



Columbia City Council Meeting Recap

Council Chamber, Columbia City Hall

7:00 PM

Monday, April 1, 2019

Pledge of Allegiance
Roll Call

INTRODUCTORY ITEMS

(Recited as indicated.)

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

(Absent: Ruffin.)

Approval of Minutes
Adjustment of Agenda

(Minutes from March 18 were approved as submitted.)

(B72-19 and B73-19 moved from Consent Agenda to Old Business. B86-19 was removed from Introduction and First Read completely.)

SPECIAL ITEMS

SI2-19 Recognition of the Columbia Fire Department for agency accreditation by the Commission on Fire Accreditation International (CFAI).

(Action: The Mayor traced the history of the Columbia Fire Department and noted that today was an additional milestone in history. Columbia is only one of seven fire departments in the state to attain the level of accreditation recently earned by the Columbia Fire Department. The Mayor indicated that citizens should be proud and that the protection they provide is world class. He reminded us that the department will continue to need the tools and support required to continue to provide such a high level of service.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

(None at this point. See Reports section for appointments to Columbia Arts Fund board.)

SCHEDULED PUBLIC COMMENT

SPC21-19 Daniel Nieswanger - Bike trail development on the Hinkson.

(Action: The speaker indicated that he was opposed to the creation of new trail in the East Campus Old Highway 63 area. He thought that people should have as little impact on their surroundings as possible. "Leave No Trace" is one good example of how we should proceed. We should also abide by the 3 R's when we conserve our resources.)

SPC22-19 Sutu Forte - Learning together.

(Action: The speaker wished the council good luck this week during the elections. She wants all of us to learn together. She has the gift of sobriety because of Alcoholics Anonymous. One person advised her that the key to sobriety was to stay green and be re-teachable. Her father indicated that any person who

always has to be right is insecure. She is opposed to the Shepard to Rollins trail. She provided more information We are 50% the same genes as trees. Did you know that hollow trees provide homes for animals? They are apartments for creatures. Dead trees become soil. Let them stand. Trees talk to each other. Different trees have different sensitivities and when one tree is ailing another tree send nutrients to help the weaker tree. I want to make sure that our wild nature is celebrated this Saturday. We will have a proclamation that day. We invite the Mayor. Please come and enjoy this wonderful space. When you see us, we hope you say, "Oh boy, we can't wait to see them." I have learned a lot about government. You haven't gone away, and neither have I. Hope to see you Saturday.)

PUBLIC HEARINGS

PH9-19 Proposed construction of a sidewalk along the east side of Sinclair Road, between Nifong Boulevard and Southampton Drive.

(Action: The Sinclair Road Sidewalk project will include filling in a sidewalk gap along the east side of Sinclair Road between Nifong Boulevard and Southampton Drive. Mill Creek Elementary is located at the north end of the sidewalk project and the new middle school will be located further south from the Sinclair/Southampton intersection. The project length is approximately 2,600 feet. The preliminary sidewalk design includes approximately 1,300 linear feet of 5-foot wide concrete sidewalk with grass parkway along the northern end, and approximately 1,300 linear feet of 6-foot wide concrete sidewalk with integral curb towards the southern end of the project due to the terrain, the stormwater channel, and the utility locations. There is extensive street right of way along this corridor; therefore, permanent sidewalk easements and temporary construction easements should not be necessary for construction of the project.

Construction of the project is scheduled to be completed during the summer of 2020 while the Nifong/Sinclair roundabout is under construction. The estimated cost for the sidewalk project is \$300,000. CPS will contribute \$300,000, or the actual cost of construction, whichever is less, toward the sidewalk project contingent upon the City's purchase of land for a park, through a performance contract authorized by Council on July 16, 2018.

Pitzer asked about an integral curve. The staff said that was a curve that allowed the sidewalk to be placed a safe distance from the road by adding a curve. Pitzer asked about safety concerns. Staff said that was discussed and that there are some places where sidewalks are next to roads and that generally these are very successful in areas where the speed limit is low – like 35 mph.

Thomas asked about the arrangement with the school district regarding the purchase of parkland. Staff explained that the purchase of the park by the city will allow the school district to reimburse the city for sidewalk construction. The Mayor asked if the sidewalk would typically be built by the city or the property owner. Staff said this property has been dormant for a long time, and if we did a major road improvement, we would build it, but that land may never be improved and we need the sidewalk now.

The public hearing was opened.

