



**Meeting Re-Cap
Columbia City Council Regular Meeting
Council Chamber Columbia City Hall
7:00 PM Monday, May 16, 2016**

INTRODUCTORY ITEMS

Pledge of Allegiance (X)
Roll Call (All present)
Approval of Previous Minutes (Approved as submitted)
Approval and Adjustment of Agenda Including Consent Agenda
(Action: Withdraw R57-16. Applicant cannot gain appropriate street closure authority. Pull B122-16 from consent agenda as well as R58-16 for additional council consideration.)

SPECIAL ITEMS

APPOINTMENTS TO BOARDS AND COMMISSIONS

BC5-16

Airport Advisory Board: [Bill Esscott](#), [Brian Whorley](#)
Board of Adjustment: [Janet Hammen](#)
Board of Plumbing Examiners: [Readvertise one position and Chad Stretz](#)
Columbia Community Development Commission: [Blaine Regan](#)
Columbia Housing Authority Board (No change) [Max Lewis and Edward Robinson](#)
Columbia Vision Commission: [Carlos Ortiz](#)
Disabilities Commission: [Dawn Zeterberg](#), [Chuck Graham](#), [Christina Jones](#), [Vera Haynes](#)
Downtown Columbia Leadership Council: [Randy Gray](#), [Susan Maze](#)
Environment and Energy Commission: [Ken Midkiff](#), [Chada Reddy](#)
Historic Preservation Commission: [Mary Kay Doyle](#)
Human Services Commission: [Carlos Ortiz](#)
Integrated Water Resource Planning Committee: [Readvertise](#)
Liquor License Review Board: [Brian Gardner](#)
Mayor's Council on Physical Fitness and Health: [Robyn Nail](#), [Carlos Ortiz](#), [Kayla Riel](#)
Parks and Recreation Commission: [Chad Henry](#), [Linda Hutton](#)
Planning and Zoning Commission: [Rusty Strodman](#), [Mike MacMann](#)
Youth Advisory Council: [Abigail Chapdelane](#), [Kristine Cho](#), [Laura Cox](#), [Helen Keithahn](#), [Trenton Marks](#), [Michael Nguyen](#), [Ilinca Popescu](#), [Micah Prenger](#)
Liaison to Youth Advisory: [Ian Thomas](#)

SCHEDULED PUBLIC COMMENT

SPC20-16 [Dzung Nguyen](#), [Dane Steinhauer](#), [Sloane Scott](#): Representatives of the Columbia Youth Advisory Council - Provide annual report to City Council, and highlight the YAC areas of concern and the

community service carried out to address those concerns. (Presented as indicated with emphasis on teen pregnancy programs, human trafficking and poverty.)

SPC21-16 Scott Denson - Pillar 6 of the President's Task Force on Policing in the 21st Century and the CPD's response. (Presented as indicated with focus on providing adequate health services including mental health for police officers.)

PUBLIC HEARINGS

OLD BUSINESS

B113-16 Calling a special election on the question whether to increase the gross receipts license tax on hotels and motels. [2nd Read & Vote/Mayor Memo]

R59-16 Expressing the City Council's intent to the citizens of Columbia to rollback any voter approved gross receipts license tax imposed on hotels and motels in excess of four percent (4%) prior to the expiration of twenty-three (23) years. [Read & Vote/Mayor Memo]

(Action: These two bills considered together for discussion purposes.)

(Further discussion. Staff reported steadily increasing enplanements in recent years. Jefferson City could be expected to help in expansion since they are users. FAA process needs to be followed to expand and that requires a concept, a new study, footprint estimate and growth projections. That part of the process has been completed, but community has to make the request. Estimate is up to \$38 million. FAA will fund half of the facility up to \$20 million. Council has asked to squeeze some of those funds out of the budget if possible.

Question of how the funding gap gets filled. If \$10 million comes from ballot initiative and matching funds come from FAA, we will be short. Where will additional money come from? Potentially, State Government and parking fees. 3 to 5 years assumed for project completion.

How will we fund operational costs? They will not increase dramatically so we believe it will be within a similarly sized-budget. Existing dedicated funding should cover costs. Can we use old building after new one is built and will we be able to increase our general aviation services? Yes, is the answer to both.

Will expansion of airport be incompatible for the land recently purchased for development around the airport? City believes it will be compatible with many local businesses and concerns.

Mayor indicates that if this is successful and we get support from Jefferson City and Senator McCaskill's office with FAA, we should use proceeds from any profit or other savings to pay down indebtedness first.

