



## Columbia City Council Meeting Recap

Council Chamber, Columbia City Hall

7:00 PM

Monday, September 5, 2017

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Pledge of Allegiance  
Roll Call  
Approval of Minutes  
Adjustment of Agenda

### INTRODUCTORY ITEMS

(Recited as indicated with the help of a local Boy Scout troop.)

(All members present.)

(Minutes approved for August 21 meeting.)

(B247-17 was moved from Consent Agenda to Old Business. B246-17, B256-17 were moved from Consent Agenda to Old Business and R123-17 was also removed from the Consent Agenda and moved to New Business.)

### SPECIAL ITEMS

(None.)

### APPOINTMENTS TO BOARDS AND COMMISSIONS

(None.)

### SCHEDULED PUBLIC COMMENT

**SPC53-17** Laura Wacker, Peaceworks - Input, concerns, and an offer of assistance with moving the Climate Action Plan forward.

(Action: Presented as indicated. Speaker indicated that many people and groups have been involved in examining the impacts of climate change in this community and the world. They asked that members of their groups could be included in the adoption of a new Climate Action Plan. Indicated that they want to begin on implementation of such a new plan before the results of any consultants are in including an examination of building codes insuring environmental efficiency and establishing charging stations.

**SPC54-17** Laura Mitchell - Other costs of racial bias in policing.

(Action: Presented as indicated. Speaker talked about the differences in levels of enforcement and incarceration. Indicated that in some parts of town there is more binge drinking, drug experimentation and problems than in some other parts of town often targeted. Believed that NOT prosecuting the other crimes has resulted in higher payouts of settlements and legal defense than people who run through the regular system. Believed that this inequality should be examined and evaluated in terms of enforcement policies.

**SPC55-17** Puri Wilson - Acknowledgement of our native sanctuary in Missouri.  
(Action: Presented as indicated.)

#### **PUBLIC HEARINGS**

**(All items in this section are related to the adoption of the City of Columbia 2018 Budget. A summary of all discussion, amendments public testimony and other action appears at the end of this section.)**

**PH30-17** FY 2018 Annual Budget for the City of Columbia.

(Continued from the August 21, 2017 Council Meeting.)

[See B220-17/Mayor Memo]

**PH31-17** Consider changes to the sanitary sewer utility rate, sanitary sewer utility connection fee and waste hauler disposal service fees.

(Continued from the August 21, 2017 Council Meeting.)

[See B223-17, B227-17 and B228-17/Mayor Memo]

**B220-17** Adopting the FY 2018 Annual Budget for the City of Columbia.

(Continued from the August 21, 2017 Council Meeting.)

Amendment Sheet dated 08-29-2017

**B221-17** Amending Chapter 11 of the City Code as it relates to Public Health and Human Services Department fees.

(Continued from the August 21, 2017 Council Meeting.)

**B222-17** Amending Chapter 12A of the City Code as it relates to stormwater utility charges.

(Continued from the August 21, 2017 Council Meeting.)

**B223-17** Amending Chapter 13 of the City Code as it relates to hauled liquid waste rates.

(Continued from the August 21, 2017 Council Meeting.)

**B224-17** Amending Chapter 14 of the City Code as it relates to parking fees.

(Continued from the August 21, 2017 Council Meeting.)

**B225-17** Amending Chapter 17 of the City Code as it relates to Parks and Recreation fees.

(Continued from the August 21, 2017 Council Meeting.)

**B226-17** Amending Chapter 22 of the City Code as it relates to transportation fares.

(Continued from the August 21, 2017 Council Meeting.)

**B227-17** Amending Chapter 22 of the City Code as it relates to solid waste rates and services.

(Continued from the August 21, 2017 Council Meeting.)

**B228-17** Amending Chapter 22 of the City Code as it relates to sanitary sewer utility rates and sanitary sewer utility connection fees.

(Continued from the August 21, 2017 Council Meeting.)

**B229-17** Amending Chapter 27 of the City Code as it relates to accounts and billing and water rates.

(Continued from the August 21, 2017 Council Meeting.)

**B230-17** Amending Chapter 27 of the City Code as it relates to electric rates.

(Continued from the August 21, 2017 Council Meeting.)

**(NOTE: An amendment sheet for this hearing was prepared and was presented at this meeting. THESE ARE PROPOSED AMENDMENTS ONLY AND NOT ALL WILL BE ADOPTED since some amendments are contradictory in nature. A copy of the proposed amendment sheet is available at this link.**

## PROPOSED AMENDMENT SHEET 8-29-17

For a list of proposed fee, rate and fare increases, refer to the following link:  
[CITYWATCH FEE, RATE AND FARE REPORT](#)

The Mayor indicated that tonight he does not want to repeat prior public testimony, will be aggressive in enforcing time limits and that he would prefer that consideration of most amendments presented tonight wait until the second meeting in September. No questions or comments from the Council were forthcoming and the clerk read the bills relating to the budget for the record.

Mathes gave a report beginning with transportation. Indicated that the elimination of three bus routes would help delay the bus system going into the red. After additional discussions, the manager indicated that the introduction of a flex service to provide some service to the discontinued routes in the city was possible. Indicated that there is a cost to that concept. Suggested that there are now at least four options that could be considered to bring the transportation budget into better balance. One option would eliminate service in Brown, Orange, Purple and Pink in addition to the Dark Green, Light Green and Red routes, and if some level of flex service were implemented, similar savings could be achieved. Another option would allow four routes to operate on a limited service basis – Light Green, Purple Orange and Brown - and also redraw the Light Green and Black routes and implement a Flex zone as a pilot program in the Pink route area. That concept, known as Option 4, would also achieve a level of savings required to balance the transportation budget.

Thomas asked how this would be implemented and mentioned that he assumed this could not happen immediately. Director indicated that this would take some time, and that some of the changes in service that went forward could be limited on Saturdays. Thomas wanted to adjust the system based on ridership during day parts rather than on weekend days. Skala indicated that he was not excited about cutting any service, but that he thought some combination of the proposed solutions should be tried and will still achieve the same level of savings. Pitzer asked about change in service levels. Director indicated that Light Green and Pink would run on 80-minute schedules rather than 40-minute schedules. Also indicated that flex system would require some new fleet of smaller vehicles that would cost \$60,000 to \$70,000 each but that full numbers are not available now. System has simply not been examined in detail at this time. Some grants could offset the new costs. Those grants are at least 6 months away. Trapp asked if Option 4 could be a transitional program until we could get this worked out. We believe that we could impose a flex zone on top of the ParaTransit system in some areas to achieve some savings. No increase in ParaTransit fees or a 50-cent increase in ParaTransit fees were both still under consideration under the new options.

