



Columbia City Council Meeting Recap

Council Chamber, Columbia City Hall

7:00 PM

Monday, February 6, 2017

INTRODUCTORY ITEMS

Pledge of Allegiance

(X)

Roll Call

(All members present.)

Adjustment of Agenda

(Bills B11-17 and B15-17 were pulled from Consent Agenda and placed under Old Business. Resolution R14-17 was pulled from the Consent Agenda and placed under New Business.)

SPECIAL ITEMS

SI2-17 American Public Works Association (APWA) Leader of the Year Award Presentation to David Nichols.

(Action: Presentation made to Dave Nichols.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

(None.)

SCHEDULED PUBLIC COMMENT

SPC9-17 Pat Kelley - Report on New Year's Day Festival 2017.

(Action: Presented as indicated. Thanked staff and volunteers for participation and showed a variety of pictures from the celebration.)

SPC10-17 John Charles Vitale-Slavens - Budget pay for utility and software problems.

(Action: Did not appear as scheduled.)

SPC11-17 Curtis Soul - Crime.

(Action: Did not appear as scheduled.)

SPC12-17 Peggy Placier, Race Matters, Friends - Current status of efforts toward community policing.

(Action: Presented as indicated. Representing Race Matters – Friends indicated that the Columbia Police statistics show a wide disparity in racially motivated traffic stops and that this indicates bias. Pointed out that more black drivers are asked to perform “consent” searches of vehicles, but that a higher percentage of white drivers are actually found to have contraband in cars. Believes this needs to be acknowledged and addressed. Believes this problem is currently being ignored by the police chief.)

PUBLIC HEARINGS

PH1-17 Construction of improvements at the Indian Hills Park to include renovations to the existing playgrounds, restroom, baseball field and disc golf course, construction of an ADA compliant walkway and the installation of parking lot lighting.

Recommended Action: [See B13-17/Mayor Memo]

(Action: Item considered in tandem with B13-17.)

B13-17 Authorizing construction of improvements at the Indian Hills Park to include renovations to the existing playgrounds, restroom, baseball field and disc golf course, construction of an ADA compliant walkway and the installation of parking lot lighting; calling for bids through the Purchasing Division.

Recommended Action: [2nd Read & Vote/Mayor Memo]

(Action: Staff report. Indicated that this was a regional park in the northern section of town and indicated that planned upgrades included ADA improvements, parking, lighting, restrooms, a small playground for little kids, disc golf course and ballfield renovations. Promoted trying to hire workers on these projects from the neighborhood areas. Have had some referrals.

Motion to approve passed unanimously.

OLD BUSINESS

B137-16 Vacating a portion of an east-west alley located between 203 E. Walnut Street and 115 N. Providence Road (Case No. 16-93).

(Tabled at the September 19, 2016 Council Meeting.) (Applicant request to withdraw.)

(Action: **Item withdrawn at applicant request.** Allowed by council by consent.)

B3-17 Rezoning property located north of Stadium Boulevard and east of Cinnamon Hill Lane from District A-1 to District PUD-10; approving the statement of intent; approving the PUD Plan of Kelly Farms; granting a variance from the Subdivision Regulations relating to sidewalk construction; approving less stringent parking requirements (Case No. 17-1).

(Tabled at the January 17, 2017 Council Meeting.)

(Action: Staff did not provide the typical staff review since this item had been fully presented at the previous meeting. Staff did indicate, however, that there had been some technical amendments in terms of land use calculations, and that as a result of negotiations subsequent to the previous tabling, the plan had changed in at least two significant ways. First, the conservation easement abutting the existing R-1 neighborhood had been expanded from 100 to 200 feet in width. Second, by virtue of that change, both road configurations and lot sizes on the proposed R-1 project had been reduced accordingly.

Questions from the council ensued.

Mayor Treece questioned how the grading of the site would be accomplished; why a sidewalk variance was being requested; and why the applicant was requesting less parking than the minimum required. Staff indicated that the engineer could answer questions about grading, that the sidewalk variance was

reasonable considering the connecting neighborhood; and that the parking variance was a reduction but not significant in terms of percentages of reduction.

Skala indicated that previous projects in this area had abused the grading of the site to expand the usable area; had pushed fill to the edges of the existing creek creating a delicate situation; and referenced some clear-cutting that had occurred. He also confirmed that the current proposal would contain all 1 or two bedroom apartments or single family homes and that the density would come in at less than a PUD 10. Staff confirmed the calculations and indicated that the Statement of Intent limited the build out of apartments to either 1 or 2 bedroom units.

Mayor Treece suggested that the vote on this issue could be divided into two votes – one confirming the underlying zoning and the other on the acceptance of the final plan. That concept was not supported by other members of the council indicating that the rules as previously indicated should be followed and that adjustments could be accommodated within the PUD application. No motion was made to change the voting procedure in this instance, but that the council could address the nature of PUD applications in the future within the new rules being proposed in the proposed UDO rewrite. Skala indicated that limited use of the PUD process was originally envisioned, but over time, it became the default method for zoning change applications.

Public comment period was opened.

The engineer for the project indicated that although there would be some grading and cut/fill, the project was designed to accommodate slopes; that the site would not be table-topped and addressed the density calculation methodology.

An attorney for the applicant indicated that the applicant was local; had a good reputation for quality projects; that this did introduce a diversity of housing options in this area; and that there were significant differences between this proposal and earlier projects proposed for this site.

A representative of the project indicated that this project did meet both the spirit and intent of both the Comprehensive Plan and the East Columbia Area Plan and displayed a map that showed appropriate buffering and step downs in use in all parts of the proposed plan.

