



Columbia City Council Meeting Recap

Council Chamber, Columbia City Hall

7:00 PM

Monday, July 16, 2018

INTRODUCTORY ITEMS

Pledge of Allegiance

(Recited as indicated.)

Roll Call

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

(Absent: None.)

Approval of Minutes

(Minutes from the July 2, 2018 meeting approved.)

Adjustment of Agenda

(R102-18 removed from Consent agenda and moved to New Business. Peters abstained from voting on R78-18 due to a potential conflict. Changes to agenda approved.)

SPECIAL ITEMS

(None.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

BC7-18 Board and Commission Applicants.

Bicycle/Pedestrian Commission: Eike Boyd (*Street Knowledge*); Paul Lovern, Frank Schmidt, Lawrence Simonson (*Bike Knowledge*)

Building Construction Codes Commission: Todd Noordsy (*Electrician*); Christopher Roberts (*Electrician – Alternate*); Andrew Wallace (*Energy Conservation*); John Neyens (*Energy Conservation – Alternate*); Kas Carlson (*Major Contractor*); Readvertise (*Major Contractor – Alternate*); Doug Muzzy (*Minor Contractor*)

Columbia and Boone County Library District Board: Colleen Hollestelle, Barbara Jones, Kevin McKiernan, Jan Mees. (No appointment made. Request to readvertise for interview purposes.)

Fair Housing Task Force: Rhonda Carlson, William Lindsay

SCHEDULED PUBLIC COMMENT

SPC36-18 David Nivens: Columbia Chamber of Commerce - Fulfilling the voters will on ballot initiatives.

(Action: The former head of Columbia's Chamber of Commerce addressed the council and indicated during his time with the Chamber he has come to understand what makes Columbia great. He also understands the challenges faced by the council and complimented them on their service. He then indicated that in the past few years, the Chamber has taken a more proactive position on local issues and had adopted a 5-point legislative priority list. One item on that list indicated that the Chamber wanted the city to complete projects identified with earlier bond issues that had been ratified by voters.

Among the most notable items identified were the Henderson Branch sewer project and the construction of additional electric capacity in the community. The speaker indicated that Chamber members were very concerned that the council had not followed through on its promises and that that resulted in an erosion of trust and was not consistent with the concept of fairness and transparency. He further indicated that he had asked city staff for additional information documenting the current status of all outstanding bond issue projects and that that information was not either not forthcoming, confusing or incomplete. He asserted that the citizens have been disregarded in this process and was critical of the council actions in this regard. He asked for the council to now reconsider the construction of the Henderson Branch sewer project and to move forward on the transmission line project.

Although the council typically does not offer rebuttal or comment on issues brought up during the Scheduled Public Comment period, the Mayor invited the speaker to remain until the end of the meeting and engage in a public discussion of this issue. The speaker indicated that he was leaving town the next day and would stay for a while, but that he may not be able to stay until the council comment part of the meeting.)

SPC37-18 Adrienne Stolwyk & Paul Blakely - Proposal to improve Columbia's Accessory Dwelling Unit (ADU) ordinance in order to encourage their construction.

(Action: The two speakers appeared to ask the council to change policies that regulate the construction of Accessory Dwelling Units (ADUs) on existing residential properties. The first speaker indicated that she bought a home and lot with the intent of building a smaller ADU on that property. Unfortunately, she indicated that most lots eligible for this program are in the 1st Ward and that the rules governing such construction add excessive cost to any projects. She said the ADUs could provide multigenerational housing (particularly in the case where children are caring for older parents); could provide rental income; and could be good candidates for innovative alternative energy projects or designs. She suggested that the city adopt a pilot program like one in Oregon that would encourage construction of these types of housing. She thought the program should allow three specific things:

1. Waive all fees related to ADU construction
2. Remove the requirement to install hard surface driveways to the smaller dwelling unit
3. Remove the requirement for off-street parking

She asserted that some of these rules could require the demolition of existing driveways and garages, could add thousands of dollars in unnecessary expense and would inhibit anyone from building such structures. She noted that the fees alone could be as much as \$5,000. She suggested that the pilot program run for three years or until 30 ADUs were built, whichever comes first.

The second speaker supported the earlier described program and noted that the reason that we don't have affordable housing is because housing is not affordable. He indicated that he is in the process of building an ADU, that he has one more hurdle to overcome, but he wished he could have fees and other rules waived to make the process easier and cheaper. He believed that by waiving fees, the city would not really be losing money, because they would gain a new utility customer and benefit from increased property taxes. He believed that there has been individual council support for this new concept, but not much action.)

SPC38-18 Traci Wilson-Kleekamp - Leadership failure, lack of procedural justice, equity & transformative practice; reflections on Matthes' Morale Survey of Officers (2016), CPOA's Morale Survey: An Agency in Crisis (2016).

(Action: The speaker addressed a variety of issues related to policing and the role of city management in funding and creating a new culture and outreach to minority communities in Columbia. She presented some exhibits on a Power Point presentation that included the following concepts and thoughts: Sometimes equality can seem unfair, particularly when it comes to budgeting. Specifically, police officer pay may not seem fair, but it might be administered equally over different divisions. She also thought that what money is spent on can seem unfair. She noted that in the Japanese culture they bring gifts first. She thought that kind of approach needs to be considered in the reform of police culture. She thought the culture itself first needs to be defined, then implemented. She understood that there were problems of morale within the department, and indicated that leadership is responsible for that failure. She believed that the police department and the city need to adopt a practice of procedural justice and realize that police need to be treated the way the people want to be treated, not the way the police thought they should be treated.

She noted that some attitudes are the result of past practices and beliefs and that that needs to change. She noted that the first female police officer in Columbia was not hired until 1973, and that the first black female officer had not been hired until 1982. She thought that showed a lack of integration and justice and believed there was still room for improvement. She noted that the Boone County Sheriff's department used to employ crime control practices that went outside the established rules, or in other words took the law into their own hands. She wants to make sure that that kind of attitude does not appear in the Columbia Police Department. She said it was time to disrupt the Golden Rule. Treat people the way they want to be treated, not the way you personally think they should be treated.)

