



Columbia City Council Meeting Recap

Council Chamber, Columbia City Hall

7:00 PM

Monday, February 5, 2018

Pledge of Allegiance

Roll Call

Approval of Minutes

Adjustment of Agenda

INTRODUCTORY ITEMS

(Recited as indicated.)

(Present: Treece, Trapp, Pitzer, Skala, Peters, Ruffin, Thomas)

(Absent: None.)

(Minutes from December 21, 2017 and January 2, 2018 approved.)

(Items B29-18 and B33-18 were moved to Old Business at the request of Skala. Item B25-18 was moved to Old Business at the request of Thomas. Pitzer requested to abstain from votes on B31-18 and B32-18.)

SPECIAL ITEMS

SI2-18 Presentation by the Columbia Disc Golf Club to the Mayor and City Council.

(Action: The President of the Columbia Golf Disc Club presented the city with special recognition for outstanding disc golf facilities and recounted that the history of disc golf in this city started at Oakland Park. For the past 5 years, a Texas disc golf held the title of best course. This year, the Harmony Bend course at Strawn took over the top spot as the course of the year. He presented the council with a special golf disc plaque in commemoration.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

(None.)

SCHEDULED PUBLIC COMMENT

(The attendance at this meeting was significant and the Mayor indicated that viewing rooms were available next door. The doors to the main chamber must remain accessible.)

SPC1-18 Paul Love - City ordinance on conflict of interest.

(Action: The speaker indicated that he believed there was a serious ethics violation by a member of the city council. He indicated that Michael Trapp currently receives \$100 per hour to provide services in downtown Columbia, but that work is directed by Dave Parmeley, a member of the Downtown CID who oversees this work, and who recently was granted a TIF extension for the Broadway Hotel. That is where the infraction comes in since Trapp did not abstain on that vote and Parmeley can influence his contract for work. He indicated that there are specific sections of the code that govern direct acceptance of funds

by city council members, including provision that govern outside employment and how that may not conflict with current city business. (City ordinance 19.40 and 19.41 part C.) (Section 19.42 stipulates penalties for 19.41 part A). (Section 1.8 applies misdemeanor penalties for other violations.)

He offered Mr. Trapp the opportunity to resign immediately or face expulsion by the council and possible legal sanctions as a misdemeanor violation. He admitted that he is a candidate for Ward 2 Council and that he cannot file a formal ethics complaint at this time due to the blackout period, but that he will in the future. He asked if anyone in the room believed that this created a conflict of interest. One person raised a hand. This destroys the public trust. He asked if Trapp would like to resign immediately. The Mayor indicated that comments should be directed to the council as a whole and that council members did not respond to comments from the public during this part of the council meeting.

SPC2-18 Lynn Maloney - Are CALEA certification and COP competing interests for CPD?

(Action: The speaker indicated that recently, the city manager indicated that he did not have the resources or staff or the desire to implement new policing initiatives. She contended that he was not in the habit of implementing these types of resolutions as passed by the council. She noted that he had put CALEA certification in front of community-oriented policing in terms of priorities. She criticized the police chief and city manager for waffling on the issue of implementation of community-oriented policing and believed that his priorities regarding policing in Columbia were wrong.

SPC3-18 Suzanne Bagby, Race Matters, Friends - Mike Matthes' speech at the Diversity Breakfast.

(Action: The speaker called the city manager an uncomfortable white man. I am an uncomfortable black mother. I fear for the safety of my children and have to explain to him why he might be racially profiled. As an uncomfortable black mother, I have to explain to him why he didn't get the job, or why he can't wear his hair a specific way. She feels uncomfortable about the fact that she can't move where she wants to in this town, and that when she enters an establishment the uncomfortable white man moves aside out of fear. Being an uncomfortable black mother is being a Columbia resident who is victimized and disrespected by the city manager, who is an uncomfortable white man. As a mother, I am supposed to experience joyful anticipation and celebration at the MLK Diversity breakfast, but instead, that was disrupted by you, city manager, who used ridiculous examples of racial bias experienced by uncomfortable white men. You distract us from the root cause of racial and economic equality. As a black mother, I say the word racism frequently, but you can't. Say it with me Mr. Matthes, "racism". I will not allow you to turn your racism around and blame it on us as African Americans. Stop making us responsible for your discomfort. You are not an uncomfortable white man, you are a white supremacist and I am calling for your resignation today, so our city can begin to put your ignorance at an end.

SPC4-18 Mary Ratliff - In support of City Manager's Diversity Breakfast speech.

(Action: Speaker referred to the controversy surrounding the city manager's use of pictures and certain commentary during the annual Diversity Breakfast held in January. She defended the city manager's actions and indicated that she thought his remarks were courageous. She was surprised by some members of the community negative reaction and reiterated the point that he has the support of the NAACP organization. She believed that the only way to resolve racism is to talk about it openly. She indicated that they were supportive of the new community policing initiative and did not want side controversies to derail that process. A companion speaker reiterated this expression of support and believed that Columbia is making progress in this regard. She noted that being uncomfortable is a way of life for some people of color, so uncomfortable remarks are not to be misinterpreted. She praised the

manager for presenting statistics about disparities even if those statistics pointed to problems in the existing system.

SPC5-18 Sara Senff - Race and police policies in Columbia.

(Action: The speaker indicated that she specializes in community engagement and dialogue and that she supports the new community policing initiative. She urged people who could be impacted to become involved in the process. She suggested that the city could use the resources of the MU Extension office in its outreach efforts. She believed that black women are highly impacted by the incidence of police violence and found it difficult to believe that we had not addressed this problem years ago. She cited that fact that often, the police and the community at-large do not trust each other and that that is a major problem that needs to be overcome. She also believed that accountability by both the police and members of the community would be important in solving the problem. She cited a community policing program employed in Cincinnati as a model program for this city, but, doubted that the current city manager could be the one that could provide the leadership to implement such a plan. She believed that the current managers actions were examples of racism, not examples of how to solve such disparities. She asked the council to vote for the resolution regarding community policing and hire someone new to implement it.

SPC6-18 Steve Callis - Legalization of private haulers to collect organic waste for composting.

(Action: The speaker indicated that he serves as the coordinator for the composting week program. He cited the fact that food waste is a big problem. He said that there are many ways that food waste could be composted but that less than 10% of area companies actually collect the waste for composting purposes. One problem is that private haulers are prohibited from hauling food waste in the City of Columbia. He suggested changing the rules to allow for such collection and pick-up much like portable toilet companies are allowed to transport waste in the city.

PUBLIC HEARINGS

PH1-18 Voluntary annexation of property located on the northwest and southwest corners of the Brushwood Lake Road and Scott Boulevard intersection
(Case No. 17-238).

(Tabled at the January 2, 2018 Council Meeting.)

(Action: This item was withdrawn from consideration at the request of the applicant. The item will be considered at a future meeting.)

(The following three items relating to the Shepard to Rollins Trail Project were considered during one public hearing and comment period. Due to the large number of public comments, that discussion has been summarized under PH3-18. Votes were required on the two associated bills. Each vote is reported by individual item.)

PH3-18 Proposed construction of the Shepard to Rollins Trail Project (Trail Alignments 1 and 3).

[See B27-18 and B28-18/Mayor Memo]

(Note: at the beginning of the hearing all the lights in the chamber went off, not due to a power outage, but because some participant was leaning on the light switch on an outer wall. Lighting was quickly restored.)

(Action: A description of the project was presented by city staff. The Shepard to Rollins Trail Project – Trail Alignment #1 is a Non-motorized Transportation Pilot Program (GetAbout) project approved by Council to be completed using Round 2 grant funding. This project will provide an east to west

connection between the University of Missouri and neighborhoods to the east. TranSystems Corporation designed an east-west trail (Alignment #1) beginning at Rollins Street, taking a southerly route around the MU Veterinary facilities, then crossing the Hinkson Creek with a bridge, and ending at the south end of the Bluff Dale Drive cul-de-sac. The location of the crossing of the trail, over the tributary to the Hinkson Creek on the University property, was adjusted to minimize impact to the ephemeral stream. Also, the location of the bridge was adjusted so it would not impact the tree with the rope swing and to better fit within the terrain on each side of the creek. The trail is located within the area previously cleared for the sanitary sewer easement where possible. Three (3) permanent trail easements and three (3) temporary construction easements are needed from three (3) separate property owners for the construction of the project.