A neighborhood showed a video of the winding Timberhill Road that will connect to the new project and indicated that her house had been built in 1961 when the adjoining property was still in agricultural use. She also indicated that a previous mayor had told the neighbors that if any project came back for this adjoin land in the future that they would be able to negotiate for a 400 foot “buffer”. She acknowledged that that offer had been made before and that this time they got half that amount. She asked that if the roads in this area were to be connected that a gate be placed at the end of the current subdivision as a matter of public safety and insufficient road infrastructure. When questioned, she indicated that the placement of the gate in the plan was acceptable.

A representative of the neighborhood thanked the council for tabling the matter at a previous meeting and indicated that the additional time had allowed the neighbors to come to a satisfactory end to the negotiations. The speaker indicated that no final official vote had been taken by the neighbors, but that intermediate votes indicated support for the plan.

A representative of another neighborhood indicated support for the new plan, but warned that it will create additional traffic and that the council should remain attentive to that impact.

The President of the neighborhood association indicated strong support for the project and indicated that the addition of the gate, the buffer, and the promise to provide a new fire hydrant to the neighborhood was important. He indicated that he and many others urged approval of the project.

A neighbor to the project reported that the builder had agreed to an expanded buffer zone next to the existing neighborhood and reminded the council that the existing Timberhill Road was built to serve only 14 homes – not additional traffic. She cited the Vision Zero policy adopted by the council and argued that to keep this area safe, the new road must have limited access. Staff indicated that although the gate will be placed there at this time, a future council could change that condition.

Another neighbor to the project indicated that the gate was absolutely a good idea and that improvement of this road was not a priority on anyone's list. She thanked the council and asked for approval of the plan.

A local attorney urged that no building and grading permits be issued until just before construction is expected to begin to protect the area from potential erosion and unexpected consequences.

No further public comment was provided.

Skala indicated that he would support the project but that the road connectivity issue was unresolved in terms of general council policy, and that since there had been many such cases recently the council would need to revisit how it treats such applications – possibly through changes to the new zoning code or by changing the way PUD applications are handled. He thought the builder had done a good job of outreach to the neighbors.

Nauser echoed Skala's comments and indicated that higher density housing was appropriate in this location and that she would support the project.

Thomas stated that the council had been faced with several limited access road projects and wondered if there were standards to provide for enhanced pedestrian and non-motorized points of access to the road. Staff indicated that there were no specific standards and that most of the time the configuration of such access points was the result of many different engineers and city departments suggesting best alternatives. Ian asked that more definitive standards be adopted. He indicated support for the project and hoped that as the area continued to grow it would become a transit hub.

Peters indicated support for the project and indicated that the builder had worked well and frequently with the neighbors.

Trapp indicated support for the project, particularly the density that was being proposed. He indicated that the land could actually sustain more density, and that each time less density is allowed, some apartments that could be built and that a tight supply works against the concept of affordable housing. He indicated that on a previous project there could have been up to 17 new affordable units built on this property, but with the reductions, the ability to make that happen vanished. He is in favor of creating a minimum percentage of affordable units in new projects. He cited the stickiness of poverty in Columbia

and indicated that much of that could be traced to housing segregation based on income. He believes it is time to start doing things differently.

The Mayor introduced the amendment to change the date on the plan to February 6 to recognize the technical changes and to reflect the wider buffer on the plan, a sidewalk variance and a reduced parking requirement. The vote to approve the amendment was unanimous.

The vote on the overall plan passed unanimously, 7-0.

R7-17 Approving the Preliminary Plat of Ridgemont Park located on the south side of Ridgemont Drive and west of College Park Drive; setting forth conditions for approval (Case No. 17-8).

(Continued at the January 17, 2017 Council Meeting.)

[Amendment Sheet](#)

[Supplemental - Council Memo](#)

[Supplemental - Preliminary Plan \(revised 1-19-17\)](#)

(Action: THIS IS A CONTINUATION OF THE PROCESS INTRODUCED AT THE COUNCIL MEETING ON JANUARY 17. AT THAT TIME, A PLAT WAS GRANTED, BUT DUE TO CHANGES, THE FINAL APPROVAL OF THE PLAN ITSELF WAS REQUIRED TO TAKE PLACE AT THIS MEETING.

Mayor announced that the hearing had been officially closed. Thomas made a motion to re-open the public hearing so that the people who had attended could be heard. Mayor indicated that this had already been decided. Thomas indicated he would still like the hearing to be re-opened. Public comment period was extended.

Engineer for the project gave an update on the project. Changes to the plan were as follows. It is a single family project that now shows a cul-de-sac coming off Ridgemont and reduces the project by one lot. The plan also shows a large section of open space that would become a publicly owned property. The new cul-de-sac has been renamed, and according to traffic studies this connection would be safe, particularly with a change in overgrown vegetation. Site distances are met or exceeded for both vehicular traffic and in consideration of trail users. Asked that the inclusion of additional traffic calming devices, which was removed at the last council meeting, be removed from this version of the plan.

Traffic calming elimination is included in the amendment sheet, but two off-site calming devices were included. The speaker asked that all traffic calming responsibility for this builder be eliminated. Indicated that this development was less dense than previous proposals. Does the cul-de-sac meet emergency vehicle access? Yes. Is there an access for bicycle and pedestrian traffic? Yes, we have provided an easement to the adjoining neighborhood. Improvements to that easement would be made by the city.

Is it fair to say that the houses on this cul-de-sac creates more traffic but no further means for the cars to travel? Engineer indicated that R-1 zoning has already been granted and that the existing street system should be able to handle that traffic. This does not change that density dramatically.

Public hearing was re-opened for new information.