SPC39-18 Dan Neiswanger - Voice of Hinkson Creek.

(Action: The speaker indicated that he lives in the First Ward and enjoys biking and hiking. He then repeated a quote indicating that there is a lot of water containing no life, but there is no life without water. He then mentioned the Hinkson Creek and indicated that he was opposed to trail alignments 1 & 3 that would damage the creek. At first, he thought it was just a debate between bikers and environmental protectionists. But the more he looked into it, he realized that this was simply a question about development eroding the nature of the Hinkson Creek. He then indicated that since the creek could not speak for itself at a council meeting, he was going to do that. He indicated that the water, the grains of soil and the rocks had spoken to him and indicated that a new trail would damage the creek. He asked for reconsideration of the trail alignment and asked not to make a mistake that could not be corrected later.

PUBLIC HEARINGS

PH24-18 Proposed construction of the Spring Valley Road PCCE #18 Sanitary Sewer Improvement Project.

(Action: This is the Public Hearing for the construction of public sanitary sewers to serve the properties located within the PCCE #18 Spring Valley Road Sanitary Sewer Improvement Project. The project location is shown on the attached map. The proposed sanitary sewer project will eliminate private common collector sewers in the area and serve seven (7) properties along W Broadway, Spring Valley Road and Garden Court. The cost estimate for this sewer project is \$100,000, and payment shall come from the Sewer Utility Private Common Collector Elimination Funds. Staff indicated that no opposition to the project had been received at any public meetings.

The public hearing was opened, but no members of the public appeared to speak.

The Mayor asked if this project was a part of the 2013 bond issue project list and staff indicated it was. The Mayor thought this was an example of the city keeping its promises. Trapp commented that it is a long process, and when you start messing with people's yards and have to negotiate easements and other aspects of such a project it does take a long time.

The motion to approve completion of the project was made and passed unanimously.)

OLD BUSINESS

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.

(Tabled at the May 21, 2018 Council Meeting)

(Action: Staff indicated that this item had been tabled earlier so the applicant could make revisions to the original by-laws they submitted. Staff has reviewed the updated bylaws submitted by the ECTNA. The original bylaws contained two clauses that were of concern to Community Development:

1. Residents of rental properties were not allowed to officially join the ECTNA until they could verify that they had lived within the boundaries of the association for at least one year; and
2. Voting was limited to dues-paying members. Both of these issues have been addressed in the updated bylaws, which now are fully compliant with the City of Columbia's Neighborhood Organization Policy.

Staff indicated that minor clarifications had been made to the map of the new district and that passage of this recognition would not affect the rights or boundaries of the existing East Campus group. It does not affect the Overlay or any zoning rules. He displayed a map and showed that the two areas would overlap, but that each has some areas not included by the other group.

Thomas asked if the new group had followed the process and wanted to know how many people were required to sign the new petition. Staff indicated that there is no set rule in terms of numbers of signatures, but indicated that general guidelines were set out in 1977 and that it required the applicants to establish by-laws, provide notification to affected parties and form a group.

Skala asked if there were rules about establishing boundaries. Staff indicated that general rules said they should follow natural and logical boundaries. He asked if there had been any recent changes to the map? Staff indicated a clarification was made but no real changes. The Mayor asked what recognition as an association gets you? Staff indicated that the benefits include notification, some collaboration with the city, but there is no change to any zoning or other established rules. Staff encourages the groups to achieve some level of consensus on major issues and transmit those thoughts to the city. Pitzer asked if this was standard notification and staff indicated that it was and would include notification about upcoming city actions in the area. He also noted that the Shoe Factory district had been carved out of the North Central District earlier and indicated that since that time there had been very few issues that have arisen, and that Shoe Factory is not as active as North Central, but that there were really no problems. Skala confirmed that analysis.

The public hearing was opened.

The first speaker appeared as the president of the new ECTNA group. He thanked everyone for the time and consideration this had taken. He believed that we have one geography and two ideologies. He believed that the new group was more oriented to student concerns and understood the student point of view. He mentioned restrictive parking as one issue. He felt that the two ideologies have resulted in

the creation of two sets of bylaws, and that the by laws of the new organization were less restrictive and gave more voice to both students and property owners. We had three options. We could have tried to restructure the current organization, but we did not feel that would be a fair option. We tried to get major changes to the existing rules, but that progress has been slow or non-existent, so that is not a good option. So, our best option is to create a new group. Don't think of this as a splinter group. Think of it as pruning away the old so the new can flourish. Skala asked if there had been changes to the boundaries. The speaker indicated that they changed the language so it matched the map but that no big change had occurred.

The next speaker indicated that he was a resident landlord and offered the option that this should be tabled for 6 months. He indicated that there have been recent developments to try and better address the concerns of the landlords. He said they are still examining some of their own rules and asked for the delay.

The next speaker indicated that he lives in East Campus and he opposes the proposal. He believes that the boundaries are erratic and are gerrymandered. He thinks they cherry picked properties. He is an expert in redistricting, and he knows a gerrymandered district when he sees it. He does not think a neighborhood should be defined by who owns what. It might be represented as something else, but the real intent is discrimination. He also drew a distinction between neighborhood associations and property owner associations and they are very different. Using property as a basis for voting was long ago determined to be unacceptable.

The next speaker owns two homes in East Campus. He wants to table this for 6 months. He thinks this issue came up pretty fast and maybe he has been disengaged because he has been out of town. I don't think any harm would come to either party. The Mayor asked if he regularly attends neighborhood meetings. He said he originally joined, but then was dissatisfied with their actions, so he quit. He did not think the ECNA should have shaken down the Betas for \$100,000 and they should not have sued Stephens College. But, recently he rejoined. He thinks we should give this some time. He admitted he was not well-informed on all the issues and he would like to learn more before he agrees. There is no clock ticking. Let's give this a little more time. He thought the district is kind of gerrymandered.