Next topic was utilities. Staff had asked for a 1% increase in electric rates to refinance debt while applying some enterprise revenues to the debt, but we would still remain below the cash reserve target. For sewer, staff asked for a 6% rate increase. This new money would fund new programs and operational costs not covered by Capital Improvement budget. Sewer and stormwater also saw increased operational cost. Solid Waste rate increases will help collect trash more efficiently. The city manager admitted that there is another way to do it, but this is the most efficient. Landfill costs also were important in projecting needed revenue. Water rates were increased because revenues went down due to efficiencies and reductions in use. This was also the fourth year of rebalancing some rates based on cost of service studies so those needed to come forward due to prior votes of the council, including sewer rates, etc.

Manager indicated that doing these smaller annual increases help avoid sticker shock and some increases could be delayed but that would mean larger incremental increases in future years. In response to questions from council, the city manager indicated that if rates were not increased there were many possible ways to adjust the budget, but that programs or services could suffer in some instances. As an example, backflow prevention measures could be slowed down but not eliminated entirely to help avoid rate increases in terms of sewer. Staff indicated that when they tried to scale back rate increases they simply looked at which would have the least overall impact. Mayor indicated he wanted to look at the full array of potential cuts rather than the staff's handpicked list of 5 or so ideas. Also, wants real time numbers on expenditures that have never been forthcoming. Mayor suggested that we are closing the gap faster in recent years than what is shown in the past yearly reports. Pressed staff hard on providing better actual numbers and criticized using numbers that are more than a year old. Skala asked how these numbers were generated, and asked if they were based on a pre-selected list of projects or actual operational costs or previous budgets or projections. Staff indicated that the numbers are based on actual needs that can be projected but that sometimes projects get pushed off or canceled and new items or growth occur. It is inexact.

Because of the complexity, the Manager indicated that he would walk through all the budget areas first, show what is projected in terms of new revenues and then show what would happen if no rate increases were approved. He cautioned that when you go fund by fund it makes it difficult to see the overall picture, however there is no other good way to do that. Pitzer asked about cash position overall and particularly the electric fund. Believed that the numbers showed that without a rate increase in electric the cash position would be reduced by \$2 million. However, on the amendment sheet, he believes that full value is not stated and that the way the numbers are presented make it difficult to evaluate apples to apples when making these decisions. Manager indicated that if you compare budget to budget, Pitzer's numbers make sense, but that in terms of revenues and expenditures, those figures are determined in a different manner. Manager indicated that he would go back and try to produce the comparative numbers in another fashion that addressed Pitzer's questions.

Manager continued with a few additional concepts including parking fees. Some parking garage rates could be increased, but the City Manager suggested that per-hour parking fees be increased by 10 cents per hour rather than increase parking garage fees because there are less costs involved in implementing that kind of change. Staff indicated that it is difficult to determine actual costs of program implementation without knowing what the scope of the changes is first. Skala indicated that he believed that each neighborhood is different in terms of parking rates, that increases in rates do not have to be uniform across the city, that striping and other measures can be invoked and that all could have a different impact on citizens, businesses and the city.

Manager briefly mentioned that other amendments were in play, but that there were differences in how discretionary funds might be spent and that to get a true picture of where we would end up he would need to know what the council would prefer before an accurate picture could be drawn.

Public input was welcomed.

Chair of Public Transit Advisory Board indicated that her commission has not had time to meet after the introduction of Option 4, but that she thought the flex zone pilot on the Pink zone could give us a chance to see how this concept works. Believes that the guiding idea should be the most service to the most people. Being able to catch a bus on a daily basis is probably better than trying to schedule a day in advance. Para Transit is a big deal. Thanks for giving us the possibility of Option 4. She also indicated

that another member of the audience who had to leave also stated her opposition to any increase in the ParaTransit fee.

Next speaker spoke on behalf of Job Point and the request for \$250,000. Indicated that their relationship with the city is good and believes that this grant of funds will save money in the long run, shows a good investment in a good program and that is equitable to the concept of owning a home versus renting as a long-term strategy. Job Point is a key component of the city's strategic plan. If we are dedicated to that plan, then funding for this program is imperative and also makes the city eligible for some federal money it would not otherwise be entitled to. We provide a good return on investment. We can do more good with these funds than ever before, and we will restrict these funds to their original use or they will be repaid. Indicated that this would provide funds for the purchase of their existing building and would not know the final cost of the building until they know that they can go forward. Indicated that their volunteer board contributed more than \$40,000 to Job Point last year and that every member contributed. Further explained that savings would accrue from the purchase instead of renting the same facility.

Next speaker asked for funding for CAT Access Television (CAT TV). She indicated that she watches and records many programs on this channel and asked for \$35,000 in funding or more.

Speaker asked who gets this rate increase? Who gets the increase? Council indicated that it is the citizens who will pay more. The manager indicated that the utility rate increases are spread across all customer rate classes. Skala indicated that he will address this issue further in the comments section.

Next speaker appeared on behalf of CAT TV. Indicated that they have cut their own expenses and that they are now at a staff of one, but their services are becoming more popular than ever before.

Next speaker asked about flex zones for transportation. Asked that staff please refer to the consultants and don't try and do this in-house. Also challenged the solid waste disposal numbers. Believes it was political pay-back because voters rejected roll-carts. Believed that Skala had asked good questions about the process and believed that some of this information could have been generated earlier. Finally, indicated the CITY wanted parking meters in neighborhoods, not NEIGHBORS. And, in terms of budgeting for capital improvements, believed that the process should be reformed. Staff doesn't have enough information or independence to do this well.

Public comment was closed.

Thomas thought council should share thinking on the various issues. Indicated he thought Option 4 would be OK. Let's experiment with flex zones, slightly redrawn routes and other budget balancing measures. Supports 10 cents per hour increase in parking meter rates to balance out parking utility. Overall utility increases are a question of equity. Believes that high volume users vs. low volume users and current users vs. future users need to be studied more.

