the clubhouse, on-course restroom and cart paths at L.A. Nickell Golf Course.

R216-12  Setting a public hearing: replacement of the flooring in designated areas at the Armory Sports Center.

R217-12  Setting a public hearing: voluntary annexation of property located on the south side of Route K, approximately 2,000 feet south of the intersection of Providence Road, Route K and Old Plank Road.
R218-12 Setting a public hearing: consider an amendment to the FY 2012 Annual Action Plan for CDBG and HOME funds.

R219-12 Accepting a grant from the Missouri Department of Transportation – Traffic and Highway Safety Division for a DWI enforcement unit.

R220-12 Authorizing an agreement with Memorial Day Weekend - Salute To Veterans Corporation for an air show at Columbia Regional Airport to be held on Memorial Day weekend.

R221-12 Approving the Preliminary Plat of The Village at Bearfield located on the west side of Bearfield Road and south of Nifong Boulevard.

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

NEW BUSINESS

None.

INTRODUCTION AND FIRST READING

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

B340-12 Amending Chapter 9 of the City Code as it relates to tents and membrane structures.

B341-12 Vacating a portion of a drainage area easement on Lot 101 within Crosscreek Center, Plat 1 located at the northeast corner of Cinnamon Hill Lane and Stadium Boulevard; accepting a conveyance for drainage purposes.

B342-12 Amending Chapter 14 of the City Code to establish all-way stops at the intersection of Ann Street and Cliff Drive and Anthony Street, and the intersection of Corporate Lake Drive and the western Providence Road outer road, and the intersection of Loch Lane and the north-most intersection of Concordia Drive.

B343-12 Amending Chapter 14 of the City Code to prohibit parking on a portion of the north side of Cherry Street and the east side of Second Street.

B344-12 Amending Chapter 14 of the City Code as it relates to parking limitations on a portion of Hitt Street.

B345-12 Amending Chapter 22 of the City Code to eliminate fees for chipping tree limbs and brush at the landfill.

B346-12 Accepting conveyances for sidewalk, sewer and temporary construction purposes.

B347-12 Amending the FY 2013 Annual Budget to add and delete a position in the Information Technologies Department; amending the FY 2013 Classification Plan to reclassify a position in the Information Technologies Department.

B348-12 Authorizing the construction of improvements to the clubhouse, on-course restroom and concrete cart paths at L.A. Nickell Golf Course; calling for bids through the Purchasing Division.
B349-12 Authorizing the replacement of the flooring in designated areas at the Armory Sports Center; calling for bids through the Purchasing Division.

B350-12 Accepting a donation from the Missouri Association of Community Arts Agencies to be used by the Office of Cultural Affairs for training purposes; appropriating funds.

B351-12 Authorizing an agreement with Green Valley Rifle & Pistol Club, Inc. for range facility access and use.

B352-12 Authorizing a grant agreement with the Missouri Department of Transportation - Traffic and Highway Safety Division for occupant protection enforcement relating to seat belt and child restraint violations; appropriating funds.

B353-12 Authorizing a grant agreement with the Missouri Department of Transportation - Traffic and Highway Safety Division for sobriety checkpoints and saturation patrols; appropriating funds.

B354-12 Authorizing a grant agreement with the Missouri Department of Transportation - Traffic and Highway Safety Division to conduct special traffic enforcement of hazardous moving violations; appropriating funds.

B355-12 Appropriating asset forfeiture funds for the purchase of accreditation software for the Police Department.

B356-12 Establishing new group insurance premiums for employee and retiree/COBRA health and dental care plans.

B357-12 Adopting the Choice Plus Plan, the Choice Plus $1,500 Plan, the Choice Plus $1,500 High Deductible Health Plan and the Group Dental Plan for the City of Columbia.

B358-12 Amending Chapter 19 of the City Code as it relates to employee incentive programs.

REPORTS AND PETITIONS

REP178-12 Street Closure Request - Jingle Bell Run/Walk for Arthritis.

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

REP179-12 Heibel-March Building Proposal Recommendation.

Mr. Hood provided a staff report.