Trail Alignment #3 includes two bridges. The University of Missouri is in the process of signing their easement documents and staff anticipates working with the two private landowners on their easement following Council approval. The proposed easement within one of the private landowner's tract follows the existing sewer easement. As documented in the City's FY-2018 CIP, \$800,000 of the Park Sales Tax has been budgeted for Trail Alignment #3. Both projects (Trail Alignments #1 and #3) will be bid and constructed in conjunction with one another. Construction is planned to begin during the fall of 2018.

It should be noted that Alignment #1 was designed utilizing GetAbout grant funds and, if the project is not constructed, the City will be responsible for reimbursing FHWA \$144,913.49 for the engineering design services. Alignment #3 is being funded from the Park Sales Tax.

The estimated cost for construction of Trail Alignment #1 is \$1,555,590 and Trail Alignment #3 is estimated to cost \$800,000. Funding for construction of the trails will come from Non-motorized Transportation Pilot Program grant funds, Park Sales Tax funds, and such other funds as may be lawfully appropriated. Routine maintenance is estimated to cost \$3,000 per year. These budget numbers do NOT include the cost associated with obtaining needed easements.

The public hearing was opened and the crowd was admonished to keep presentations short and to the point. Dozens of speakers attended the hearing to speak both for and against the proposal. The following are some of the most salient points made by those speakers. Total presentation time on this topic was roughly 2 hours.

Initial supporters indicated that this trail is an important link in the trail system that will improve safety and provide important connectivity between the University and other parts of the community. Speakers indicated that 82% of Columbians use the trail system on some occasions and many people from out of town also use the trails. Specifically, speakers indicated that the current connection to the University from Old Hwy. 63 is along Stadium Boulevard, and although a bike lane is marked, it is narrow, too close to the road, crosses a major bridge without adequate protection and is very steep. The new trail is safer for kids than the Stadium Boulevard route and child safety is important. This also fits in with the goals of the Vision Zero project. Other speakers in favor pointed out that the council had already decided this issue and we should go forward; that not completing the trail would be wasteful of the money already spent on planning; that it is more handicapped accessible than the old route; that it is the last piece in an extensive, interconnected system; and that it is useful to bike riders, walkers and other patrons across the board. More than 300 letters emails were received in support of the trail proposal, although most were generated through an automated system. One person indicated that instead of destroying the wild habitat of this area, the new trail would actually open up the wild nature of the area to more people who could enjoy it. Some also cited the fact that a sewer already runs in this same general area

and that this would take advantage of many easements and areas that have already been obtained or disturbed. Two former council members appeared in support of the trail including former Mayor Darwin Hindman. He indicated that this was a collaborative process that has gone on over a long period of time and that this was decided years ago. This is practical and acceptable and old arguments should not change the original decision. One speaker indicated that he may be the exception, but that he uses alternative transportation for 100% of his needs and does not use a car. He thinks this would be a great addition to the trail system.

Many people in opposition cited the following points: that the expenditure of funds in this small section of town, where more than \$12 million has already been spent on trails and similar amenities is not equitable; that the new trail serves privileged people who ride for sport and not for recreation or basic travel; that we should not throw good money after bad; that there are other priorities that could use these parks and rec funds more equitably; that existing trail routes are adequate; that this will disrupt the natural beauty of the area; that it infringes on homeowners property, that it should not be a concrete trail, but rather a natural grass or pervious surface trail; and that parking will become an issue at the point of access to this part of the trail. More than 50 emails were received in opposition to the trail, and most were NOT auto-generated. One speaker indicated that there are physical and psychological benefits to natural wildlife and plants while another indicated that this plan does not follow the historical pattern of development envisioned for this area. One speaker suggested that funds could be used to purchase electric bikes to go up steep hills or could be used to offset the costs of bike safety lessons for kids. Yet another suggested using a swinging bridge across the creek along Stadium Boulevard rather than ramming a trail through a neighborhood. That same speaker believed that people will not really use this trail for work or practical purposes, but that they will actually drive to the trail, use it a while, then go back home and drive to work or school or the store. The motto of some of the opponents was "Bike to it, Walk through it." Others said that this area may not be pristine, but is very beautiful in its current state and should not be further modified.

Public comment was closed after approximately two hours of debate. Council discussion ensued.

Trap asked about the proposed bridge along this route. Staff indicated that the city has two small bridges and the Get About bridge is longer. The impact of the bridges on alignment 1 have 165-foot spans and the site line was chosen to avoid old growth trees and line up with section 3. It has a 4.9% grade to meet ADA requirements.

Thomas believed that there was tremendous public interest in this project. We have looked at this for years. One of the goals of this is to encourage culture change in the way we get about Columbia. We have expanded our use of trails and biking and walking since we started this back in 2005. This will provide tremendous commuting access to the University and downtown. Lots of student apartments will now be connected through the Moon Valley Trail and this new trail. I disagree with people who say this is not about recreation. Actually, this is based on recreation since most people first come to trails for recreation then begin to use them more regularly. This is consistent. A few more items. We are not losing wilderness with this project, we are opening it up to more people. A safe path through nature is great for our kids. The alternative routes are inappropriate. The route along Stadium up to Ashland Road is not safe. You are too close to the cars and it is too precarious over the bridge, and I am an experienced cyclist. This project has overwhelming support. This should be a straightforward yes vote.

Peters indicated that she had heard from a lot of people. In 2015 we voted to go with this option. There was some question about using Get About funds for Option 1 at that time, but we have determined that

the use of those funds is appropriate. I have heard from both sides. I hope the opponents will like the new trail once it is put in. I will support it.

Ruffin asked about the timeline. Staff said bids would go out this summer and construction would occur in the fall. Completion time would take a year or more and we would have to follow federal guidelines. Stakeholders want to know about remediation. Staff indicated that they will work with neighbors on new plantings and interpretive signs, etc. It is important what people see when they ride through the trails.

Skala indicated that he had been involved in discussions of this project for many years and had voted on this as far back as 2008. He noted that at each step of the process the council had been presented with optional uses for these funds, including building trails along the Colt Railroad line and other smaller projects in various parts of the city. He stated that he had voted against this alignment in the past and will vote against it again. He noted that some funds had been expended to build a trail segment under I-70 that provided true connectivity to underserved parts of the city at a much lower cost. Cost and equity were his main points of concern. He thought that focusing \$13 -14 million in combined spending in a small part of the city was a misallocation of scarce funds. He also indicated that he had voted against this proposal in the past and that he will remain consistent and vote no again. He noted that he had received 350 emails in support, but that they were all created from the PedNet website. The notes against were more personal.

The vote on the following bills is recorded as follows in the next two items.

B27-18 Authorizing construction of the Shepard to Rollins Trail Project (Trail Alignments 1 and 3); calling for bids through the Purchasing Division.

(Action: The motion to approve passed on a vote of 6 to 1 with Skala casting the dissenting vote.)

B28-18 Authorizing the acquisition of certain interests in real property for construction of the Shepard to Rollins Trail Project (Trail Alignments 1 and 3).

(Action: The motion to approve passed on a vote of 6 to 1 with Skala casting the dissenting vote.)

PH4-18 Proposed construction of the Keene Street and I-70 Drive Southeast intersection improvement project.