Hotel Association appeared to oppose the issue. Showed short video indicating that financial impacts are not known at this time and that they would have supported something at a lower rate – but not this. Chamber indicated that they support the measure and that private, public partnerships in the past got us this far and that continued investment will pay dividends for this region.

Shelter Mutual Insurance indicated that they would support the ballot measure and identified the airport as an important asset to their business. Karen Miller appeared on behalf of County Commission to support the new tax. Vote tonight is to put it on the ballot – then we will have an election and the people will decide.

Additional speakers discussed importance of airport for recruitment of employees, viability of large corporations based here including Veterans United, Columbia Insurance Group and University. ESS testified in favor of the measure citing potential for job growth in the future. The issue of handicapped accessibility was also addressed and it was indicated that the new terminal would be an improvement. Airport Advisory Board supports the new proposal.

Nuclear research was cited as a major draw to the area and that people could take advantage of isotopes here rather than shipping them out for use elsewhere.

Comparison to larger city airports was cited and showed that we could generate additional revenues in a variety of ways. Car rental tax in Kansas City was cited.

Citizen testimony indicated that a plan should be in place before this goes to the ballot. Believed that a strong airport was important but that planning was lacking at this point in time. Hotel industry clarified that they were not opposed to a better airport, but that most of the usage at airport was really for local citizens, not event generated, so this should be a restaurant tax, not a hotel tax. Also, this tax runs out the cap meaning that no other revenues from hotel could be used for any other purpose like Fairgrounds or other event-oriented promotion. Defended use of TIF to build hotels and stated that use of TIF has more than generated compensatory revenues. Hotel representatives also cited use of tax to support failed projects like the YouZeum, Johnson Farms and the Missouri Theatre that did not increase room nights. Feared that council will be able to move the money around and not dedicate it to things that actually help hotel industry even though that is who will be impacted most. Suggested that a broader sales tax increase would be more appropriate.

(Final Action: Both bills approved unanimously.)

B114-16 Calling a special election on the question whether to continue the collection of local sales tax on out-of-state sales of motor vehicles, trailers, boats and outboard motors. [2nd Read & Vote/Mayor Memo]

(Action: Staff report indicated support for passage. Noted that Boone County will also put similar measure on the August ballot and it was indicated that both could benefit from being on the ballot at the same time. This does not set a predicate for collection of use tax on internet sales. No public testimony. Passed unanimously.)

B115-16 Approving the Final Minor Plat of Compass Church Subdivision located on the northeast corner of Silvey Street and Worley Street; authorizing a performance contract; granting a variance from the Subdivision Regulations relating to sidewalk construction subject to a condition (Case No. 16-85). [2nd Read & Vote/Mayor Memo]

(Action: Staff report indicated general support and cited P&Z recommendation to approve a sidewalk variance based on an alternate sidewalk connection proposal. City traffic engineers were not very supportive of a crosswalk at location indicated, but other challenges remained so variance before council contains request for variance. Representatives of project showed up and asked for approval, citing building project by church that is ready to go. Final action: Approved as submitted with P&Z recommendations.)

B123-16 Establishing an Administrative Delay on the Processing of Applications for a Building Permit for Multi-Family Housing in Specified Areas. [2nd Read & Vote/Mayor Memo]

ATTACHMENTS

[Final Amendment Sheet](#) – (This is the wording for the bill that passed.)

(Action: Mayor indicated that there is an amendment sheet. There is an amendment relating to demolition permits in addition to the change in identification of boundaries. Clarification of definition was explained by city attorney that this delay would apply to ANY structure that creates three or more dwelling units on a single lot, regardless of intended occupancy, and would also apply to renovation or remodeling, apparently.

Council member Thomas suggested that this proposal was designed to inhibit luxury student housing projects, but that it actually catches many more projects. Thomas believed that this was overreaching. Mayor indicated that hasty proposals were contributing to unwarranted demolition, increases to rent payers, and to allow for consideration for the passage of the new zoning code. Skala believed that there is a cascading effect. City Attorney indicated that this had to be defined in terms of the type of permits that are issued, and that this can't be worded as the intended use. Nausser also asked about how you define end users on any structure.

City Attorney indicated that council should discuss that and then explained that the map indicates that the zone actually does not include the interior section of the map but that it does include the radius one mile from the edge of that interior square.