Trapp wants the Job Point allocation restored to the budget. Government can't always answer all the problems, so we need partnerships like this. On infrastructure, are we really funding our infrastructure needs? Or do we do it based on what we can afford or just political reasons. Ameren doesn't do it this way. Mayor pushed back and indicated that Ameren does go to the PSC and it takes 10 months and we shouldn't be forced to decide that quickly. Trapp indicated that his vote would always be to fully fund the infrastructure we need and not starve those funds for other reasons.

Skala believed that he was in the middle. Thought it was frustrating that even the citizen boards and commissions did not know what was happening at this hearing. Water & Light Advisory Board does meet tomorrow, and maybe some more information will be forthcoming. Indicated that he will support some rate increases if they are progressive in nature. If we look at the underserved users first, then move on to the small businesses somewhere in the middle, then I think we can balance that rate increase across the board, with higher payments on the top and lesser payments on the lower end. I do think the revenue is necessary. I am inclined to take a compromise solution and approve half of the rate proposed then work it out later, but I don't want to completely eliminate rate increases altogether. Some people have accused us of hiding money in Swiss bank accounts. That is not true.

Ruffin indicated that he believed that the Job Point proposal was premature at this time. Thought that a building cost number should be determined and that this money be held in reserve. Trapp agreed to that concept.

Mayor followed up on monopoly utilities discussion. Indicated that they get more scrutiny at the state level than we do locally and that he wants to move us to that point. Our projections are stale. I want to know more about sewer and stormwater rates vs. water and light.

Peters asked how co-op utilities review rate increases. The Mayor indicated that when they realize greater revenues their members get rebates.

Thomas responded to Ruffin and indicated that parking fees and other forms of transportation are tied together and that they all work together. Permit fees may be the way to go. Skala indicated that he may favor parking permit fees and not meters. Mayor indicated that all items will remain open until the next meeting.

**PH32-17** Proposed construction of the Forum Boulevard and Green Meadows Road intersection improvement project.

Council Memo

(Action: Staff presented a background report as follows. This intersection was identified for improvement due to both safety and traffic congestion concerns prior to the 2015 CIP Sales Tax Ballot Initiative. The existing layout of the intersection with four-lanes verses two-lanes can be confusing for drivers. It is difficult to know which vehicle has the right of way to enter the intersection when multiple vehicles stop at the same time, causing delay, confusion and increasing the potential for collisions. During daytime peak traffic, the intersection becomes a bottleneck as vehicles queue behind the stop signs in a stop and go situation and staff has received many complaints that drivers do not come to a complete stop in order to "beat" the other vehicles into the intersection. The intersection is also difficult and dangerous for pedestrians to cross.

Staff's initial recommendation was to construct a 150-foot diameter partial double-lane roundabout at this location. Due to opposition to the proposed roundabout by residents of the Country Club Villas, Council directed staff to evaluate additional intersection improvement options. Council also directed the Bicycle/Pedestrian Commission to review the information and make a recommendation. Five options were reviewed including the use of various levels of light signalization, the use of J-turns and the

roundabout option. A engineering company was hired to review traffic data from the site. Based on the analysis of the additional intersection improvement options, the recommendation from the Bicycle/Pedestrian Commission and the adoption of Vision Zero by Council, staff recommends the roundabout as the best solution because it is considered overall the safest improvement for all modes of transportation (motorized and non-motorized). The estimated total project cost for staff's recommendation of a partial double-lane roundabout is \$1,166,500 (design, right of way, utilities, and construction), and will be funded from 0.25% Capital Improvement Sales Tax.

Staff and consultants described future improvements in the general area and specifics of each of the five identified options. Indicated that all options will affect all immediate surrounding property owners and showed the benefits and drawbacks of each option. Roundabout option rated highest in both safety and capacity ratings. Roundabout, however, was most expensive in terms of construction. Bicycle and Pedestrian Commission also recommended the roundabout option as the best.

Mayor asked how people deal with dual lane roundabout and how they cross lanes of traffic. Challenged the concept that people from Green Meadows Road would be able to merge into the roundabout because most of traffic would flow into the roundabout from the Forum feeder on both sides. Engineer indicated that based on traffic counts, stacking will not occur and all entry points would become available on a timely basis. Admitted that it does work better in lower traffic times than in peak, but it does work better than the existing system based both on traffic counts and actual observation of other traffic points on the road. Skala asked if this recommendation works better than the current system based on experiential components like impatience of drivers and the phenomenon of trying to beat the other guy into the intersection. Engineer indicated that roundabouts work better due to speed constraints and forced maneuvers that physically inhibit unsafe actions.

Public comment was opened.

First speaker reminded people of the movie Groundhog Day. Seemed like we have been through all of this before. Introduced a previous letter of opposition to the roundabout concept and indicated that opposition continued. All roundabouts are not created equal. This is not about all roundabouts, it's about this one. Believes that some safety advantages are overstated. This is a residential area with a pre-school. Compared it to a roundabout near Old Hawthorn and noted that this has homes around it – that one doesn't. Wondered whether this one was really the right size or did we just squeeze it in there? If it is so good, why don't we do it everywhere? Turn out of D'Rowes, with no break in traffic will be exacerbated. Believed that people are roundabout hogs and that they do not let other people get in easily. Believed it would divert a lot more traffic to internal roads like Canterbury. Showed a slide that indicated that the Highway Institute believes that roundabouts should not be used in unbalanced road situations. Also indicated that there is no natural exit from this neighborhood other than this outlet. Asked why \$1.1 million today is a better idea than the \$950,000 they turned down a year ago if traffic is not increasing?

Next speaker indicated that he lives in the vicinity and that this intersection does need a solution. He visited with Public Works and believed that the information he got was voluminous. He believes that the roundabout is the BEST idea. His opinion was based first on safety. Slower speeds, less severe angles and one-way traffic was a good idea. Believed it would reduce delay. This is not a Fifth Ward issue. It's a city issue. We need to move traffic along the north-south streets that serve our city. It is less expensive long-term than lights. Speaker was not an engineer, but indicated that he is deferring to the people who are traffic engineers. Finally, we already voted on this and it was in the CIP list the public approved.