The chair of the ECNA spoke as an individual. He made three points. First, he thinks this is a landlord group and they have set up their rules that way. He agreed that there has not been much representation of students in the existing organization, but he has not seen much desire on their part to join. He likes students but thinks students could be a little better educated about trash and other issues. He believes the new group has been divisive, that they have refused to mediate and that they have participated in board meetings recently. He also mentioned that there is a lawsuit pending against the former president and Betsy Peters. He has been the chair since February and has held three board meetings since then, but no general meetings. The Mayor said it is easier to be Mayor than a neighborhood association president.

The next speaker indicated he is a member of the ECNA. He believes the new group is a trade association of landlords, and since the name is similar, he will just call them landlords. He said that some landlords claim they are not interested in making money, they just want the kids to have a good time. We do not have problems with students. We like them, and we rent to them. His problem is with landlords who do not make students follow the rules. He complained about the rules for the new organization. He admitted that no students have joined the original association, but does not think any students will join the new one either. He thinks the lines are gerrymandered. He indicated that the

president of the existing association was drawn out of the boundaries then indicated that one landlord said if could be in if he wants to, but be careful what you ask for. He does not think these people have followed the rules. He thinks they want to take the neighbors out of the neighborhood. He cited an email exchange between Warnken and an existing neighbor. He characterized it as secret and not nice. In Columbia, business interests are well heard. They don't need their own organization.

The next speaker indicated that he is a private citizen and he is not running for mayor. He has no fundamental objection to forming a new association. He thinks it can promote cohesion. He understands that this petition is a result of perceived wrongs. He thinks it is improving. He does not think this needs to be done. He asked how the council will decide items when two conflicting recommendations are made. This is adversarial. Table this until it can be changed, or you will create more problems. The recent UDO does not define a neighborhood, but Webster's does. It can just be an area, or it can be more. Reject this application.

Another speaker indicated that he lives in the area. He spends time in all parts of the neighborhood and goes to graduation parties and neighborhood clean-ups. He likes students and thinks it is an appropriate place for students to live. We share much in common. Tenants and homeowners both belong here. There are some shifts in architectural styles as you head east, but there is no one identifiable styles. All the homes in this area share a shameful past of having discriminatory covenants. Let's deal with this together. The new group is structured as a landlord organization and does not respect the 70 to 100-year-old homes. Be careful how you decide this.

The next speaker indicated he owns the Lee Street Deli and spoke in support of the new group, indicating he has had more contact with the new people than he has in the last ten years from the old association. He did not like having to go before the old group to get his liquor license. He thinks the new group will help with lighting.

The next speaker indicated he lives there and his father built about ten homes in this area. This used to be my paper route. It used to be all families. It has really changed. I am opposed to higher density. This is a good example of bad planning. I like several of the owners. I wish they would move here and be my neighbor. Table this and let them work it out.

The next speaker indicated that she is active in the old group and admits that the ECNA has shut out the landlords for a long period of time. She wants to fix that and believes that they have taken positive steps. They increased the size of the board. They listened to landlords about stop signs. They want to improve the life of residents in the area according to their purpose. However, they need to reach out to all interests, not just residents. These changes can be made. I maintained separate email lists for a while, then I stopped that practice and included everyone. I don't know that a new association will make things better or worse, but I think this can be worked out.

The next speaker indicated that she was the grandmother of East Campus. She helped start the original association. She agreed this is one geography with two ideologies. I have no problems with students and I have kids. I think the business owners have different issues. They want to make money. Sometimes their interests are not in the public good. Please keep an open mind. This is a gateway to the University and a gateway to where we live. We need to keep a good face on this neighborhood and value historic properties and promote collegiality. Some children are living in substandard housing. This boils down to voting rights for landlords. We don't think it should be based on the number of properties you own. We have made a genuine effort to include landlords on committees. Let's hang in there and try to work

toward resolving these issues. I'm OK for tabling if it takes that. If this was your neighborhood, would you want to divide it? Mr. Rogers was trying to bring us all together.

The next speaker indicated that he helped build the North Central Association. That organization is only $\frac{1}{2}$ sq. mile. This is a much larger area. I think they can be smaller and cover all the area of Columbia. However, you must have foundations for that. The city has changed from benign neglect to activism, but the rules for association has not changed. What could you have done in the past to fix this. Why not make every organization submit bylaws when they change them so they can meet modern expectations? North Central is very diverse. East Campus is not that way. Maybe you could table this for a month, but not six months. The existing East Campus by-laws would not pass muster. The new group did not gerrymander this area. That assertion is a joke. If these people have complied with the general rules, I think they should be granted recognition. This is about notification and they won't have any real power, but if you separate them, they might actually come up with better solutions in agreement.

The next speaker indicated that he was not a PhD. He is a member of the current association and he believes that they have not treated him well. He indicated that the old association had hired a lawyer to help them write the new bylaws. The lawyer indicated that there had been no input from landlords, so we asked to table their by-laws. The lawyer said it was a good idea, but the board and the existing members voted on the new rules and therefore we had no voice in the new rules. Theoretically, we have some access, but there is no realistic way that we can ever have a majority voice. It would be nice if it would all work out, but I don't think that will work at this point. All we want is a voice. Do not fear landlords.

The next speaker indicated that creating a new group would be a positive thing. This does not change the rules of the old group and we are not asking to do that. By the same token this old group should not try to write the bylaws of the new group. They haven't even been formed yet and they are already trying to control them. Why is property being used as a determinant for voting? If you read the original rules, it specifies that homeowners, landowners and the owners of rental property and tenants are eligible for membership. The first three reference ownership of property as the qualification so it makes sense to use it as an increment for voting. It does not mention the word residents, although we understand the implied meaning. Also, when the overlay was created, it required petitions from 50% of the properties involved, not 50% of the people who live there, which indicates a reliance on property as a basis for voting in this very area. Can the landlords get along with students? Sure. They are there clients and they work with them every day. They can form a good partnership. This will give more people an equal voice in the debate of important issues. The speaker grew up in a big family. When they got out of line his mother would send the boys to the boys' room and the girls to their room so they could think about what they were fighting about, and when they came out they could figure out a way to work it out. He explained that separation didn't force anyone to continue to fight about the little stuff, and gave them the time and space they need to come to agreement on the important issues. It's time to send everyone to their respective rooms, and when we come out, maybe we will be better.