One neighbor respectfully requested a no vote on this issue and asked for the adoption of an alternative plan that would serve the new neighborhood with a cul-de-sac extending from Ridgefield instead of Ridgemont. This plan routes all traffic to a small portion of Ridgemont that is also where the new cul-de-sac entrance is located. Showed pictures illustrating the danger of the current plan including a blind

curve. This is a high traffic area and there is a constant flow of traffic. This could be avoided with an alternative cul-de-sac plan.

A neighbor indicated that he has lived there for 20 years. Can't have the argument both ways. Suggested that previous testimony said that the new houses were either substantial or not. It's the same either way. Connecting to Ridgefield would be a greater negative impact than putting the cul-de-sac off of Ridgemont.

Neighbor said that the new configuration actually is a conforming street design. Also, commented on existing traffic patterns within the neighborhood and indicated that pouring new traffic onto Ridgemont is more dangerous than funneling it to Ridgefield.

Neighbor indicated that people travelling on Ridgemont are travelling at a high rate of speed and that this will create a dangerous situation.

Neighbor indicated that the second proposal with a cul-de-sac to Ridgefield will have traffic end up on Ridgemont anyway. Thought the newest proposal achieved no better outcome and cited possible back-ups. There are some alternative ways out of this neighborhood. The proposal before the council should be adopted. Traffic calming should be included.

Neighbor commented on connectivity. He discussed current traffic patterns within the neighborhood and mentioned that there are several alternatives. New connectivity would not change the internal workings of the neighborhood. Thought the plan proposed tonight was reasonable and should be adopted. Mentioned that at least 90 homes agreed that this was the better plan.

Neighbor indicated that she represented about 100 neighbors. Stated that a cul-de-sac coming off of Ridgefield would not be a legal street and would not solve the problem. Stated that speed bumps from the developer were not an ideal plan, and that they are already on the list for traffic improvements by the city. Mentioned that Scott Boulevard connections could eventually impact this neighborhood. Favors the cul-de-sac compromise plan presented tonight, adding that it does not solve existing traffic problems. You asked for this plan. Approve it.

Neighbor indicated that she is disappointed that the concepts of connectivity are not being implemented in this area. Encouraged the council to vote no. Thought that changing the access point to the top of the hill would be better. Still wants the developer be responsible for two traffic calming devices. I don't think this will be safe. If we don't get it from the developer, traffic improvements will be a long time in coming. Some neighbors have been left out of recent discussions.

Local attorney indicated that staff and council don't understand what is really happening. He favors this proposal over others, but it is unsafe and staff should withhold any permits until traffic improvements are made, regardless of who is responsible for paying for it. Developer should pay part of the cost – city should pay the rest out of discretionary funds. This is not about zoning. It is about the council's police powers related to public safety. Finally, we don't have the policies required to balance connectivity with public safety. Need to create an area-wide transportation plan.

Neighbor lives at the top of the hill. Wants to leave in the traffic calming requirements for the developer. Does support the new cul-de-sac proposal.

No further public comment.

Thomas indicated support for the current new proposal. Believes it has been sufficiently debated. Believes that there is a traffic problem in the area and believes it is reasonable for developer to contribute to traffic calming. Believes existing impact fees are insufficient so wants to impose an additional fee in this case to pay for off-site traffic calming.

Mayor is concerned that there is a pre-existing traffic problem and that the addition of 20 new homes is not what is truly causing the real problem. Staff indicated that the cost of adding traffic calming could be \$15,000 to \$20,000. Thomas thought that was not an unreasonable request to make.

Engineer indicated that they have continued to make concessions all the way along the way. We already gave up additional lots at a cost of about \$50,000 to \$60,000. We can't go back and ask for money for the parkland. If we did, we could give it to you but we can't. Ian Thomas asks if the developer can revert to the old plat if we don't allow this. He could by right, but we can't keep switching back and forth. Mayor wants to preserve the cul-de-sac plan. Thomas withdraws suggestion for alternative impact fee plan. Mayor indicated there is a pre-existing traffic situation that the city needs to take responsibility for. Mayor moves to strike section 1 and 2 from amendment sheet. Also, deletes Section 3, but changes date on new plat.

Trapp – Will support this idea because we made a decision at the previous meeting and we need to stick to it. Skala – Fascinating discussion, but we can't put the toothpaste back in the tube. I was opposed to the cul-de-sac, but will move forward now. Nauser – One of the big problems is the lack of stop signs. The city needs to figure this out and install stop signs. The developer did what we asked him to do, so let's get this taken care of on our end. Staff indicated that Public Works needs to address this. Skala claimed that stop signs do not help calm traffic. Thomas indicates that in fact stop signs don't always work. What we need to do is change the geometry of the streets. Willing to drop the request from the developer for traffic calming. We need to fund and address our current problems.

Motion to amend the amendment to eliminate the requirement for developer to pay for traffic calming devices made and passed. Amendment to change date on plat approved.

Main motion as amended passed unanimously.

B10-17 Authorizing a purchase agreement with AOD-MO Holdings, LLC for property located on the northeast corner of Paris Road and Waco Road.

Recommended Action: [2nd Read & Vote/Mayor Memo]

(Action: Purchase of property by Aurora Organic Dairy. City Manager indicated that even though we are selling the land for less than it was originally purchased for, there will be a real return on investment. It is a good project because it is organic milk; there will be a \$90 million investment in the plant; there will be a \$4 million return on investment; and there will be a new revenue stream in utilities of more than \$1 million a year. Through the lens of our strategic plan it is a home run since it creates more than 145 new jobs and these are good, living wage jobs that do not require a PhD to get these jobs.