Questions about student housing demand arose. Mayor indicated that he had seen studies from the University that showed student housing market was already overbuilt. Mayor also indicated that he believed the new zoning code could be adopted by the date of expiration of this ordinance and that it could always be revisited if necessary.

Public comment indicated that the assertions made in the ordinance language was not supported by evidence and that it was a gross abuse of private property rights. Also indicated that it was very broad brush; that the council would be micro-managing; that if a criterion is sufficiency of resources that there is not reliable information to make that determination. Testimony indicated that restricting supply would actually increase rather than lower rates and that it does not make general economic sense.

Additional testimony indicated that this is more invasive than simply a delay on student housing, but that it expands to smaller operations and property owners. Smaller scale builder indicated that this is burdensome and that it could impact him in the short term. Another builder indicated that the rules were becoming oppressive and that he has basically shut down operations here, partly because of the University problems, partly because there is insufficient sewer and electric capacity and partly because there is no protection for local developers. He also indicated that there is no clear market equilibrium or sense to the current market.

On the other hand, some individuals indicated that the current building trend was destroying the fundamental nature of the housing stock and charm of the community. Another student referred to the discussion about where students should live, downtown or another location, and stood in favor of the moratorium.

Neighborhood representative indicated that some developers do a good job, but that there are also costs to neighborhoods, and that sewer capacity is a good example. Suggested that it is easier for developers to come to the city and ask for projects than individual residents can ask for help to fix long-standing infrastructure problems. One citizen indicated that the proliferation of student housing downtown has made it less desirable for the community at-large and less diverse rather than more diverse.

Another citizen indicated that a phenomenon described as “piling on” was occurring, that a bunch of apartment builders were targeting the downtown area and that no one would go bankrupt in just six months if a delay were imposed.

Downtown Leadership Council appeared in support of the new delay proposal. Suggested that business owners downtown were now worried about parking for customers rather than students and that this actually protects business owners rather than developers. Also believed that waivers would be granted by the council to good players.

Neighborhood representative appeared to indicate that they are an historical district and densely populated. Supported the idea and related it to a previous downtown building moratorium. She believed it would give time to finalize overlay district amendments and the final new zoning code. One local resident cited the quirkiness of the town and that she was attracted to the community, not by student housing, but by its more original nature. Believed that property rights should be decided by input from surrounding neighbors as much as by the property owner.

One citizen indicated that experience in St. Louis shows that purpose-built student housing is not easily repurposed, that luxury student housing inflates property values and rents, and that students often exhibit behaviors that are not conducive to family living.

One individual indicated that the true cost of downtown development is actually being subsidized by the citizenry at-large, that this is constitutional to impose a delay, and asked for an effective date of legislation to be May 2 and equated it to a “police power”.

Public testimony ended. No further council discussion. Amendment sheet adopted. Discussion on amended motion by council continued.

Thomas suggested that this council, if this proposal passes, needs to say what they will accomplish during the interim period. He mentioned that there should be an easily understandable system for knowing how much infrastructure capacity we have available; how we will regulate historic properties; how we will address parking for downtown development and looking at towns that we want to be like – and include those things in the new Unified Development Code. He stated his opposition to increased parking and suggested that residential downtown development be required to pay for alternatives to parking rather than new parking structures.

Mayor indicated that he believed the council could get the new zoning code in for consideration before the September date; that we could develop an easy scorecard for infrastructure sufficiency and that the student association should pursue the idea of a housing task force if the University would agree to participate.

Skala indicated that he believes the council cannot do nothing during this interim delay period and that he thought the general planning for infrastructure has been woefully lacking and destructive. He indicated that he thought the council could pass the new code by the first of the year and that this was a reasonable idea.

Trapp thought this bill was a reaction to a crisis that is not really occurring. He believed that student housing downtown was superior to student housing that would cause urban sprawl. He indicated that restricting housing supply was antithetical to the idea of supply and demand and rental rates. He

indicated that we should explore new ways to develop more densely, that we should identify the downtown area as a good spot for housing, that the zone for delay was arbitrary or wrong-headed, that parking is not a crisis and that he will oppose this bill. Believes this only lets the council choose winners and losers and that much of this is directly related to the misadventures of the University and we can't stop that. Does not believe that we have short-changed citizens with sewer expenditures and infrastructure spending.

Nauser indicated that she has been on the council for a long time and that she has always heard smart growth advocate infill solutions – and that this policy flies in the face of that – particularly when it comes to students. So what do we do? Cited student loans as part of the problem for the student bubble.

