



## Columbia City Council Meeting Recap

Council Chamber, Columbia City Hall

7:00 PM

Monday, May 21, 2018

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Pledge of Allegiance  
Roll Call

### INTRODUCTORY ITEMS

(Recited as indicated.)

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

(Absent: Ruffin.)

Approval of Minutes  
Adjustment of Agenda

(Minutes from May 7, 2018 were approved as presented.)

(Trapp suggested that B100-18 through B103-18 be tabled until a full complement of council members is available. Mayor indicated that that motion to table would be considered when the council gets to that item on the agenda, but not as an adjustment to the agenda at this time. R78-18 - Peters requests to abstain. R77-18 be moved from New Business to Old Business immediately after B94-18 and B95-18. No further changes.)

### SPECIAL ITEMS

**SI7-18** Columbia Youth Basketball Association Special Presentation for the Sports Fieldhouse.

(Action: Thank you for your support for activities in the past. Now, it is our turn to give back. We present a check for \$100,000 to the city for the construction of the new fieldhouse. A presentation was made and accepted by the Mayor and Councilmember Peters.)

### APPOINTMENTS TO BOARDS AND COMMISSIONS

**BC5-18** Board and Commission Applicants.

**Building Construction Codes Commission:** Tony Grove

**Columbia Housing Authority Board:** No appointment made. Request to readvertise.

**Disabilities Commission:** *Own/Oper Bus-* Julie Walden; *Significant Dis-* Ann Marie Gortmaker, Marcie Luebbert; *Knowledge/Inv* – Gretchen Maune

**Environment and Energy Commission:** Rachel Hassani, Alyce Turner

**Fair Housing Task Force:** Barbie Banks, Brad Bryan, Nick Foster, Virginia Law, Shawna Neuner, Phil Steinhaus, Bryon White, Brad Young

**Integrated Electric Resource and Master Plan Task Force:** Scott Bell, Philip Fracica, Rachel Hassani, Thomas Hurley, Thomas Jensen, Detelina Marinova

**Mayor's Council on Physical Fitness and Health:** Sarah Schlemeier

**Parks and Recreation Commission:** *Ward 1-* Daniel Devine; *Ward 5* – Ted Farnen; *Ward 6* – Meredith Donaldson

**Youth Advisory Council:** Rachael Erickson, James Glaser, Genevieve Harline, Hope Keithahn, Henry Koenig, Julia Koldobskly, Marissa Kraus, Amanda Kurukulasuriya, Sarvika Mahto, Amira McKee, Drew Morris, Lydia Olmsted, Ismael Rashid

Councilmember Peters designated as the liaison to Youth Advisory Council.

Climate Action Council – Steve Barton from Dana Corporation appointed by the Mayor.

### **SCHEDULED PUBLIC COMMENT**

**SPC19-18** Kristine Cho (Chair) and Kieran Malloy (Vice-Chair) - Youth Advisory Council Report to City Council.

(Action: This year the group focused on topics including Parks and Recreation and Social Justice. We have encouraged youth to take more advantage of the parks and amenities this city offers. The Social Justice campaign was adapted from a Battle High School Program called Wake Up. It includes a social justice curriculum, much of which is written by students. Hickman hosted a forum on this topic. Rockbridge joined the program and included some items in curriculum along with surveys.

On the Parks and Rec front, the council implemented a survey to determine why people did Not use local parks. Transportation and general knowledge about the various amenities were the two biggest barriers. They have extended the Leisure Times distribution to the schools and also agreed to adopt Vision Zero principles to help keep kids safe.

The Mayor complimented Cho on her work and noted Kieran Malloy's work on the commission.)

**SPC20-18** Ginger Owen - Vanishing Wilderness.

(Action: The speaker shared a message about the destruction of wildlife by human activity. She told a story about a cyclist who saved a turtle who had been hit on the road, even though onlookers laughed. She thought this was sad and that politicians don't care and all of us don't change our behavior enough to help keep our wildlife among us. No matter where you go, you can find a variety of wild animals from whales to eagles. There is a unique advantage to having wildlife among us. The speaker believes that the council and all of us can make a difference. She believes that god answers our prayers through wildlife, perhaps, and wants to keep our surroundings magical and mystical. Let's work together to protect our wildlife. She read a poem that encapsulated her thoughts.

**SPC21-18** Virginia Muller - Doing successful organizational change.

(Action: the speaker appeared on behalf of Race Matters, Friends. She noted that the City Manager and Police Chief have held the line on the firing of Rob Sanders – and they agree with that step, but believes that that is the LEAST they could do. Race Matters, Friends is insistent on improving the underpinnings of change that will be required to implement new policing strategies. We support a model of community policing that is transformational, not simply something different. Three steps will be required included having a guardian mindset, new strategies and training and solid foundational rules. Organizational structures and strategies will be important, and resources will need to be dedicated to this program. We need to do it before, rather than after, we choose a plan. The city has done little to build a consensus for change so far. We need to do more. CPD officers need to believe that community policing will help them do their jobs better.)

### **PUBLIC HEARINGS**

**PH14-18** Proposed construction of a replacement Central Missouri Aviation (CMA) Hangar 350 structure to be located directly south of Taxiway C and west of Hangar 40 and construction of a connecting apron and taxiway at the Columbia Regional Airport.

(Action: Staff presented a report on the new project. The new CMA hangar 350 will serve as a replacement to the existing CMA hangar 350. The existing hangar will be demolished at a later date which has not been determined. The new hangar will be designed and constructed using a Design-Build process. The estimated cost for the development of the RFP, design/construction and construction observation services is estimated at \$2,200,000.00.

Concurrently with the CMA hangar 350 relocation project, a connecting apron and taxiway will be designed and bid at a cost of \$158,555.00 and funded by MoDOT and City match. The construction of the apron expansion and taxiway reconstruction project is estimated to cost \$948,396.00 and funded by MoDOT and City match. The construction project is planned for calendar years 2018 and 2019.

The lessee will be responsible for any general upkeep and maintenance of hangar 350. The city will be responsible for any maintenance and upkeep of the apron and taxiway. The portion of the taxiway that is jointly shared by the public is eligible for MoDOT and/or FAA funds.

Maps depicting the location of the new facilities were presented. Questions from the council ensued.

The Mayor asked if this saves money on the cost of the apron. Staff indicated that it could, and that the apron configuration would continue to be linear in nature and that this hangar could accommodate future general aviation needs if warranted. We do not know what we will use the existing terminal for at this time. Skala followed up and asked what it might be used for and wanted to make sure that the city retained ownership.

Pitzer asked who owned which buildings. Staff indicated that Central Missouri Aviation currently owns its own hangar and we would negotiate with them to determine ownership and operation of the new building. Pitzer asked if this change was necessary to go forward with the new airport terminal plans. Staff indicated that certain waivers would be required, but ultimately, the current ACMA would have to be demolished. Thomas asked why the location for the terminal changed? Staff explained that the initial determination was that the new terminal should be located midpoint on the current runway. It was then determined that there were less expensive options so they went back and addressed those issues. These costs included environmental impact studies, construction costs, etc. The new location expedites the process and reduces costs. This option was not initially considered because the city took this option off the table. The original consultant examined 6 possibilities, slightly different than the new proposal. But this was close to one of the concepts. This is cheaper and faster.

Peters also asked about the separation of general aviation and the public terminal. Staff indicated that this proposal does separate general aviation from the commercial operation and showed maps about the relative location of various hangars and facilities. All of these factors will have to be evaluated by the FAA. Is this approved yet? Staff indicated that we have supplemental approval at this time.

The public hearing was opened but no one appeared.

**A motion to approve the selection of a contractor and move forward on this item passed unanimously.)**

**PH15-18 Consider the Water and Light 2018 Renewable Energy Plan and Report.**

(Action: This is a Public Hearing for the 2018 Renewable Energy Report. The renewable energy mandate passed by voters in 2004 and modified by council in 2013 requires that each year prior to February 1, Columbia Water & Light publicly release a report outlining compliance with the ordinance. This year's report provides details on the amount of renewable energy provided, descriptions of projects and the forecast for the 2018 portfolio. Staff reports that 15.70% of all energy source for 2017 electric retail sales was provided by the 2018 renewable portfolio, exceeding the goal of 5%.