REDI provided overview of project. 101.7-acre site surrounded on three sides by industrial uses. Infrastructure is in place to serve this site. Introduced executive team from Aurora Dairy. Founder and CEO, president, COO, legal counsel and VP in attendance. Short video regarding Aurora Organic Dairy shown to audience showcasing commitment to workers and product.

Founder of Aurora Dairy – We are not building a dairy in Missouri at this point. But, we did integrate our company and we now deliver our products to all 50 states. We are looking forward to doing business here. We are 100% organic today. We provide all private label products with no flagship label.

VP of Aurora Dairy – This is our second manufacturing plant. It's a big milestone for us. Should be operational by the end of 2018. We will use milk from about 30,000 cows which matches what we do in Colorado now. 100 initial jobs will be created with more expansion within 3 to 5 years. Plant will cost \$90 million and a second phase will follow. We chose Missouri for its location on our supply chain and for the incentives offered. Columbia has an attractive work force and good access to health care and education. We have an opportunity to tap a growth market in organic products and that can bring vitality to Columbia if we pursue it. How does fleet run? We don't own our own truck fleet so we don't control what fuel they run on. Peters asked why they want 100 acres if they only need 35 or so. Speaker indicated they will need additional parking, internal truck traffic and more space to grow the company. Where does the milk come from now and in the future? 80% of our milk comes from our own cows. We have plans for additional farm locations, but we do not know exactly where those will be now. Will also look at localized suppliers. 5 to 10 people will be transferred here from other locations. Some will stay, and some will continue to work at other locations in the company. It is not our intent to run cattle on this tract. Will this hurt small dairy farmers or not. I would hope that it has opportunities for localized producers in addition to farms that can support our supply chain.

Thomas asked for a description of what happens at the site. Raw milk is shipped in. Milk is then processed (like pasteurization), then it is packaged and shipped out to warehouses by refrigerated trucks. Primary need for water is sanitation. How do shifts run? 3 shifts a day, six days a week.

Public comment opened.

Field Representative for Socially Responsible Farming presented a book entitled CAFO about corporate farming. Believes council does not have full information. We have overloaded sewer system already and that this decision was never made public early. Company already has problems with compliance with organic regulations. These are massive corporate farms – not happy Holsteins in the meadow. Where will the milk come from? Won't be from Texas or Colorado – it will be within 75 miles of here. This will not be a popular idea and could affect sustainable farming processes and small farms. Our organization will fight it every step of the way including permitting and the issuance of bonds or incentives.

Speaker works with state economic development team. This is the second opportunity with this company. In 2012 they did not choose Columbia, they expanded at their existing site. Now, they are looking again. If this project does not materialize, they could expand in Colorado again. Did you do due diligence? Yes. No red flags.

Dean of technical education at MACC. We have a tradition of working closely with REDI. We have expressed our willingness to provide training and certification services. Program has grown from 5 to 60 students. We can do this again for Aurora. We support this project.

Former Sierra Club leader expressed concern about factory cattle farms. Texas and Colorado farms provide most milk. Here 76 acres is unused. Is this going to be a factory farm? Maybe. How many factory farms will be created? Where will all the water go and what is it used for? There are already overflows on the Bear Creek sewer line. All negotiations occurred behind closed doors. Why is it secret? Want to

know if taxpayers are paying for sewer upgrades or not. Please reject this. Do better in the future and be more transparent.

University of Missouri representative – Offered to help leverage resources of the University for economic development purposes.

Speaker from Job Point spoke in support of this proposal. They have a proven track record and are an industry leader in this field. Too early to say if we can supply jobs, but it would be a great opportunity.

Superintendent of Columbia Public Schools – We have a lot of students on free or reduced lunches (46%). If I can reduce that number, it is my responsibility to speak out. More jobs help solve that phenomenon. We will have to support Chapter 100 bonds. That should be done judiciously, but we support this.

Chamber of Commerce representative – This will bring new jobs that are higher than average paying jobs, plus construction jobs. We need those jobs in light manufacturing – jobs that are above the living wage. This fits a fundamental need.

Chair of REDI – Speaking in favor of the project. Making this land available was great foresight. I grew up on a dairy farm. I think this is a great opportunity to create quality jobs.

Local Attorney and CPA – Please table this issue. Biggest issue is the fact that this will have a big impact on the local area that could be negative. We are not really getting our money back. I am not convinced we have unused sewer and water capacity. All the businesses in that area should be paying for all highway improvements. Significant water usage that cannot be ignored. We will have to do more work to get these people to use water wells instead of the city water system. Make them slow down production when wet weather conditions exist. Need to detain waste water then let it go during dry weather conditions.

Local citizen - Was watching online. We lost a national election because we did not pay attention to the hinterlands. This will bring factory farming to Columbia and we should not do that.

Local citizen – Please table this until you look at the community-wide impacts.

No further public comment.

Nauser – (Questioning Aurora Dairy representative.) You have met all the organic standards? Yes. Including pasture rules and artificial additives. We don't generally put cattle grazing next to our production plants for several reasons. It is false to assert that milk has to come from no more than 75 miles away. Some comes from more than 300 miles away. Organic milk has always come from further away because of limited sourcing. Growth of organic dairy has been substantial. We do not need local production. We have never kept anyone out of the dairy business because demand has outstripped supply. When we expand, our grain producers have opportunities if they produce organic feed.

Skala – In terms of this piece of property, is it shovel ready and do we have infrastructure capacity? City Manager indicated that a shovel ready site is a SmartGrowth concept since you use existing capacity rather than have to build out further. There are capacities available. 3 million gallons per day unused sewer capacity. This project will only add 200,000 gallons per day. I and I is constantly be improved and

is city wide, not isolated to here. We can handle the increased use. Rain causes more problems than this company. Electricity and water? This location is in the sweet spot. We have sufficient electric capacity. IBM didn't go as promised. A lot of that was handled by the state. What about clawbacks for the city that are different from the state clawbacks? We control the sale of the land if they don't build what they say they are going to do. There is also a \$500,000 escrow fund that serves as an employment fund that is benchmarked. That's our participation. If the company creates the promised jobs, they get the \$500,000.