Ms. Hoppe understood LEED would not be sought and asked if energy efficiency methods would be used as many energy efficiency measures could be utilized even without the LEED designation. Mr. Hood replied those were details that could be negotiated as part of the actual agreement, but the proposal submitted did not indicate LEED levels would be met. Mr. Schmidt understood the proposal did not indicate they would not build to LEED standards either. Mr. Hood stated that was correct. Ms. Hoppe commented that LEED was sometimes expensive and time consuming, but substantial energy efficiencies could still be included. She asked if the City could partner with the contractor to apply for grants for energy efficiency measures. Mr. Hood replied anything was possible, but the proposal was structured for the City to transfer ownership of the building to Grove Construction, and they would then be responsible for providing the resources to renovate the building.
Ms. Hoppe understood the goal was to preserve a historic building, and asked if the contract would restrict them from demolishing the building in the future. Mr. Hood replied he expected that restriction to be in the contract as those types of clauses and protections had been built into previous agreements.

Mr. Trapp understood the City retained ownership of the land. Mr. Hood replied the request for proposals was structured for the City to retain ownership of the land as it would allow some control of the future of the building.

Mayor McDavid made a motion directing staff to develop a formal agreement with Grove Construction, which would transfer ownership of the building to their agency and outline additional terms and conditions of the project. The motion was seconded by Mr. Kespohl.

Mayor McDavid understood this agreement would come back to Council for consideration. Mr. Hood stated that was correct.

Ms. Hoppe commented that she would like the building to include reasonable maximum energy efficiencies and for the agreement to include provisions to ensure the building would not be destroyed or taken down.

Mr. Schmidt thought the proposal indicated they wanted to restore the building to its historic state, which was a factor considered for choosing this entity. Mr. Hood explained the request for proposals asked that the exterior of the building be restored and preserved, but they had flexibility in terms of the interior of the building. The goal was to protect, restore and preserve the exterior portion of the building. Mr. Schmidt asked if there was much in the interior that was historic. Mr. Hood replied no, and pointed out it had essentially been gutted.

Mr. Trapp commented that he believed a construction company was ideal due to the state of the building, and thought they would want to make it as easy as possible for them as this was essentially a community service as a building could be built from scratch at a lesser cost. He did not believe they wanted to make it overly complicated and pointed out the perfect could become the enemy of the good. He noted the greenest building was the building that already existed and believed the solid brick structure would be great with regards energy efficiency. He commented that this would also bring economic development to the area.

The motion made by Mayor McDavid and seconded by Mr. Kespohl directing staff to develop a formal agreement with Grove Construction, which would transfer ownership of the building to their agency and outline additional terms and conditions of the project, was approved unanimously by voice vote.

REP180-12 Transit Market Share and Expense/Revenue Projections.

Mayor McDavid commented that this report showed the daunting task the City faced as they needed 5,400 passes to make FastCAT break even and only 10 percent of that had been sold to date. He noted the City faced cultural pressures as the University was a commuter campus and not a transit-oriented campus. Students paid $120-$180 per year to drive their car to parking lots and to then be bused to Brady Commons. He stated this market penetration was a challenge and indicated they had very little penetration at Stephens College as well. He pointed out they had the opportunity to grow FastCAT due to the
increase in the number of beds at Brookside in the future. He believed the City’s goal should be 100 percent of beds for its FastCAT and Black and Gold routes. He commented that he did not consider the shuttle bus from parking lots to Brady Commons as real transit use since those using it were commuters, and if those riders were excluded, the City only had 10 rides per capita, which was similar to Jefferson City and Springfield. He explained 30,000 students averaged 173 rides per year in Ames, Iowa, and he believed that type of benchmarking better showed Council how the City’s transit system was doing.

Mr. Matthes commented that he was proud of the transit staff for getting this far and noted they knew what they were spending on every route, which provided a baseline. He stated he was hopeful about the future success of FastCAT and the other routes, and pointed out they were making progress everyday.

Mr. Schmidt stated a third bus would be required for the FastCAT route to run 15 minute headways. He agreed there was a potential for more riders due to growth in the area, and commented that although the number of riders was not as high as they wanted, it was comparable to the ridership on some of the fixed routes. He felt they relied on the private sector heavily in terms of revenue and had included prior year sources, which he did not believe should be relied upon. He thought FastCAT was doing well without the advantages of some of the other routes. Mr. Matthes explained it provided a far greater level of service.