Columbia Water & Light has been pursuing renewable energy sources since the mandate was passed by voter approval in 2004. The following is a list of the renewable energy quantities for 2017:

- Bluegrass Ridge Wind ---- 1.12%
- Crystal Lake Wind -----11.22%
- Columbia Landfill Gas---- 1.42%
- Jefferson City Landfill Gas1.82%
- Photovoltaic----- 0.12%

Renewable Energy Total: 183,785 megawatt hours or 15.70%

As outlined in Section 27-106(b) of the Renewable Energy Standard ordinance, renewable energy cannot cause electric rates to increase more than 3% above what rates would be with non-renewable energy. Based on the methodology detailed in the Renewable Energy Report, current renewable energy resources have 70.3% of the allowed impact or 2.1% impact on rates.

The Water & Light Advisory Board indicated that it will conduct a more in-depth review of the cost impact of renewables before next year's report is presented. The Energy and Environment Commission believes the cost accounting method used in the renewable energy report substantially overestimates the cost of renewable energy. As Columbia moves away from fossil fuels and toward incorporating more renewable energy, it would be useful to explore alternatives for cost accounting using different sets of assumptions included in the Renewable Energy Report. This would provide real guidance to the Council during the transition. The current accounting methodology implies that we will not be able to maintain the cost limits for renewable energy, as we are at 70% of the 3% threshold now. This leaves little room to accommodate increased costs as we approach our goal of 25% and 30% renewables by 2022 and 2028 respectively.

Skala asked if it is true that there will be a new solar farm on the east side of town and staff confirmed that. Skala asked about the challenge of calculating the cost impact of renewables and asked if that should be contracted out to a consultant? Staff indicated they are not opposed to that and that two or three years ago they did just that and implemented some of those recommendations. Changes are made to the model each year. Skala suggested looking at that again.

Thomas asked if other cities have similar goals for the use of renewable energy and how do they value renewables. Staff indicated that nobody is quite like us. There are some cities that have some programs but there is not a real one-to-one match. From a legal point of view, what would it take to create a rate cap? Staff indicated that it would require an ordinance and any previous questions would need to be considered as a future ordinance is crafted.

Pitzer asked about the suggestion that a rate impact study be considered every three years. Staff indicated that no current contract for a rate study has been let but that could be something the council would like to authorize.

Public comment was open.

The first speaker suggested a new concept and asked for the council to consider generating electricity with turbines on the Missouri River. Everything has to start somewhere, and we should try this as an experiment.

The next speaker indicated that the report received tonight does contains omits a listing of 732 megawatts of power that is actually unused and is a carry over from a previous year. The speaker's objection is that this was not approved by the Water & Light Board. In order to change the methodology, we need some approval process. The process is not currently right. They should get approval to change what they have been doing in the past. Other utilities do this same kind of accounting, including Ameren. He recommends doing the same thing until it is approved. The Mayor asked if this is what council goes through every year? The speaker indicated that the change in accounting is the problem and the shift in methodology is just wrong. The Mayor asked why we wouldn't want to include this energy in the report. Staff indicated that this is energy that sits behind the meter, so it is never used through the system. It may offset some sales of energy, but it is never sold so it has to be accounted for somehow when we determine how much energy that we sell is produced from renewables. The speaker indicated that it could easily be accommodated in the math, but staff chose not to. There is a bias there. There have been a lot of arguments about this along the way, and the arguments have changed, but it always seems that net-metered solar energy is always listed as the highest cost energy product.

The Mayor asked if our wind energy costs are lower than the energy costs of what we produced. The speaker indicated that that is generally true, but you also must look at the distributive costs and add them in. I hope that our new evaluations will take some of these suggestions into account.

Thomas asked if the speaker was asking to go back to the old cost accounting method. The speaker explained that he was not saying that, he just wants to account for the volume of the energy produced behind the meter. Thomas asked the staff why not adopt the speaker's rationale. The staff explained again that this energy does not appear in our retail sales and since it is not run through our system it should not be listed as our product.

Skala suggested that the change in policy affects our load reduction strategy until we adopt a new cost accounting methodology. The speaker asked for no change at this time, but there are some missing megawatt hours in this report and due to that we will have to buy additional energy that already exists at no cost. Pitzer asked why we don't report it as non-retail sales volume. Staff thought it could affect how we determine our overall portfolio.

The next speaker indicated that he is an engineer and master electrician. He suggested that Pitzer's approach to simply reporting the solar energy as "energy used IN the city" not necessarily BY the city could work. Now, let's look at the value of the solar energy. Dozens of cost studies have been done by various cities and utilities. Burns and McDonald calculate the standard value of a kilowatt hour of solar is \$1000. Our standard rebate is \$500. So, by that logic, every kilowatt hour we put up makes the utility \$500. We are having this argument due to a political agenda and it is a little squishy. We started this argument years ago and we should start to move toward not just a focus on renewables, but on sustainability overall. All departments could stand to be measured on a sustainability measure, not just electric. Finally, net metered energy is a benefit to the utility, not a cost and we could stand some improvement in the permitting process for solar since it must go through three layers of the city for

approval. We could do better. Finally, you have a lot of voices with opinions about this, and I think you should protect the innocent by working on the rate structure in a way that allows for growth but protects ratepayers by carving out the cost of our basic services and making rates for extra services exist outside that core.

The Mayor suggested that the Mayors Climate Action Task Force will meet tomorrow and he believes that metrics such as were described could be an outcome of that group's work. He also wants to talk about rate-setting as a part of another item on tonight's agenda so we are not penalizing single-family homeowners as a part of the rate structure. The Mayor asked if the speaker would approve this report. He replied that he would not weigh in on that, but he did think that the cost to the city of solar energy was misstated in this report.

The public hearing was closed.

Trapp suggested that the report should be adopted and liked Pitzer's comments regarding accounting for solar power in a different manner. The Mayor indicated that the current rule requires review by the Energy and Environment Commission and the Water and Light Advisory Board, but, instead of their remarks being appended as a kind of minority report, he would like to see those comments integrated into the actual report itself. Skala said we are struggling with language, but that there are a lot of things that change quickly, and Skala suggested accepting the report.

**Motion to approve passed unanimously.)**

#### **OLD BUSINESS**

**B72-18** Authorizing a contract for sale of real estate with the Hallie Holland Living Trust for the acquisition of property located at 912 East Walnut Street to be used by the Solid Waste Division for a collection site for refuse, cardboard and container recycling in the Downtown CID; appropriating funds.

(Tabled at the April 16, 2018 Council Meeting)

Supplemental Memo - 5/21/18 Mtg

(Action: Staff has prepared for Council consideration an ordinance authorizing a contract for sale of real estate to allow the City to acquire the property at 912 East Walnut Street. Solid Waste Staff is proposing for the property to be platted, the southern half to be used for a refuse, cardboard and recycling collection site in the Downtown Community Improvement District (CID) and the north portion to be sold to offset total cost. The acquisition is anticipated to cost approximately \$675,000.

An additional \$15,000 is requested to be appropriated to cover closing costs and site improvements necessary to install the refuse and recycling collection facilities. Funding will be from Solid Waste Enterprise Revenue. This item was tabled at the April 16, 2018 Council meeting to allow the Historic Preservation Commission time to look at the property and provide input and allow staff to provide additional information.

The Solid Waste Utility can develop a permanent solid waste collection site on the property at 912 East Walnut if the purchase is approved. This collection site would serve properties in the CID, particularly those properties in the 800 and 900 blocks between Walnut and Broadway. This collection site is anticipated to include a compactor for trash, a compactor for cardboard recycling and two dumpsters for the collection of plastic, glass and metal containers intended to be recycled. The property currently has an existing structure on the north half and the south half is used for parking.