Mayor announced that the air conditioning system had stopped so the dress code for the evening was officially waived.

Next speaker thought that if this is not fixed it will turn into a situation like in the Grasslands. She indicated that the roundabout was a bad idea and that they have already indicated the same. We have elderly people who live in this area and we don't want to disrupt emergency vehicles. What about the water main located there. Does that move, too? Why not just put signals in? Believed staff was biased and questioned timing of some of the engineer studies.

Next speaker represented additional homeowners. Thought only two options presented were reasonable – the roundabout or the status quo. Spoke on behalf of building the roundabout for future needs and something does need to be done. Believed that in Fort Collins, CO roundabouts work.

Speaker indicated that he lives in the area, thanked Trapp for his civics lesson, and indicated that he was an engineer. Also referred to statements in the paper that implied the roundabout concept, although mentioned in some previous pronouncements, was more of a placeholder than a specific proposal. However, he is not for red light fixes, and will support the roundabout.

Next speaker indicated that he was the president of a local neighborhood association, and although there was no official vote, he believed that he is speaking on behalf of most of his neighbors. Of 54 neighbors, 37 thought the roundabout was best, 17 were for lights and the rest had no definitive preference. He believes roundabouts are the best based on safety.

Next speaker is the president of a neighborhood association. He represents 200 people. Although there was no official vote, he believed that most neighbors support the roundabout. Traffic is increasing. Most morning, the wait out of his street is not bad, but when you get to this intersection, it gets messed up. Capacity is a big issue, particularly in turn lane situations. Also remember, that when traffic gets stacked, emergency vehicles must wait, too. Roundabouts could eliminate that.

Next speaker indicated that he lives on a cul de sac in the area. They put up a sign indicating that you can't get out that way. He has lived there 36 years, back when nothing was out there. It is now impossible to get out onto Green Meadows from his little street. He supports the roundabout. This will eliminate stacking. A light will be a disaster. This is based on fear. Don't let it be. Roundabouts are safe. They have been used for years everywhere. They are not a fad. They are safe.

Next speaker spoke on behalf of the pre-school. They started out supporting the roundabout option, then saw how much land they were going to take, so they voted last time for the lights, but looking at the current plans they are supporting the roundabout. We serve 115 kids each day and about 30 staff.

Speaker indicated that she believes this intersection does need work. She lives on a cul de sac and gets blocked in. She is a health care professional. She believes in taking expert opinions. Believes that the engineering reports lead to supporting the roundabout. She didn't used to believe that, but now she does.

Next speaker indicated that she lives nearby. I have listened to this for a long time, but I think these roundabouts in the area are going to cost \$3 million. I'm worried about infrastructure. I'm worried about where buses stop, people stop and people turn. I am opposed to the roundabout.

Speaker was overwhelmed by the discussion. Believed that safety was built into this recommendation. How did we ever identify all these projects years ago when we don't have a general transportation plan? Please adopt a transportation plan for the Southwest. Don't fund any projects until that plan is adopted.

Speaker indicated that he just retired. He has seen experts all his life – and knows that a lot of them were wrong. Same here. He opposes the roundabout. This is a band aid, not a solution.

Next speaker indicated support for the Vision Zero program and supported the roundabout. Final speaker asked that the council consider other alternatives like speed tables and traffic calming devices.

Public hearing was closed.

Ruffin asked about time frame for construction. Staff indicated 2019 was the target date to initiate construction.

Thomas indicated support for the roundabout. However, he did indicate misgivings about spending \$1 million to reduce congestion by 46 seconds, when people who take the bus have to wait up to 80 minutes if they miss the first bus. Why not invest in more environmentally sound options like expansion of public transit?

Pitzer indicated that doing nothing was not an option. There is too much confusion and congestion. Pledged to improve this situation, and is not in favor of lights. Thinks J- turns will be counterproductive, so he is in favor of the roundabout. Thinks it will be best for his entire ward and will work in with other improvements that will come. Wants to make sure landscaping in the middle of the roundabout is solid. Made motion to approve.

Skala reiterated that this was a good safety issue and that he will defer to the experts.

Trapp thought it was good that it went back to the neighborhoods for discussion and believed that safety weighs heavily in this vote.

Mayor indicated that he believed staff had done a great job and that there are a lot of competing financial needs and issues that change the character of the neighborhood.

**COUNCIL APPROVED THE PROPOSAL 6 TO 1 WITH THE MAYOR DISSENTING.)**

**PH33-17** Proposed construction of a six-foot wide sidewalk along the west side of Oakland Gravel Road, between Blue Ridge Road and Edris Drive.

(Action: Staff report indicated that currently there is a sidewalk gap along the west side Oakland Gravel Road between Blue Ridge Road and Edris Drive. Staff is proposing to construct approximately 680 linear feet of a 6-foot wide concrete sidewalk along the back of the curb. In order to reduce impact on trees and yards, a short retaining wall will be constructed along some of the properties at the back of the sidewalk. Portions of several residential driveways will be reconstructed and one fence will be removed and relocated with this design. Construction is planned for spring of 2018. The total estimated project cost (including design, easement acquisition, utility relocation, and construction) for the proposed sidewalk project is \$311,500, and will be funded by the 0.25% Capital Improvement Sales Tax.

Public hearing was opened.

Local resident spoke in opposition to this idea because it would destroy trees and create disruption in the neighborhood. It would also destroy one person's garage and yard. Please do not do this in honor of those of us who live there. This will destroy our personal local landmarks. Do not spend money we do not have on something we don't need.

Public hearing was closed.

Trapp asked about the garage issue. Staff indicated that the garage would not have to come down but that they would realign the driveway. Indicated that people will not cross the road to use the sidewalk, so one is needed here. I have seen it. I believe in livable streets. For too long, we have not put in sidewalks. This is a place where we need a retrofit. This builds for the future.

Skala indicated that he was conflicted. This road is on the edge of Ward 2 and 3. I thought we had a fund for putting sidewalks where people both want and need them. On this one, I don't like the retaining walls.

Mayor asked why this costs \$75 per square foot. They indicated that it requires replacement of other driveways and things. Peters said if you multiplied by 4 you could get a whole roundabout.