The next speaker indicated that he was the Treasurer of the ECNA speaking on his own behalf. He does not understand how they can say they are not members. They are, and they do have a voice. It is true that the vote is based on individuals, not land. It is true we do not agree on things like up zoning. Really, we do include students, and they may not because there is a power relationship between student s Ans landlords.

The next speaker indicated she is member of the board of the new organization. The last line on the application form indicates that the ONS staff will work with you and assure your status as a neighborhood association. We are not trying to change the neighborhood. We are trying to get notification. We formed a housing association, but the city told us that did not qualify. You could change that, but that hasn't happened. Our alternative is to seek recognition. We did not gerrymander this district, the panhandle already existed. We own properties in this area. We have put a lot of money into these properties and we do a good job. Some people think we have only included landlord properties. Yes. That's the point. They are mostly rentals, so we should give those properties voice. Our priorities may be different than the existing group. Give us a unique voice. We may be able to write grants that will improve the area. We have not had a voice. They have made some changes, but different neighborhoods with unique rules make sense.

The next speaker indicated that she has been excluded from membership. She has requested provisional votes. That was denied. In fact, they voted not to allow provisional votes. She sent in applications for memberships. None were accepted. No checks were cashed. She has NO vote. It is not different. This did not just start six months ago. This has been going on for a long time. We have the right to address the city. Ruffin asked for clarification on the membership. She indicated that all of her applications were denied. I tried to join as an individual, that was denied. All of my properties are owned by an LLC.

The next speaker indicated she and her husband own properties in the neighborhood, she has lived there as a student and has been a member of the existing group for 20 years. We have two different kinds of groups. 95% rental on one side. 75% resident owners on the other side. Francis Pike wrote that these are really two neighborhoods. Is it us vs. Them? Who is truly the majority. We have more people, more parcels and more students. Are bylaws promote including. Every person is represented, and every property is represented. We need an association that represents our unique interest. We can be equal partners in the neighborhood and we will be strong for it. She then commented on the panhandle effect. She noted that the parts that were drawn around were hospital and Stephens College parking lots. It's not gerrymandered, there are no houses there.

The next speaker indicated that this is not about taking anything away from the current association. This is about giving a more diverse group involvement in the democratic process in this neighborhood.

The next speaker thanked the council then indicated that this divide runs deep. If we give a voice and an ear, we will all be better for it. Here's an example of discrimination against landlords. They have a honeysuckle eradication program, but we can't access it because we are not residents. I was notified that I was not a member, that my old payment had been rejected, and now I am in arrears and not eligible for membership. Students who tried to join were told they could not because they were not registered to vote in this neighborhood.

The next speaker indicated she owns and rents in this neighborhood and so does her family. She wants to clarify the voting thing. She said there was confusion about voting because people tried to submit multiple applications. She said they changed the rules about voter registration. She thinks there are new efforts to work with landlords. She admitted that she had made comments about people who don't live there, but there was a disagreement over stop signs.

The last speaker indicated that they did not gerrymander, the panhandle was a remnant of the old boundaries. We DID include all the way out to College. Do I own property here? Technically, all my

properties are owned by LLCs, and I don't live there, so I can't vote. Oddly, they do give me a courtesy vote, but it is arbitrary.

The hearing was closed.

Trapp indicated that the requirements for neighborhood associations are a low bar. He believes in pluralism. We recognize that people have different backgrounds and interests. He thought there are nominal things that come with recognition. I think those are things we can grow on. There is not a lot of student involvement all over town. Some renters even think they are not eligible to vote because they rent. The creation of the Shoe Factory district did not hurt anything. I would not have written these by-laws this way, but I plan to support it. I also appreciate the fact that some of the current members have admitted there are some problems and I appreciate their efforts, so don't take that as saying there has been no progress. I just think the separate voices are healthy.

Thomas had concerns about the original by-laws, but those have changed and subsequently found out those are some of the same by-laws the existing group uses. I think we cannot deny this application. I will propose that new by laws need to be submitted and reviewed when neighborhoods make changes. It would be nice if we could have collegiality, but I don't see that happening. Mr. Farnen's analogy about being sent to your own rooms was a good one. I think we should grant recognition.

The Mayor indicated that being part of the neighborhood is more than just showing up and demanding a vote at the annual meeting. You need to help each other, shovel walks, take soup, be a neighborhood. Landlords will always have the ability to hire lawyers and lobbyists and engineers to change zoning laws. Neighborhood associations may not have that ability. We need active voices, but we don't have that if one side picks up their marbles and goes home.

Skala thought the Shoe Factory district is a different circumstance than this one. When that group was established that association, it cut off the fights. I voted no at the time. I feel like a divorce judge. A judge would suggest counseling. I know that is already happening. Maybe we need binding mediation. Progress has been made, but not enough. There are options. You can file a minority report if you don't like the vote. If this is just about information exchange, it could be better addressed by a property owners group. I also think there is a little gerrymandering. It does not always follow streets. Mr. Stevenson's problem with LLCs may need time to be worked out. I will table or vote no.

Ruffin indicated he did not think both sides had expressed the desire to continue trying to work together and he believes they are at an impasse. Skala said any tabling motion would have a time frame, but it comes with no guarantee that anything will be solved. Thomas indicated he does not think both sides will agree to this tabling. They have tried for two years and been rebuffed.

Pitzer is opposed to tabling. A lot of brain damage has already occurred on this subject. A lot of work has gone into this. I think we should recognize this new group. It will not harm the existing group.

Motion to approve passed 4 to 2 with Treece and Skala voting NO and Peters abstaining.)

CONSENT AGENDA
(All items remaining on Consent Agenda approved unanimously.)