Staff scheduled building access for the Historic Preservation Commission to perform a visual assessment on April 28, 2018 with one staff member from Solid Waste present. During discussion on April 16, the Council asked the asking price for the property when it was listed for sale and how \$690,000 was decided on as the proposed purchase price for the property. The property was previously listed for sale at \$750,000. When staff initially became interested in the south portion of the property, an appraisal was completed and the value for the south half was \$305,000. Following the appraisal, the owner requested \$400,000 for the south portion of the property, with many conditions and restrictions. Staff inquired what the price would be for the entire parcel and received a response of \$675,000. Evaluating the purchase of the entire parcel in the long term, staff determined that by subdividing it and selling the northern portion with the building would be less expensive overall.

Also, during Council discussion, there were questions regarding the terms of the leases for the existing building spaces and parking. Currently there are four tenant spaces in the buildings, one space is vacant, and three of the four tenant spaces are leased through September 2018, when all the leases will expire. The parking spaces on the south portion of the property are not leased to any of the building tenants. These spaces are leased to individuals on a monthly basis.

During the Council meeting on April 16, 2018 the impact to collection rates was discussed. If the purchase of this property is authorized, the cost would be applied only to customers within the CID. If the purchase was to be recovered on a 30-year schedule, the maximum rate increase would be 4.8%. At this time, it is proposed that no rate increase be imposed to recover the cost until a cost of service study is completed in 2020. This will allow the study to include the cost of acquisition of the property used for the collection site and include the offset due to the sale of the northern portion of the property. Utility rate increases may be requested in other areas prior to the cost of service study being completed, an example would be the potential to increase landfill tonnage fees to cover costs of landfill expansion.

Staff believes there are three options available for refuse and recycling collection in this area of the CID.

**Option 1:** Purchase the property at 912 East Walnut and use the southern portion for a refuse and recycling collection including a compactor for refuse, a compactor for fiber and two containers for glass, metal and plastic container recycling. The property would be platted and the northern portion sold.

**Option 2:** Leave the existing containers in place, increase educational efforts on use and increase enforcement for improper disposal.

**Option 3:** Place a compactor for trash and two containers for recycling glass, metal and plastic containers in the alley, approximately midblock. This would result in the alley not being available for through traffic by vehicles. Pedestrian access would still be available and all properties would have vehicular access.

Staff believes that Option 1 would provide the highest level of service and recommends this as the best long-term solution for this area of the CID. This option does have support of the CID Board. Option 3 would be recommended if Option 1 is not acceptable.

As submitted, the CID Compactor Location Master Plan was not intended to identify or address other disposal issues such as inappropriate use of the existing solid waste facilities or the inappropriate disposal of grease that occurs in the CID. These issues need to be addressed by staff in several divisions within the City. Solid Waste, Public Works, Law, Office of Neighborhood Services, Columbia/Boone County Health and Human Services, Police, Building and Site Development and the City Manager's Office have been meeting and working on solutions to these issues, which may include revisions to the City

Code and changes to current procedures. Once the potential solutions have been presented to the CID and the most appropriate solutions determined, they will be presented to Council for consideration.

The maps now show the downtown master plan for dumpsters and compactors as well as how this would fit into the existing downtown structure and what might be removed. The Mayor indicated that he believed most testimony at the earlier hearing was more about enforcement and wanted to know if there was a different way to address. Staff indicated that they would have to formulate a new plan that would touch a lot of different agencies. They are working on that, but it will take a while if that is the direction we need to go. Skala addressed the grease problem between 8<sup>th</sup> and 9<sup>th</sup> Streets. He asked if we have the ability to regulate those grease bins as well. Staff indicated that restaurants do have the right to contract with a service that is based in Kansas City and they make a private contractual agreement. If the grease bins are located in a right-of-way, they have no formal permission to do that. Peters asked if people just put them there anyway. Staff indicated that they are working on a legal answer to that but that they cannot issue an immediate removal order – but there is a process.

The city manager stated that there are plans for indoor grease containment and the CID participates in this program. The problem is known but there is no comprehensive solution to this grease problem at this time. Pitzer was pleased to hear that there is a coordinated effort to address this but wanted to know about the residential properties that have leases on some spaces in the new potential compactor site. Staff indicated that they would have to go through the process but could terminate or extend those leases depending on the best interests of the city. Pitzer asked about the purchase price and how rate increases would be applied to all downtown properties. Staff indicated that it would have to be approved and then implemented in the future.

Public comment was solicited.

The first speaker indicated that he was neutral on this bill, but advocated for a grease ordinance that would help control the problem. No specific grease ordinance currently exists.

The next speaker indicated that he has offices on Broadway and regularly rides through the alleys on his bike. He believes this is a huge problem and that there is a lot of grease, rotting food and cardboard. He has noticed that people don't segregate their trash on a business basis very frequently. He cited several examples and indicated that he has photographs if needed.

No further comment was forthcoming.

Trapp indicated that he thought this was not a great solution but that he thought it did address the current problem. General taxpayers will not pay this bill, the downtown users will. Skala agreed but thought there should be an additional ordinance regarding downtown grease management.

The Mayor asked if this property would next need to be replatted. Staff indicated that that was true.

**A motion to approve was made and passed 5 to 1 with Treece voting NO.)**

**(Before this series of bills was heard, discussion ensued regarding the tabling of consideration of these bills until all council members were in attendance at the meeting. General discussion on that topic follows:**

Pitzer made a motion to table this item until June 4<sup>th</sup> and Trapp seconded the motion to table. Trapp had made a similar request during the Adjustment to Agenda portion of the agenda but was instructed to offer that motion at this time in the proceedings.

Pitzer indicated that he thought all council members should be involved and we should give Ruffin the right to participate. The Mayor pointed out that Ruffin did not request this to be tabled. Trapp and Pitzer spoke in favor and noted that his input could be important to the determination of this project. Skala indicated that Ruffin had said nothing to him about tabling and he was generally opposed to this if there is not contribution from the benefitting entities. He indicated he would oppose the motion to table. Thomas indicated that he is opposed to the project and will not support a motion to table, but might have if Ruffin had asked him to table in advance.

**The motion to table resulted in a tie vote of 3 to 3 with Treece, Skala and Thomas voting NO and Pitzer, Trapp and Peters voting YES. The tie vote resulted in denial of the motion to table since the motion failed to achieve a majority of the votes cast.)**

**B100-18** Authorizing construction of sanitary sewers to serve the Henderson Branch Watershed; calling for bids through the Purchasing Division.

(Action: Staff noted that public hearings for this project were held on July 5, 2016, October 3, 2016, November 7, 2016 and May 15, 2017. The design of the Henderson Branch Sewer Extension project includes extending public sewer from the existing Perche Creek Interceptor sewer, located on the west side of Perche Creek, to a point just north and west of the I-70 and US-40 interchange as shown on the attached diagram. Construction includes installing more than 8,600 linear feet of gravity sewer ranging in size from 24"-30" diameter. The sewer could ultimately serve the entire Henderson Branch watershed, which is approximately 1,300 acres, and an additional 800 acres of property adjacent to the watershed. This would include the Midway business and residential area.

This project plans for future development in the area and reduces potential environmental impacts to the Perche Creek watershed by providing access to public sewer. Existing and future sewage treatment facilities discharging effluent into Henderson Branch have the potential to be eliminated with the option to connect to this system. This project was included as a proposed bond funded project in the ballot issue approved by voters in the November 2013.

Amendment No. 3 to the March 8, 2011 General Cooperative Agreement with Boone County Regional Sewer District stipulates that BCRSD will fund 31.3% of the project cost with a not to exceed of \$628,047.00 for the Henderson Branch Sewer Extension in order to remove their existing wastewater treatment facility, located on Van Horn Tavern Road, and connect to the City sewer. Amendment No 3 established a territorial area governed by the terms of the 2011 Cooperative Agreement.

Design studies and construction estimates and expenditures have already been made. A lower cost pump station option was brought forward earlier but rejected by council in favor of the current gravity sewer option.