Mayor McDavid stated his view was that students paid $75-$80 per semester in communities with heavy student ridership and University collaborative efforts. Columbia was undercutting the market rate. He thought a goal was to provide a service where the student would pay the market rate. This would reserve the federal transportation funding and the sales tax funding for the fixed routes, which could then be extended. The headways could be diminished and routes could be lengthened so those that absolutely needed the service to get to work or to the hospital could rely upon it. Mr. Schmidt agreed.

Ms. Hoppe commented that she believed the FastCAT and other student routes would be used more as additional apartments were added as they had received some verbal promises. She believed the City needed to better sell the economic advantage and environmental benefits of transit to students as she felt those were important issues to them.

REP181-12 Parking Garage at College Avenue and Walnut Street.

Mr. Glascock provided a staff report and noted this report had been provided for informational purposes.


Mr. Matthes and Mr. St. Romaine provided a staff report.

Ms. Hoppe stated she assumed there was integration and flexibility so the systems designed to work well for staff would also interface well for the customer in terms of receiving information from the customer and providing information to the customer. Mr. St. Romaine stated they had been able to do some of that interface in terms of providing citizens their utility usage with the existing software, but had not been able to do as much as they wanted, so they would focus on the external customer. Ms. Hoppe understood staff was looking for
flexibility in case the City moved to a smart grid system where people could retrieve more information about their utility bill and usage. Mr. St. Romaine stated that was correct.

Mr. Schmidt understood this would take longer than initially anticipated and could require additional funding. He understood there were measurable costs in terms of payments to the consultant and software vendors, but he also felt there were many immeasurable savings in terms of the automation of certain processes and the ability to provide additional customer service.

Mr. Matthes commented that this project would largely define the City’s capabilities over the next 20 years. If the City did not purchase it now, it would take more effort to incorporate it in the future. They did not want another twenty year constraint.

Mr. Schmidt noted that when Council had asked for specialized reports in the past, staff had to massage the information into spreadsheets that were only good then and would have to be redone in the future. He thought there were a lot of soft savings that would justify additional time and costs. Mr. Matthes stated he believed it would take two years to obtain and install the software and three years to do everything they wanted it to do.

Mr. Kespohl congratulated those that had worked on this as it was a great report. The needs assessment appeared to be a wish list of the things staff could not do now but wanted the ability to do in the future. He believed the financial system and the IT system were the lifeblood of the City in terms of integrating data and eliminating redundancies. He stated he was 100 percent supportive of this project and wanted to work on it with staff.

REP183-12 Intra-Departmental Transfer of Funds Request.

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

REP184-12 Aspen Heights Tree Preservation.

Mayor McDavid explained Mr. Midkiff had made an agency action and enforcement request on October 8, 2012, and read the request and asked for staff comment. Mr. Teddy replied staff did not find a violation of the ordinance or plan approved pursuant to the ordinance. Many trees had been removed, but it was not a violation because the required tree preservation areas were relatively small. He explained those areas were based on the definition of climax forest in Chapter 12A, and the City did not require preservation of trees that had been planted as part of the original mobile home park development or some time subsequent to then. He agreed a number of trees within the preserved areas were within a public utility easement, and were therefore at risk to maintenance trimming. He understood Council was concerned about that issue and would like it rectified through an ordinance change. He noted they planned to provide Council suggestions on ways to strengthen the ordinance if there was concern with the way Chapter 12A overlooked or defined climax forest and established procedures for tree preservation.

Mayor McDavid understood staff would provide a report with possible changes and Council would then decide whether to ask for an ordinance. Mr. Teddy stated that was correct.

Mr. Trapp asked if it was fair to say the City did not currently have a tree preservation ordinance and only had a climax forest preservation ordinance. Mr. Teddy replied the City
had a tree preservation ordinance that was limited to trees that had not been altered for several generations. It started with a minimum area of 20,000 square feet, described climax as a plant community and focused on the hardwood species. He noted it was probably not climax forest as an academic collaborist would define it. It did not address heritage trees, etc. The zoning ordinance provided an incentive to preserve trees outside of a climax forest, but there was nothing that would prevent the clear cutting outside of the 25 percent.

Ms. Hoppe stated she had requested this report and noted she appreciated the thoroughness of the report and the recommendations as staff had indicated they would determine ways to strengthen the tree preservation ordinance, specifically in terms of whether the City allowed tree climax forest preservation in areas where there were utility rights-of-way allowing those trees to be removed or whether individual developers could later remove the trees. She commented that she also wanted staff to provide Council with recommendations to preserve non-climax forest heritage trees and trees of a certain diameter that were valuable to the landscape.