B151-18 Rezoning property located south of St. Charles Road and east of Dorado Drive from District PD (Planned District) to District A (Agriculture District) (Case No. 18-104).

B152-18 Voluntary annexation of property located south of St. Charles Road and east of Dorado Drive; establishing permanent District A (Agriculture District) zoning (Case No. 18-105).

B153-18 Approving the Final Plat of Harris Estates located south of St. Charles Road and east of Dorado Drive; authorizing a performance contract; granting a design adjustment relating to minimum stem width (Case No. 18-106).

B154-18 Approving the Final Plat of CPS Middle School Subdivision located on the east side of Sinclair Road and south of Chesterfield Drive; authorizing a performance contract (Case No. 18-23).

B155-18 Authorizing a cost share agreement with the Missouri Highways and Transportation Commission for the proposed Sinclair Road/Route K/Old Plank Road intersection improvement project; appropriating funds.

B156-18 Vacating a portion of a water line easement located east of Kipling Way within Lot 35 of Wellington Manor Plat 3 (Case No. 18-101).

B157-18 Vacating a portion of a sewer easement located south of Business Loop 70 and east of Charles Street (2000 E. Business Loop 70) (Case No. 18-137).

B158-18 Vacating a portion of the westernmost right-of-way of Hoylake Drive within Lot C5 of The Brooks, Plat No. 1 (Case No. 18-130).

B159-18 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Career Awareness Related Experience (CARE) Program for youth employment placement and mentoring services.

B160-18 Authorizing a cooperative agreement with Boone County Family Resources for additional funding for the Parks and Recreation Department's Adapted Community Recreation Program.

B161-18 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for the Healthy Families Missouri Home Visiting program.

B162-18 Authorizing a tax collection agreement with the County of Boone.

B163-18 Authorizing an agreement with Property Professionals Management LLC for the lease of property on Orchard Lane to be used for the Police Department's temporary northeast substation.

B164-18 Appropriating funds for the construction of repairs to portions of Runway 2-20 at the Columbia Regional Airport.

R100-18 Setting a public hearing: consider changes to the sanitary sewer utility rate and waste hauler disposal service fees.

R101-18 Setting a public hearing: consider a change to the fare for paratransit service operated by the City's transit division.

R102-18 Setting a public hearing: consider reversing prior voluntary reductions in the property tax rate ceiling used to calculate the 2018 property tax rate.

(Removed from Consent Agenda and moved to New Business.)

R103-18 Setting a public hearing: voluntary annexation of property located on the north side of Mexico Gravel Road and east of Spring Cress Drive (5705 E. Mexico Gravel Road) (Case No. 18-131).

R104-18 Authorizing a parking meter parts and components term and supply contract with MacKay Meters, Inc.

R105-18 Authorizing Amendment No. 1 to the agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. relating to the Bioreactor Landfill Disposal Cell #6 and Leachate Collection and Storage Facilities projects.

R106-18 Authorizing an agency release and indemnity agreement for aircraft rescue and fire-fighting training at the Blue Grass Airport Regional Training Center in Lexington, Kentucky.

R107-18 Authorizing a first amendment to the agreement with Brentwood Services Administrators, Inc. for specified third party claims administrator services.

NEW BUSINESS

R102-18 Setting a public hearing: consider reversing prior voluntary reductions in the property tax rate ceiling used to calculate the 2018 property tax rate.

(Removed from Consent Agenda and moved to New Business.)

(Action: The Mayor indicated he had asked for this to be removed from consent. A staff report was presented. Staff is requesting Council to reverse all voluntary reductions taken in prior even number years and to start the 2018 property tax calculations at a rate of \$0.4329 (per \$100 of assessed valuation). The reason for this reversal is to generate funding for public safety. The property tax rate has been set at \$0.4100 (per \$100 of assessed valuation) since 2002. Any potential increase in the tax rate ceiling allowed under Hancock has been voluntarily reduced since 2002. The maximum tax rate permitted by Article X, Section 22 and Section 137.073 RS MO is \$0.4329 (per \$100 of assessed valuation). The advisability of reversing the voluntary reductions will be discussed at the public hearing.

This idea was brought up at earlier audit meetings by John Clark. The law requires that this can only be considered in even numbered years.

The Mayor indicated that he opposes raising taxes without voter participation and it undermines public confidence. He wants to make sure this is considered before we take the next step. Skala asked about the city's design long ago to reduce the property tax rate. Staff indicated that she was not here then and could not fully answer that question. She also indicated that she did not know why the opportunity to increase to the ceiling was not taken before. She did indicate that there are limits of 5% increases or possibly 3% depending on the level of overall assessment. They explained that a public hearing would need to be held, an actual hearing would be held, then a calculation would be made. Then a bill will come back with the actual rate stated, then it would be voted on at the subsequent meeting. The actual rate could be less than the maximum rate allowable depending upon the level of increased assessment.

Peters asked about the impact on taxpayers. Staff indicated that this could result in an increase of \$6.00 per year on an assessed valuation of \$150,000. The city attorney explained that this gives you the authority to take advantage of the natural increase. Otherwise, you start at a lower rate. We do not know the exact number until we examine the assessed valuation.

The maximum statutory voter approved rate of 64 cents could be levied, but voters have never approved that. Lacking that, the rates are frozen at 1980 levels. In 1982, a voluntary decrease was adopted as a rollback in exchange for the passage of a new sales tax. The last two times voters were asked for city increases in the property taxes the measures failed.

Skala believes this is very complicated and the political nature of this makes it worse. We could approve this without a vote, but the optics of this are not good. Theoretically, we could approve this public hearing, but we could still set the rate at 41-cents. The City Manager indicated that there was a related item under first read. The Mayor believed that this will automatically result in a tax increase. Thomas thought that was not true, that setting the rate is a separate issue. Thomas wants to examine this and poll his residents. He might support this increase, but he does not support using the proceeds for a new fire station. He thinks that is a cost of expansion. Fire or police salaries are another thing.

The city manager added that the revenues can be assigned during the budget debate, but this had to appear on tonight's agenda to meet the requirements for notice.