The total construction cost of the Henderson Branch Sewer Extension is now estimated to be \$4,300,000. The Boone County Regional Sewer District will provide funding in the amount of \$628,047.00. \$2,600,000 will be funded from Sewer Bonds and \$1,071,953.00 is available from Sewer Utility enterprise revenue funds. The monthly sewer service charges cover expenses associated with wastewater treatment, routine operation and maintenance and debt expense. Connection fees are

based on full capital cost recovery. The capital cost for this project can be recovered as new users are connected to the system over time.

The Mayor asked if the annexation agreements involve any contiguous properties at this time. Staff indicated that the proposal does not include any contiguous properties. The Mayor characterized these agreements as pre-annexation agreements and asked if we would collect any taxes or fees that would be imposed if the property were actually annexed into the city. Staff indicated that only sewer revenue and connection fees would be collected, but no sales taxes. Staff estimated for the Bechtold property that would be about \$22,000 for those and about \$3,700 from Midway Arms. Did we talk to other property owners about annexing intervening properties to make these contiguous? Staff indicated that the city did talk to that property owner. He indicated that he did not want to annex the entire property at this time, but would be willing to annex part of that property if it would help this project go forward. No action has been taken in that regard.

Peters asked if this project was in fact a part of a bond issue voted for by the citizens of Columbia. Staff indicated that it was. Peters asked about the motive for the construction. Was it to eliminate old lagoons and hook the county into the main sewer or was it to extend the Columbia city limits to Midway? Staff indicated that a previous council had instructed staff to not just remediate individual lagoons and sewage treatment plants, but to create new sewer extensions to both the west and east of the city, which is what was done. Staff further explained that the Boone County Regional Sewer District will have to upgrade sewer treatment facilities in the Midway area if this project is not improved, and that there are various other independent treatment systems throughout the area that could benefit from tying into this project.

Skala asked if the original project was listed at a cost of about \$2 million and now the project cost has risen to about \$4.3 million. Staff confirmed that. He then asked if negotiations to encourage development in the area that would be like that in the Urban Service Area yielded any results and staff responded that they did not. Thomas asked how much it would cost to upgrade the Midway treatment plant if it were not hooked into this Henderson Branch extension. Staff indicated that they did not know. Thomas asked if they could find out. Staff said they could. Peters indicated that that was an issue for the County sewer district or landowners and staff agreed.

Pitzer then asked to clarify the cost structure and staff indicated that \$2.6 million would come from sewer bonds, \$628,000 from sewer district and so the different is \$1,071,000.

Public discussion was opened.

The first speaker talked about unchecked growth, who benefits and who pays. She indicated that it was a beautiful day today, but parts of the First Ward smelled like shit. It rained really hard for the last few days and that's what happens. We have a lot of things we need to spend money on in the city. I don't understand why this is a priority. Taxes are down. We have other obligations to take care of before we take on something like this. The people who have money get the benefit and the people who are living here have bad smelling streets.

The next speaker indicated that she lives on Gillespie Bridge Road. Staff predicts that the extension of this sewer will spur extensive development in this area. The sewer will serve 800 acres which could be as many as 1,600 homes. She cited costs per call for fire protection and police protection as being in the hundreds of thousands of dollars. The staff memo does not take this into account. There are no budget

projections relating to this extension of new services. We are in the process of creating a West Area Plan. Why not wait until that is complete to extend this sewer. Then we will have a better idea of total impact. Please vote no.

The next speaker stated that he is in favor of the Henderson Branch sewer extension. He chaired the committee that asked for passage of this bond issue. Let's keep our word to the voters who voted for this by almost 80%. Otherwise, it will have an impact on future bond issues. The Mayor asked the speaker to help him balance how we sold this bond issue at a cost of \$2.2 million and now the cost has risen to \$4.4 million. Are we keeping our promise? The speaker indicated that he believed there have been measures designed to bridge that gap, and he does not have a concrete answer other than to say that it has been five years and reasonable people would understand that costs go up over time. It is a slippery slope if we ask for approval and then refuse to fund them. The Mayor asked about the lack of revenues from the area that would pay for all the additional services that would need to be provided in addition to the cost of the sewer extension. The speaker indicated that revenues would come in once annexation occurred but did not claim to be an expert in that regard. He was more worried about the city's credibility.

Skala asked what exactly we promised? Wasn't it that we would pay some attention to this Henderson Branch project at a specific estimated cost? The speaker agreed with the characterization but indicated that voters understand that costs and estimates can go up over time. Pitzer asked how much of the total bond issue was dedicated to projects to fix problems inside the city, then read off a list of projects that made up the lion's share of the total bond issue.

The next speaker asked to echo earlier comments in opposition to this project. She is not convinced that it is in the public interest. She believes that because so much of the bond issue was for local projects, that's why people voted for it and we got stuck with this one part that is now running over on cost projections. I think this is in the interest of private concerns and is not socially equitable.

The next speaker said she had heard when she moved here that they were thinking about expanding out toward Midway, then when she heard that they weren't that was good. I voted for the bond issue, but this was not called out on the ballot. Put it back on the ballot and ask about this specific item.

A speaker from the Chamber of Commerce appeared and asked for approval. He cited the overwhelming support for the proposal and believes that voters deserve to receive what they voted for. We do not want to break our promises to our voters. If we continue down the path of breaking promises then future issues will be in peril. Mayor asked if he understood that pre-annexation agreements do not generate revenue for the city. The speaker understood but indicated he was not an expert in that field.

A former city manager appeared in support of this proposal and indicated he had not planned on speaking on this issue. However, he wanted to remind the council of three things. This is a part of a long-term project to eliminate lagoons. Secondly, he believes that by the time this project is ready to go, it can be contiguous. Sales tax alone could be more than \$5 million dollars annually. Lastly, he believes that it is environmentally and financially reasonable. Skala challenged the speaker and stated that although you may generate sales tax revenue, you also inherit cost. He believes that this is a function of sharing costs. Would you agree that growth, except commercial growth, does not pay for itself? The speaker agreed and noted that this is always the case. Residential growth is supported by commercial growth, and we can project what the existing commercial properties can bring in. Skala asked if the

speaker was affiliated with a commercial real estate group. The speaker said he has been but that he represents no clients in this debate.

Public hearing was closed.

Trapp stated that in the past we have accepted federal money to build regional sewer lines and wetlands treatment facilities, etc. This is an extension of that kind of regional service, even though most of the bond proceeds will go into in-town projects. We have already increased our sewer connection fees. That is not subsidized like it used to be. Those fees will recoup the cost of the extension. There is an intervening parcel, and we can get that annexed if needed to make the land contiguous. We can connect the commercial properties. My equity analysis shows that we will connect to good jobs and also recoup our costs. This will also make the environment cleaner. He recalled the crew on Truck Stop USA going out to repair the lagoon at Midway. We are addressing our needs with this. In the absence of this sewer, we will not eliminate pressure to expand. Do we want to create a bedroom community or incorporate them into our community? We need a robust planning process for the area, but let's keep our promise. I think this should have been tabled, but please support this.

Thomas thought this was a pivotal project and he believes that there is a real change in public opinion about growth. It used to be that growing bigger was always better. However, in many cases, the math was wrong, and we do not want to add to the problem. Our city has subsidized growth on the promise of bringing in new resources. At best, Thomas believes it is a wash – and usually a losing proposition. I do not think that expanding our footprint will pay off. We fail to charge the correct buy in fee for expansion including parks, sewers, schools, roads, etc. We have a West Area Planning process in mind. If this is a good project, it will be approved. If not, it should not be done. Approving this tonight would be preemptive. He opposes it at this time.

Skala indicated that we do not have enough tax money to take care of all the sewage lagoons in mid-Missouri and should not be expected to. At some point, we may expand, but we have established an Urban Service Area and that is predicated on cost sharing. Other parties have been unwilling to share in the cost and I cannot lay the entire cost on our citizens. I will vote accordingly.