The first speaker indicated that he lives in this area. He noted that there is a significant setback from the sidewalk that already exists in this area. However, in one third of the area, there is not a setback and the sidewalk will be right along the road. I think this is dangerous. I think you could put a retaining wall in this area, move the sidewalk back at least three feet from the road, and that would make it safer. The speaker measured Nifong and said that they have a curb and gutter that helps keep pedestrians and

traffic safer. Skala asked the speaker if he had looked at solutions on Clark Lane and Ballenger Lane. The speaker had not. Skala said it worked well although the north side did not get the curb and gutter either. The next speaker stated that in the older part of Columbia, there are many places without sidewalks. Why are you putting them in the new parts of town? The Mayor indicated there will be a school in this area. The speaker asked then, if that meant the people who have been here won't get sidewalks? There was no answer. Peters said that in some parts of town there is not room for sidewalks. Skala said that sometimes the issue is topography and cost. The speaker asked if it was because of cost that the older parts of town don't get sidewalks? Skala said that sometimes that is the case.

The next speaker was concerned that taxpayer funding is going to be wasted since this sidewalk might be torn out. He also did not like the idea of taxpayers paying for an improvement to a private property. Maybe you could put a lien on that land so when it does develop, they have to reimburse the city.

There were no further public comments.

A motion to move forward with this project was made. Thomas said that the council should continue to watch this road for safety. Pitzer agreed and stated that the solution was not perfect, but that it will help. He wished that there had been earlier collaboration with the school on this project. If we do this in the future, we need to have more collaboration. This is the best we can do, but less than ideal. The Mayor agreed with the comments made this evening. He wondered how to deal with the idea of a private developer paying for improvements. Skala said this has to do with safety, but we will continue to face these kinds of issues in the future. At Battle High School, how will we deal with construction of sidewalks, since a bunch of the land without sidewalks in that area is Lake of the Woods Golf course owned by the city.

Trapp thought it was a real challenge to find a good large site for a new school. He said that every time we do this, we hear the question, why can we do it here but not in other places. He said that some places don't have room for sidewalks. We have increased our sidewalk fund, and Trapp said he was proud of that. He thinks this is a worthy project and the new school needs this walk.

Council approved the motion to move forward with the project.)

PH10-19 Proposed construction of the Third Avenue Alley restoration project, located between Third Avenue, Forest Avenue, Garth Avenue and Grand Avenue.

(Action: The Third Avenue Alley Restoration Project will include paving a 10-foot wide lane in the alley located from Grand Avenue to Garth Avenue between Third Avenue and Forest Avenue (see attached location map). The alley restoration project includes approximately 583 linear feet of asphalt pavement with a concrete entrance at Grand Avenue and at Garth Avenue. In order to address storm water runoff, a side opening inlet will be constructed and connected to an existing 5' X 5' area inlet. Temporary construction easements may be necessary for construction of the project.

Construction is planned for the fall of 2019. The estimated total project cost (including design, easements, and construction) for the proposed Alley project is \$150,000. The project will be funded by the Transportation Sales Tax.

The public hearing was opened.

One speaker stated that she lives next to the alley that is being improved. She said that Odin Guitar's mansion was located in this area. She showed a map with alley layouts and the current state of disrepair

of the alleys in the neighborhood. The neighbors have asked why alleys were improve on the east side and not the west side. They got a lot of excuses over the years, but now, the city is moving forward. She showed pictures of neighborhood involvement to make this happen. We need the city's help. This is important.

The Mayor thought that this was important and that this alley could provide access to future ADUs.

Another speaker said he lives in this area and is the president of the Ridgeway Neighborhood Association. He thinks is will reduce crime. This ends despair in the area. When people don't care, crime comes in. This is great. Don't let this ball stop. There are six more alleys in this area and some houses in this area that need to be bulldozed. They are narrow lots. We can keep building on this and maybe we can get one new alley done per year. Maybe other people will invest and maybe build accessory dwelling units. We appreciate the help.

There was no further comment.

A motion to proceed was made and passed unanimously.)

(The following two items are being considered in tandem.)

PH11-19 Proposed installation of twenty-one (21) historical markers along the African-American Heritage Trail in public rights-of-way adjacent to sidewalks in the central portion of Columbia, a portion of the MKT Trail at Flat Branch Park and walkways within Columbia Cemetery.