Mr. Schmidt understood there had been an issue behind the Katy Lake Apartments whereby a property owner wanted green space already accounted for by another development to count towards his development, and thought that issue should be addressed as well.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

John Clark, 403 N. Ninth Street, stated he was an attorney, a CPA and a former President of the North Central Columbia Neighborhood Association (NCCNA) and provided a handout to Council of a NCCNA letter to the City dated December 15, 2010, which supported the Legacy Construction Group’s proposal to acquire and rehabilitate the Heibel-March building. He felt the Grove Construction proposal was similar, and noted this was never about historic preservation. It was about the preservation and maintenance of the building as adaptive reuse. He thought historic preservation was added and might have distracted from the overall issues. He believed adaptive reuse of the building, even if it was for commercial use, was desirable. The strongest provision of the NCCNA Board at that time was in the ground lease as it gave the City absolute authority in its sole discretion to approve or disapprove any future disposition of the building or any disposition of the ground lease.

Mr. Clark commented that he missed the report regarding COFERS and strongly encouraged the City to go to tier one capability was important. The City had a big and complex operation as it was a full service city, so robust capability. He understood it would cost more, but believed it would be worth it. Historic and projected information was needed for Council to make good decisions going forward.

Ken Midkiff, 1005 Belleview Court, thanked Mayor McDavid for reading his complaint, and noted that while he appreciated the comments of Mr. Teddy, there were very few, if any, trees left at the Aspen Heights site. He commented that he had also heard a rumor that very few of the previous tenants of Regency had been paid relocation costs by Aspen Heights, and suggested the City ensure relocation costs had been paid to the tenants.
Guil Mullen, 917 Crestland Avenue, stated he was the Secretary of Recovery Through Discovery (RTD) and expressed their disappointment for not being provided the opportunity to work on the Heibel-March building. He understood a for-profit company would be provided the opportunity instead of a non-profit service organization for a cultural center for Columbia. If the construction company decided not to undertake this endeavor, he pointed out RTD would still be interested in taking on the challenge. He explained RTD was a non-profit at the State level and was in the process of obtaining a 501(c)(3) designation. He stated they hoped to open a facility that would provide an alternative type of treatment for alcoholics and drug addicts. They were not in opposition to the 12-step program or traditional treatment, but hoped to provide a place for alcoholics and drug addicts to go where they might be able to exercise other forms of treatment, such as participating in performing arts, crafts, self-actualization exercises and other vocational activities designed to provide additional support. He commented that RTD would appreciate the support of Council when they found a new location.

Wayne Brekus, 703 Hilltop Drive, encouraged the Council to raise the City’s renewable energy standards. He explained Columbia voters approved a renewable energy standard in 2004 by a 78-22 percent margin, which he believed was important as it symbolized the commitment of the citizens of Columbia to a sustainable future. He commented that this was an important first step, but felt the current needs in face of growing data on the impact of climate change required a stronger and more aggressive approach. He understood Columbia had achieved the benchmarks set forth by the voters in 2004 at a reasonable cost and believed the City should do more. He pointed out Oak Park, Illinois approved a plan in 2011 to purchase aggregated energy delivery for 100 percent renewable energy and Cincinnati, Ohio had been exploring a similar standard. He was not sure Columbia could follow those models, but felt Columbia could be a leader in terms of renewable energy and suggested the City consider ways for a greater use of renewable energy. He asked the Council to consider increasing Columbia’s renewable standard goals to address the increasing challenges of climate change, and to meet with members of the public and the People’s Visioning.

Brent Stafford, 4 Jennifer’s Glen Drive, O’Fallon, Missouri, explained O’Fallon, Missouri had stopped fluoridating its water two years ago due to health concerns. He stated fluoridated water increased dental fluorosis in children, and noted the ADA and CDC recommended not providing fluoridated water to infants. He commented that data showed a link to a specific type of bone cancer known as osteosarcoma, which involved a high mortality rate and was typical in adolescent boys. He noted he had that particular cancer when he was 12 years old and pointed out that those that did survived usually did because they had amputations. He stated he lost his leg to that particular bone cancer. He explained he was not sure it was caused by fluoride, but noted there was a direct link shown now. He commented that the Administrator of the City of O’Fallon decided to stop fluoridating its water after reviewing the information. There was a substantial cost savings and it reduced risk factors for those adding the sodium fluoride to the water. He noted that most of the western world did not fluoridate its water. He felt there were many sources, and if the City’s water
was no longer fluoridated, people would still get it from other sources. He explained bottled water, soda, beer and juices were typically fluoridated. He offered to answer questions and noted information was on the internet regarding the health concerns of fluoride.