Pitzer indicated that he understands the revenue trends, and we are supposed to look for new revenue sources. The downtown TIF is a good example. It will create new wealth. We can do a true cost benefit analysis that will show that this sewer will pay for itself. The ballot language was clear and indicated that we would both fix our city problems and expand our services. One year ago, this council voted 5 to 2 to go forward. We knew the cost then. We need to honor that commitment.

Peters indicated that the West area plan is a good thing, but it should not preclude us from doing this. There are some sot offsets and the money works on this project. It was on the ballot. It has been approved earlier. I thin we should honor that intent.

The Mayor indicated that he did vote for this earlier, but he wanted the staff to go find additional cost sharing sources including land owners. His three-point test is not met. If we can make that contiguous, then maybe we can do this. Maybe we can do some kind of job retention agreement.

The city manager indicated that we do not know exactly what final costs would be. So, why not approve the general idea and then instruct the city manager not to continue until the annexation actually occurs. What that would do is give more time for negotiation, but it would give us one last shot at making the

revenue a reality. The Mayor said that's what the city manager told us a year ago and that he did not deliver on that idea. The manager indicated that two large property owners have signed a pre-annexation agreement and we still have some work to do. If you indicated that we will build this, he believes that we can get this done. Skala asked how we get people to increase their share of cost sharing.

The city manager indicated that if they annex, the income is permanent and that includes sewer fees, connections, taxes etc. This is funded and it will bring in additional dollars. The Mayor asked the city counselor to define flagpole annexation. She indicated that it has been done in the past. The city manager indicated that such an annexation can be done as long as it is of sufficient width according to the law. Pitzer asked if a tie vote occurs, what happens. Legal staff indicated that a tie vote makes the measure fail. They could come back in 90 days, but many of the agreement expire and it would have to come back at another time.

Staff suggested not acting on the ordinance and let the staff negotiate. The mayor advised the staff that they are not on that topic right now.

**The motion to approve resulted in a tie vote of 3 to 3 with Pitzer, Peters and Trapp voting YES and Skala, Thomas and Treece voting NO. The tie resulted in a failure of the motion to approve.)**

**(Because the measure failed to gain approval, it can be brought back to the council for reconsideration in 90 days, but the applicant did not indicate if the course of action would be followed.)**

**B101-18** Authorizing the acquisition of easements for construction of sanitary sewers to serve the Henderson Branch Watershed.

(Action: Staff indicated that if the council were to take this up now, it could allow time to negotiate with property owners along the line to gain easements. Peters asked if there was a point to doing this since the main motion was defeated. Trapp indicated that the issue could be brought back in 90 days and this time could be used in the event that it would be approved in the future.

The Mayor asked what the staff expected to change within the next 90 days when this issue might come back? The staff stated that they did not know what would change, but that the discussion could take place and it may yield some new results. Pitzer said he thought it sounded like a common-sense approach to take. If the agreement doesn't come back, nothing is lost and if it does we are further ahead in the process. Skala thought the more concessions that are made the less incentive there is for anyone to make a deal for what the cost is really going to be.

Public comment was opened, but no one appeared.

The Mayor believed that procedurally there is nothing to be negotiated for since no sewer line route was approved. The city manager suggested that if this is acted on, then the other two agreements should be approved and then you only have to focus on the one main piece if it comes back. City legal staff indicated that the annexation agreements actually state that if the annexation agreement is signed by the city, the city agrees to construct the line, so if you adopt the annexation agreements, you are committing the city to build the line.

The Mayor suggested that B101-18, B102-18 and B103-18 are now not operable and should be withdrawn from consideration. A motion to that effect was made and seconded.

**The motion to withdraw the three bills passed on a vote of 4 to 2, with Trapp and Pitzer voting NO. As a result of this action, the pre-annexation agreements signed by the applicants in advance are not in force and would require future action.)**

**B102-18** Authorizing an annexation agreement with Bechtold Properties LLC for properties located on West Highway 40.

**(Action: See action on B101-18. Bill withdrawn.)**

**B103-18** Authorizing an annexation agreement with VH Properties LLC for properties located on Highway UU and West Van Horn Tavern Road.

**(Action: See action on B101-18. Bill withdrawn.)**

**B93-18** Calling a special election on Tuesday, August 7, 2018 relating to the issuance of Water and Electric System Revenue Bonds.

[2018 Water Bond Funding Plan](#)

[2018 Water Bond Proposal Project Descriptions](#)

(Action: Staff has prepared the information necessary to place a Water and Light Revenue Bond Issue on the August 2018 ballot. The list of FY19-FY23 Capital Improvement Projects (CIP) was reduced by first determining if the project was critical to reliably providing Water service for all customers in the next five years. The list was further edited by staff to ensure only projects providing long-term benefits that fit this long-term funding philosophy were included for this financing. This funding approach is designed to assure future customers that benefit from the system are also the customers paying for the system projects.

Several studies and working groups have examined the city's water system and reports have been issued by consultants and task forces. Many different scenarios were identified covering a range of options. This bond issue will pay for a specific list of projects that are critical for the water distribution system. The Integrated Water Resource group and the Drinking Water Group have both submitted reports for this bond issuance. The current treatment plant is designed to handle 32 million gallons per day but is only functioning at a 24 million gallon per day level, so it will need to be enhanced. Rehabilitation of the plant and conservation measures were the desired package of improvements identified. In terms of safe drinking water, new water quality goals and treatment techniques were identified and will be included on some level in this bond issue. Infrastructure, modernization and system reliability are the three areas that will be primarily addressed.

A list of the proposed projects is available at the above link. The proposed bond issue is for a water construction program which is consistent with present policy for funding of water infrastructure. A combination of borrowed money and current income from rates is used. This method of funding allows for minimal rate increases and ensures future customers help pay for the system upgrades they benefit from.

The last water bond issue for system improvements was in 2008 for \$39 million. This proposed bond issue is for **\$43 million** which will fund main relocation for streets and highways, water main replacements, water treatment plant upgrades, pump station upgrades, well platform improvements, elevated storage and pumped storage additions. The bond sale will occur in two phases. The water projects in this list are located in various areas of the City and will provide improvements and continued water service reliability to all areas of the community. Water studies and analysis has identified work

that must be done to the water system to meet our current reliability requirements and customers future water service reliability expectations.

It is estimated **that a total of 11% in rate increases will be needed** to cover the debt service requirements of this bond issue. One 3% increase will be needed following the passage of the bond proposal. The remaining 8% increase needed would be proposed as 3% increases for FY20 and FY21 followed by a 2% increase for FY22. Funding for these projects through enterprise revenue would result in higher rate impacts. Rate changes for other water operational needs will be addressed separately in future budgets.

A consultant reported on a price objectives study. Overall, people believed that conservation, rates and allocation of resources were most important. He reported that our current rate structure is not sufficient to cover the ongoing costs of the city water operation. They believe that a 5% rate increase per year for five years would be needed to cover future costs in a sustainable fashion in addition to the cost of the bond issue. That rate of increase, however, was questioned by the council. Pitzer asked if the water system or the electric system had a better net revenue profile. The consultant could not address the electric side since those numbers came from city staff. Staff could not definitively answer Pitzer's question.

The consultant continued to discuss the rate structure and described it as a seasonal rate structure that charges more for water consumption during summer months. The Water and Light Advisory Board encouraged less outdoor irrigation, so the consultant is recommending a higher charge for summer water usage over a certain level (which accounts for outdoor irrigation). It incentivizes conservation and equalizes the cost based on usage and cost recovery points of view. Such conservation could also help delay any needed expansions. He further explained that residential users have higher peak usage, so they typically pay more. However, with a tiered rate structure, that justification for higher residential rates changes so the consultant is suggesting that mid-sized business users may need to pay more. The process of equalization between user classes would typically occur over three years. In the first years, residential users would see no change in bills in the first year as long as they stay in the 5Ccf usage category. 10Ccf users would see a 5% rate increase. Rate setting is as much art as it is science and it is difficult to even say what "typical" usage is. Every family is different, but statistically, the rates we are proposing are based on ordinary usage patterns. If you really want to address affordability, however, you need to add money to the assistance side and not try to achieve affordability through general rate setting. That way you actually target those most in need.