(Action: Staff report was presented. The Keene Street and I-70 Drive SE Intersection Improvement project was identified in the 10- year Capital Improvement Plan. Both roadways are classified as major collectors in the Columbia Area Transportation Study Organization (CATSO) 2030 Major Thoroughfare Plan and the City Major Roadway Plan. Keene Street is maintained by the City and I-70 Drive SE is maintained by MoDOT. The purpose of the Keene Street and I-70 Drive SE Intersection improvement project is to improve safety and alleviate traffic congestion. This location currently includes a T-intersection with a stop sign for northbound traffic. During peak hour traffic, vehicles back up on Keene Street to make a left turn onto I-70 Drive. The proposed roundabout will improve traffic flow through the intersection and eliminate the conflicting left turn movement. The roundabout will also allow pedestrians a safer crossing between the hotel and the grocery store.

The total estimated project cost including design, easement acquisition, utility relocation and construction is \$831,700. The City's estimated cost of \$505,580 includes design, right of way, utilities and 50% of the construction costs to be funded from quarter-cent Capital Improvement Program Sales

Tax. MoDOT will reimburse the City \$326,120 for 50% of the estimated construction costs. Staff is working on preliminary design right now and then we will hold another public hearing. Skala asked about the fact that this area has changed over time. Were all required easements obtained? Staff indicated that they had been.

The public hearing was opened. No one appeared.

Thomas indicated that there had been no fatal crashes or serious injuries here. What are the delays here? Staff indicated that east bound to southbound is significant because of the growth of healthcare in the area. Wait times are several minutes or more in this area. He will support this, but he thinks this is traffic management only and not really a safety issue. Trapp indicated he thought the traffic here is really bad and he thinks this will get us ahead of the curve in addressing the problem. The best part is that MoDOT will cost share. I will support it. Ruffin asked how the design will address visibility onto Keene. Staff indicated that the roundabout will help improve site lines at this intersection. Skala stated that this is in the 3rd Ward and that this is a traffic issue and it has been problematic over time. In some cases, this area experiences 15-minute delays. I think this is a tremendous improvement.

Motion to approve passed unanimously.)

PH5-18 Proposed construction of the FY 2018 sanitary sewer main and manhole rehabilitation project.

(Action: The proposed sanitary sewer system improvements will consist of rehabilitation of approximately 55,000 linear feet of sewer line, 275 manholes and 300 lateral connections. The estimated cost of the project is \$2,700,000 and will be paid from Sanitary Sewer Utility bond funds approved in the 2013 ballot.

The structurally deficient lines included as part of this project have been identified as priority lines that need to be repaired in order to keep the sewer collection system functioning properly. Rehabilitation of these lines will also reduce inflow and infiltration and the occurrence of stoppages. These sewer mains are located in various areas throughout Columbia, with several mains located within the Strategic Plan East Neighborhood of Indian Hills.

Thomas asked which basins had already been rehabilitated in this manner. Staff indicated that there was a previous report in this regard, he could not remember all the details, and that the past year was not a good indicator of effectiveness because it was a dry year, but in general, the rehabilitation of lines has shown significant improvement in terms of limiting infiltration and leakage. Thomas asked if this project included the new trunk lines. Staff included the downtown and area along the trail in this round of projects and expect that it will help significantly. Pitzer asked if staff had already identified specific lines for I&I improvement. Staff indicated that smoke testing will determine which lines need additional attention and that specific structural work on lines throughout the area have been identified. Pitzer asked if the work will cause significant disruption. Staff indicated that most of this work will be done without the need for extensive excavation. We use cast in place liners and repair some lines through existing manholes. We will also identify downspouts that are connected and disconnect those after smoke testing. The Mayor asked if the staff had any objection to adopting the more gender-neutral term "maintenance hole" instead of "man-hole". Staff said they will look into that. Mayor indicated that New York had changed the designation years ago and that Chapter 27 of our code had been changed to eliminate gender-based references.

Public hearing was opened with no comment from the public.

Trapp said he recalled that past efforts had improved lines by between 20% to 65%, so it was variable. Council discussed the method of repair with the liners. Trapp commented on the 2013 sewer issues. He said that they had changed the balance of funding from expansion to repair and he believes that this is a logical step in continuing forward in this manner.

Motion to approve passed unanimously.)

OLD BUSINESS

R185-17 Expressing support for legislation providing legal access to cannabis as a medicine together with the cultivation of cannabis for medical purposes; endorsing the Missouri Medical Marijuana Initiative.

(Tabled at the December 18, 2017 Council Meeting.)

(Action: City staff presented an overview of the resolution under consideration. Basically, the City Council, on behalf of the citizens of Columbia, expresses its support for legislation which will provide legal access to cannabis as a medicine and which also provides for the option for patients, with a doctor's approval, to cultivate their own supply of cannabis for medical purposes consistent with reasonable regulations. Suggested amendments to the resolution indicated that the city should not specify a singular piece of legislation, since different versions of the statewide ordinance could appear on a future ballot. The council would also have to decide if it would add this initiative to the list of items they actively lobby for in Jefferson City.

The public hearing was opened.

First speaker indicated that he believed that it was appropriate for the council to get into this issue since he believed it was really a question about health and safety, and we have often done that as a city. He believed that cannabis was a better option to opioids or other harsh drugs for the treatment of many health problems.

Next speaker indicated that he favored this proposal. As an attorney, he has represented people who were clearly using marijuana for medical purposes and they are treated as the worse kinds of offenders, particularly if they attempted to cultivate it for themselves. He mentioned that a rumor had started indicating that if this measure passed, it would force landlords to allow tenants to grow marijuana in their apartments. He disputed that rumor and indicated that the initiative does not require or presume that to be true. He indicated that it is legal to own a dog, but that landlords are not required to allow dogs in all apartments and that this is the same. He also indicated that the amount of marijuana that could be grown under the new ordinance was greatly overstated. Some people had indicated that you could potentially get 1 pound of marijuana from each plant. The speaker stated that if you could find a plant like that he would like to see it because that would be a rare plant. He indicated that allowing the cultivation of up to six plants was not excessive. He stated that Medicaid and Medicare don't cover the cost of medical marijuana, and that many patients with chronic conditions are not wealthy and would benefit from being able to cultivate a low-cost effective alternative for pain and other problems. He stated that there is a causal relationship between the use of opioids and death and that this alternative could prevent death in some instances. He indicated that lots of research has been done on this issue, and that although the Board of Health may have some concerns, the city's Human Rights Commission and disabilities Commission have a more favorable view.

The next speaker indicated that he suffered from many different health problems and that medical cannabis could be a solution to some of those afflictions. He wanted to stand up for good people who

are currently gathering signatures. He cited California's recent efforts to legalize both medical and recreational marijuana, criticized the nation's attorney general for his stance on the matter, and believed that citizens had the right to help. We are adults and are simply seeking opportunities to use cannabis to address a litany of illnesses. He indicated that he had received medical marijuana treatments and still has the recipe for the brownies. He wants freedom of choice and believes more people need a sense of humor in this world.

The next speaker indicated that she was a health professional and that she opposed this bill. She wants the council to understand that in hearings like this, people who are for this seem to show up most, but that many people who are opposed if they are working for the government and they fear for their jobs. Also, if someone has a family member it is intimidating to show up and discuss personal health issues. She believed that this was not really about legalization, it is about commercialization, and she wants to avoid the problem we got into with legal opioids. What would it take for her to change her mind? Just demonstrate that you can keep this out of the hands of young people and I would consider this. We are already the drunkest city in the state. Don't add to the problem unless you are prepared to clean up the mess you will create. Cited the case of one kid who went through all his college savings on treatment instead of paying for school and thought that was a possible outcome for others. There is a correlation between marijuana use and other drug use.

Next speaker indicated that she was a former school teacher and that she believes that kids will drink and smoke, whether its legal or not. I think marijuana is better than alcohol and don't give them a criminal record for something that is not as bad.

Next speaker indicated that she had many medical problems and that medical marijuana could address her condition. Her current medication is expensive and is basically toxic. Her brother also has a medical condition and he could benefit from this as well. She indicated that when she was a teenager she hung out with some kids who did marijuana, but her experience was it was mostly a bunch of kids getting hungry. She thinks this should be available and does not think it will be harmful.