Thomas – Company will pay \$2 million for land, but we escrow \$500,000 and they can get that back if they create the jobs promised. No jobs – no money. Milk deliveries have to get to a processing plant within 72 to 96 hours, so the range is broad for suppliers. Plans for milk supply will come in part from existing suppliers but more will be found.

Peters – We have approved a sewer upgrade in that area. City Manager indicated that Bear Creek will improve first then Hinkson trunk will come online.

Thomas – I have some concerns about transparency in this process and the heavy press to approve this. I think there is an exaggeration of benefits sometimes, including how much tax we will be realizing. Taxes we collect get spent on services provided. I do not think future water sales and electricity should be considered new revenue since we supply a product and we don't charge enough impact fees for electricity. Those arguments are not compelling. However, we are creating new jobs, I am pleased with clawbacks the city has in place, and the nature of the jobs are good. We are getting rid of a non-performing asset and that is good as well. I will support this.

Trapp – I am very much supportive of this proposal. Poverty measure of the schools is a real one – we need to address this problem. African American poverty is way too high, this can create accessible, good paying jobs. I will support this project, even though I do believe there could be some unforeseen social impacts.

Skala - We need to examine the transparency of our business recruitment process and the total impacts of a project like this. I do recognize the fact that this company will create good jobs. We need to move forward but with more complete information.

Nausser – These will be good corporate partners and they have a good company philosophy Can't wait to see that new building go up. I am fully supportive of this project.

Ruffin – It is very easy for us to explore all kinds of different ideas about projects like this, but one key idea is that companies like this can affect our people, and in a positive way. I am an educator, not a scientist. The impact that this company can have in our school system is significant. I encounter way too much poverty, and this can help address that problem. This can change lives. Do not table this motion. Move forward.

Vote to approve passed unanimously.

(A five-minute recess was called at this point.)

B11-17 Authorizing construction of improvements to the intersection of Waco Road and State Route B to include the installation of mast arm traffic signals and the modification of existing driveway access locations, and construction of

raised islands and a pedestrian crosswalk; calling for bids through the Purchasing Division. (Moved from Consent Agenda.)

(Action: Staff report. This was pulled from consent. Thomas asked if this was caused by expansion of Kraft Foods. Will Kraft pay development impact fee? Yes. Nauser indicated there have been problems there. Staff indicated that it did meet warrants for improvements.

Vote to approve passed unanimously.

B15-17 Amending the FY 2017 Annual Budget by adding positions in the Information Technology Department; amending the FY 2017 Classification and Pay Plan by adding a classification; appropriating funds. (Moved from Consent Agenda.)

(Action: Mayor pulled this from consent because he had not received answers about status of Option E and Option A. NERC requires computer compliance in place. Staff indicated that we were supposed to make improvements in June 2016. Why didn't they comply then or bring this up during regular budget? We weren't prepared because we didn't know exactly what the regulations required. Recommendations indicated that we need about 8 total people – some on the Water and light side. This covers activity for the data center and we need the extra people now. Requires patch, anti-hack, etc. professionals. We keep hearing that NERC requires us to do this. Is that true or not? You have brought this forward under consent and I want to have a discussion. City Manager indicated it is a requirement and it is a need. We DO have an exposure to fines while we are not in compliance. On the other issue – the transmission lines – we have signed a contract with Ameren to study the issue. We are responsive but some things are not within our control. These are not general fund funded positions, so there is no 60-day waiting period. We have other requirements due April 1 and we need these positions now.

Trapp – Mitigating risk should be part of our responsibility. Letting it slide is something we have been doing since 2008. We need to come up with a plan and do this tonight.

Motion passed 6 to 1 with Mayor dissenting.

CONSENT AGENDA

(All bills and resolutions remaining on the Consent agenda were approved unanimously.)

B11-17 Authorizing construction of improvements to the intersection of Waco Road and State Route B to include the installation of mast arm traffic signals and the modification of existing driveway access locations, and construction of raised islands and a pedestrian crosswalk; calling for bids through the Purchasing Division. (Moved to Old Business)

B12-17 Authorizing a sidewalk improvements agreement with the Missouri Highways and Transportation Commission relating to the MKT to Parkade Bike Boulevard Project.

B14-17 Accepting conveyances for water main and underground electric purposes.

B15-17 Amending the FY 2017 Annual Budget by adding positions in the Information Technology Department; amending the FY 2017 Classification and Pay Plan by adding a classification; appropriating funds. (Moved to Old Business.)

B16-17 Authorizing application to the United States Department of Transportation Federal Aviation Administration and the Missouri Department of Transportation for airport capital assistance grants.

R8-17 Setting a public hearing: proposed construction of the Sinclair Road at Mill Creek Culvert Replacement Project.

R9-17 Appointing associate municipal judges.

R10-17 Authorizing Mayor Treece to sign the National Wildlife Federation's Mayors' Monarch Pledge; authorizing participation in the Missourians for Monarchs collaborative.

R11-17 Authorizing an agreement for professional engineering services with Allstate Consultants, LLC for the West Central Neighborhood Traffic Calming Project.

R12-17 Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. relating to the reconstruction of Taxiway C (west of Taxiway A) and development of a pavement management program at the Columbia Regional Airport.

R13-17 Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. relating to the design for the relocation of Route H to allow for the extension of Runway 2-20 at the Columbia Regional Airport.