[See B74-19/Mayor Memo]

(Action: The African-American Heritage Trail is a two-mile hard surface trail utilizing existing city sidewalks in the central portion of Columbia and walkways within the Columbia Cemetery. The proposed trail route and designated locations for twenty-one African American heritage markers was designed by members of the Sharp End Heritage Committee working with park planning staff. Eight markers have already been installed and additional four markers have already been ordered.

The total project cost is \$54,600. Funding for the purchase of the heritage markers in the amount of \$52,500 will be provided by private donations from citizens, businesses and organizations in the Columbia community. Force account labor will be used for the design and installation of the remaining heritage markers along the trail. The estimated cost of the concrete to install the markers is \$2,100 and will be funded by the Parks and Recreation operating budget.

Park staff will need to acquire permanent and temporary construction easements from one property owner to create the trail access into the Columbia Cemetery from East Stewart Road. Within the designated permanent easement, park staff will work with local engineering and construction firms to construct a six-foot wide concrete trail and a small bridge or low-water crossing across an unnamed tributary to Flat Branch Creek. The temporary construction easement is needed for the construction of the trail and placement of the bridge or low water crossing. Park staff will contract with a local engineering firm to determine the size of the necessary easements, correct type of creek crossing and location within the easement. Park staff will return to the City Council at a later date for Council acceptance of the necessary easements and permission to construct the trail and bridge. The construction of the trail and bridge is unfunded at this time and will be completed at a future date when funding is available.

Skala noted that there were 39 sites originally identified. Why are there just 21 markers? Is it because they are only in downtown? Staff said there could be others in the Business Loop area, but they are not currently linked to this trail. Trapp asked if there is a way to generate metrics of how many people use this trail? Staff had not investigated that yet.

The public hearing was opened.

The Mayor thanked the first speaker. The speaker thanked the council and the Park Department. This is the second part of the Sharp End Heritage project. We want to foster the growth of minority businesses, and looking backwards can help us go forward. We will have celebrations this spring to honor this work. There are many families in the area who have contributed to this project, including people who have lived in this area before. This is an important part of history. This is a true community project.

The next speaker noted that she was a native Columbian. She lives in Miles Manor now, but grew up in this area. Please join us and come see what we have to offer. We are Columbia. Thanks to Parks and Rec.

The public hearing was closed. The Mayor encouraged the committee to come back to the council if more money is needed.

A vote on this issue is recorded on the next item.

B74-19 Approving the route of the African-American Heritage Trail; authorizing the installation of twenty-one (21) historical markers along the African-American Heritage Trail in public rights-of-way adjacent to sidewalks in the central portion of Columbia, a portion of the MKT Trail at Flat Branch Park and walkways within Columbia Cemetery.

(Action: Council approved the bill unanimously.)

OLD BUSINESS

The following items were moved to Old Business from the Consent Agenda.

B72-19 Authorizing an interim operating agreement with Skinny Labs Inc., d/b/a Spin, for implementation of a shared active transportation operation. (Spin Scooter agreement.)

(This item was moved from the Consent Agenda to Old Business.)

(Action: City legal staff indicated that this is a contract that is very similar to past scooter contracts. The only difference is that this company is a subsidiary of Ford Motor company and does not manufacture their own scooters, so they do not have to provide product liability insurance. On this contract, scooter use also ends at dusk, not at 8PM as other companies have done.

Pitzer asked if Bird, Pony and Lime are back in addition to this company. Lime is not now. Staff said that dealings with other scooter companies have gone OK and that there is a two-hour window for handling complaints. If complaints are not addressed, we send our own people out to take care of the problems. Pitzer asked about monitoring and if Bird has done that. Staff said they had through the app they use. Pitzer asked about the fees. Staff had recommended that funds from fees should go to transit. The first quarterly payment has not been made yet, but is now due. The city can terminate if they don't pay. Pitzer asked about actual revenues. Staff projected \$78,000 per year. Earlier projections were higher, but Pony has not yet come into the market. When we see actual usage we will have a better ability to forecast future revenues. Stops during bad weather affect the income stream. We will be coordinating

tracking through a GIS tracking system. We will be able to track usage patterns, where people go and how many vehicles are deployed on a quarterly basis. We may not know on a day to day basis.

Thomas asked who to call if there are scooters blocking sidewalks. You can call the city and we can inform the scooter company. The Mayor asked to add a compliance requirement to the contract in the event of non-payment.

The public comment was opened.