**MOTION TO APPROVE SUPPORTED 6 TO 1 WITH SKALA DISSENTING.)**

**OLD BUSINESS**

**B244-17** Rezoning property located on the southwest corner of the intersection of Providence Road and Forest Avenue from R-2 (Two-family Residential District) and M-OF (Mixed-Use Office District) to PD (Planned District); approving the statement of intent; approving the Bisk LLC Coffee Shop PD Plan (Case No. 17-166).

(Action: Staff presented a report on this request. The applicant is seeking approval of a PD (Planned District) development plan for a coffee shop that includes a drive-thru and outdoor patio. The proposed PD district and accompanying development plan would rezone the subject site from R-2 (Two-family Residential District) and M-OF (Mixed-Use Office District). The proposal requires the combination of the two existing lots by a separate platting action to be submitted subject to approval of this request. The use of the PD district is intended to allow for innovation and flexibility in design, to encourage creative mixes of complimentary uses and to promote environmentally sound and efficient use of land. This request is for a single use that can be accommodated in the M-N district (Mixed Use – Neighborhood) and appears to be conventional in its design approach. The use of the PD designation appears to have been chosen by the applicant to address issues and concerns articulated during a series of meetings with the Ridgeway Neighborhood Association. During these meetings, a number of people in attendance were supportive of having a drive-through coffee shop close to their homes, but were concerned that the traffic generated by such a use would be detrimental to their neighborhood. Surveys were also distributed to students and faculty from Hickman High School (to the east of the parcel across Providence), to determine a desirable use for the subject parcel. The results of the surveys also indicated support for the coffee shop.

Forest Avenue has been designated as the future location of a “Bike Boulevard” to connect cyclists between the Downtown Optimist Park and Hickman High School. Proposed improvements at this location would reduce the flow of traffic on Forest Avenue to one-way, heading east toward Providence to facilitate a broadened bike lane. Further bike boulevard improvements at this location include a pedestrian/bicyclist crossing, similar to that existing at College Avenue and Ash Street, to allow safe flow of pedestrians and cyclists across Providence Road. Given these future public improvements, staff does not support the inclusion of drive-thru lane in this location due to the confined nature of the parcel. Impacts to both Providence Road and Forest Avenue could potentially be detrimental to not only the immediate context (increased traffic on Forest), but also in a much broader context if site users were to effect traffic flow on Providence Road.

**Planning and Zoning considered this request at its July 20 meeting. Following public comments, the Commission voted 4-3 on a motion to approve the proposed PD development plan.**

Questions from council about access points were explained by the staff by using a diagram.

Public hearing was opened.

First speaker indicated that the same developer had converted other properties and believed that this site could be converted for use compatible with the neighborhood. They talked with the neighbors and the school community and they received broad support for a coffee shop. They tried to fit into one of the new categories and met requirements including landscaping, site design and other criteria. The PD plan also allowed us to control use into the future that would not be possible under the new code. The new code would not allow for a drive through, and this is critical to the sustainability of our project, so we went for a PD designation. This building is going to be bigger than a usual coffee shop, because we want inside seating to make this a real community gathering spot. Will have a small library and will partner with local suppliers including Cedar Creek Coffee. This is truly a neighborhood aspect in an M-N district, with additional protections. Exterior finish will incorporate a lot of glass. Mayor wants something that looks good on both Providence Road and in the neighborhood. We will have both brick and glass and it won't have a black roof like some surrounding buildings.

Ruffin asked about the layout of the site. Speaker indicated that the entry to the business comes from Providence, but that the alley behind it will become a two-way drive. Indicated that northbound traffic on Providence would have to cross traffic to enter this establishment. We will add a right turn out only sign and will try to add a wishbone or median to discourage additional cross exit traffic. There is another project going on at the same time which will change the orientation of Forrest Avenue that is under review by MoDOT right now. Pitzer asked about job creation numbers and speaker did not feel qualified to answer.

Next speaker indicated support for the proposal and indicated that the builder does good work and that he may also be in line for a job if this project is created. Speaker previously worked for Job Point and thought this was a lot better as a coffee shop than a pawn shop or liquor store.

Speaker from Cedar Creek coffee testified and indicated that she believed that this was a great opportunity for her workers and will give her guys the opportunity to come out into the community. A man from Cedar Creek appeared to testify. He believed it would provide him a great opportunity. He watches the news frequently, indicated that he does have some issues, but wants to see if he can do the coffee at this new location. Wants the council to give him a chance.

Next speaker thought he might be able to fit into this kind of job. He would like to do this coffee kind of work. He is 28 years old. He is happy. And he wants to give this a try.

Next speaker indicated that he will work hard and he wants to try this.

Earlier speaker reappeared and explained that they have locations in both Columbia and Branson, and that they distribute roasted coffee to both businesses and individuals.

Speaker indicated that she represented a neighborhood group in the area and that they liked the idea of a coffee shop, but that they worried to some extent about the drive-through. After some discussion, our neighborhood group suggested that Forrest would become a one-way street. Traffic is a problem and we think we should take that into consideration. The Mayor asked how the neighborhood reacted to the design of the building. Speaker indicated that the builder had been responsive to landscaping and use and didn't know much about the look of the physical building. Skala asked about making the street one-way later. Speaker was not clear about the ultimate solution but thought there should be traffic calming of some sort. Thomas indicated that he did NOT think the coffee shop would create more cut-through traffic although there would be more short-term traffic in the vicinity.

Next speaker represented the Native American Support group and supported the project.

Next speaker indicated that he did not want to allow a left turn onto Forrest since in the future it would be a bike lane and now people will start to use it to go west into the neighborhood down to the park nearby.

Next speaker indicated that she would support a coffee shop if it was not a Starbucks. This will be local. She also uses a laundromat that this man has built and she likes it. She is a big proponent of this idea. It does not have to be fancy. It must be something we can use.

Next speaker indicated that he had been involved in plans to develop the Providence Road corridor because it does not fit in with the old plan he helped develop. He thinks this is a transportation corridor as well as an employment corridor. He thinks drive-throughs are not compatible. This should be multi-story, should not have parking in front, and should build in front to compliment what is in the back. I am standing up for the long-term goals of corridor planning. This should be a three-story building with a coffee shop on the first floor and then I would be for it. And, it would be more neighborhood friendly. Kilgore's Pharmacy was different because it was so necessary and it should not be used as a precedent.