Compared to other cities in the region, our typical rates are lower on average. The consultant also noted that higher rates could reduce water demand overall.

Thomas asked if approval of the ballot language included a description of rates. Staff indicated that the rates would be necessary but may not appear in the ballot language specifically. Thomas asked what other options would be available for funding other than bonding. The city manager indicated that they could be funded through reserves or rates, and both methods would be more expensive in the long run. Thomas clarified that this bond issue would bring the plant back to its design capacity, but would not result in an overall expansion over the original scope. Pilot testing of the system is also included in this bond issue. A technical discussion of the construction of some of the facilities, filtering and pump stations followed. Pitzer specifically asked about filtering media and the staff confirmed that filter media would be changed. Pitzer then asked about the time frame. If the main improvements do not come until 2021 and 2022. If this is urgent, why wait so long. Staff indicated that design lead time is required and

that some preliminary construction and testing has to come first. Earlier studies indicated that upgrades would require \$35 million. Now the base price is \$23 million. This represents a different approach to making improvements with project phasing and with a consideration to rates. This is a little more difficult, but will result in substantial improvements and will meet demand. Will these improvements meet the standards for ground water quality? Staff indicated that these will meet current regulations and will result in change.

The Mayor asked about the previous bond issue that occurred in 2008. Have all the projects been completed from that bond issue? Staff indicated that they had and that some funds, \$1.5 million, was left over and has been applied to this new project.

Public discussion was opened.

The first speaker appeared and brought several paper handouts for the council to examine. He is extremely concerned about the direction we are going with our drinking water. At his own dental building he is conducting water testing and his results don't match up with local research. He believes that the levels of toxic chemicals are too high in the local water and that more measures need to be taken to clean the water. He believes that if we do not address the fundamental quality problem, it will eventually bankrupt the city. Barium, radium and other chemicals are present. He produced a plate made in the 1920s or 30s and scanned it with a Geiger counter. Definite readings were present. He suggested that our local water had some of the same elements present in the water. A recent city water study indicated that Barium, Iron, Manganese, Calcium were present. His red light goes off then because Barium and Manganese are related to radioactive material. He cited works from Fermi that deal with the creation of the atomic bomb. We need to pay attention to the chemistry of the water. We need protocol studies before we spend money on upgrading the plant. The engineers may want to build something, but it should come down to the chemistry. Once the study is complete, we can determine how to build a system that will effectively work. Don't spend money on the wrong thing. Granulated activated carbon will create a reaction in the water.

The utility had been asked to contact this speaker, but the speaker indicated he had not yet heard from the city.

The next believed that the rate structure being discussed keep individual rate payers at the same level, which is better than raising them, but affordability is still a problem. Billing and metering is a problem in this regard. If you are serious about affordability the base rate should be cut and the rates for water need to be increased. He understands that this is just about the bond issue, not the full system, but this needs to be addressed.

The next speaker indicated that she was an environmental attorney. She believes that we are only looking at capacity and not water quality. She brings in filtered water every week for her family, but it is important to know that there is a growing group of people who are concerned about our overall water quality. Our water supply should be safe and hope that this issue will be addressed. Skala asked the speaker if she was aware of the activity of the Drinking Water group. She was aware, but noted that it is difficult to get information about this topic. She knows that there was an engineering report, but she needs data relating to water quality. Don't just fix what we have then look at the next step. Let's plan for the future and do it better.

The next speaker speaks on behalf of COMO Safe Water Coalition. She mentioned the Black and Veatch study and indicated that the study discussed both capacity and quality and that \$23 million could be

dedicated to solving the problem. We need to address quality in addition to quantity. We also want to achieve water quality without using chloramines and we could do that for \$80,000 additional dollars. We think the city staff has not done their due diligence in assessing the situation. The rates have not been adjusted properly over time. Raising rates may help, but we have a lot of additional work to do. Our water utility has not done its job. We believe that they are grabbing at straws and deferring action when they can. The Mayor asked about when her group received information. She indicated that they got capacity information on a timely basis, but that the water quality information was not integrated into the report and she was disappointed by that lack of attention. We can build a treatment plant right now and deliver capacity, but the quality aspects are still not clear. Nothing here tells me that we are going to remove ammonia from our water so we could have done something responsible years ago, and now we need to make some meaningful decisions. This is 5 years too late. The people who work on this don't have the money they need. I recommend that the bond goes through and should be approved to take care of maintenance. We should have approved maintenance funds earlier and now your backs are against the wall. It will increase rates, but we need to send this to voters and get it passed. But, we cannot wait another ten years to get the other parts fixed.

Skala mentioned that the Drinking Water Group recommended this approach. He then asked if the speaker thought our drinking water was unsafe. She said we meet regulations, but the regulations have not kept up with the true situation and believes that to say it is safe is naïve. She thinks the phase 2 approach is the best approach. Even Black and Veatch indicates that this is a good option. We don't test for some contaminants and some levels of turbidity. We would not be in compliance if we had better regulations. We are not really cleaning our water, we are disinfecting it with chlorine and ammonia.

The next speaker indicated that she is concerned about water quality. I know that you are in a difficult position. There is no systematic testing for everything that is in our water. My first suggestion is to test water for all pollutants systematically every year. I think water improvement should be the goal, but I don't think that the consultant report guarantees a sure outcome. If a consultant asks for a solution that costs \$200 million, they should be able to prove that for every dollar spent we remove a certain amount of contaminants. I am a scientist and believe in statistics.

Skala asked if the city has a testing protocol, but the testing only occurs once a year. Is it thorough enough to give us confidence? Staff indicated that the utility does issue a consumer confidence report on an annual basis. That report is based on testing that occurs throughout the year and in some cases on a daily basis. In terms of unregulated contaminants, there is not a specified protocol since there is not regulation. We do try to overtest, but there are many unidentified contaminants or unregulated contaminants that we do test for.

Pitzer asked if we have a plan for testing chloramines and ammonia. Staff indicated that they will be doing pilot testing in Phase 1 for these items. We cannot switch back to prechlorine tomorrow, the state won't let us, and if we don't we will exceed our bacteria levels soon. We can't do that. We can't give you additional information because it would require an entire different testing and operational system. It's a hard balance.

Skala indicated that three options were presented in a range of costs. The Mayor indicated that this is the last day to put this on the ballot. We have too much information at this point and it has not all been considered enough. Trapp thought that the council should move forward in order to address capacity and quality and that this is where we need to start. We need to make a decision on this tonight. There are some fundamental problems that need to be dealt with and this is where it starts. Skala believed

that we need to move forward. We have safe drinking water now and we need to move forward to be able to address future regulations and supply. Pitzer wished we could do everything at once, but we can't. I think we need to move forward. I think these measures will help. I think a lot of places have treated water as if it was free, and it's not.

**The motion to approve passed unanimously.)**

**The following items were considered separately, but as part of related topics.**

**B94-18** Voluntary annexation of property located generally southeast of the intersection of I-70 Drive SW and Strawn Road (840 N. Strawn Road); establishing permanent R-1 (One-Family Dwelling District) zoning (Case No. 18-47).

(Action: A public hearing has already been held on this issue. Staff indicated that the zoning applied for was temporary in nature and that the R-1 zoning matched the current county zoning. There are some considered uses for this property, but those will need to be considered separately and some of those ideas including an animal facility, a fire station, a dog park, open space and potential business uses. It is divided into two lots. The zoning can be adjusted appropriately in the future when specific land uses are determined.

No additional discussion occurred.

**The motion to approve passed unanimously with Thomas absent for the vote.)**

**B95-18** Approving the Final Plat of Strawn Road Subdivision located generally southeast of the intersection of I-70 Drive SW and Strawn Road (840 N. Strawn Road) (Case No. 18-48).