An individual appeared on behalf of Spin Scooters. They never operate without permission They are a part of Ford Motor. They have operated in Jefferson City since last year. Scooters help replace car trips and promote tourism. He thanked city staff. Thomas asked about data regarding how scooters replace car trips. The speaker said that their data is survey based and that surveys indicate that people use scooters instead of walking, driving or user Uber or Lyft. He will send a report. Pitzer asked how they will live up to provisions of the contract in terms of keeping sidewalks clear. The speaker said they make users take pictures of the place they park, and the next person who uses the scooter gives the previous parker a thumbs up or down parking rating. This crowd sources our data. We believe that we will have 5 to 10 people taking care of our scooter fleet locally and they will address complaints as they occur within two hours.

Peters asked how they recruit staff? The speaker said they mostly hire full-time locally. This is a disruptive technology and have the largest fleet in Los Angeles. Those are all full-time. We will see how that works here. The customer service phone number is on the scooters and available online. The Mayor asked about market impact when other scooter companies already exist. We believe that competition is good for consumers. It keeps rates reasonable and helps compliance of all companies. Are you exclusive in any markets? Yes. New Mexico State, Oklahoma State, Jefferson City, Lexington KY are all exclusive cities for Spin. Peters asked if Spin had talked to the University of Missouri. Yes. We have spoken to them for the past two years. Current status of those discussions is not known to this speaker. Trapp asked about bike share. The speaker said they looked at this market and said the scooters looked better in this market. We do not have plans to introduce bikes here, but we could diversify in the future.

The next speaker commented that KFRU said that there are docking stations in some places in Texas where scooters could be charged. Could we have docking stations here to keep scooters off the walks and make them easier to use? We need to think about handicapped individuals. I think the scooter company should pay for that.

The next speaker asked the council to take caution about this new company. Give them a little time. These things clutter up the streets and block handicapped access. Will the contact numbers work on the weekends? There are some inconveniences about these things even if there are some good things.

Public comment ended.

Thomas asked staff if the current agreement with Bird addressed contact centers. Staff was not sure how Bird handled complaint calls, but there is a call-in number on the scooters. Skala said this is potentially good technology, but he has received a lot of complaints about blocking sidewalks, liability, etc. he will vote against this proposal. He does not think we have done adequate due diligence. We need better solutions to the most important problems.

The Mayor asked about termination provisions. Staff said that they can terminate at any time for safety, etc. at the sole discretion of the city. Contract compliance will be a factor in awarding citywide contracts if a scooter wants to expand. If we awarded an exclusive contract, then the other contracts expire. Skala said he thought that we were only doing this for a year at a time as a pilot. Staff said that is true, but at the same time, if a pilot ended, then any companies with contracts would terminate if an exclusive provider was selected. Peters asked how we monitor the health and welfare of scooter users. The mayor said KOMU reports on emergency room visits.

A motion to approve passed 5 to 1 with Skala voting NO.)

B73-19 Appropriating grant funds received from the Missouri Department of Natural Resources Volkswagen Trust Transit and Shuttle Bus Program for the purchase of three (3) electric buses.

(This item was moved from the Consent Agenda to Old Business.)

(Action: Pitzer asked how else this money could be used. Staff said it had to be used for replacement of older buses and that is how the grant was written. Pitzer said he understood that there were problems with older electric buses. Staff said the buses we had were used in LA and the terrain here was not suitable. They have replaced those buses and would like to sell us three other new buses. Part of the grant pays a consultant to help design the drive trains for our specific operational needs. It will be a year before we get the newer group of buses. Pitzer asked how many buses we need for our new fixed route bus routes. Staff said we will need 12, so half the fleet will be electric. In terms of cost savings, our old estimates were based on \$4 per gallon for fuel. We are still getting electric charging rates, but we know that there will be less maintenance expense. There will need to be driver training because you have to learn to drive these buses to maximize efficiency. We can give a better picture of this later. We are learning from the company and a fleet of buses in Kansas City. Staff did not have carbon emission data at this time but can report that out.

Skala asked how many natural gas buses we have? Staff said we have 4. We have not had the money to buy many new buses recently, so we have not increased our natural gas fleet. Our next bus will be CNG. Thomas asked for staff to produce a study regarding efficiencies of 30 seat buses vs smaller buses.

Peters thought we had problems with electric buses. So why do we keep using the electric buses? Staff said we had a grant for electric buses and the new VW settlement money offsets our 20% match. We did try for some other vehicle funding but we did not win those grants. Staff said you will actually see one more electric bus coming but we had to segregate funds. We will own these buses, not lease them. Pitzer then asked if our other grants were denied because we were only going to receive a certain amount of money. Staff did not think that was the case.