Last speaker indicated that if you legalize this and they start smoking pot at football games it will create a cloud of smoke that will get everyone in town high. Please consider the impacts of second-hand smoke.

Public hearing was closed.

The Mayor offered an amendment to the proposed resolution that would eliminate reference to any specific piece of legislation, preferring instead to support the concept but not a proposal that may be changed before it is approved by the legislature or the voters. Trapp seconded the amendment.

Skala indicated that there had been an earlier proposal that would make cultivation of marijuana legal and that he supported medical use but was uncomfortable in supporting something that contradicted state law. He thinks the initiative petition route is the better way to go. He thought that more research has been accomplished and believes medical marijuana is generally supported, but that there is a problem with cultivation. He is uncomfortable with telling our lobbyists to support a specific initiative petition. We can support a concept, and we can support it generally, but not a specific bill. He is also uncomfortable with the cultivation portion, but he will support the amendment. Thomas agreed with that approach and supports the overall concept.

Pitzer thinks medical marijuana is fine, but cultivation is problematic and maybe we can work around that. Let's not spend our money on that effort. Our lobbyist tells us that a focused set of legislation is better, so let's not instruct our lobbyist to promote this.

Proposed Amendment passed unanimously.

Trapp supports the bill as amended. Thomas worried about addiction and effects of marijuana on young people and will support it with reservations. Wants to explore ways to restrict availability of marijuana to young people. Thinks it can be beneficial to some people in terms of health. The personal stories convince him to support this.

Skala indicated that there is a difference between addiction and dependence. He believes that medical marijuana can be useful.

Motion to approve passed unanimously.)

(The following three items were considered jointly with public comment allowed on all three items. Those comments are summarized under item B20-18. Individual votes are reported under individual items.)

B20-18 Rezoning property located on the southwest corner of the Vandiver Drive and Mexico Gravel Road intersection from PD (Planned District) to IG (General Industrial District) (Case No. 18-18).

(Action: Staff presented an overview of the project including the request to replat the parcel into three lots and to rezone the land from its existing Planned Zoning designation to a defined Industrial (I-G) designation. The existing PD zoning of the property limits allowed uses to general retail businesses which were consistent with the overall development theme and pattern of the Centerstate Development. The parcel is not currently subject to a PD plan as one was not submitted upon rezoning of the property. Columbia Imagined initially designated this parcel as part of the Open Space/Greenbelt District which is intended to preserve and limit development within areas containing sensitive features such as floodplains and hilly topography. This designation was applied prior to the construction of Vandiver-Mexico Gravel Connector in 2009-2010. In light of this disturbance, the value of the subject site as a prime natural area has been diminished. (The Columbia Imagined use map currently shows this parcel as Commercial.) Furthermore, the Connector's construction has negated any possibility for development east of the roadway, due to its proximity to the Hinkson Creek stream bed which acts a natural buffer between the subject parcel and adjacent developed lands. Highway 63, acts as a similar buffer on the west side of the parcel.

While PD zoning provides greater opportunity for development oversight, such oversight is not seen as necessary or beneficial given the transportation changes that have occurred within the area. The site has remained undeveloped as a PD property despite its improved access and visibility. Furthermore, the ability to develop the full spectrum of uses permitted within the IG district will be limited due to the parcel's size and necessity to obtain approval of a conditional use through the Planning Commission and Council. The majority of the other uses within the IG district are consistent with the uses generally permitted within the PD statement of intent. Indicated that this was an isolated tract and that they did not anticipate that this would be the beginning of further industrial development in the area. Indicated that area immediately adjacent to the east would be low intensity due to the existence of the creek.

The site contains a small area of the Floodplain Overlay, generally contained within proposed Lot 3, which is considered a "sensitive feature" per Section 29-5.1(b)(2) and would normally not be permitted

to be included as part of a development lot. However, Section 29-1.6 permits such areas to be included within development lot provide that the development protections of the FP-O district are met. Additionally, Section 29-5.1(b)(2) permits inclusion of sensitive features on development lots when they are necessary to meet other regulatory requirements such as minimum lot frontage standards.

The P&Z Commission considered this request in December and recommended the proposal on a 7 to 1 vote. The vote to support the replat was supported 5 to 3, with two P&Z members casting votes in protest of a current interpretation of the flood plain building rules.

Skala asked about property on the west side of Highway 63 that was planned for development as an apartment complex. Staff confirmed that an apartment complex was planned across from Menard's. Skala wanted to confirm that the issue at P&Z had to do with the floodplain issue and the placement of driveways. Staff confirmed that that was the case and indicated that development could occur in this area with proper regulation. Also confirmed that driveways needed 300 feet of frontage.

Mayor asked for a list of allowed uses in I-G. Staff gave an overview, but not a comprehensive list of uses. He did make distinctions between generally permitted uses and conditional uses that would be allowed. Also indicated that because the size of the lots there would be additional constraints.

Thomas asked if we changed from PD to I-G, what would be the new uses. He indicated that some uses such as machine shops and that sort of thing would be allowed and those were not included in the original planned statement of intent.

The public hearing was opened.

An attorney for the project explained the elements of the request and noted that the applicant would prefer that the votes on zoning and replatting be considered separately and that they not be considered to be contingent upon each other, indicating that if either action failed the other action could be accepted. Both the Mayor and Peters asked if that was legal. He indicated that it was. The Mayor asked if there were any uses that were specific to the replatting that would be allowed or foreclosed upon by replatting the property. He indicated that he did not believe so. Teddy kind of confirmed that. Peters asked if industrial could be accommodated under a Planned district. He indicated that if it met definitions it could be.

The speaker further explained that the current proposal met the requirements of the new zoning code; that it had been recommended for approval by the P&Z Commission and the staff report; that the existing zoning designation had not resulted in the development of this property over the years; that the new uses being requested were consistent and compatible with the property and area in question; and that highly intensive uses would still be subject to approval through the Conditional Use process. He explained that a new zoning classification would create more certainty for buyers in this area. The Mayor asked if anything could be done in this area under Planned. The speaker indicated that many uses could be adopted but was not sure about the limitations imposed by the original statement of intent.

Skala asked for further clarification about Planned Districts. He asked staff if this was a holding category until the plan was changed. Staff kind of confirmed that. He asked if any new property could be zoned as Planned at this point in time. Staff indicated that it could be but under the new rules. The speaker showed a flyer from opponents and indicated that adult retail would not be allowed in this area due to the proximity of a church and residences as provided by state law. The local conflicts with state law and

that will need to be changed. Other uses listed on the flyer are conditional uses and would need additional approval. Light industry also has its own requirements, so that is limited, too.

He indicated that the accompanying replatting action would further limit development on the site due to space, parking and rule constraints and that all landscaping and storm water rules would be followed in the development of this site. He noted that the proposal was in full compliance with the existing storm water rules and new development code and that development in any floodplain or fringe areas would be in compliance with rules specified by the Floodplain Overlay adopted by the city.

The next speaker appeared as an architect for the proposal and, with visual exhibits, described the nature of the proposed project; described the surrounding uses of adjacent properties which included no residential development; and indicated how new buildings could be situated on the site for both functional and aesthetic considerations. Of specific note were the facts that the new development would include four-sided design, a 55% pervious surface footprint, orientation toward Highway 63, and limitations of the request regarding parking and building footprint. He noted that landscaping would be enhanced from its current condition. Pitzer asked if the developer would do this even if he had no tenants. The speaker indicated that the northernmost lot would be developed first, but that all future plans would need to be addressed by the owner. Skala asked if you could do this same thing under a Planned zoning designation. The speaker indicated that it would be less marketable due to the amount of work and uncertainty involved.