R14-17 Authorizing an agreement with Apogee Interactive, Inc. for utility bill analysis and customer education software. (Moved to New Business.)

R15-17 Authorizing a consent to assignment of a licensing and maintenance agreement with Burton & Associates, Inc. for use of the FAMS-XL© financial forecasting model for the Sewer Utility and Storm Water Utility cost of service and rate recommendations study to Stantec Inc.

NEW BUSINESS

R16-17 Setting a public hearing: consideration of the Unified Development Code (Case No. 16-110).

Recommended Action: [Read & Vote/Mayor Memo]

[PROPOSED TIMELINE SHEET ATTACHMENT](#)

[ACTUAL RESOLUTION ATTACHMENT](#)

(Action: Mayor handed out proposed framework for rules. Suggests that a regular meeting be held in 2 weeks on February 20, 15-minute staff report. 15-minute council questions. Open it up for public comment but no amendments or staff discussion at that point. Make people sign up. Doesn't let people wait til the end.

February 25 special meeting starts at 9 – Two hours of public comment. Switch to council discussion and a working lunch. Have two more hours of public comment or stay later.

March 6 – Discuss and vote on any amendments, then open it up for public comment after we vote

Come back on the 20th and wrap up any further discussion and approve the final deal on that day. Inclined to let people speak once during those sessions

Skala – I don't think a 15-minute staff report or council question in public is long enough.

Mayor. I don't want to replicate what the P&Z did.

Skala. Our job is a little bit different. I think we are a community balancing act. I am looking at a broader perspective. I am not interested in changing 40 feet to 50 feet. I don't think 15 minutes is enough for council questions. Most of staff time will be stuff will be response to council

Staff memo will be expansive and you can see what unresolved issues are.

Skala. This needs to be a connected process. We are going to have some questions.

Peters. Are we going to go through sections or will it be a free for all? Mayor – I am inclined to let it come as it is, but we could break it up among sections.

Mayor. I plan to meet with Chairman with P&Z to find out hot button issues.

Thomas. Why give people 6 minutes rather than 3. Why not let more people talk? Are we only letting people only speak once? I don't like that either. We may introduce something and I don't think you should limit people from only speaking once.

Legal – there will be a fundamental difference I think. P&Z debated all parts. You are going to get it as a whole document. You are NOT going to walk through it section by section. 30 to 40 different people spoke during the hearings, but many spoke multiple times. Because it was rolled out over time people were allowed to speak more than once – then you could make comments at the last meeting – and that meeting only had 6 or 7 people speaking. Some things that the public does not think were achieved will want to speak. Once you receive the document we believe that you will be allowed to act.

When will clean copy be available? We hope to have it available before this weekend.

Don't be branded by short changing the public. I think we could give people 6 minutes

Public is aware of the changes that were made. They got that on January 5.

Mayor. I would accept comments in writing before March 20, but you could should send in stuff by the Wednesday before the final vote. That would be the 15 of march to get it into the packet. Substantive changes need to be made by March 6 meeting, we would not make any amendments on March 6. You probably ought to answer questions that come in early so that staff doesn't have to look up stuff during the meeting.

Binders you will receive will have the side margin noted changed, the mast errata sheet, the original version and the clean version with no comparison and no side notes

No formal vote. Call the role to set the public hearing. Thomas. We have to let people speak twice.

Skala- Why not compromise. You can present for six minutes – then talk again for three minutes or something.

Mayor. Why not let people talk again a second time if everyone has gotten to speak once first? Final amendments are going to be made on march 6. By then the final amendments will be made public. What if somebody disagrees with a new amendment? You have to let people respond to your amendments.

If individuals want to follow this process they can watch the videos.

Skala. Restrict comments to amendments only. Zenner, if you want to do this all on the 6th, you may have to have time to do it all and you may have to wait until the 20th. On the 20th you could accept comments. Compression of time appears to be an unlevel playing field.

Peters. We actually have the April 3 meeting if we need to.

Mayor. Let's proceed this way. We should know if we are going to have a problem
Bill passed as indicated unanimously.

R17-17 Accepting the Neighborhood Traffic Management Program 2016 Year End Report Summary; authorizing a comprehensive study for a traffic calming project on Sexton Road in conjunction with the West Central Transportation and Infrastructure Priorities Plan; authorizing staff to complete installation of proposed traffic calming devices on Rice Road and Kelsey Drive; authorizing the Stewart Road traffic calming project to proceed; authorizing staff to pursue a traffic calming project on Rollins Road.

Recommended Action: [Read & Vote/Mayor Memo]

(Action: Staff report. Traffic management report submitted. Discussion about how we will add projects to the list. We have funding for identified projects. And we also work with neighborhoods that are more level 1 projects – and they are on the list but they do rotate and get different priority ratings.

No public comment.

Thomas asked about some projects that appeared, then disappeared, then were replaced. Sexton Road projects that were identified by separate studies but that did not show up in the overall plan. Staff worked with the neighborhood group and generated a desire list, but not all of those were completely integrated. Sometimes some things that are done in one spot affect other streets. Plan was holistic, so it looked at more than just traffic and looked at other impacts. Sometimes these lists are starting points, not completely agreed to. Staff proposed some nodal areas, but residents wanted single family and resisted mixed use. Lee White prepared the report. Great work.

Motion to approve passed unanimously.

R18-17 Authorizing an exception to Ordinance No. 022992, which established an administrative delay on the processing of applications for a building permit relating to the construction of new multi-family units in specified areas, to allow the issuance of a building permit for construction of a three story, multi-family structure containing 18 one-bedroom units on property located at 2406 Boulder Springs Drive.