The public hearing was opened.

The first speaker indicated that a public hearing should be held. She thinks it is good institutional justice. However, she believes there still needs to be a discussion about the use of the funds. Should this money be used for fire stations or social programs.

The next speaker indicated that he had pushed this forward. He supports holding a public hearing. He thinks it is inappropriate for the city manager to tie this to a fire station at this point in the process. He wants this to go to the general fund. It can go to anything. I am disturbed that the staff is trying to guide the use. I think it's OK to put it on the consent agenda tonight, then discuss it in context at the public hearing. Public safety is not just served by raises and facilities. Other things need to be considered. Supporting youth and other social programs can also help prevent crime. He thought that under Hancock it is possible that voters will never approve a property tax, but this rise is reasonable and was a voluntary tax avoidance decision. Actually, the council let this drop. I look forward to a lively debate about how to use the funds.

A representative of the CPOA indicated that he was concerned that it is difficult to pass a property tax issue in this town. If we allow this tax to increase WITHOUT a vote, it will kill your chances to ever raise enough money through property tax in the future. The Mayor asked if the speaker would support a larger increase if it were placed on the ballot. The speaker said he would.

The next speaker indicated that she supported a public hearing and thinks some outreach to the community needs to be done before that happens.

No further public comment was received.

Skala indicated that he thought a compelling argument was made to hold a hearing, but he wants to reserve the right to set the level.

The motion to approve holding a public hearing passed 6 to 1 with Treece voting NO.)

INTRODUCTION AND FIRST READING

(All items introduced as indicated.)

PR108-18 Reversing prior voluntary reductions to the property tax rate ceiling used to calculate the property tax rate. **(This item is related to R102-18 that was removed from the Consent Agenda.)**

B165-18* Approving the Major Replat of Auburn Hills Plat 16 located on the south side of International Drive and approximately 300 feet east of Rangeline Street (Case No. 18-82).

B166-18* Approving the Final Plat of Woodstrail Ridge Subdivision located on the south side of Blue Ridge Road, south of the terminus of Derby Ridge Drive; authorizing a performance contract (Case #18-123).

B167-18* Authorizing an agreement with Forum Boulevard Christian Church of Columbia, Missouri to partially vacate an access restriction to Nifong Boulevard and impose new limited access to Nifong Boulevard; appropriating funds.

B168-18* Authorizing a right of use license permit with Gamma Kappa Zeta of the Lambda Chi Alpha Fraternity for construction, installation, maintenance and operation of a private retaining wall and storm water infrastructure within a portion of the Stewart Road right-of-way.

B169-18* Authorizing a storage lease agreement with Ishams Ordinary, LLC for the use of a City-owned storage building on Columbia Terminal Railroad (COLT) right-of-way near 700 Fay Street.

B170-18* Accepting conveyances for drainage, temporary construction, sewer and utility purposes; accepting Stormwater Management/BMP Facilities Covenants.

B171-18* Accepting conveyances for utility and water utility purposes.

B172-18* Appropriating funds for the Share the Light Program for the purchase of smoke alarms and carbon monoxide alarms to be distributed to low income residents.

REPORTS

REP62-18 Missouri State Auditor response to Council Resolution 35-18.

(Action: At the March 5, 2018 meeting, Council expressed support for a comprehensive, independent performance audit of the City by the Missouri State Auditor and directed the City Manager to obtain estimated costs for conducting such audit.

The response to Council's question is outlined below. The estimate for cost was expressed as a range from \$500,000 to \$750,000 but could be higher after initial survey work is completed. This type of audit would require individual audits of the various offices and departments and would result in the Auditor's Office issuing multiple reports. The potential start date would be in either late 2018 or early 2019. Completion of the entire audit could take 2-3 years with reports being released throughout that period as areas are completed. Should Council wish to proceed, a memorandum of understanding would be negotiated to lay out our approach. The Auditor's Office would then conduct survey work to determine a more accurate cost estimate. This would also result in an engagement letter that would outline all of the responsibilities of the city, including the payment. Upon Council's approval of the engagement letter, the audits would begin.

As an exploratory additional request, the City Manager asked what the cost and time frame would be if the audit was just for the Electric Utility. The estimated cost range for that audit is \$125,000 - \$175,000. As with a comprehensive audit, the potential start date would be either late 2018 or early 2019, but could potentially be completed in 2019. This report previously came before Council at the April 16, 2018 meeting as REP32-18. This report has come back to Council at the request of Mayor Treence.

The Mayor indicated we can talk about this tonight or we can discuss this during the budget process. Pitzer indicated that he would not support a partial audit. It's all or none for him. Skala thinks some parts of government bear more scrutiny. Trapp thought we would be better served to put our efforts into the Missouri Quality Awards. We already have some outside reviews. He was not sure on his position on the suit. Thomas is trying to weight the cost vs. the perception of public trust. He thought it should be all or none, not just selected departments. Peters had not considered a partial audit. She thinks the full audit would be a waste of money. We will not learn enough to make it worth the cost.

Ruffin indicated that he was concerned about cost. His constituents can't believe that we should spend this kind of money for this use. If there is a clear justification, I would like to hear it. Skala added he would not support doing the full audit due to the cost. This would also take multiple years and that will put a damper on everything for an extended period of time. Peters said she has spoken to some bankers and finance people and they believe this will be of limited use. Our bond ratings are solid.

The item will be added to the agenda for August 13 to determine how to move forward in consultation with the groups that brought the idea forward.)

REP63-18 Historic Preservation Commission sales of salvaged materials from historic structures.

(Action: The City of Columbia Historic Preservation Commission (HPC) currently has on hand an abundance of architectural materials donated prior to the demolition of properties that are 50 years old or older. The items have been acquired with permission and voluntary contribution of property owners and remodelers. Inventory currently includes several doors, windows, light fixtures, sinks and other architectural items typical to construction dating from 1900 to 1960. Since 2008, these items were first stored in the Heibel-March building with the permission of the Parks and Recreation Department. With the successful renovation and reuse of the Heibel-March, items were relocated in 2014 to the former sewer treatment building located at 800 W. Stadium. With improvements to enhance the use of the sewer treatment building in 2015, the HPC was required to work with the Parks and Recreation Department to, again move the materials to a former RV garage on the Rock Quarry Park property (2002 Grindstone Parkway).

