

CITY WATCH

“The Week”

APRIL 20 - 21, 2019

AIRPORT REOPENS WITH ANNOUNCEMENT OF ADDITIONAL FLIGHTS

The Columbia Regional Airport reopened for business this week after repairing a crosswind runway that had been cited by regional airlines as a potential hazard for commercial air passengers. Along with the re-opening, the city also delivered three pieces of good news: 1) The city believes that the federal government will pay for most of the cost of the repairs that were made to the runway (estimated to be in the neighborhood of \$500,000); 2) American Airlines will add two more daily flights from Columbia to Chicago (for a total of four); and United Airlines has added a third daily flight to Chicago in addition to its existing flight schedule.

AURORA ORGANIC DAIRY OFFICIALLY OPENS FOR BUSINESS

Aurora Organic Dairy officially opened its doors for business this week, creating 100 initial new jobs and establishing a key milk distribution location in the center of the United States. Although negotiations regarding specific details of the deal ranging from the sale price of the 102-acre property to tax incentives and lease agreements have been going on for the past two years, initial contact with the dairy was made as early as 2008.

The dairy purchased the site for \$2 million from the City of Columbia and will receive substantial tax abatements on the land for at least ten years through a complicated bond/lease arrangement negotiated by REDI, the city and the county. Job creation targets were included as a part of the negotiations.

The dairy will produce pasteurized milk products and will have the capability to produce and distribute non-dairy products in the future. This is the dairy's second United States location.

TALK OF AUDITS AND CHARTER CHANGES

During the most recent city council meeting, the idea of an internal performance audit was raised. The audit would be conducted by the newly-hired city auditor, and would be designed to evaluate all departments over the course of three to five years, with specific priority areas defined for immediate attention. This concept met with general approval from the council, but, it was noted by some council members, that such an audit would not necessarily replace an earlier call for a city-wide performance audit conducted by the Missouri State Auditor. Other members of the council balked at the idea of the larger audit due to cost and time factors, but did agree that the internal review had merit.

During the discussion it was suggested that the city auditor, who currently reports directly to the city manager, could be directly responsible to the city council as a body rather than to the city manager, a single individual. Such a change would require a change to the city charter and would require a public vote of Columbia citizens. Since this idea was discussed as a report, not as a bill or resolution, no formal action regarding the pursuit of a charter change was taken, but there could be future action in this regard.

It is not clear at this time if the council will agree to put a question to change the city charter on the ballot, and it is not clear whether such an action would open the charter to additional changes to the charter that were not discussed during the Monday meeting. What *is* known is that groups and individuals on both the left and right side of the political spectrum have suggested other charter changes in the past, but most have never been publicly debated or placed on the ballot for public vote. This is a topic to watch.

COMMISSIONS OPEN AGAIN

The City of Columbia has issued a new list of openings on various boards and commissions. This action is interesting, since a sufficient number of individuals had applied for positions on the Board of Adjustment and Planning and Zoning Commission, but council members generally agreed that individuals who expressed a desire to serve on these two boards should be interviewed by the whole city council prior to appointment. **This marks a change in policy** regarding appointments to these two boards/commissions. The practice of interviewing had been used in the recent past, but was scrapped when it became difficult to schedule both council members and applicants for interviews.

The application period for those two boards was re-opened and several other board and commission positions are now open as well. A complete list follows.

- Board of Adjustment
- Broadband Business Planning Task Force
- City of Columbia New Century Fund Inc. Board
- Columbia Housing Authority Board
- Disabilities Commission
- Downtown Columbia Leadership Council
- Environment and Energy Commission
- Parks and Recreation Commission
- Planning and Zoning Commission
- Youth Advisory Council

Applications must be received by the City Clerk's Office, 701 E. Broadway, second floor, by 5 p.m. on Friday, May 3. Applications are available at the Clerk's Office or on the City's website at CoMo.gov on the City Council page. To view a brief description and eligibility requirements, visit CoMo.gov/Council/Vacancies or contact the Clerk's Office.