Public hearing was closed.

Pitzer said he will support this because if we don't do this it will become a pay day loan facility.

Peters asked if the coffee shop failed, could something else go in? Yes, but there would be some limitations.

Ruffin indicated support. Supports Cedar Creek Coffee. Thinks the look of the building will be important. Will endorse it fully.

Mayor thinks the drive-through is not ideal and that pedestrians have to cross parking lots. Generally speaking, he believed that we could not fit this into a mixed-use project. Now we get a PD. Wish we did not revert to our old way of doing business.

Skala echoed the Mayor's disappointment about the corridor plan deviation and would like another story on the building, but he likes the concept and the perfect should not be the enemy of a good idea. Will support this concept.

Thomas is no fan of drive-throughs, but he believes its positives will outweigh.

**MOTION TO APPROVE AGREED TO 5 TO 2 WITH PETERS AND TREECE DISSENTING.)**

**B245-17** Granting a waiver and a design modification relating to the construction of a sidewalk along a portion of the north side of Primrose Drive, approximately 500 feet east of Gardner Drive (2301 Primrose Drive); setting forth a condition for payment in lieu of sidewalk construction (Case No. 17-157).

(Action: Staff presented a report on this request which would, if approved, waive the requirement to construct approximately 60 feet of sidewalk located on the north side of Primrose Drive, approximately 500 feet east of Gardner Drive that is required due to proposed multi-family construction on the site. The applicant is requesting the waiver due to the presence of a significantly large Sycamore tree that may need to be removed to accommodate the sidewalk. Staff did not find adequate evidence to support the applicant's rationale for the sidewalk waiver. At its July 6, 2017 meeting, the Planning and Zoning Commission considered this request. The Commission commented on the condition of the tree and the levels of traffic on Primrose, and inquired if additional infrastructure improvements to the storm sewer would also require the removal of the tree. The applicant stated that the tree should not be affected by any storm sewer infrastructure that would be installed. **Following additional discussion, the Commission voted 5-3 to recommend denial of the requested waiver, however, the City Council makes the final decision on these types of requests.**

It should be noted that the applicant has included a request that the City consider a fee-in-lieu payment for the cost of the sidewalk installation as a condition of waiving the applicant's responsibility to build the sidewalk. Staff has not offered a recommendation on whether to accept the fee-in-lieu in this case, however, City Council may consider accepting the fee-in-lieu option, along with the approval of the waiver.

The Mayor asked about the cost estimate for the sidewalk and wondered why the cost was substantially less than other quotes. Staff indicated that the estimate was about \$20 per square foot. Trapp thought we could apply the cost to traffic calming here and that the sidewalk may not be the best answer. Trapp supports the request even though he previously thought a sidewalk WAS needed. Believes this is a sensible situation. Asked for city attorney advice. City attorney suggested to move this to November 6 and asked for a reevaluation of the cost estimate.

Thomas suggested that actually a sidewalk could be constructed in this area without removing the tree. Believes it could be economical. Mayor questioned the validity of the sidewalk cost estimate provided by the applicant. Thomas agreed to table.

**MOTION TO TABLE TO NOVEMBER 6 APPROVED UNANIMOUSLY.)**

**B254-17** Amending Chapter 19 of the City Code relating to mutual aid emergency pay.

(Action: Staff presented a report indicating that under current city ordinance, for every twenty-four-hour period during which an overtime eligible city utility employee works in response to an emergency, the employee shall be paid at the employee's overtime rate for sixteen (16) hours and at the employee's regular rate of pay for eight (8) hours. This is consistent with utility practices and has been accepted by the utilities that the City has rendered aid to in the past. In October 2016, in response to damage caused by Hurricane Matthew, the City sent several line crews to Florida to help with restoration efforts. One of the utilities receiving mutual aid had local prevailing wage obligations that exceeded the provisions outlined above. In order to comply with its prevailing wage obligations, that utility asked to pay those responding to this event in accordance with those local prevailing wage obligations. The proposed amendment to Chapter 19 addresses situations in which the utility receiving the mutual aid has a legal obligation to pay compensation at a rate higher than is included in the City's current ordinance. The new amendment would establish the current practice as the MINIMUM compensation for employees responding to mutual aid requests and add provisions to compensate at a HIGHER RATE if the utility requesting mutual aid has prevailing wage obligations that exceed the current ordinance.

No discussion.

**MOTION TO APPROVE PASSED UNANIMOUSLY.)**

**B255-17** Appropriating funds for compensation to Water and Light Department employees sent to Florida to assist with restoration efforts associated with damage caused by Hurricane Matthew in October 2016.

(Action: Based on the previous adoption of an amendment to the emergency aid pay rate, this action would appropriate the funds necessary to provide pay to those who served during Hurricane Matthew. The differential in pay is approximately \$25,000.

No discussion.

**MOTION TO APPROVE PASSED UNANIMOUSLY.)**

**B246-17** Approving the Final Plat of Kelly Farms located on the east side of Cinnamon Hill Lane and approximately 1,200 feet north of Stadium Boulevard; authorizing a performance contract (Case No. 17-134).

(MOVED FROM CONSENT AGENDA FOR DISCUSSION)

(Action: Peters pulled this from discussion to make sure that this plan was in conformance with the original proposal. Staff indicated that there was a different lot numbering scheme, that there were some slight modifications, and that there were some notes that do not appear on this version of the plan. Peters also asked about road connections to the commercial site. Staff indicated that connectivity is planned for.

No further discussion.

**MOTION TO APPROVE PASSED UNANIMOUSLY.)**

**B247-17** Authorizing a contract for exchange of real estate with the Paul Alan Branham Revocable Trust relating to City-owned property located adjacent to the northwest corner of the Stadium Boulevard and West Boulevard intersection and property located adjacent to the southeast corner of the Stadium Boulevard and Planter Road intersection.

(MOVED FROM CONSENT AGENDA FOR DISCUSSION)

(Action: Staff provided a short report. Thomas indicated that the presentation had answered his questions.

**MOTION TO APPROVE PASSED UNANIMOUSLY.)**

**B256-17** Authorizing a professional services agreement with Stifel Nicolaus & Company, Incorporated for financial advisory services for The Broadway Phase II tax increment financing application; appropriating funds.