Recommended Action: [Read & Vote/Mayor Memo]

(Action: Staff report. Request for relief from administrative delay. This is the last building of the Boulder Springs development. This is the last phase of build out of a project that started 10 years ago. This could be grounds for an exception.

Crockett testified that this is a master-planned development. This is the last phase with 18 units. Request for exemption from the delay.

No discussion.

Council approved exemption unanimously.

R19-17 Authorizing an exception to Ordinance No. 022992, which established an administrative delay on the processing of applications for a building permit relating to the construction of new multi-family units in specified areas, to allow the issuance of a building permit for the construction of a three-bedroom apartment unit on the first floor of an existing apartment building located at 260 S. Tenth Street.

(Action: Building completed on Tenth Street. Wants to convert some space in a built-out building. Rule was supposed to apply to 3 or more units. This converts built out space to 3 units.

Thomas. What about parking regulations? This is subject to C-2 currently. Error in application. Only a future .25 parking requirement. What was there before was common area. Brookside spokesman indicated that they moved their leasing space to the Shakespeare's space, and this will become a student study center and 1,200 sq. feet as a single, 3-bedroom apartment. Explained that this would comply with the interim C-2 rules and the potential future code. Need to get this going now to have it ready by August 1. This new apartment will have an access from the alley. Cardetti explained.

Unanimously approved.

R20-17 Approving Creek Ridge, Preliminary Plat #2 located at the western terminus of Waltz Drive and at the southern terminus of Heath Court (5420 Heath Court); granting a variance from the Subdivision Regulations regarding maximum terminal street length (Case No. 16-145).

Recommended Action: [Read & Vote/Mayor Memo]

(Action: Staff report. This was defeated by P&Z and denied by Council. It has now returned due to a motion to reconsider. Went back to P&Z with staff testimony. Parks and Rec testified that this proposal was important in terms of getting park land from the developer. There is no rush, but this was an opportunity for the future. Issues of connectivity, dead end street and number of units served were considered. Item still lost 5-4 at P&Z.

Trapp – Does this area actually contain the area that we want as an access point? In this case, the future development may be able to provide access to the park through a new lot.

Crockett – Asks for a variance to cul de sac length. This won't be a permanent situation because we have stubbed to the south. Can't tie in now, but if the other property develops, we can tie in. It will not be unsafe now according to public safety. Park acquisition piece would be enabled by granting this variance. Development retains ownership one piece of open land for storm water detention. Provides access to park and no sidewalks on nearby streets make this the best alternative.

Skala – this is a connectivity issue. Would this extension cost the county something? No, they don't actually have a right of use – they have maintenance rights, but they have pulled back on that, and can't go further than where they maintain. County won't budge. Other options just aren't workable due to geography, ownership, etc.

Trapp – This is a chance to get ahead of the curve on obtaining park land. I think it is worth an exception.
Council voted unanimously in favor of exception.

R14-17 Authorizing an agreement with Apogee Interactive, Inc. for utility bill analysis and customer education software. (Moved from Consent Agenda.)

(Action: Staff report. This software would allow customers to get text messages with videos explaining bills. Helps customers understand variations in billing cycles, rates, etc. There were some early problems with new billing software, but most have been worked out. This could help with customer complaint calls. In April, we will have some additional changes coming. Still need a new portal to allow viewing of bills online. Waiting on software developer. No one has been cut off due to new system. Fix is in the works.

Council approved.

INTRODUCTION AND FIRST READING

(All bills introduced as indicated.)

B17-17** Approving a major amendment to the CP Plan for Discovery Park Lots 301, 302 & 303 located on the southeast corner of Ponderosa Road and Nocona Parkway (Case No. 17-11).

B18-17* Approving the Final Plat of Discovery Park Subdivision Plat 3C, a Replat of all of Lots 301 and 302, located on the southeast corner of Ponderosa Road and Nocona Parkway; authorizing a performance contract (Case No. 17-12).

B19-17** Repealing Ordinance No. 022104 which approved the C-P Plan of Columbia Safety and Industrial Supply located on the northeast corner of Highway 763 North and Bodie Drive; approving the Centerpointe Hospital of Columbia C-P Plan (Case No. 17-34).

B20-17** Rezoning thirty-five (35) parcels in the Benton-Stephens neighborhood from R-3 to R-1 and R-2 (Case No. 17-23).

B21-17 Approving a revision to the PUD Development Plan of The Highlands Phase 8-Revised located at the terminus of Stonehaven Road and southwest of the Forum Boulevard and Old Plank Road intersection; granting variances to the Subdivision Regulations; setting forth a condition for approval.

B22-17** Approving a major amendment to the O-P Plan for Americare at Heritage Village located on the southeast corner of Sinclair Road and Southampton Drive (Case No. 17-32).

B23-17* Approving the Final Plat of The Vineyards, Plat No. 6 located between Howell Mountain Drive and Rolling Hills Road; authorizing a performance contract (Case No. 16-183).

B24-17* Approving the Final Plat of Mikel's Subdivision Plat 3, a Replat of Lot 25, 26, 27 and 55 of Mikel's Subdivision of Lots Number 86 and 87 in Garth's Addition to the City of Columbia, located on the east side of Sexton Road and on the west side of Jackson Street (703, 707 and 709 Sexton Road and 602 Jackson Street); authorizing a performance contract (Case No. 17-27).

B25-17* Approving the Final Plat of Fox Lair, Plat No. 1A located at the southern terminus of Dolly Varden Drive and approximately 1,000 feet south of White Fish Drive; authorizing a performance contract (Case No. 16-214).