The Historic Preservation Commission would like to make these materials available to homeowners who are looking for age-appropriate items for renovation projects. Working with City Staff, including the Parks and Recreation Department, the Community Development Department and the New Century Fund, the Historic Preservation Commission has developed a formal process for the acquisition and reuse of these materials.

The HPC intends to grow the balance of the salvage sale funds for some time in order to reach a funding level supportive of a revolving loan, or grant, which would be awarded to private property owners engaged in preservation activities. One specific program discussed by the Commission for use of these funds would be a downtown façade preservation program.

Since the materials are being stored at the Rock Quarry Park garage, HPC would like to open and conduct a quarterly sale of items including promoting the sale and posting temporary signs in the park on the day of the event. Proceeds would be deposited in the New Century Fund for historic preservation programs and services.

The Historic Preservation Commission seeks formal Council approval to conduct these sales, according to the plan that was requested by Council upon presentation of a 2015 report.

The Mayor indicated that these sales were very popular and that he would like to formalize the procedure as outlined.

Council directed staff to create an ordinance to authorize this process.)

REP64-18 Proposed Resolution Adopting the Loop Corridor Plan.

(Action: Staff has prepared a proposed resolution adopting the Loop Corridor Plan.

The Loop Corridor Plan is a 10-year vision which will allow the corridor to compete in the marketplace for investment and long-term viability by addressing the goals outlined in the plan. These goals include managing access and traffic; greening the street, enhancing the streetscape; extending the pedestrian environment; improving the bicycle network; creating public spaces; defining the street's identity; managing stormwater; and attracting economic investment. The plan is conceptual and will require the collaboration and agreement of property owners before any implementation will occur; and the plan will be implemented with the initial steps of transforming the Planning Committee into a Steering Committee, which will conduct a transparent and open process, implementing the plan. The Steering Committee will collaborate with the Missouri Department of Transportation, property owners,

businesses and other institutions on the Loop, to build consensus on initiatives of the conceptual plan. The Loop Corridor Plan will be adopted by the City of Columbia, giving the plan official classification and recognition as part of the City's land use plan.

Staff was instructed to bring this item back for formal adoption at a future meeting.)

REP65-18 Correspondence from the Downtown Leadership Council regarding solid waste issues downtown.

(Action: The Downtown Leadership Council recently discussed the Council's adoption of 872-18 and the City's purchase of the property at 912 East Walnut to be used by the Solid Waste Division for a trash compactor and recycling container to remedy the problems with the dumpsters in the adjoining alley.

The DLC did have a limited discussion regarding that purchase but would like to further study and help provide input on solid waste issues downtown in the future. In that regard, the DLC requests that the City staff present a report explaining in more detail how solid waste and recycling is currently handled downtown, including a definition of what is classified as solid waste and the efforts made to eliminate grease dumping, etc. The DLC would also like a better understanding of which city department regulates and enforces which aspects, and how. They would also appreciate a breakdown of how it is both charged and paid for, particularly for residential units and complexes within the M-DT area that was previously zoned C-2, including what on-site waste management requirements the UDC places on residential complexes.

The City Manager indicated staff will prepare such a presentation.)

REP66-18 Public Notice Procedures and Process - Planning and Zoning Division Actions.

(Action: This report provides an overview of the public notification procedures and processes used by the staff of the Community Development Department's Planning and Zoning Division. This report was prepared in response to requests made by Councilpersons Skala and Peters.

Public notification procedures for all Planning and Zoning Division related matters are addressed within the Section 29-6.3 of the City's Unified Development Code (Chapter 29) of the City's Code of Ordinances. The following report is broken into two sections. Section One provides an overview of the notification procedures that staff use to providing public notices relating to Planning and Zoning Commission, Board of Adjustment, and Planning and Zoning Division and departmental activities as they relate to the zoning or development-related matters.

Section Two provides an overview of several public engagement opportunities related to zoning and development matters and the notification processes that staff follows to alert the public of them. Public notification is broken into four primary categories pursuant to Section 29-6.3. These categories are Published Notice, Posted Notice, Mailed Notice, and Electronic Notice. These types of notices are further described as either being "courtesy" or "mandatory" notice. The distinction between being a "courtesy" or "mandatory" notice depends on the type of case action that is being proposed or processed. In some instances, "courtesy" notices have become City of Columbia "best practices" and are viewed as being equivalent to "mandatory" notice.

Over the years the City has expanded public notifications beyond the minimum requirements. It is also worth remarking that staff encourages applicants for complex city approvals to inform neighborhood

groups of their plans at the earliest opportunity and many applicants take the initiative to discuss their projects with interested parties while their plans are in the formative stages.

Staff explained that if they fail to give appropriate notice, they would be forced to rehold a hearing, or an item could simply be tabled.

No further action.)

REP67-18 Intra-Departmental Transfer of Funds Request.

(Action: The Mayor asked about the non-capital IT budget moved money from personnel to equipment. The Mayor asked about the source of the funds. It is unused personnel funding from the previous year. The equipment is for the critical disaster recovery program. How is the disaster program being funded now? The city manager indicated it is not being funded. This is back up equipment in case a disaster occurred. The Mayor asked for additional information and believed that anytime you move money from personnel to capital equipment it messes with the budget process. The staff will provide information before any money is transferred.

No further discussion.)

GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Public

A member of the public indicated that he supported a partial performance audit and thought it should be targeted toward Water & Light, Public Works or Parks & Rec. He thought it would be important to find out what the difference would be between a standard audit and a performance audit. He thought that a performance audit would reveal many best practices that are not being followed. He also believed that electric rates are subsidizing new developments and that rates are not actually benefitting the city as a whole because the city pays for and gives thousands to developers every time they extend infrastructure. We should care about how we use these funds. The consultant was wrong when he suggested how we should evaluate return on investment. Look at Water & Light.