The next speaker appeared as an engineer on behalf of the project. He first indicated that all surrounding roads were designed to carry major traffic. He described the roundabout at the southern end which is a large capacity structure. He indicated that new traffic generated by the proposed uses would be limited in terms of current infrastructure and current use patterns; that all storm water concerns were dealt with by both the code and the proposal; and that traffic use patterns would not drive new traffic into the surrounding residential areas. He noted that Mexico Gravel Road already has more than 6,000 trips per day and this would not add substantially to that problem. He noted that no runoff would be released directly into Hinkson Creek.

He described the elevation of the property compared to the creek and indicated that if this area had a 100-year flood, a lot of places in town would be flooded, but that this property would not have buildings built in the flood area. He used a graphic to describe how the property was located in relationship to the creek, the road and the buildings. He noted that a 100-year flood event would be 2 inches of rain within 15 minutes.

The next speaker was the first of many opponents to the project who provided testimony. She indicated that people have a negative perception of north Columbia and that industrial development would add to that negative perception. She believed that this parcel of land is really a part of the highway infrastructure. She feared increased truck traffic, and despite earlier testimony to the contrary, believed that traffic in general would be directed to the east on Mexico Gravel Road. She thought that the parcel in question was not large enough to develop, that it was really a feature of the existing roadway and that the project overall would harm nearby residents. Believed it would shut off Wellington from the rest of the city.

The next speaker represented a professional office across Hwy 63 from the development parcel. They believed that the proposal, if built, would downgrade the area and that if built, should come in under a

Planned Zoning category. He indicated the new traffic could pose a risk to elderly. Suggested that a replat was probably OK.

Speaker contended that this is really a residential area and that this proposal would result in more trash, but that because she polices the area now, she would be picking up some of that new trash but would just have to watch out for trucks. She asked what would happen if the nearby tree farm became a residential area – would this then be a compatible use? We want to walk up and down this road and enjoy the nature that is out there.

Speaker indicated that she lived a little more than half a mile from the development, but that she has to drive through this area to get to the grocery store and that this would cut off her neighborhood from services. She believed it would change the future direction of development in this area. That it would encourage future industrial rezoning on currently undeveloped land. She suggested that this parcel could be developed under a Planned Zoning designation and that some of these uses are acceptable and appropriate. She thought the offices across the road were good developments. She advocated leaving the current zoning alone because the area is already saturated and feared that new industrial development would create a domino effect throughout the corridor. Asked what it would look like in 30 years and suggested that it would become a deteriorated entrance to the city. We feel like we are being forced to convince you to leave this alone. We think they should have to prove that it should be changed. Look to the future. This is the first step to more industrial zoning. Maybe the current plan is OK, but what if someone else gets in there and does something different?

The next speaker indicated that she lived in Wellington Village and that it was a nice place with many retired residents. She feared that this new proposal would negatively affect property values. Feared that no specific rules would be locked in with industrial zoning and that this is all conceptual. If you rezone this to industrial there could be more and more industrial in this area. I can see problems with runoff and damage from semis. I don't think you would want to have to drive by this to get to my house. Thought that a nearby industrial area would create a negative first impression.

A speaker representing the neighborhood association thanked the applicant for his outreach to the neighborhood and indicated that the meeting they conducted was well done. He suggested that a new apartment development in the area could provide a new base for commercial and retail and that that would be preferable to industrial uses. He favors the replat. He feared that a domino effect could occur and noted that one nearby property is now for sale again. He fears that this could look like Blueridge and thinks if you want more industrial you could put it out there.

The next speaker said that the current bare tract was a beautiful thing and that it should be kept in a state of non-activity. He disagreed with rezoning here for anything. He believed that new traffic would be worse than current activity. This is a gateway. Don't let them do anything with it.

A speaker indicated that this would set a bad precedent and cited old CATSO plans that could be invoked that would bring even more traffic to the area, even though the city had referred to that as a back-burner plan. He feared that an industrial use would make the city change the roadway plan again. He feared the land south of this being opened up. He also worried about traffic. They are missing the point. Years ago, Mexico Gravel Road was changed, and the traffic is worse than originally expected.

Speaker reminded that council that everything the applicant had presented was based on speculation and that even with good intents, this property could be sold to another owner and with broad zoning

anything in the classification could be built. There is no current tenant. The developer said he would consider other buyers for this property. He said he would consider other uses. Suggested that this would cause harm to residents in the general area and that it would create an eyesore on a main entrance to the community. You need to require more than hope to make this change. He read a statement of intent from the current plat. He indicated that that was a good list of uses and he should stick to it. Because there are no definite plans, all the diagrams and plans are simply immaterial. It means nothing unless you can guarantee the use. Also, there is a pedway trail there now, but it is used by joggers. There will be additional needs for commercial services in this area. This parcel as presently zoned would be well-situated to serve those needs. Also, we don't know what might happen with development of the fairgrounds and that could affect this land. Plus, it might look bad in 15 years. He asked opponents to stand. About 15 rose in opposition.

Another person believed that this was frustrating if a big businessman could come out here just to make more money with no regard to residents. She thought the green space in this area was part of her decision to buy her home.

One additional speaker mentioned that the speed limit on Vandiver is 45 miles per hour. She indicated that there were churches and schools within 3 to 5 miles of this area. She has lost friends to traffic accidents and feared the increase in traffic would be dangerous. Thought the traffic load would be too great and that the existing roundabout was insufficient.

The next speaker appeared on behalf of the applicant and indicated that although the proposal had been labeled as speculation, the opponents were guilty of the same thing. They were speculating that any future uses on any other surrounding parcels would be industrial or bad but that it was impossible to know how or when or even if those other parcels will ever be any different than they are today. He suggested that any future land uses would have to go through the same regulatory hearing process that this development did and that that provided some safeguards. He also suggested that such hearings should be based on the nature of those particular pieces of land and their site-specific characteristics, just like this one should be. He advocated for approval based on the fact that this plan was recommended by the staff and P&Z, that it would create less traffic than a commercial retail development and that it was in compliance with intent of the new code as written. He indicated that they were asking for no exemptions from the rules, just fair consideration. The Mayor asked if the applicant had attempted to grandfather in his prior uses. Despite some confusion about the nature of the question, the speaker indicated that this applicant had never asked to protect his right to build a bowling alley or a barber shop on this site. He explained that the applicant waited to see what the rules of the new code would be before selecting the category that would fit him best.

Skala asked staff to clarify whether or not the applicant could ask for new uses under a Planned zoning district or would they be limited to the original statement of intent. Staff explained that an applicant could file an amendment to the original plan and would then have to produce a site plan.

The final speaker was one of the applicants in the case. He indicated that he never intended to stir up a firestorm, but that a great place to put a light industrial site is in a place surrounded by highways that is significantly separated from any residential areas. He believes that the question before the city tonight is one of appropriate land use given the land characteristics of the site. He believes this site is good. He thinks the word "industrial" is what bothers many people. He would have preferred to be in an M-BP district, but even though that category has the word industrial in it, industrial uses are conditional uses, so he had to pick this one. Even in Planned districts, there are no assurances that a building will look

exactly as it is pictured in advance. My commitment to this community over the years should stand for something and my project will be of the highest quality. I hate putting you in the position of having to pick one over the other, but I will live with your decision. The roads in this area can handle the traffic.

Trapp asked about current industrial vacancies. The speaker replied that it was 6.6% and higher nationally. He further indicated that he wanted to create something different and that he believes that this scale and use will fit the market.

The public hearing was closed and council discussion ensued.

They agreed to take up the issue of zoning first and Skala offered an amendment to deny the request. The motion was ruled to be out of order since it needed to be made in an affirmative manner and the motion was subsequently withdrawn to allow the question to be voted on by roll call. He continued by indicating that the Wellington Village was a nice area and that it had elements of the complete streets concept. He believed zoning is an entitlement and that development in this area could be accomplished under a Planned Zoning designation even though it may be more expensive, and you may have to jump through a few more hoops. He indicated that he would vote no on new zoning.