(Action: Staff indicated that this was divided into two lots with some road and utility easements included. This is a substantial piece of ground.

Trapp asked where the proposed Humane Society would be located. Staff indicated that the preferred site would be on Lot 1. Thomas returned and indicated that this is poorly planned and that he will vote against the plat. Skala asked if this was a form of land banking. Staff indicated that this will provide for a way to create a connection for Scott Boulevard and that it is more about future use but not necessarily calculated to affect value.

**The motion to approve passed on a vote of 5 to 1 with Thomas voting NO.)**

**R77-18** Authorizing a memorandum of understanding with the Central Missouri Humane Society relating to the relocation of its facilities from City-owned property located on Big Bear Boulevard to City-owned property located on Strawn Road.

**(Action: Moved to Old Business for consideration.)**

(Staff provided a brief report indicating that the Humane Society has proposed a land swap that includes a facility in town, the fire department and other entities. Meetings were held in January, but no specific uses were defined earlier in the year and sent out extraordinary notice. A public hearing has been held.

The Mayor asked what ideas other than the Humane Society might be. Staff indicated that open space, personal energy transportation, and fire protection were mentioned. Pitzer asked if any earlier discussion locked anything in place. Staff indicated it did not.

Skala asked about expansion of the fire training facility at the current Humane Society location in town. The fire staff indicated that this is a good site for fire training, that it is already a reasonably well accepted use at this location and it would give us more parking for staging of large equipment. Expansion makes it better for both parking and staging of exercises.

The Mayor asked about fundraising goals for the Humane Society. Staff indicated that they did not specify fundraising goals, but there were some timelines for completion.

The first speaker indicated that he was the president of the Humane Society. He identified supporters in the audience. He indicated that a lot of work has gone into this project and their projections show need and the potential for fundraising. We need your approval so we can move forward with our capital campaign, architectural renderings and service. We need this facility to accommodate demand for these services. This is an ideal site. Most animals we pick up come from this ward. This will also help the fire training center by executing a land swap. It works for everyone, but it requires your support. The speaker indicated that they may need to raise between \$5 and \$7 million.

No further speakers appeared. Trapp spoke on behalf of this concept and believes that a non-profit such as this is a good fit with the array of services we need in this community. This land was provided by Larry Potterfield and we need to acknowledge that gift.

**A motion to approve passed unanimously.)**

**B114-18** Appropriating architectural salvage sale revenue to the New Century Fund.

(Action: Staff indicated that an amendment sheet had been prepared to correct a technical allocation of funds. This action simply directs funds collected to a different account.

No further discussion occurred.

**Motion to approve passed unanimously.)**

#### **CONSENT AGENDA**

**(All items remaining on Consent Agenda approved unanimously by Council members present.)**

**B96-18** Approving the Auburn Hills Plat 16 PD Plan for property located on the south side of International Drive and approximately 300 feet east of Rangeline Street (Case No. 18-81).

**B97-18** Approving the Final Plat of Riddick Subdivision Plat 1, a Replat of all of Lot 3 and East Half (E ½) and the South Half (S ½) of the West Half (W ½) of Lot 4, of Garth's Addition to Columbia, located on the north side of Broadway and approximately 250 feet west of Garth Avenue (201 W. Broadway); granting a design adjustment relating to street right-of-way (Case No. 18-79).

**B98-18** Approving the Final Plat of The Villas at Old Hawthorne Plat 9C, a Replat of a Portion of Lot 5 of Old Hawthorne Plat 1, located southeast of the Old Hawthorne Drive West and Screaming Eagle Lane intersection; authorizing a performance contract (Case No. 18-70).

**B99-18** Approving the Final Plat for Craig Point Plat No. 1 for property located on the east side of College Avenue and south of Hospital Drive (1022 S. College Avenue) (Case No. 18-94).

**B104-18** Authorizing a municipal agreement with the Missouri Highways and Transportation Commission for sidewalk repairs and enhanced pedestrian facilities along Providence Road from Vandiver Drive to Stadium Boulevard.

**B105-18** Authorizing the City Manager to execute permanent and temporary easements to the Missouri Highways and Transportation Commission relating to proposed sidewalk repairs and enhanced pedestrian facilities along Providence Road, between Vandiver Drive and Stadium Boulevard.

**B106-18** Authorizing the City Manager to execute an agreement for temporary construction easement to Red Oak Marketplace, LLC relating to a storm water improvement project along Grindstone Parkway.

**B107-18** Accepting conveyances for utility, sidewalk and street purposes.

**B108-18** Authorizing an amendment to the agreement with Tyler Technologies, Inc. for the Columbia Financial Enterprise Resource System (COFERS) project to extend the go-live date for the EnerGov module relating to software for Business License operations.

**B109-18** Authorizing a Memorandum of Understanding with the Missouri Department of Health and Senior Services for STD testing and treatment services.

**B110-18** Authorizing an inspections participation agreement with the Missouri Department of Health and Senior Services for a summer food service program for children.

**B111-18** Appropriating funds received from the Missouri Department of Health and Senior Services for current and future building projects at the Sanford-Kimpton Building and replacement of the electronic medical records system used by the City's Department of Public Health and Human Services.

**B112-18** Authorizing an airport aid agreement with the Missouri Highways and Transportation Commission for the reconstruction of Runway 13-31 and Taxiway C projects at the Columbia Regional Airport; appropriating funds.

**B113-18** Appropriating funds for the Clary-Shy Community Park - Agriculture Park improvement project.

**B115-18** Amending the FY 2018 Annual Budget by adding and deleting positions in the Community Development Department; amending the FY 2018 Classification and Pay Plan by reassigning a classification; appropriating funds.

**R73-18** Setting a public hearing: proposed construction of the Carter Lane sidewalk project between Huntridge Drive and Foxfire Drive.

**R74-18** Setting a public hearing: consider the FY 2018 CDBG and HOME Annual Action Plan.

**R75-18** Authorizing an amendment to the engineering services agreement with Burns & McDonnell Engineering Company, Inc. for planning, design, and construction of airport projects at the Columbia Regional Airport.

**R76-18** Authorizing the installation of street lights on Langham Drive, Providence Road, Waterloo Drive and Windmill Court, and authorizing the upgrade of street lights on Waterloo Drive, Tremaine Drive and Windmill Court.

#### **NEW BUSINESS**

**R77-18** Authorizing a memorandum of understanding with the Central Missouri Humane Society relating to the relocation of its facilities from City-owned property located on Big Bear Boulevard to City-owned property located on Strawn Road.

**(Action: Moved to Old Business for consideration.)**

**R78-18** Finding the by-laws of the East Campus Traditional Neighborhood Association meet the minimum requirements for recognition as a neighborhood organization and recognizing it as an official neighborhood organization for the area described in the by-laws of the Association.

**(Action: Staff report was provided. The association calls itself the Traditional Association. This is a process of approval that we have conferred on 86 different groups. Staff mentioned that there were two items in their original by-laws that gave us pause and we would like to see those items addressed.**

The Mayor asked if most were exclusive or overlapping. Staff indicated that only two were overlapping but about 75 were exclusive. Thomas asked about the requirements. Staff indicated that they simply ask

for by-laws to be submitted, a charter should be submitted, membership should be open to the entire neighborhood and that they should be able to provide notification services. It should also define an area that makes reasonable sense. The organization needs to fulfill their requirements. After that, they are on their own honor and we do not monitor for compliance. What the city staff does do is notify those organizations of impending actions by the city or developers. Mr. Canton attends many of these meetings on behalf of the city.

Skala asked about representation rules and then asked about dues. Staff believes that it would be reasonable to collect small dues amounts. By-laws could be accepted or rejected for approval.

Pitzer asked if one neighborhood could replace another. Staff indicated that no succession plan has ever been determined and there is no process for undoing the existing neighborhood association.

