



Columbia City Council Meeting Recap
Council Chamber, Columbia City Hall
7:00 PM
Monday, November 18, 2019

	INTRODUCTORY ITEMS
Pledge of Allegiance	(Recited as indicated.)
Roll Call	(Present: Treece, Trapp, Skala, Peters, Thomas, Ruffin, Pitzer) (Absent: None.)
Approval of Minutes	(No previous meeting minutes were approved.)
Adjustment of Agenda	(Thomas recused himself from appointments to the Community Land Trust Board. Trapp abstained from appointments to the Marijuana Licensure Board. Skala removed R165-19 from the Consent Agenda and moved it to New Business. Pitzer asked to move R161-19 to New Business and further indicated that he would abstain from B347-19. The agenda was amended as indicated.)

SPECIAL ITEMS

SI15-19 Swearing in of De'Carlton Seewood as Deputy City Manager of the City of Columbia.
(Action: Seewood was introduced by the Mayor. It was noted that he has already begun his onboarding process and that he was now participating in his first council meeting. **He was sworn in as the new Deputy City Manager.** He made no formal remarks after the brief ceremony.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

BC14-19 Board and Commission Applicants.

Airport Advisory Board – Tom Drury (*Hotel/Motel Industry*)

Climate and Environment Commission: (*15 vacancies – 35 applicants*)

Amparan, Carolyn
Ascani, Erica
Callis, Steven
Godwin, Linda
Hall, Damon
Hutchinson, Andrew
Kaufmann, John
Ludden, Matthew
Navarrete-Tindall, Nadia

Pingelton, Tim
Raghavan, Raghu
Taylor, Jaquaylah
Thompson, Hallie
Tippett Mosby, Leanne
Triplett, Annette

Columbia Vision Commission – (5 vacancies) Megan Corbin, Anna D’Agostino Wilkerson, Alex Hackworth, Suzanne Hoagenson, Sasha Pass

Commission on Cultural Affairs- Sharon Roulier

Community Land Trust Organization Board – Susan Maze (CDBG Neighbor Rep); Scott Cristal (Comm/Bus Leader)

Convention and Visitors Advisory Board – Eric Lawson

Marijuana Facility License Review Board – Randall Boehm

Mayor’s Council on Physical Fitness and Health – (3 vacancies) Elena Doctor, Elizabeth Harrison, Sasha Pass

Parks and Recreation Commission – Paul Morrison (aka Mo Lewis)

SCHEDULED PUBLIC COMMENT

(None.)

PUBLIC HEARINGS

PH45-19 Proposed construction of a new terminal building at the Columbia Regional Airport; providing for construction of proposed improvement using a design/build contract.

(Action: The current Columbia Regional Airport terminal was opened for commercial traffic in 1969 and has served the mid-Missouri region for over 50 years. Increased security regulations, passenger growth, aging infrastructure, and limited ADA accessibility have made the construction of a new terminal a priority for the City of Columbia. The current facility has approximately 16,000 square feet, two former Columbia Public School (CPS) trailers for secure gate areas, one former CPS trailer for baggage claim, and only one bathroom in the secure area to accommodate up to 177 people.

The City Council reviewed information from the TAMP during a City Council Work Session on February 15, 2016. This study included six potential locations for the new terminal. This study also concluded that the rate of growth exceeded the capacity of our current facility. To meet the demand for this growth it was apparent that the City of Columbia must move forward quickly with the construction of the new commercial terminal.

On December 18, 2017, City Council passed a resolution providing their support for the location identified as Site 1X. This location is just south of the existing terminal and east of Airport Drive. This location was supported with three priorities in mind: Timing, Cost, and Sustainable Practices- all the while meeting safety and security regulations and allowing for expansion as future growth demands.

On July 1, 2019, City Council passed a resolution authorizing an agreement with Burns & McDonnell Engineering, Inc. to provide engineering and architectural services to represent the City of Columbia as the Owner’s Representative for the development of a Basis of Design document that will be utilized for the procurement of a Design-Builder for the new Columbia Regional Airport Terminal.

On July 15, 2019, a Pre-Council Work Session was held where staff presented an update of the airport terminal project and discussed the pros and cons of the three options considered for design and

construction: Design/Bid/Build, Construction Manager at Risk, and Design/Build. Council members expressed support for the Design/Build method which expedites the construction, reduces costs, and thus reduces risks to the City of Columbia while meeting the demands of the increasing passengers utilizing COU.

Based on the projected passenger growth, the new terminal will be approximately 60,000 square feet. The construction will be a phased approach with the first phase cost of approximately \$20,000,000.00. Staff intends to include bid alternates for the construction project Phase 1, which is planned for calendar years 2020, 2021, and 2022. Subsequent phase(s) will be determined after the RFQ is awarded and any additional funding is determined. Future phases of the project will cost up to \$15 million.