Additional conversation indicated that some council members believed that some of the new uses being proposed were preferable to the original retail uses in the old statement of intent and that they could create new jobs in the light industrial sector. They cited a low vacancy rate in the existing light industrial building stock and recognized the need to build more to create living wage jobs. One council member indicated that many of the uses allowed under the old Planned designation were not additive and did not create the kinds of jobs that could be realized here. Another council member indicated that by replatting it made the lots smaller and helped minimize any negative impact. He thought the I-G zoning represented a fairly narrow set of uses that was fairly restrictive, but also asked if this could be accomplished under Planned zoning? Staff indicated that a plan amendment could accomplish that outcome. Some council members believed that the underlying intended use was appropriate but also wondered if Planned zoning could accomplish the same ultimate outcome.

The Mayor indicated that he was opposed and suggested Planned Zoning as an alternative. He suggested that the applicant knew what he was getting into when he bought the land and that you just don't know enough about an unknown plan. He suggested that neighbors were there first and deserved protections. He suggested that this parcel has a history of planned development and that if you change that you lose control.

Pitzer indicated that he thought it seemed like we are making the applicant to jump through a bunch of hoops to get to the same point. The Mayor thought it offered more protections for neighbors and he was reluctant to change it for a speculative zoning. Thomas thought the land was well suited for this use and that many neighbors did not object to the design. Skala countered that if this were to be sold to someone else, all those plans could go away.

The council moved to a roll call vote on the three elements of the request.

(Council rejected the request for I-G zoning on a vote of 6 to 1 against with Trapp voting in favor.)

R9-18 Approving the Preliminary Plat of Centerstate Plat 14 located on the southwest corner of the Vandiver Drive and Mexico Gravel Road intersection (Case No. 18-35).

(Tabled at the January 16, 2018 Council Meeting.)

(Action: The Preliminary Plat of this parcel was approved unanimously.)

B21-18 Approving the Final Plat of Centerstate Plat 14, a Replat of Lot 1 Centerstate Plat 13, located on the southwest corner of the Vandiver Drive and Mexico Gravel Road intersection; authorizing a performance contract (Case No. 18-17).

(Action: The approval of the Final Plat for this project was approved unanimously.)

(The following two items were considered in tandem, with individual votes on each part.)

B31-18 Authorizing a solar project power purchase agreement with Truman Solar, LLC.

(Action: Staff presented a report regarding details of the agreement. As part of the Water & Light Strategic Plan, one of the Department objectives is to regularly evaluate renewable energy resources. In March of 2017, the City issued RFP 72/2017 for the purchase of solar energy. Staff has finalized contract details with Truman Solar, LLC, for a photovoltaic power purchase agreement. The term of the contract is for 30 years. Contract price is \$44.81 per MWh with no escalation in price for the life of the contract. The size of the solar field once constructed is expected to be 10 MW's AC. Initial annual energy production is estimated at 23,000 MWh's for a first-year cost of just over \$1 million. Total cost of the energy produced from the 30-year contract is estimated at \$28.8 million. The contract will be paid out of the annual purchased power budget which is \$68,500,000 for the current fiscal year. The solar field will be interconnected directly with the City's 13.8 kV distribution system at the existing Rebel Hill substation.

The energy from this system will be "behind-the-meter" and will reduce the City's load in the MISO market. The City will be required to extend two Rebel Hill feeders circuits to interconnect with the solar field at an estimated cost of \$1.4 million. This contract will have a .17% impact on rates and provide Columbia an additional 1.9% of renewable energy. At their January 3rd, 2018 meeting, the Water & Light Advisory Board recommended approval of this contract.

The project should come online by April of 2019.

Public comment was opened.

The first speaker represented the solar energy company involved who made a short presentation. He indicated that their company had a great team in place and had been successful in the execution of such projects in 12 states. He showed information relating to their current power project portfolio. The company integrates all phases of the construction and activation process. He reiterated many of the statistics contained in the initial staff report and showed a sketch of the site located in east Columbia just off of I-70.

Thomas asked about current renewable energy portfolio of the city. Staff indicated that we are just over 15% renewable. He then asked about the routing of the energy and that it was routed through the system but behind the meter. There is an additional cost to extend the system to connect to this facility, but it could cost up to \$1.4 million. Thomas asked why we did not find a location for this in south Columbia where they need more power. Staff indicated that the company selected the site within a reasonable distance that we could connect to. Skala asked if this was in furtherance of our renewable energy goals. Staff indicated that it was, but that as loads increase, the percentages change.

The proposal was approved unanimously with Pitzer abstaining.)

B32-18 Authorizing a small generator interconnection agreement with Truman Solar, LLC.

(Action: The proposal was approved unanimously with Pitzer abstaining.)

B29-18 Authorizing construction of the Sinclair Road at Mill Creek Culvert Replacement Project; calling for bids through the Purchasing Division.

(Moved to Old Business from Consent Agenda for discussion and vote.)

(Action: No staff report was requested but Pitzer asked about previous statements indicating that the city would work with Mill Creek School to get the work completed by the time school opens the next year. If we can get this approved now we can meet the timetable that has been established. Staff indicated they will initiate construction at an optimum time to work with the school schedule.)

Proposal passed unanimously.)

B33-18 Amending the FY 2018 Annual Budget by adding and deleting positions in the Information Technology Department - Geospatial Information Services Division; amending the FY 2018 Classification and Pay Plan by closing a classification and adding a classification.

(Moved to Old Business for discussion and vote.)

(Action: Pitzer asked what cost reductions would be made to offset these new costs. Staff indicated that it would be captured from other positions.)

Proposal passed unanimously with one clerical amendment.)

B25-18 Approving the Final Plat of Branham - Renfro Subdivision - Plat 2 located on the northwest corner of the West Boulevard and Stadium Boulevard intersection (1028 and 1100 Westwinds Drive); authorizing a performance contract; granting design adjustments relating to sidewalk construction along West Boulevard and Stadium Boulevard (Case No. 17-64).

(Moved to Old Business for discussion and vote.)

(Action: Thomas asked why this project was not required to build sidewalks. Staff indicated that it was a single building, not a subdivision and that the owner doesn't want to build a sidewalk until the second lot is built, but they are requesting a waiver that is permanent, particularly since the buildings have no good access to the back side but that a small sidewalk will be built on the side.)

An engineer appeared on behalf of the applicant. He explained that this involved a land swap with the city and that a sidewalk in the prescribed location was not realistic.

The request was approved unanimously.)

CONSENT AGENDA

(All items remaining on Consent Agenda approved by unanimous vote.)

B22-18 Approving a PD Plan Major Amendment for The Villas at Old Hawthorne located east and west of Old Hawthorne Drive West (Case No. 18-5).

B23-18 Approving the Red Oak Marketplace PD Plan located on the southwest corner of the Grindstone Parkway and Norfleet Drive intersection (Case No. 18-20).

B24-18 Approving the Final Plat of The Gates, Plat No. 4, a major Replat of Lot C1,

The Gates Plat No. 2 & 3 and a tract located in the Southeast Quarter of Section 9 and the Southwest Quarter of Section 10, Township 47 North, Range 13 West, located south of Old Plank Road and at the current east terminus of Rivington Drive; authorizing a performance contract (Case No. 17-33).

B25-18 Approving the Final Plat of Branham - Renfro Subdivision - Plat 2 located on the northwest corner of the West Boulevard and Stadium Boulevard intersection (1028 and 1100 Westwinds Drive); authorizing a performance contract; granting design adjustments relating to sidewalk construction along West Boulevard and Stadium Boulevard (Case No. 17-64).

(Moved to Old Business for discussion and vote.)

B26-18 Approving the Final Plat of Tuscany Ridge Plat No. 2 located on the east side of Brown Station Road and south of Napoli Drive; authorizing a performance contract (Case No. 17-235).