Eugene Elkin, 3406 Rangeline, stated he understood fluoride was meant to be for the outside of teeth and was never meant to be ingested. He also understood it had been used by Hitler for mind control. He suggested the City remove fluoride from its water supply.

Mr. Elkin commented that he was concerned about compressed natural gas being used in City vehicles as he felt more explosions would occur. He noted the cylinders were designed for a specific lifetime of 15-25 years and were required to be inspected every three years or 36,000 miles, and suggested this City Manager inform the public when this decision was made.

Mr. Elkin understood there were 10 homeless families in one motel in Columbia. He felt the City needed more jobs and the People’s Visioning had ideas on how to create jobs. He asked the Council to consider putting solar panels on the homes of the poor so there was less homelessness.

Monta Welch, 2808 Greenbriar Drive, reiterated the People’s Visioning had a lot of ideas to share with the Council and staff regarding transportation, water quality, renewable energy, public health and the tree ordinance, and asked for the opportunity to meet, specifically on renewable energy.

Heather Demian, 509 Clinkscales Road, stated she was frustrated as people were telling her she was doing good work by taking in homeless people, but then stopped her from doing so with unconstitutional aesthetic ordinances and planning and zoning ordinances.

Ms. Demian felt local businesses needed to be reminded of the state and federal laws regarding service dogs.

Ms. Demian stated she did sidewalk chalk art and did not believe she needed public approval to do public artwork.

Ms. Demian felt the City needed real time captioning in addition to sign language interpreters as only 10 percent of deaf people knew American Sign Language, and she believed both were required per the American Disabilities Act.

Ms. Demian commented that she had been fighting the police and the hospitals, and asked anyone that knew of a civil rights attorney to contact her.

Mayor McDavid thanked Ms. Demian for meeting with him in his office this past week.

Mayor McDavid stated he appreciated the engagement of Ms. Welch and the spokespersons for the fluoridation issue, and noted the City had very sophisticated and engaged commissions that were dealing with these issues. He recommended those opposed to fluoridation attend the Board of Health meetings as that Board would evaluate the issue and provide Council with a recommendation. He also suggested Ms. Welch engage the Environment and Energy Commission and the Water and Light Advisory Board regarding renewable energy because any recommendation would pass through those groups. He noted the City’s boards and commissions were receptive and interested in public input.
Mr. Schmidt stated he appreciated the work of Recovery Through Discovery (RTD) and hoped they found a home. He suggested they stay in touch as he believed the secret to government and non-profit work was infinite patience.

Mr. Schmidt understood the City was exceeding its renewable energy goals. He wondered if the amount of gas coming out of the landfill would ever be enough to be a significant output. He explained natural gas could be renewable as well. He noted he appreciated Mr. Trapp’s comments in terms of not knowing what the future would bring, and the need to work within the possible and do what was available now.

Mr. Dudley stated he had been asked about an ordinance regarding mopeds in terms of them being on the sidewalks and parking at the meters without paying in the downtown, and asked for a report regarding what the ordinances allowed or restricted.

Ms. Hoppe stated she had been involved in the initiative petition process and the passing of the renewable energy ordinance, and the goal, at that time, was to get the City started. She understood the City had worked hard to exceed those requirements, but felt it was time to review the ordinance and establish higher goals. She asked the Water and Light Advisory Board and the Environment and Energy Commission to review the City’s present renewable energy goals and make recommendations to Council based on what other communities were doing and what might be feasible. She hoped those groups would obtain public input in the beginning of the process.