Thomas asked about a settlement of \$100,000 years ago between the existing neighborhood association and the Beta House. That has always puzzled me. By paying that money did the fraternity absolve themselves of all liability or how did that work? Staff indicated that that agreement was between the fraternity or the architect and the neighborhood association. The city was not a party to that agreement. Staff indicated that the city did provide an exemption to the fraternity, but it was not predicated on any terms in the private agreement.

A speaker appeared on behalf of the new association and asked for this issue to be tabled. He indicated that due diligence required further investigation; and that they believe that they can comply with many of the suggestions in the staff report.

The Mayor indicated that he did not like this proposal. He wondered if efforts had been made to work this out and thinks there should be less acrimony. The speaker indicated that we need balance, that he is precluded from being a leader in the existing association, and that his group is willing to make the bylaws of the new association meet the guidelines. The current association requires payment of dues for the right to vote. The Mayor countered that the speaker already has representation because he is there speaking to the council.

The next speaker represented the current association and indicated they had no opposition to tabling, but they do have differences of opinion. We think the new organization should be encouraged to work with the existing group within the existing structure.

No further comments.

A motion to table was made. Skala asked about creating a goal and wants to have some exposition about expectations. Thomas indicated this would give the applicant time to fix what the staff thought was wrong. Trapp thought we should build things as we go along. We should make inclusivity important as we go forward, but was not sure how to deal with existing organizations.

**The roll was called on the motion to table. Motion to table passed with 4 votes with the Mayor either abstaining or voting quietly NO on the motion to table. Betsy Peters recused herself from voting on this question.)**

**INTRODUCTION AND FIRST READING  
(All items introduced as indicated.)**

**B116-18\*\*** Rezoning property located east of the terminus of Jenne Lane and north of US Highway 63 from PD (Planned District) to M-OF (Mixed-Use Office District) (Case No. 18-91).

**B117-18\*** Approving the Minor Plat of Central Addition Plat No. 2, a Replat in part of Lots 12 & 14 and all of Lot 13 in Central Addition to the City of Columbia, located on the northeast corner of the Fay Street and Hinkson Avenue intersection (Case No. 18-72).

**B118-18\*** Authorizing construction of the Ballenger Lane Improvement Project from Ria Street to Mexico Gravel Road; calling for bids through the Purchasing Division.

**B119-18\*** Authorizing the acquisition of easements for construction of the Ballenger Lane Improvement Project from Ria Street to Mexico Gravel Road.

**B120-18\*** Authorizing construction of the Bingham Road and Ridgeley Road PCCE #16 sanitary sewer improvement project; calling for bids through the Purchasing Division.

**B121-18\*** Authorizing an agreement for professional engineering services with Black & Veatch Corporation for the preliminary design, final design and bid phase services for the Wastewater Treatment Plant Phase 2 Improvements - Digester Complex project.

**B122-18\*** Authorizing a license agreement with Logic, Inc. for the purchase of Wonderware software for the SCADA system at the Water Treatment Plant.

**B123-18\*** Authorizing a license agreement with Logic, Inc. for the purchase of Dream Report data analysis software to be used in conjunction with Wonderware software for the SCADA system at the Water Treatment Plant.

**B124-18\*** Accepting conveyances for sewer, drainage, and temporary construction purposes; accepting Stormwater Management/BMP Facilities Covenants.

**B125-18\*** Appropriating and transferring funds associated with the construction of Phase I of the Sports Fieldhouse project located in A. Perry Philips Park.

**B126-18\*** Appropriating funds associated with the construction of a replacement Hangar 350 structure to be located directly south of Taxiway C and west of Hangar 40 and construction of a connecting apron and taxiway at the Columbia Regional Airport.

**B127-18\*** Accepting grant funds from Petco Foundation Arson Dog Support for the purchase of equipment and supplies for the Fire Department Marshal Division Arson Dog; appropriating funds.

**B128-18\*** Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for HIV Prevention services.

**B129-18\*** Authorizing installation of a suspended ceiling system in office areas at the Columbia/Boone County Public Health and Human Services facility; calling for bids through the Purchasing Division.

**B130-18** Amending Chapter 5 of the City Code as it relates to animal tethering.

**B131-18** Amending Chapter 12 of the City Code to provide for additional protected categories and to update terminology.

#### REPORTS

**REP43-18** Administrative Public Improvement Project: Sinclair Road Sidewalk at Muirfield Drive.  
(Action: this report indicates that it fills in a gap that existed in the current sidewalk network in the Sinclair Road area. It is about 600 feet, but it is important. Treece excused himself and Skala filled in as Mayor Pro Tem. Pitzer complimented the staff for moving ahead on this project.  
**No formal action was taken.**)

**REP44-18** Citizens Police Review Board: Time Limit for Filing a Complaint, Section 21-51(b).  
(Action: The city manager indicated that sometimes it makes no sense to allow complaints to be filed at any time. He also understands what the goal of this letter is. City attorney indicated that implementation of the rule would be difficult since it refers to discovery and that would be by any citizen of Boone County. It should probably include discovery by anyone directly affected. Why not take

out the word discovery. The Mayor indicated that he thought this could be difficult because it artificially extends the statute of limitations.

Trapp asked why this came forward in the first place. He thought it was prompted by an investigation of an incident that expired during the time when it was investigated.

**Staff will come back with a workable solution after additional evaluation.)**

**REP45-18 Insurance Services Office, Inc. Public Protection Classification.**

(Action: This item has to do with the ISO rating of the city as it relates to how insurance rates are set based on the level of service provided by the city fire department. The evaluation ranks the efficiency of the fire department on many factors including response times, fire flows, locations of stations, nature of equipment, personnel readiness, 911 system, training, etc. Our best overall historical rating was 2 in the year 2009.

Staff presented a chart with the various individual ratings highlighted. Overall, the ISO rating for Columbia is very good. We did have a glitch in the reporting because we had to interrupt the discharge of chlorine in hydrant testing, but that has been rectified. It is a 2/2X. The new rating will take effect on June 1.

Each component is highlighted in the report and is color coded. 911 received a 1, fire department received a 3, water supply rated a 1. Community risk reduction gave us some bonus points. We do have some concerns about locations of fire stations and the number of firefighters on duty at any one time. Pitzer asked how additional stations would affect the rating. The staff indicated that it is not clear because you turn in a description of what you want to do, then they evaluate how much such a new station would help. Skala followed up on the chlorine release and trihalomethanes. Staff indicated that too much water was being released from hydrants at one time. Now, chlorine filters are use when water is discharged into the environment.

The chief indicated that we dropped a few percentage points in this evaluation but overall, we maintained a high rating. Trapp noted that we are among the best in the nation in terms of fire preparedness.

**No further action was taken.)**

**REP46-18 Intra-Departmental Transfer of Funds Request.**

**(Action: No action or discussion.)**

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

##### **Public**

One speaker indicated that he had several items to discuss. Many visitors came to city hall tonight and they did not know where the bathrooms were. We need signage. He believed that newsletters about city business had not been made available to citizens of trailer courts as promised at city hall. He believed that the dust balls on fans at public institutions should be regulated so it doesn't spread all that stuff around and that people don't have to breathe it in. He also believed that we should generate electricity from the Missouri River at Coopers Landing. We should be there first to try it. In terms of water quality, he uses reverse osmosis filters now and believes that possibly 3 M is polluting our waters.

## Council

**Thomas** asked staff to investigate how to downzone to an open space zoning designation and what the fees would be to do so.

**Peters** lauded the work of the Youth Advisory Council.

**Skala** wants to investigate traffic calming on Rice Road. He also asked for a report on grease in the alleys and related issues downtown.

**Pitzer** asked staff to provide a report on electric use and fees.

**Trapp** indicated that there may be some additional steps we can take to protect wildlife. He also wants to make sure we provide city information in an efficient manner.

**The Mayor** mentioned that there is a city owned alley next to the Missouri Theatre and he would like to have it designated as Historic Hugo Vianello Way. This would be minimal cost and requests that city staff create a resolution to that effect.

## Staff (None.)

### ADJOURNMENT

(Time: 12:43 AM, Tuesday, May 22, 2018)

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