B26-17* Approving the Final Plat of Alpha Phi Subdivision, a Replat of Lot 30, and Part of Lots 19, 20 & 21 of La Grange Place, located on the east side of Providence Road and south of Burnam Avenue (906 Providence Road and 911 Curtis Avenue); authorizing a performance contract; granting a variance from the Subdivision Regulations regarding dedication of street right-of-way (Case No. 17-31).

B27-17* Vacating a utility easement located within the Elm Street right-of-way (525

Elm Street) that previously contained a storm sewer (Case No. 17-38).

B28-17* Appropriating Federal Aviation Administration (FAA) grant funds and Transportation Sales Tax funds for engineering costs related to the reconstruction of Taxiway C, relocation of Route H to allow for the extension of Runway 2-20, and the development of a pavement management program at the Columbia Regional Airport.

B29-17* Authorizing a transportation alternatives funds program agreement with the Missouri Highways and Transportation Commission for the Carter Lane sidewalk project; appropriating funds.

B30-17* Appropriating cost share funds received from the Missouri Highways and Transportation Commission relating to intersection improvements at Route 740 (Stadium Boulevard) and Old Route 63.

B31-17* Authorizing construction of the Stewart/Ridge/Medavista PCCE #3 Sanitary Sewer Improvement Project; calling for bids through the Purchasing Division.

B32-17* Authorizing construction of the Thilly, Lathrop, Westmount PCCE #8 sanitary sewer, water line replacement and electric line burial improvement project; calling for bids through the Purchasing Division.

B33-17 Amending Chapter 22 of the City Code relating to the establishment of solid waste container and compactor sites within the Downtown Community Improvement District Solid Waste District.

B34-17* Authorizing a first amendment to the agreement with PNC Bank, National Association, Lexington Steel Corporation and LexWest, LLC relating to the warehouse storage of carbon steel.

B35-17* Authorizing an agreement for professional services with CDG Engineers, Inc. for architectural and planning services for future site usage of the water and electric distribution complex located on the south side of Business Loop 70 East; appropriating funds.

B36-17 Authorizing a contract with General Electric International, Inc. for repair of three (3) natural gas combustion turbine generators located at the Columbia Energy Center; appropriating funds.

B37-17* Accepting conveyances for sewer, drainage, utility and temporary construction and access purposes; accepting Stormwater Management/BMP Facilities Covenants.

B38-17* Accepting and appropriating donated funds for the Parks and Recreation Department's Holiday Toys for Columbia's Youth Program.

B39-17* Authorizing a program services contract with the Missouri Department of Health and Senior Services for HIV Prevention services.

B40-17* Authorizing a memorandum of understanding with the Missouri Department of Corrections to provide tuberculosis screening and testing services.

B41-17* Authorizing rapid HIV and Hep C testing programs agreements with the Audrain County Health Department, Macon County Health Department, Saline County Health Department, Pettis County Health Center and Randolph County Health Department.

B42-17* Authorizing agreements with the Missouri Highways and Transportation Commission relating to the installation of traffic signals at the intersections of Providence Road and Burnam Road, Providence Road and Forest Avenue, Providence Road and Turner Avenue, and Route B and Waco Road.

REPORTS

REP5-17 Columbia College Pannell Street Right-of-Way Vacation (Case #17-57).

Recommended Action: [Memo]

(Action: Staff report. This is notification that this is coming and a request for the council to address changes to policies. No objection to this coming back. Columbia College will be updating Master Plan and that's when we know what will be happening. No formal action by council.)

REP6-17 Parking and Traffic Management Task Force Final Report and Recommendations.

[Final Report and Recommendations Attachment](#)

(Action: Recommendation to create a new Parking and Transportation Commission and the hiring of a consultant. Recommendations relating to new code included ADA parking must be provided on site..... (See report) Skala suggested that Council take more time to consider longer term actions. UDO items are already in the report. Mayor believed that this should be the subject of a work session. Further action was suspended to a future meeting. Council will consider base recommendations for UDO during code hearings. Reported that it costs approximately \$18,000 to build an above ground parking space in a downtown building (revised).

REP7-17 Property Assessed Clean Energy (PACE).

(Action: Skala asked for ordinance to approve PACE legislation in the future. Does Missouri Energy District compete with the PACE Program? There are two districts. City should join both. Cities can join both. Does Boone County have to join? No. But either can join.)

REP8-17 Appointment of North 763 Community Improvement District Board of Directors Due to Resignation.

(Action: Mayor suggests appointing Meagan Steen.

Appointment made.)

REP9-17 North 763 Community Improvement District - Report on Services, Revenues, Expenditures for Fiscal Year 2016 (October 1, 2015 - September 30, 2016).

(Action: **Report accepted as submitted.**)

REP10-17 Citizens Police Review Board 2016 Annual Report.

Recommended Action: [Memo]

(Action: **Accepted by Council.** Noted that they have improved video capabilities and that meetings are open to the public.)

REP11-17 Intra-Departmental Transfer of Funds Request.

(Action: Staff report. **Accepted as submitted.**)

GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

No Comments from the public.

COUNCIL COMMENTS

Peters – We got the blue bag vouchers, but not the black bag vouchers. They are on different delivery schedules. Thought we were going to get a report on parade permitting. Two key staff are missing.

Skala – Capital projects question about East Clark Lane. When is that about to start?

Trapp – I like the approach to the UDC. I think we should use our time wisely.

ADJOURNMENT

(12:59 AM)

(NOTE: At the pre-council meeting the final report of the Infrastructure Task Force was presented for council consideration. A copy of that report is available here:

[Mayor's Task Force On Infrastructure Final Report](#)

©2017 CityWatch-Columbia

(This document may not be reproduced, redistributed or significantly cited in other works without the written permission of the author.)

DO NOT COPY