**(MOVED FROM CONSENT AGENDA FOR DISCUSSION)**

(Action: Tony St. Romaine appeared to answer question. Peters asked about the cost to the city of the evaluation fee for the proposal. St. Romaine indicated that the applicant paid the costs incurred by the city. Mayor asked about the status. St. Romaine indicated that a public hearing had been slated for October. Mayor asked if this was putting the cart before the horse. St. Romaine indicated that this was a part of due diligence. Mayor asked about the “but for” clause and would it be met. St. Romaine indicated that the applicant will have to meet that clause and other restrictions and requirements. Stifel will verify information relating to this case for review by the council.

**MOTION TO APPROVE PASSED UNANIMOUSLY.)**

### CONSENT AGENDA

**(All items remaining on Consent Agenda approved as submitted.)**

**B246-17** Approving the Final Plat of Kelly Farms located on the east side of Cinnamon Hill Lane and approximately 1,200 feet north of Stadium Boulevard; authorizing a performance contract (Case No. 17-134).

**(MOVED TO OLD BUSINESS SECTION OF AGENDA)**

**B247-17** Authorizing a contract for exchange of real estate with the Paul Alan Branham Revocable Trust relating to City-owned property located adjacent to the northwest corner of the Stadium Boulevard and West Boulevard intersection and property located adjacent to the southeast corner of the Stadium Boulevard and Planter Road intersection.

**(MOVED TO OLD BUSINESS SECTION OF AGENDA)**

**B248-17** Vacating the right-of-way for an alley located on the north side of Anthony Street, approximately 200 feet east of College Avenue (Case No. 17-185).

**B249-17** Authorizing a consolidated grant agreement with the Missouri Highways and Transportation Commission for FY 2018 transportation planning services (Case No. 17-214).

**B250-17** Authorizing a joint funding agreement for water resources investigations with the U.S. Geological Survey, United States Department of the Interior for groundwater monitoring of well sites in the vicinity of the wetland treatment units and the Eagle Bluffs Conservation Area.

**B251-17** Accepting conveyances for sewer, temporary construction, drainage and utility purposes; accepting Stormwater Management/BMP Facilities Covenants.

**B252-17** Accepting conveyances for water and electric utility purposes; accepting a declaration of restrictive covenants for a water main extension exemption.

**B253-17** Appropriating funds to upgrade aging network infrastructure and to purchase cyber security software in the Information Technology Department.

**B256-17** Authorizing a professional services agreement with Stifel Nicolaus & Company, Incorporated for financial advisory services for The Broadway Phase II tax increment financing application; appropriating funds.

(MOVED TO OLD BUSINESS SECTION OF AGENDA)

**R123-17** Consenting to the issuance of a state license for the sale of intoxicating liquor to Parks Amusements, LLC, d/b/a Silverball, located at 122 S. Ninth Street.

(MOVED TO OLD BUSINESS SECTION OF AGENDA)

**R124-17** Transferring funds for payment of legal fees associated with ongoing litigation relating to construction of the Short Street parking facility.

**R125-17** Authorizing an agreement with Oak Towers Housing Development Group, LP, formerly the Housing Authority of the City of Columbia, for HOME funding for renovations to Oak Towers located at 700 N. Garth Avenue.

**R126-17** Authorizing Community Housing Development Organization (CHDO) agreements with Central Missouri Community Action, Columbia Missouri Community Housing Development Organization and Show-Me Central Habitat for Humanity.

**R127-17** Authorizing a first amendment to the operations agreement with Thumper Productions, L.L.C. for the 2017 Roots N Blues N BBQ Festival at Stephens Lake Park; authorizing an agreement with Adventure Tree, LLC for the adventure tree activity at the 2017 Roots N Blues BBQ Festival.

#### NEW BUSINESS

**R123-17** Consenting to the issuance of a state license for the sale of intoxicating liquor to Parks Amusements, LLC, d/b/a Silverball, located at 122 S. Ninth Street.

(MOVED FROM CONSENT AGENDA FOR DISCUSSION)

(Action: Peters asked about the location of this establishment. It is near The Rise, so it must be in close proximity to at least two churches. Staff indicated that no objections had been heard and that it occupied space with similar uses including other establishments that serve liquor.

**MOTION TO APPROVE PASSED UNANIMOUSLY.)**

#### INTRODUCTION AND FIRST READING

(All items presented as indicated.)

**B257-17\*\*** Rezoning property located on the northwest corner of Stadium Boulevard and Primrose Drive from R-2 (Two-family Residential District) to PD (Planned District); approving the Sidra Subdivision PD Plan (Case No. 17-170).

**B258-17\*\*** Approving the Clary-Shy Agriculture Park - PD Plan located on the northwest corner of the intersection of Ash Street and Clinkscales Road; approving a statement of intent (Case No. 17-188).

**B259-17\*** Approving the Final Plat of Clary-Shy Agriculture Park, a Replat of Lots 1 & 2 of Columbia Recreation Center Plat, located on the northwest corner of the intersection of Ash Street and Clinkscales Road (Case No. 17-192).

**B260-17\*** Approving the Final Plat of Northern Heights Subdivision Plat 2, a Replat of Lot 7 of Northern Heights Addition No. 1, located on the southeast side of Flora Drive (2906 and 2908 Flora Drive); granting a waiver and a design modification relating to the construction of a sidewalk along a portion of Flora Drive; granting a design modification relating to street right-of-way width (Case No. 17-178).

**B261-17\*** Approving the Final Plat of Columbia College North Subdivision located on the west side of Range Line Street and on the north side of Wilkes Boulevard; granting a design modification relating to street right-of-way width (Case No. 17-183).

**B262-17\*** Approving the Final Plat of Campus Lutheran, a Replat of Lots 1-7 and an Alley of Amended Plat of J.H. Guitar's Subdivision, located on the northeast corner of the intersection of College Avenue and Anthony Street (304 S. College Avenue); authorizing a performance contract; granting a design modification relating to street right-of-way width (Case No. 17-187).

**B263-17\*** Approving the Final Plat of Breaktime Vandiver Route B, a Replat of Tract 1 of Mid-Missouri Industrial Park & A Tract of Land Located in the NW ¼ of Section 5, Township 48 North, Range 12 West, located on the northeast corner of Vandiver Drive and Route B (Paris Road); authorizing a performance contract (Case No. 17-193).