B29-18 Authorizing construction of the Sinclair Road at Mill Creek Culvert Replacement Project; calling for bids through the Purchasing Division.

(Moved to Old Business for discussion and vote.)

B30-18 Authorizing the acquisition of certain interests in real property for construction of the Bingham Road and Ridgeley Road PCCE #16 sanitary sewer improvement project.

B33-18 Amending the FY 2018 Annual Budget by adding and deleting positions in the Information Technology Department - Geospatial Information Services Division; amending the FY 2018 Classification and Pay Plan by closing a classification and adding a classification.

(Moved to Old Business for discussion and vote.)

R10-18 Setting a public hearing: proposed upgrade of the water distribution infrastructure along Bryant Street between Ash Street and Switzler Street, and along Switzler Street between Garth Avenue and Lasalle Place.

R11-18 Expressing support for renovation of the Columbia Housing Authority's Providence Walkway Apartments and associated application to the Missouri Housing Development Commission for low-income housing tax credits.

R12-18 Authorizing application for federal assistance from the Recreational Trails Program for construction of the Hinkson Creek Trail - Stephens Lake Park to Clark Lane project.

R13-18 Authorizing application for a Land and Water Conservation Fund grant from the Missouri Department of Natural Resources relating to the purchase of property on Sinclair Road to be used for park purposes.

R14-18 Authorizing an agreement for professional services with Weather or Not for weather condition monitoring services.

R15-18 Authorizing an extension of the temporary closure of a portion of the sidewalk and three (3) parking spaces on the north side of Walnut Street, between Eighth Street and Ninth Street, to facilitate the construction of an office building at 807 E. Walnut Street.

R16-18 Transferring funds from the Office of Cultural Affairs to the Community Foundation of Central Missouri - Columbia Arts Fund for sustainable art and arts programming.

R17-18 Authorizing a special event agreement with Ragtag Film Society for the 2018 True False Film Festival.

R18-18 Authorizing an agreement with Virtual Academy and Missouri Police Chiefs Association for Peace Officer Standards and Training Program (POST) approved online training for City of Columbia police officers.

R19-18 Authorizing an agreement for professional engineering services with TREKK Design Group, LLC for an Inflow and Infiltration (I/I) study of the Flat Branch-C and Flat Branch-I basin areas.

NEW BUSINESS

R20-18 Accepting the Neighborhood Traffic Management Program 2017 Year End Report Summary; authorizing staff to complete the public improvement process for the proposed installation of traffic calming devices on Sexton Road and Rollins Road; authorizing staff to pursue traffic calming projects on William Street, Primrose Drive and Rain Forest Parkway.

(Action: Staff report was presented. As indicated on the NTMP score sheet, the highest priority project is Sexton Road. Currently, there has been one I.P. meeting held for Sexton Road and a presentation made at the Central Neighborhood Community Unity meeting on January 23rd. A second I.P. meeting will be scheduled for spring 2018. Following this second I.P. meeting, staff would anticipate developing plans to bring to Council at a future public hearing. Anticipated installation date of the traffic calming devices on Sexton Road is dependent upon council direction to staff at that future public hearing. Two I.P. meetings have been held for Rollins Road and plans are currently being developed for an upcoming public hearing. Anticipated installation date of the traffic calming devices on Rollins Road is dependent upon direction from Council at that future public hearing. Third on the list is William Street. No action has yet been taken on William Street, but staff would like to pursue this project in 2018. Fourth on the list is Primrose Drive. No action has yet been taken on Primrose Drive, but staff would like to pursue this project in 2018. Fifth on the list is Rain Forest Parkway. No action has yet been taken on Rain Forest Parkway, but staff would like to pursue this project in 2018.

Thomas indicated support for the project, but, asked about design characteristics of the Stewart Road calming devices and noted that there could be some modification to the sides of the structure to better accommodate cyclists. Staff indicated that the width of the devices was determined by the width of the road. Staff also indicated that we are working through these projects and at some point, we will run out of projects that need to be fixed due to better initial design requirements. Staff is also working with Stephens College on another possible project. Trapp indicated that he supported the Rain Forest project and thought that some of the fees in lieu of recently collected on Primrose could be used here. Staff indicated that was possible and that many different types of speed limiting structures can be considered.

No public comment was received.

Council approved this item unanimously.)

INTRODUCTION AND FIRST READING

(All items listed received introduction and first reading as indicated.)

B34-18* Adopting the Rules of Procedure for the City of Columbia Board of Adjustment.

B35-18* Approving the Final Plat of The Villas at Old Hawthorne Plat 9B, a Replat of a portion of Lot 5 of Old Hawthorne Plat 1, located east and west of Old Hawthorne Drive West; authorizing a performance contract (Case No. 18-5).

B36-18* Approving the Final Plat of CGS Subdivision Plat 2 located on the south side

of Broadway and west of Rothwell Drive (4006 W. Broadway); authorizing a performance contract (Case No. 18-22).

B37-18* Approving the Minor Plat of Bryant Walkway Apartments I - McBaine, a Replat of a part of Lot 23 of Garth's Subdivision of Garth's Addition to the City of Columbia, located on the east side of McBaine Avenue and approximately 600 feet north of Ash Street (304 McBaine Avenue); authorizing a performance contract (Case No. 18-36).

B38-18* Authorizing construction of a six-foot wide sidewalk along the west side of Oakland Gravel Road, between Blue Ridge Road and Edris Drive; calling for bids through the Purchasing Division.

B39-18* Authorizing the acquisition of certain interests in real property for construction of a six-foot wide sidewalk along the west side of Oakland Gravel Road, between Blue Ridge Road and Edris Drive.

B40-18* Authorizing Amendment No. 1 to the agreement for professional architectural services with Architects Design Group / ADG, Inc. for design services relating to the construction of the Police Precinct/Municipal Service Center North facility in the Auburn Hills Subdivision.

B41-18 Authorizing the upgrade of the water distribution infrastructure along Bryant Street between Ash Street and Switzler Street, and along Switzler Street between Garth Avenue and Lasalle Place; determining that the work shall be done by City employees or authorizing the Purchasing Division to issue a contract for the project.

B42-18* Authorizing a pole attachment license agreement with ExteNet Systems, Inc. for the installation and maintenance of communications facilities, distributed antenna systems and associated wireless equipment on City distribution poles.

B43-18* Authorizing Amendment 8 to the general cooperative agreement with the Boone County Regional Sewer District relating to sewer service to property located on State Highway HH.

B44-18* Authorizing a grant of easement for sewer purposes with Boone County Regional Sewer District to change the connection point of a new force main sewer line located adjacent to Creasy Springs Road.

B45-18* Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. for an aeronautical obstruction survey of Runway 2-20 at the Columbia Regional Airport.

B46-18* Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. for the design of isolated pavement repairs to Runway 2-20 at the Columbia Regional Airport; appropriating funds.

REPORTS

REP7-18 Resolution declaring the City Council's support for Community-Oriented Policing.

(Action: Councilman Thomas presented a report on this topic. He indicated that a resolution has been drafted for consideration in this regard and that it is undergoing modification from the staff and public. A revised resolution is now available for review. We would like to hold this open for another week so that a final resolution may be considered under new business at the next council meeting. This would include an opportunity for the council and public to offer final amendments. It is expected that a new

Community Policing Plan would be produced within the next six months at the direction of the city manager.

Public comment was invited on this report from a representative of the police officers' association. Dale Roberts, president of the Police Association, challenged the idea that calls for policing are reduced when community policing is instituted. He indicated that what really happens in many situations is that the calls simply move to another part of town. He asked the council for a good definition of community-oriented policing.

He indicated that police support community policing, but further indicated that they should now have 301 officers and that they are about 128 or so short of that ideal goal. He indicated that needs to be addressed. He disputed that the city manager has sufficient knowledge of policing to be able to head up a community policing initiative. He also clarified that citizens should not be able to tell cops how to do their jobs but should be able to make suggestions about what the needs are then let professionals help find a resolution. He thinks this new document allows too much community direction. Staffing levels will determine the level of implementation. Mentioned that morale was low in the police department and that they were short-handed to be able to initiate new policing initiatives in addition to their regular duties. Believes that a meeting with the police on the new resolution would be beneficial to work out the parts that make police do more than they can handle with their current workload.