The next speaker indicated that Race Matters, Friends had requested records from the Police Department. They have not received those reports yet. She indicated that Chief Burton had indicated that the city will have whatever kind of policing they want. But, she contended that there were emails that seem to contradict that and that they question the validity of some churches, the Islamic Center, The Minority Men's Network and some other groups that have tried to involve themselves in the conversation. She believed that organizations were being dismissed in terms of the policing discussion.

The next speaker indicated that Mathes' and Fox's memos were biased against legitimate groups in the city and indicated that one email that had been found accused a member of the community of trying to impede the work of the police. Other memos have not yet been discovered.

The next speaker indicated that Burton has indicated that more officers are needed. So does Fox. But, why don't they ask for more officers for the purposes that would really help reduce crime. Why is the delivery of social services not a part of the plan? Why do police officers not recommend giving out officer's cell phone numbers to reduce the need for actual calls for service. This needs to be looked at.

The next speaker addressed the vehicle stop report. She believed that the police recommendations do not support fixing this problem. They can find no emails discussing this problem, but did find a mean

email to Thomas that indicates the police believe there are more stops because there are more crimes being committed in the African American community.

The next speaker discussed the problem of funding line worker pay. The speaker indicated that line workers are leaving, and the problem has been a lack of competitive pay that has occurred over time. He believed that pay has not been funded from the general fund for many years and that this disparity needs to be addressed. We need to retain line workers from the stand point of experience and expertise. We have a serious problem and the Water and Light Advisory Board will be looking at an alternative budget at its next meeting.

The next speaker returned to the issue of the audit. She thought that the Missouri Quality Award outlined some key practices that should be followed and recommended that. She also noted that some unspent money from the police department had been shifted to other areas. If we don't have enough money for cops, why are we not spending what we have. She then shifted to a discussion of Sgt. Fox and his lack of understanding about the needs of policing in the community. She alleged that he has been silent on issues regarding policing policies and philosophies. We know there is a moral and cultural problem. How then, do we change that, if the police cannot even articulate their goals. There have been discussions about lots of other options for outreach, but Sgt. Fox indicated that some of those kinds of problems are not easy. She suggested that decreases in calls for service are being cited as a metric in judging police performance. We have to spend more money on people in this process, including the delivery of social services.

The next speaker indicated that the departure of line workers is at a crises status. Do not hire contract labor at twice the price and then allow our experienced line workers to leave for better pay. He suggested that increased pay may not be fully addressed under the new city budget. This needs to be adjusted. The mayor asked if this speaker, while he was employed by the city, ever brought this up. He said he did, but not forcefully, because he was a city employee. He said now he is more forceful because he is a retiree.

Council

Skala noticed that there is dumpster outside the police department that has been there for 1 ½ years. Is this a permanent placement or what? The city manager indicated that it was placed there during renovations and he will check on the time it might be removed.

The Mayor indicated that a 2-cent increase in the property tax will not solve our problems. We can't do this and then hope the voters will support a bigger increase. We have salaries to fund and we have heard that from line workers, police, fire, etc. Are we relying too much on contract workers without paying our own people. Are we spending too much on capital projects at the expense of our workers? I want the city manager to address this in his budget. I don't know how to solve this, but I want some options.

Skala thought there had been a shift in thought about funding police, line workers and other city staff and he wants priority put on this concept

Trapp thinks we have a structural funding problem and it shows itself in the decline of sales tax revenues. We need to tackle this head on. We need to listen, but we need to lead. We cannot continue to have declining budgets and fund all the services we provide. We cannot continue to hear the griping

about one-time expenditures, because taken together, those one-time expenditures would not even fund a new police office for the next ten years. We need to reevaluate our budget. In terms of the issue of race and policing, I would like to see that study included in our report. I also think we need to recognize our present-day practices and how distrust has developed over time. There is distrust because those ideas were influenced by police power and that needs to be addressed in the modern context with an eye toward the past. We have to be able to explain racial disparities in the traffic stop plan, otherwise, it will not be considered valid or trustworthy.

Thomas looks forward to the worksession about traffic stops and asked if the police had coordinated with don Love on how he analyzed police stop data. The city manager indicated that Don Love had been contacted and will be included. Please feel free to ask the questions you have in advance so we can respond. Next, he indicated that we are shipping out tens of millions of dollars every year only because we are growing. We should not use current taxpayer money to build out facilities that are only needed because of new growth. We need a different approach. Growth is not a responsibility of the current taxpayers. Further, he wants a resolution that requires all neighborhood associations to submit any changes in their bylaws subject to review by the city.

Thomas continued in support of the pilot ADU program and supported waiving fees, allowing people to build previous driveways and not require off-street parking. Ruffin indicated he may have a problem with some of those ideas. The Mayor indicated he might have an amendment to the original ADU idea, but he does want to see an ordinance drafted. Skala said that years ago they argued about dust free driveways and it was rejected due to community and fire regulations. The Mayor wants to prevent any ADUs without proper access. He wants access to be a finished product. Thomas indicated he does not want to require people to spend \$5,000 just on paving. Finally, he brought up the idea of restaurant sidewalk seating. He wants that to be better codified and adopted. The current code does not allow this type of arrangement easily.

Ruffin addressed the need for ADUs in the First Ward. Many lots there are thin and deep. He wants a three-year pilot project. He also indicated that he wants to speak on behalf of new proposals for sidewalk dining. Finally, he wants to discuss ban the box legislation. He has not been contacted with feedback about any progress on implementation of this program and he wants information before it comes back to the council. The Mayor asked what rules allow sidewalk dining. The city attorney indicated that M-DT rules allow sidewalk dining under certain conditions. Right-of-use agreements are also allowed. The Mayor asked if they are revocable. Staff indicated they are and do not expire automatically. Tellers, 44 Canteen and other downtown restaurants invoke these rules.

ADJOURNMENT
(Time: 10:48 PM)

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