No public comment was forthcoming.

Trapp thought this was good technology, but it was great to get to spend other people's money on this. We have proceeded cautiously. I hope we have better success with this new round of electric buses.

A motion to approve passed unanimously.)

CONSENT AGENDA

(All items remaining on Consent Agenda were approved unanimously.)

B69-19 Approving the Final Plat of "Barkwell Subdivision, Plat No. 1-A" located on the southwest corner of the Nebraska Avenue and Providence Road intersection; authorizing a performance contract (Case No. 18-161).

B70-19 Approving the Final Plat of “Spring Creek Plat 1A” located on the north and west sides of the western terminus of Cross Timber Court; authorizing a performance contract (Case No. 25-2019).

B71-19 Authorizing Amendment No. 2 to the agreement for professional architectural services with Architects Design Group/ADG, Inc. for design services relating to the construction of the Molly Bowden Neighborhood Policing Center in the Auburn Hills Subdivision.

These two items were removed from the Consent Agenda and moved to Old Business for further discussion.

B72-19 Authorizing an interim operating agreement with Skinny Labs Inc., d/b/a Spin, for implementation of a shared active transportation operation. (Spin scooter agreement.)

B73-19 Appropriating grant funds received from the Missouri Department of Natural Resources Volkswagen Trust Transit and Shuttle Bus Program for the purchase of three (3) electric buses.

B75-19 Repealing Ordinance No. 023778 which authorized an agreement with Boone County, Missouri for public health services; authorizing a revised agreement.

B76-19 Authorizing a memorandum of agreement with the Missouri Department of Health and Senior Services for access to the Missouri State Public Health Laboratory (SPHL) OpenELIS Web Portal.

B77-19 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for public health emergency preparedness services; appropriating funds.

B78-19 Appropriating funds for air service marketing and promotion services.

B79-19 Appropriating funds relating to construction of Fire Station #10 (East).

(The Fire Department requests the appropriation of \$800,000 from general government contingency in order to supplement funds to be used in the procurement of a suitable site and for the construction of an additional fire station on the east side of the City in the general area of E. Broadway/State Hwy WW. Upon purchase of the site, the Fire Department will request Public Works and Finance/Purchasing staff to begin the process of building a fire station which will become Columbia Fire Station #10. This use of prior year appropriations was approved in the FY 2019 budget on page 376 of the adopted budget document. The balance in the contingency project came from 4.1% of the 1% general sales tax.

Timeline is subject to the purchase of suitable land, but is estimated to be 1 to 1.5 years from land acquisition to an operational fire station.)

B80-19 Appropriating funds for the repair of Gas Generator #3 at the Columbia Sanitary Landfill.

R45-19 Setting a public hearing: proposed replacement of the water distribution infrastructure along Crown Point and Orchard Court.

R46-19 Authorizing an agreement with Columbia Mall L.L.C. for the “Tons of Trucks” event.

R47-19 Authorizing an agreement for professional services with Missouri River Relief for outreach and environmental educational programming.

R48-19 Authorizing an educational affiliation agreement with Maryville University of St. Louis to provide health clinical experience and instruction for nursing students.

NEW BUSINESS

R49-19 Establishing a Broadband Business Planning Task Force.

(Action: In 2013, The City of Columbia’s Economic Development Department, Water & Light Department and University of Missouri joined to commission a Broadband Planning Study to understand options for improving current and future broadband services within the community. Since their 2014 report, several of the incumbent internet service providers have deployed enhanced offerings to areas of Columbia. In December of 2015 the City of Columbia contracted with Magellan Advisors to update their 2014 report. This update report was completed in February 2017.

Over the past several years, several Missouri State legislative bills have been proposed to prohibit or limit municipalities from offering broadband internet services. Some of them would have prohibited municipalities from providing certain services already being provided within the boundaries of the municipality without a vote of the people. Other proposed bills specified when it would be permissible for a city, town, or village to offer competitive services. None of these bills have been enacted into law as of this time.