Thomas responded that he wanted to challenge the speaker's contention that calls did not go down, they just moved, and indicated that statistics prove otherwise. He stated that he wanted to encourage community involvement, not discourage it and read parts of the resolution that clarified how that could be implemented without micromanaging the police force.

As for the City Manager directing the new policing initiative, that is what the council is allowed to authorize so that he can in turn authorize professional police to help solve problems. He was particularly troubled to hear that officers had low morale due to the added duties and wants to get past that situation. Thomas believes that current budget will not support all the policing goals identified and that they will have to find other funds before that problem is solved and does not want to force a lot more work on officers until that problem is addressed.

Mayor indicated that he will share his comments later and that there will be another chance for public hearing on this policing resolution before it is finalized. Mayor asked if City Manager pulled a police officer to help craft the new plan, would that be helpful. Staff indicated that it would be.

Skala indicated that he understands the pressures on the police, but believes community policing will be beneficial, that the model can be rewarding for police and citizens and that he hopes it will actually help boost morale. The Mayor suggested that the city manager pull a police officer from the ranks to assist in the development of this final resolution.

Another speaker indicated that she applauds the vision in the resolution, but they have reservations about implementation and that people have little confidence in the city manager to direct this project. The morale problem is festering and the police themselves have deep concerns about moving ahead.

REP8-18 Feedback from the Vehicle Stops and Listening Tour Summary.

(Action: Speaker indicated that the listening tour report is a 600-page, unanalyzed compendium of stuff but if it is released in this form it will be impossible for the public to digest. She also indicated that the

city manager made a big mistake at the Diversity Breakfast and that his use of pictures and descriptions was inappropriate and encouraged bias rather than solved it. Why do first appearances determine how we feel? Take the next step and figure that out – and that’s what we have to have our officers do. I am not sure if the city manager was serious about his remarks or if he just said it for effect. You need to get to the heart and the nature of other people. Community policing needs to incorporate more than judgment by appearance. I think it is valuable to have a policeman from the ranks assist in the final creation of the new policing plan, but we need to instill basic respect for people in our policing.

Another citizen attended a vision zero meeting recently, but the discussion turned to whether or not citizens would support a new tax for more cops. We need to fix our staffing problem, because if we don’t we will have so much turnover that you won’t have relationships built. If the city manager is going to oversee the program, then give him some performance goals and make him hit those goals.

Further general discussion ensued. Pitzer asked the police chief if he agreed with an earlier comment indicating that we used to have community policing, and if so, is there anybody still around who was involved in that effort? The chief indicated that he disagreed with that statement and that different forms of community policing have been implemented ever since he has been here. He cited downtown programs, Douglas Park, and the double officer patrols that were instituted a few years back. We have done this as best we can since 2009, but the resources are simply not there. An officer needs to spend one third of their time on calls, one third on administrative duties and one-third on discretionary activities – that’s where the community outreach comes in. We have shortages in staff through the police department, not just in patrol officers. I agree that we are around 100 officers short. We need those officers before we can implement what we are being asked to do, but you have to have the resources.

Pitzer asked how it was arranged before Burton got here. He indicated that back then the same officers were not always assigned to the same areas and that the community outreach was mostly at the leadership ranks of the police force and not at the patrol level. Pitzer asked Thomas if he thought people who believed they had been racially profiled should be a part of this process and how would they be found? Would they be self-identified or what? Thomas indicated that he was not sure, but that we need to ensure that we include those people in the process. Pitzer continued by asking Thomas if statements about creating bias-free policing in the vehicle stops report should also be included in the community policing documents. Thomas indicated that he thought the intent was consistent across those documents. He cited the current seventh section of the resolution and thought that that could be amended to make the language suggested by Pitzer more evident.

The city manager added comments about the vehicle stops process and indicated that there have been two big rounds of data gathering including the listening tours. The first one was analyzed and put into thirteen pages. The second part is 600 pages, and there is a summary that we intend to move forward on and the 600 pages represent the data. In defense of the police department, the items that we have identified so far are things that we have implemented including the specific requirements for training, but there are other elements of training that we don’t do that we will implement as part of our certification process. In terms of leadership on the community policing initiative, we do not come at this as uninformed managers. We have dealt with these types of programs in other communities. We are happy to work with police officers to implement this and will ask a police officer to help, not because a lack of expertise but because we need help and that should come from the department. Pitzer returned to the bias-free statement in the report and asked if it was the intent of the chief and manager to

implement that. The chief indicated that a draft of that was already written and had been forwarded to Empower Missouri for review and the city manager agreed.

Burton added that there had been a lot of discussion about morale tonight and that he would suggest adding some language that addressed the pay issue. Our officers see pay raises in other communities and I would like to see something in the community policing policy that addressed fair pay.

(No further action.)

REP9-18 Correspondence from the Downtown Columbia Leadership Council relating to the Public Inconvenience Fee.

(Action: The Mayor indicated that there were two main points in the correspondence. One was that the city should follow its own rules. The second was that money that is derived from the inconvenience fee should be directed to helping businesses that were affected by street closures. The Mayor indicated that he did not know how he felt about the second item. He had intended to use that money as compensation to the taxpayers for inconvenience, but maybe some of those funds could be used on a case-by-case basis. Skala thought that in some fashion, such expenditures could assist the public.

(No further discussion or action.)

REP10-18 Citizens Police Review Board 2017 Annual Report.

(Action: No discussion or action.)

REP11-18 Missouri Quality Award (MQA) Feedback Report.

(Action: Trapp believed that this was an impressive endeavor and believes that high level certification is important for our community. He has seen smaller organizations do this successfully and he thinks it is important for us as we grow. I think it is worth a work session to help the council. We serve as the board of directors for the city and we should focus some of our energy on policy, strategic planning etc. in addition to voting on land use and other matters.

Skala agreed that we should look at where we have had lower scores and make improvements.

The city manager agreed to add it to a future work session.)

REP12-18 Intra-Departmental Transfer of Funds Request.

(No action required. Report accepted.)

GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Council

Mayor appointed members to the Climate Change Action team. Also announced that an event would be held on Thursday at 5:30 regarding the Bicentennial activities.

Skala mentioned that while he was out of town he was quoted in the Missourian, but he didn't make the quotes and wondered if some other quotes were misattributed to him. He is trying to get the situation fixed, so he was making an inquiry. On another topic, he wanted to share information regarding community policing that he heard at his conference and he will do that in the future.

Trapp requested a report on 4th of July fireworks enforcement and thought last years efforts were ineffective. He wants more support for block parties and wants to cut down on drive by fireworks problems and not wait until the 5th of July. He also wanted to refer to the comments of Paul Love. He indicated that he did not have a conflict of interest. He does not take things of value, but he does help

homeless people downtown with various important services and he is compensated for that, but it was fairly bid. These kinds of allegations simply reduce confidence in our entire government and the city council.

Public

One individual mentioned that he is still trying to get to the bottom of the trash issue in trailer parks and the fees. This is still not resolved. We have seen a \$36 per month increase. Trapp indicated that he had an answer for the speaker and would discuss those details with him after the meeting.

Paul Love, candidate of Ward 2 Council, made a point of order. He indicated that Trapp had broken the rule about not commenting on anything that was mentioned during the Scheduled Public Comments at the beginning of the meeting, but he did it anyway. He also admonished Trapp not to try and run his campaign on the city TV channel.

Staff

(None.)

ADJOURNMENT

(Time: 2:03 AM, February 6, 2018)

(An archived link to video of this entire 7 hour event is available at the following link:)

[City of Columbia Streaming Video Archive – February 5, 2018](#)

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