Peters indicated that the downtown is more vibrant, but that it has an effect on surrounding neighborhoods, that many neighborhoods would like to keep individual homes as the bedrock for the surrounding communities and that historic structures can be preserved.

Ruffin indicated that the proliferation of divergent opinions on the council itself showed that there is a need to have more discussion and that this takes time. He indicated that he felt there is not sufficient information available to the council and believed that a “pause” was warranted.

Skala took umbrage at being lectured to about smart-growth. He countered that it's not just about infill, but that it's about balance, and that downtown is out of balance. Asked about the secondary housing markets, why aren't the little landlords screaming about this, and that this is simply a temporary pause, that it restores trust and balance and that it gives us a chance to get a sense of true capacity. Believed that the city council has the ability to “guide and direct” the market and that this is intended to address previous unintended consequences.

Motion passed 5 to 2 with Nauser and Trapp dissenting.)

B122-16 Amending the FY 2016 Annual Budget by adding and deleting positions in the Police Department - Operations Division. [2nd Read & Vote/Mayor Memo]
(Action: Pulled from consent agenda by Mayor for further council discussion and moved to old business. Mayor indicated that this bill would harm patrol operations. No discussion by public or council. Motion passed as submitted.)

CONSENT AGENDA

(Action: All items not pulled from Consent Agenda were presented as indicated and approved without dissent.)

B116-16 Appropriating funds for the installation of active warning devices at the Columbia Terminal (COLT) Railroad's crossing with O'Rear Road. [2nd Read & Vote/Mayor Memo]

B118-16 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Career Awareness Related Experience (CARE) Program for youth employment placement and mentoring services. [2nd Read & Vote/Mayor Memo]

B119-16 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Adapted Community Recreation Program. [2nd Read & Vote/Mayor Memo]

B120-16 Authorizing an inspections participation agreement with the Missouri Department of Health and Senior Services for the summer food service program for children. [2nd Read & Vote/Mayor Memo]

B121-16 Amending the FY 2016 Annual Budget by adding a 0.25 FTE cashier position in the Finance Department - Treasury Division; transferring funds. [2nd Read & Vote/Mayor Memo]

B122-16 Amending the FY 2016 Annual Budget by adding and deleting positions in the Police Department - Operations Division. [2nd Read & Vote/Mayor Memo]
(Action: Pulled from consent agenda for further council discussion.)

R52-16 Setting a public hearing: reconstruction of the Runway 13-31 and Taxiway B turnarounds and installation of runway lighting, directional signage and runway markings at the Columbia Regional Airport. [Read & Vote/Mayor Memo]

R53-16 Setting a public hearing: construction of a concession/restroom facility at Gans Creek Recreation Area. [Read & Vote/Mayor Memo]

R54-16 Authorizing an agreement with Ultramax Sports for sports development funding under the Tourism Development Program for the 2016 Go Girl Marathon. [Read & Vote/Mayor Memo]

R55-16 Authorizing the First Addendum to Agreement for professional engineering services with SEGA, Inc. for the Boiler & nitrogen oxide (NOx) reduction project at the Municipal Power Plant. [Read & Vote/Mayor Memo]

R56-16 Authorizing a Second Amendment to the software license and services agreement with SunGard Public Sector, Inc. for a Records Management System (RMS) for the Police Department. [Read & Vote/Mayor Memo]

R57-16 Authorizing the temporary closure of a portion of Rollins Street between Hitt Street and Virginia Avenue to facilitate the repair and partial reconstruction of three (3) steam manholes. [Read & Vote/Mayor Memo]

(Action: Item pulled from consideration due to lack of adequate street closure authority.)

R58-16 Authorizing agreements for tourism development funding for competitive bid fees and sponsorship support of youth and amateur sporting events and large meetings and conventions. [Read & Vote/Mayor Memo] (Action: Moved to New Business for discussion.)

NEW BUSINESS INTRODUCTION AND FIRST READING

R58-16 Authorizing agreements for tourism development funding for competitive bid fees and sponsorship support of youth and amateur sporting events and large meetings and conventions. [Read & Vote/Mayor Memo] (Action: Moved to New Business for discussion.)

(Action: Staff report indicated that some sponsorship bid fees could be used to increase tourism development fees and to remain competitive with other cities. Mayor indicated that we lost a major sporting event when another venue offered a cash incentive. Wanted to make sure we were not

creating an event “arms race”. Staff indicated that some events work better for Columbia at different times of the year.