Staff recommends establishing a Broadband Business Planning Task Force to work with a consultant and execute the following scope:

- Understand current and possible future state and federal regulations governing broadband communications for municipalities
- Understand Columbia's fiber optic system and service offerings to customers
- Understand the current offerings by incumbent service providers and any opportunities for public/private partnerships
- Formulate and recommend a Broadband Business Plan detailing the following:
 - The business model to be used
 - The market segment(s) to be served
 - The technology and equipment to be deployed
 - The operational strategies V. Personnel and equipment needs
 - The costs for construction, operation, and management of the plan
 - The timeline that the City of Columbia should use for build out
 - A comprehensive financial and funding plan

A seven-member Task Force appointed by the City Council is being proposed for this working group. The seven-member Task Force would be comprised of a mix of representation from different potential customer user groups and other community stakeholders. The following stakeholder interests being proposed for this working group are residential, commercial, industrial, incumbent service provider (fully deployed), incumbent service provider (growing), and the University of Missouri.

The Mayor was glad to see this move forward. Technology changes so quickly that we need to stay ahead of the curve. Skala thought some of the delay came from some of the private providers. Skala asked to be appointed to this commission as the liaison. Thomas asked if the resolution specifies who can be appointed. Staff said the description is general, but that specific categories are not reserved for individual positions. The Mayor asked how we will advertise that? He thought that there will be people who are in the business who could help us learn about this topic.

One person rose to spoke regarding this initiative. He supports this idea. He noted that there is a consultant mentioned in the staff report but not in the resolution. Will we work with the current consultant or will we get a new one? If we do, I hope the whole group gets to help hire the new consultant.

The motion to approve passed unanimously.)

INTRODUCTION AND FIRST READING

(All items except B86-19 were introduced as submitted.)

B83-19 Amending the FY 2019 Annual Budget and the FY 2019 Classification and Pay Plan to address department operational issues, correct personnel funding issues, adjust pay band assignments for certain department director classifications and line worker series classifications, and provide for salary

adjustments to line worker classifications; transferring funds; appropriating funds.

B84-19* Amending and reestablishing the City of Columbia, Missouri Tax Savings Plan for City employees.

B85-19* Approving the Final Plat of “Tiger Tots Place” located on the northeast corner of the Paris Road and William Street intersection; authorizing a performance contract (Case No. 52-2019).

B86-19* Approving the Final Plat of “Gateway Plaza - Flat Branch Park Plat 1” located on the southeast corner of the Broadway and Providence Road intersection (Case No. 59-2019).

(This item was completely removed from Introduction and First Read.)

B87-19* Appropriating grant funds received from the Missouri Highways and Transportation Commission and the Missouri Department of Natural Resources Volkswagen Trust Transit and Shuttle Bus Program for the purchase of one (1) electric bus.

B88-19* Appropriating funds from the Mill Creek Substation Transmission Capital Improvement Project to various FY 2019 electric transmission Capital Improvement Projects in the City Utilities Department.

B89-19* Amending Chapter 5 of the City Code to establish a provision to exempt certain public and private schools and educational institutions from keeping chickens.

(This amendment to Chapter 5 of the City code exempts public and private schools and education institutions from the current city requirements pertaining to the number and type of chickens allowed per tract of land. This amendment has been proposed because some schools have expressed a desire to enhance their STEAM (science, technology, engineering, arts and math) programming with a focus on urban agriculture. This amendment would allow for the keeping of more than 6 chickens for schools and educational institutions that have at least 50 students and school property of one-half acre or more in size.

THIS ITEM APPEARED ON THE AGENDA FOR INTRODUCTION AND FIRST READ ONLY AND WILL NOT BE VOTED ON UNTIL THE APRIL 15TH COUNCIL MEETING.)

B90-19 Authorizing construction of the Cosmo-Bethel Park improvement project to include the renovation of eight (8) tennis courts, installation of a new park entry sign and renovations to the north parking lot; appropriating funds; authorizing an agreement with Columbia School District No. 93.

B91-19* Accepting a partnership warranty deed from MBS Realty Partners, L.P., acting by and through its General Partner, MBS Associates, Inc., for the donation of property located on the southeast corner of the intersection of Worley Street and Fairview Road to be maintained as a wooded natural area park; naming the park “Fairview Hollow Nature Area.”

B92-19* Authorizing the City Manager to execute an agreement for temporary construction easement to the Columbia Public School District for the construction of an accessible walkway to the raised landscape beds in Paquin Park.

B93-19* Appropriating funds received from donations, miscellaneous revenue and Park Sales Tax revenue to the Parks and Recreation Department.

B94-19* Authorizing Contract Amendment No. 2 with the Missouri Department of Corrections to provide tuberculosis screening and testing services.