Ms. Hoppe noted an equally large component of the energy equation was energy conservation, and she believed Columbia could do much more. She pointed out the cleanest and cheapest energy was the energy that was not used. She stated she had participated in a National League of Cities conference and attended a presentation by the Mayor of Tallahassee, who indicated they invested $1 million annually in energy efficiency measures. The program received great community feedback and benefited the utility and community. She also learned that Madison, Wisconsin, a university community, had a robust energy conservation program that was tied to the utility bill and provided for enthusiastic participation from landlords of rental properties. She asked City staff, the Water and Light Advisory Board and the Environment and Energy Commission to explore a more robust energy conservation program. She noted she would share the materials and contacts she had.

Ms. Hoppe commented that the north side of Broadway near the Broadway and Old 63 intersection had good pedestrian signs, but there was not a pedestrian sign alerting traffic going east on Broadway and turning south on Old 63 of the pedestrian crossing there. She asked staff to look into whether signs were needed there as well.

Ms. Hoppe stated she received a request for two more speed limit signs to be installed on Rock Quarry Road. Currently there were speed limit signs near the intersections of Grindstone and Stadium, but people needed to be reminded of the speed limit in the middle and asked for one sign in each direction.
Ms. Hoppe commented that Columbia did not recycle as much as its peer cities, and noted she learned of a WasteZero program at the National League of Cities Conference, which involved a trash bag system and at a minimum doubled recycling. She asked staff to follow up with WasteZero to determine if the program could be successful in Columbia.

Ms. Hoppe asked for feedback as to whether Aspen Heights had complied with the development agreement in terms of providing relocation funds to qualified residents.

Ms. Hoppe noted she had not yet received a report she had requested in terms of following up on development agreements. She explained parts of many development agreements had not been tracked and stated she wanted to know whether staff had a system in place to address this issue in the future.

Mr. Kespolh stated he had received several e-mails and phone calls regarding the Office of Neighborhood Services. He understood the City had previously been concerned with under-regulation and the under-enforcement of the Code, but now thought they might be over-enforcing. He explained he had provided some instances to Mr. Matthes and hoped something could be done in terms of customer service.

Mr. Trapp asked Mr. Glascock if a type one environmental assessment looked at storm water issues. Mr. Glascock replied no, and explained that type of environmental assessment looked into the use of the land in terms of whether a gas station had been on the property in the past or not.

Mr. Trapp asked if there had been any follow up with the Room at the Inn as they had requested some police support during the check in process. He understood Janet Schisser had not heard back from the City when he last checked. He believed it was nice for the churches to take it upon themselves to address volunteer staff, resources and space, and thought the City should assist with security issues. He asked that the Council be notified if resources were needed to accommodate this.

Mr. Trapp wondered if the City could look into a plan for a shelter for December, if it happened to get cold, since the Room at the Inn did not open until January.

Mr. Trapp commented that it was great to represent the City at the National League of Cities conference. He noted Columbia had a nationwide reputation in terms of alternative transportation and energy. Like Ms. Hoppe, he wanted to the commissions to consider increasing the City’s renewable energy mandate and to consider a program whereby the utility fronted the cost for energy efficiency measures that would be applied to the utility bill over time. He understood the City had a loan program, but thought this might another option.

Mayor McDavid commented that he had attended an energy symposium at the University of Missouri on November 15, 2012, and the keynote speaker, Dr. Frank Clemente, a Professor Emeritus of Social Science and Energy Policy at Penn State, portrayed energy as a social problem in the future. He explained that of the 7 billion people in the world, 1.3
billion did not have any electricity and another 2 million had inadequate electricity. India, in particular, had 400 million people with no electrical power, 600 million people cooking with wood and dung and 900 million people without any refrigeration. As a result, energy and electricity demand would grow, and the demand would be 20 times greater outside of the United States. He noted the City of Columbia had done a terrific job with its renewable energy policy and understood they were at 8 percent now, but pointed out this was a worldwide problem. He stated Dr. Clemente had indicated he did not believe there was an alternative to an increase in coal-fired electricity. He explained the City would lose 70 gigawatts of coal-produced energy due to new regulations, so scientists and engineers were going to have to figure out a way to capture and sequester carbon dioxide. There would not be enough wind, hydro and nuclear energy to make up for the accelerating worldwide demand as humans came out of poverty and strived for the same standard of living as others. He commented that he saluted the highly engaged citizens of Columbia, who were doing everything they could to increase the renewable energy portfolio, but noted it would be very hard here and around the world.

The meeting adjourned at 9:22 p.m.

Respectfully submitted,

Sheela Amin
City Clerk