Skala asked if council still had discretion over expenditure of marketing and recruitment funds if it were a large item. Answer was “Yes”. No further discussion. Motion passed unanimously.)

(All following New Business Bills were introduced as indicated for first reading.)

B124-16 Authorizing construction of a concession/restroom facility at Gans Creek Recreation Area; calling for bids through the Purchasing Division for a portion of the project. [Intro & 1st Read/Mayor Memo]

B125-16* Amending the FY 2016 Annual Budget by adding and deleting a position in the Public Works Department - Regional Airport Administration Division; amending the FY 2016 Classification and Pay Plan by adding a position. [Intro & 1st Read/Mayor Memo]

B126-16* Amending the FY 2016 Annual Budget by adding a videographer position in the Community Relations Office - The City Channel Division. [Intro & 1st Read/Mayor Memo]

B127-16* Authorizing grant agreements with the Mid-Missouri Solid Waste Management District for the purchase of a commercial recycling roll-off truck, commercial food waste containers and commercial recycling containers; appropriating funds. [Intro & 1st Read/Mayor Memo]

B128-16* Accepting conveyances for water and electric utility purposes. [Intro & 1st Read/Mayor Memo]

B129-16* Accepting conveyances for sewer and temporary construction purposes. [Intro & 1st Read/Mayor Memo]

B130-16* Authorizing an agreement with The Curators of the University of Missouri for the 2016 Missouri State Senior Games and Show-Me STATE GAMES. [Intro & 1st Read/Mayor Memo]

B131-16* Authorizing a program services contract with the Missouri Department of Health and Human Services for the Show Me Healthy Women program. [Intro & 1st Read/Mayor Memo]

B132-16 Authorizing an agreement with KMI L.L.C., d/b/a Wynwood Townhouses, for the lease of property on Aztec Boulevard to be used for the Police Department’s temporary northeast substation. [Intro & 1st Read/Mayor Memo]

B133-16* Appropriating funds for reinstallation of a City-owned public art sculpture located at the intersection of Cliff Drive and Ann Street. [Intro & 1st Read/Mayor Memo]

B134-16* Authorizing a right of use permit with Columbia Hotel Investments to allow construction, improvement, operation and maintenance of a heated sidewalk loop within a portion of the Cherry Street right-of-way. [Intro & 1st Read/Mayor Memo]

REPORTS

REP42-16 Correspondence regarding the Alcohol Policy from the Substance Abuse Advisory Commission. [Memo]

(Action: Very brief discussion. No action other than to bring the report forward.)

REP43-16 Intra-Departmental Transfer of Funds Request. [Memo]

(Action: No discussion)

GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

John Clark: Random remarks regarding bad planning process. Asks architects to submit a “building program statement” including use, impact, design, etc. Staff can’t do it. Need an outside consultant to construct a building program statement. Asked people to believe an expert like Mr. Hawks about current building market and not city staff.

Adrian Levy: Wants a new road sign at Chamberlain and Route K. Youth spokesperson from Oak Park. Had 20 petition signatures and guaranteed he could get more from Cascades if needed.

Eugene Elkin: Thanked previous speaker for being engaged. Asked about imposing use tax on building materials. Mayor referred to tax policy in Fort Collins, CO. Complained about lint in bathrooms

COUNCIL REMARKS

Ruffin: Asked about support for young single parents programs.

Nausier: Indicated follow up on Route K and Chamberlain Rd issue brought up by youth speaker. Also asked about detour route due to work on Scott Boulevard. Wants to investigate how to prevent additional crashes.

Skala: Mutual nuisance issue with Mr. Trapp. Cited Whiskey Wild Saloon for noise and nuisance. Asked for a remedy. Staff indicated they would brainstorm and get back to council. Police substation on East side. New format for city agenda is better than the old one.

Trapp: Substance Abuse Advisory Committee will hold a special hearing on practices in other communities and wants report on second-hand dealers regarding pawn shop regulation. Withdrew former pending ordinance about pawn shop regulation that had been tabled until June. Constituent call about cats and birds during baby bird season. Thinks there is some lacking regulations about cats.

Thomas: Asks staff to move ahead with idea for staff to move ahead with Parking Task Force. Staff asked Thomas to wait until new code was adopted. Staff agreed to go ahead with a report, but that there are some overlapping areas of interest from other commissions or boards. Thomas asked to go ahead and get it done.

ADJOURNMENT

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