B95-19* Authorizing a memorandum of understanding with the U.S. Fish and Wildlife Service and the 13th Judicial Circuit Court of Missouri for the development and implementation of the Youth Monarch Conservation Program.

B96-19* Authorizing an airport aid agreement with the Missouri Highways and Transportation Commission for the completion of a Documented Categorical Exclusion (CATEX) review relating to the proposed new terminal site at the Columbia Regional Airport.

B97-19* Repealing Ordinance No. 023806 which authorized the acquisition of a certain leasehold interest in property, identified as Hangar 350 at the Columbia Regional Airport, and enacting new provisions related thereto.

B98-19 Authorizing an agreement with the Boone County Fire Protection District to provide a stay in declaratory judgment action litigation as the parties seek a legislative fix to clarify the roles of the jurisdictions.

(In 2018, the State Legislature enacted amendments to Section 321.320 RSMo which provided that any newly annexed territory of a municipality would no longer be automatically de-annexed from a fire district. Since the enactment of the 2018 amendments, any removal of newly annexed territory from the BCFPD requires a request by the property owner and approval of a fire district board in order for the property to be de-annexed by the fire district.

Unfortunately, the original legislation did not address the inherent conflicts created by a dual service territory where both a city and a fire district have obligations to respond to an emergency event and Boone County Joint Communications has no clear direction as to which jurisdiction to dispatch to a call for service. BCFPD was instrumental in passage of the amendments to Section 321.320 RSMo and asserts the intent of the legislation was to ensure the newly annexed territory would remain within the fire district boundary and that BCFPD would retain jurisdiction over such areas unless or until the area is de-annexed from BCFPD territory. Accordingly, BCFPD filed a declaratory judgment action in which the City is a named party to obtain a judicial declaration that BCFPD had primary jurisdiction within any newly annexed territory.

The City does not believe the judicial system is the proper mechanism to resolve the conflict because, among other things, the statute is silent on the issue; therefore, the City is opposing the declaratory judgment action. At the same time, there is a general recognition for the need to establish some type of mechanism to resolve the dispute between the jurisdictions in order to ensure the safety of the public as well as the safety of the firefighters who are dispatched to respond to calls. The solution proposed is to seek a legislative amendment which removes the obligation of the City to respond to calls for service within the areas inside the city limits that are retained and served by BCFPD.)

Staff recommends the City Council authorize an agreement with BCFPD which, if approved, would request a stay in the litigation while the parties seek a legislative fix to clarify the roles of the jurisdictions. It is staff's understanding the BCFPD Board has considered the proposed agreement and has given tentative approval.

THIS ITEM APPEARED ON THE AGENDA FOR INTRODUCTION AND FIRST READ PURPOSES ONLY AND WILL NOT BE VOTED ON UNTIL THE APRIL 15 CITY COUNCIL MEETING.)

REPORTS

REP28-19 Appointment of advisory board for the Columbia Arts Fund.

(Action: In 2012, the City Council approved the establishment of the Columbia Arts Fund with the Community Foundation of Central Missouri. There has been a lapse in sustaining advisory committee members, and the OCA seeks to re-establish this committee.

At its March 11, 2019 Commission on Cultural Affairs meeting, the following persons are recommended to Council to serve as members of the Advisory Committee of the Columbia Arts Fund:

James Melton (member)
Natalie Thomas (member)
Alan Toigo (member)

Lili Vianello (Chair of the Commission)

Sarah Dresser (Manager of the Office of Cultural Affairs)

While there is no formal rotation schedule for members, replacement members of the Advisory Committee will be submitted for approval periodically as Commission members rotate off and on.

A motion to approve the recommended members was made and passed unanimously.)

REP29-19 Living green walls research on feasibility and costs.

(Action: After a public comment presentation by a citizen at Council's March 4, 2019 meeting, more information was requested to explore the idea for a living wall implemented on the Fifth and Walnut Parking Garage. The Office of Cultural Affairs staff has researched these types of projects in other communities as well as received preliminary cost estimates from companies who specialize in living walls.

Three cities have comparable climates to Columbia and have recently undertaken living wall projects. Those cities are: Bloomington, IN, Fort Collins CO, and Lincoln, NE. Each of those communities have experimented with live plantings on the sides of parking garages to varying degrees and with varying methodologies and results. The programs range in cost from \$20,000 to \$175,000. Staff further asked companies who specialize in this type of planter system to estimate the cost to implement such a system in Columbia.