**B264-17\*** Approving the Final Plat of Copperstone Plat 7A, a Replat of Lots 102A and 217A of Copperstone Plat 7, located northwest of the Silver Valley Drive and Copperstone Creek Drive intersection (Case No. 17-195).

**B265-17\*** Authorizing a license agreement with the Missouri Highways and Transportation Commission relating to the construction of a sidewalk and trail connection as part of the Clark Lane West Sidewalk and Hinkson Creek Trail Connection Project.

**B266-17\*** Appropriating funds to finalize and close out the Avenue of the Columns streetscape project.

**B267-17** Authorizing an agreement for professional engineering services with Burns & McDonnell for an evaluation and feasibility study for construction of the Option "E" 161 kV transmission line to the Perche Creek substation.

**B268-17** Authorizing an agreement for professional engineering services with Quanta Technology, LLC for a reliability study of the City's electric distribution system.

**B269-17\*** Appropriating Demonstration of Energy & Efficiency Developments (DEED) scholarship funds to be received from the American Public Power Association for assistance in the planning and development of the 2018 Advancing Renewable Energy in the Midwest conference.

**B270-17\*** Authorizing a program services contract with the Missouri Department of Health and Human Services for the Show Me Healthy Women program.

**B271-17\*** Authorizing an intergovernmental agreement with the County of Boone, Missouri relating to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program and the allocation of FY 2017 funding.

**B272-17\*** Appropriating tax increment financing (TIF) application fees received from Broadway Lodging Two, LLC.

**B273-17** Appropriating FY 2016 General Fund savings to General Fund departments as part of the Incentive Based Budgeting Initiative.

**B274-17** Appropriating FY 2016 General Fund savings for projects identified by the City Council as part of the Incentive Based Budgeting Initiative.

**B275-17** Amending Chapter 19 of the City Code as it relates to personnel policies, procedures, rules and regulations.

**B276-17** Adopting the FY 2018 Classification and Pay Plan; providing for FY 2018 salary adjustments relating to the Classification and Pay Plan.

**B277-17** Establishing plan year 2018 active employee medical premium rates and retiree non-Medicare medical rates for the City of Columbia; providing for payroll withholdings.

**B278-17** Authorizing a collective bargaining agreement with Laborers' International Union of North America, Local 773.

**B279-17** Authorizing a collective bargaining agreement with Columbia Police Officers Association, Fraternal Order of Police Lodge #26.

**B280-17** Authorizing a collective bargaining agreement with Columbia Professional Firefighters I.A.F.F. Local 1055.

**B281-17\*** Appropriating funds for payment of legal fees associated with litigation relating to the CoMo Connect branding of the transit system.

#### **REPORTS**

**REP72-17** Correspondence from the Downtown Columbia Leadership Council regarding a permanent Parking and Transportation Management Commission.

(Action: Letter from DLC requests the formation of a permanent Parking and Transportation Management Commission since the task force assigned to this topic did not finish its work and since it is inevitable that parking related issues are sure to occur. The Downtown CID also supports this proposal.

**COUNCIL INDICATED THE WILL TO MOVE FORWARD WITH THE CREATION OF THIS COMMISSION.)**

**REP73-17** Correspondence from the Downtown Columbia Leadership Council regarding delivery trucks downtown.

(Action: The DLC believes a study to collect data on the location, times, and frequency of delivery truck parking downtown would be helpful, and requests the Council authorize such a study, for consideration of a city ordinance addressing this issue.

**COUNCIL INDICATED THE WILL TO INVESTIGATE AUTHORIZING SUCH A STUDY, ALTHOUGH NO FUNDS WERE APPROPRIATED AT THIS TIME.)**

**REP74-17** Proposed resolution on clean energy, clean water, and human rights.

(Action: This is a proposed resolution in support of the Standing Rock Sioux and their efforts to protect their land, water, and cultural resources, particularly as it relates to the Dakota Access Oil Pipeline.

Speaker appeared in support of this resolution and believed that a formal vote would occur on this issue at the next meeting.

Next speaker indicated that this was a critical time and that it is important to look at the future and what we do now to insure the best outcomes for the future. Fracking, coal extraction and other actions do have an impact on all of us. Please support this action. I believe you will make the right decision.)

**REP75-17** Intra-departmental transfer of funds request.

(Action: **No comments or action taken.**)

#### **GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF**

##### **Public**

**(No comments.)**

##### **Council**

Skala asked about status of sidewalks on Paris Road. Also asked about fiber infrastructure study and if there was going to be a citizen commission established in that regard. Wants to move that forward. Staff indicated that that falls under the Water & Light Board. Pitzer indicated he thought there was some sort of study happening there. Skala thought it would be a Task Force. Asked staff to provide some additional information.

One speaker appeared who indicated he had been a part of the group trying to apply for a Google fiber grant. We did not get it, but that effort led to the discovery of an existing network that was underutilized. Asked to serve on some future commission to research this.

Thomas mentioned his attendance at a presentation that discussed traffic stops and racial disparity. The presenter also discussed how to handle data and how to interpret it. Suggested that we can use some of these ideas to analyze stop data on a local basis. Proposed Police Review Board to take on this project and make recommendations back to the council. Mayor suggested not taking action on the item tonight to see if it actually falls within the duties of that commission. Thomas said he thought it was. Mayor pushed back and indicated he wanted more time to think about this and wanted to explore the framework. Thought that maybe being the producer of a report could color their interpretation of a particular case. Skala also thought this might be a good idea, but said holding up on this would be a good idea. City Attorney suggested that looking at this suggestion should take a little more time because the board has to remain neutral. There is an educational component of the board, but they have to remain impartial. Skala and Thomas thought there may be some learning opportunities. Staff attorney indicated that they should not ask that group to weigh in on one side of this issue because they must remain neutral. Thomas agreed to bring it back up at the next meeting.

Peters asked if we have developed plans in the event some hate groups want to march in our community. The Mayor indicated that we have handled such requests in the past. Is confident that we have a plan but that we may not want to put it all in writing. Peters also asked if police have ongoing educational opportunities. Wants more detail on what kinds of training they get and what it entails.

**Staff  
(No comments.)**

**ADJOURNMENT  
(Time 1:13 AM)**

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