FIRES AND FIRING UP

Fire District Boundaries – In 2018, the Missouri Legislature passed a law that allows fire districts to continue to receive tax revenues and gives the fire districts primary service responsibility within their current boundaries, even if those areas are annexed into an adjoining city. However, other statutes indicate that cities must provide fire service to any areas within their corporate limits. A lawsuit regarding the situation has been filed to make a final determination regarding which entity is entitled to receive corresponding tax revenues paid by citizens and who had primary responsibility for answering

calls when fires or other emergencies are reported. Currently, Boone County Joint Communications dispatches both city and district fire crews when calls are received from disputed areas.

On Monday night, the Columbia City Council agreed to put a temporary hold on a lawsuit filed by the fire district and give the state legislature time to pass a bill that will clarify the situation. The legislature adjourns on May 17th of this year. The agreement to put a temporary hold on the lawsuit will expire on June 1 if the legislature does not take action.

Medical Marijuana - The Missouri Legislature has created a situation that puts the City of Columbia in a bind – this time in relation to the new law allowing the cultivation and sale of medical marijuana in the state. The problem is, it is not clear WHERE eligible growers and buyers can actually go about their business. State law outlines a specific process for applying for licenses to grow, process, test and sell medical marijuana. But one of the questions on the application requires applicants to provide a specific address for where the growing or selling will take place. The Columbia UDC (Unified Development Code) does not specifically define the sale or cultivation of marijuana as an allowed use and so does not say where such facilities would be allowed. State law prohibits such facilities from being within 1,000 feet of a school, church or child care facility, but also allows local governments to adopt their own rules regarding proximity other restrictions.

As a result, the Columbia Planning & Zoning Commission had scheduled special worksessions to craft new rules and definitions relating to weed that will be forwarded to the city council for final action. However, a staff recommendation indicates that even if P&Z commissioners craft new rules that differ from the existing state law, there would not be sufficient time to vet such proposals. So... they intend to forward a proposal to council that simply defines marijuana dispensaries, testing, and growing facilities in the new code and assign them to general zoning classifications, but does not change any rules regarding proximity to schools, churches and day care facilities. Therefore, P&Z cancelled its remaining special work sessions on this topic and will go directly to a public hearing which will be held on May 9 during the regular P&Z meeting.

According to the time frame established for implementation of the new state law, the city must complete their work on or before June 4 of this year to allow applicants enough time to qualify for the limited number of licenses available from the state. If P&Z and the City Council are able to stay on track with their current schedule, the City Council will vote on the issue on June 3. Comments on the new proposals should be directed to your city council representative or to the P&Z Commission through the Planning Department at City Hall.

NEWLY ELECTED COUNCIL MEMBERS SWORN IN – WITH A TWIST

On Monday night, the re-elected Mayor Brian Treece, 3rd Ward Council member Karl Skala and 4th Ward council member Ian Thomas were all sworn in for three more years of service based on the outcome of the April 2 election.

Thomas, who has been under scrutiny for his role in soliciting financial support for affordable housing from prospective developers, took the opportunity to apologize for any indiscretions that may have occurred, and further suggested that in the future he will disclose all “ex-parte” contacts he has with constituents, lobbyists, interested parties or other individuals regarding legislation that will come before the city council for consideration.

Ex-parte contacts are considered to be discussions that occur between a council member and interested parties but are not necessarily shared with all members of the council by the interested party.

By rule, the Planning & Zoning Commission asks each commissioner to disclose any such contacts at the beginning of consideration of all issues that come before them. The council, however, does not follow that same disclosure rule. This is a voluntary action by Thomas. It is not clear if other council members will adopt this same approach regarding future council consideration of issues, or whether this will have any impact on the rule currently followed by the P&Z commission. Any communications that are delivered to ALL commissioners or officials are exempt from individual disclosure.

MANAGING EDITOR TO LEAVE COLUMBIA DAILY TRIBUNE

Charles Westmoreland, the Managing Editor of the Columbia Tribune, will leave that post this summer according to an announcement by GateHouse Media. He has served in that role since June of 2017. He plans to return to Alaska from whence he came. No successor has yet been named.

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