A company named Ambius offers a system of anodized aluminum planters and screens. Plants are planted in the 3-foot long planters then grow up the attached screens to fill gaps created by windows or openings in the garage façade. Estimated cost for such a system is \$5,250 per window.

Live Wall was another company that offered a bid with a slightly different system consisting of furring strips and Slot Rails with irrigation conduits (RainRails), irrigation main line components, irrigation parts and fittings from valves to the RainRails, wall planters, and removable planter inserts (empty). Optional add on features are: Automatic fertilization components, descaling components for hard water treatment. Plants would have to be purchased separately. Perennials are typically priced at \$10 per square foot, and annuals at \$7 per square foot. The cost for Columbia is estimated to be \$70 per square foot, (not including the cost of plants) which would translate to approximately +/- \$4,700 per window depending on actual window size.

Staff also noted three practical factors that must be considered in adopting any such system:

1. Depending on placement in garage, further investigation would be needed on access to current plumbing and proximity to windows. Alterations to current plumbing may be needed to accommodate irrigation system.
2. The higher up a living wall is installed the greater exposure to wind, which requires more constant irrigation so plants don't dry out.
3. Plant selection is important. Perennials would need to be able to endure the winter months. Annuals would require ongoing maintenance to remove in winter and replant in the spring.

Discussion ensued. Trapp was impressed with the report and thought the report was thorough. He would be interested in finding out if we could get input from the parking utility since that is where the funding would most likely come from. He thinks this could work on a small scale. Skala was a little more skeptical. He discussed this with some people in Portland OR where they have these. Skala thinks maintenance could become a real problem and traced why we have such a tall parking garage. He would

like more public input. Peters thinks the garage looks fine the way it is. The report was great. She would be curious to make sure that we have better fencing to prevent jumpers instead of planting flowers. Pitzer said it was interesting, but he is not convinced. If maintenance is too expensive; if plumbing and irrigation are required, he thought this could be hypocritical since we are discouraging irrigation and raising water rates. Skala noted that there are color panels in the parking garage called Sky Algorithm. Trapp noted that this garage was a mistake the way it was built, but thought we should pursue this. We have spent extra money on the Short Street garage. The Mayor thinks they should settle the safety issue on this garage before spending money on this.

No formal vote was taken but some indicated this might be worth additional investigation.)

REP30-19 Intra-departmental transfer of funds request.

(Action: No additional action was taken or required by council.)

GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Public

One person noted that he and Trapp were at a meeting last Sunday. The subject was homelessness activists called Operation Safe Winter. The speaker said he had not ever heard of them. He thinks this is good news since they are supplying sleeping bags, food and general products. We need to figure out what homeless people need.

Another person rose to express a concern about plantings on the new garage, including safety. She also asked about the homeless meeting. Who is handling that? The mayor said it was Randy Cole on city staff. She ended with a safety concern. I think we need human beings to help detect crime instead of always relying on technology.

Council

Skala wants to have a report on the history of Indian Hills neighborhood in conjunction with the Sharp End project. He gave a shout out to the McKee sidewalk project that was included in the Consent Agenda. April 13 is Columbia Clean Up. I encourage everyone to participate. He also encouraged everyone to go vote tomorrow.

Peters encouraged people to participate in litter pickup on April 13th. She showed people cleaning up Rock Quarry Road and the street crew helped keep people safe. Then they decided to fix potholes at the same time to make it more efficient. Thanks to the street crew and the police department.

Thomas discussed Columbia Access Television. He wonders where the \$35,000 contract we have with them will go? He thinks they are all important. He thinks that the money could be kept in house and we could run a small channel in-house along with the city channel. You could also work with Rag Tag Cinema and see how that might work to keep this good work going. The Mayor asked what happened to that channel with Mediacom? No one knew. The Mayor said Rag Tag could be one place and maybe the Career Center could be involved. It might be something the private, non-profit side could pursue. The **Mayor** said that with the documentary film business finding a home here, there could be some advances in this regard. Thomas asked if we could invite proposals.

Trapp discussed Operation Safe Winter. He noted that they are filling some gaps in helping homeless people in this community. They have raised some private money and are looking at staging monthly events. They have been a nice addition to the social safety net. The Fair Housing Task Force continues its

work. CDBG funds can be used for a variety of uses, but leadership in this area will have to come from the non-profit sector.

Staff
(None.)

ADJOURNMENT
(Time: 9:19 PM)

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