Skala noted that in the diagram some parking lots had darker shading than others. He asked if that was to differentiate paved lots from gravel lots. Staff indicated that the shading did not indicate anything specific. The Mayor asked about the phased approach to construction and asked what the first phase would result in. Staff responded that the first phase would result in an operational terminal including new gates, passenger areas, inbound luggage facilities, security and basic operational requirements. Phase 2 would add additional office space for operations, car rental and airline space, and outbound luggage facilities. The Mayor asked how outbound luggage would be handled if it was not included in Phase 1 construction? Staff indicated during Phase 1, passengers would be required to enter the old terminal, drop off bags, then proceed to the new terminal. The new terminal would be connected to the old terminal through a covered walkway.

The Mayor then asked if money were available, could the outbound luggage function be integrated into the new building plan. Staff/consultants indicated that if funds were available, that could be incorporated, but that this was the best compromise within the Phase 1 budget. The Mayor thought it seemed counter-intuitive that you would build a new terminal then ask people who are departing to enter the old terminal first to drop off luggage. The consultant acknowledged that fact, but said it was the best scenario out of many considered when trying to accommodate both budget and function. If all \$35 million were available up front, the entire complex could be designed and built initially and additional parking could be made available, but some funding, particularly federal funds would not be available until the second phase. Staff indicated that there was an escalation cost of \$3 million identified, and that the addition of outbound luggage facilities to the new terminal building would cost in the \$900,000 range. The escalation costs are built into the total \$35 million price tag.

The Mayor asked if anything in the current Phase 1 plan could be cut to accommodate the outbound luggage facility. The consultant indicated that once the new facility is built out and additional funding is identified, the new facility could be reconfigured in many ways, including the incorporation of outbound luggage into the new building. The current walkway is not expensive, but it is necessary at this time.

Peters asked about the source of funding for Phase 1. Staff indicated that those funds came entirely from local sources including local obligation bond funding, the transportation tax and the city loan fund. Pitzer asked if Phase 2 funds were also local? Staff indicated that some federal funds would become available in Phase 2, along with some limited operational revenue. Phase 3, if necessary, would include income from operations and airport tenants. The consultant added that the current layout is conceptual in nature, but, is dependent on anticipated availability of funding and provides what they believe to be the least inconvenient option for passengers. Pitzer asked if there were additional costs by doing the design twice? The consultant indicated that it is more expensive, but you can only spend the money that

is available according to the timeline. Originally, there were 4 phases, but this has been streamlined in that regard. Did the FAA approve the design-build process? Yes. Pitzer thought this had already been approved in July. Staff agreed that it had been indicated that way this summer, and this formalized that intent. The staff also indicated that work can begin soon on the new terminal due to the earlier approvals and indications. Pitzer asked how we coordinate building new buildings and taking down old facilities. The consultant indicated that it would all be synchronized. The old hangar could be taken down soon, but that would need to be approved by council in January or February, and the process of some demolition could begin in 2020. Hangar 350 could come down as new construction began.

The Mayor asked about October of 2020. That is when a certificate of occupancy can be obtained for other buildings not constructed by the city. The design-build consists of four steps. First is advertising. Second is examining the qualifications of bidders. A short list should be formulated shortly after the first of the year and council will choose from among 3 bidders. That will be followed by a price proposal and then a perceived winner will be determined, then awarded. That part of the process will include a design and narrative of the project. Approvals of that part could occur in April or May of 2020. Engineering and design concepts could be amended if more money were available before December of 2020. If more money did become available, that process may be elongated. The Mayor asked if there are Phase 2 modules that could be inserted into Phase 1 if more money became available. The new terminal will be designed as a stand-alone facility, except that it will be dependent on space for outbound luggage handling until sufficient funds are available to install that operation in the new terminal building.

The city manager indicated that he would prefer that people enter the airport terminal through the new facility, then be routed to the old facility for baggage drop-off if possible. He also indicated that there will be and interested parties public meeting when the bidders submit drawings and narratives for final consideration. Then the council will select a final design for Phase 1. The Mayor asked if passengers will enter the old terminal or new terminal first? The consultant said passengers would have a choice depending on how their ticketing occurred. The city manager indicated that they will orient this project toward the use of the new terminal to the extent possible.

The public hearing was opened.

The first speaker appeared on behalf of the Chamber of Commerce. He spoke in favor of the construction at the new airport. He noted its growth and its value as an asset to the region. He noted that the current facility has outgrown its usefulness, so they support the new proposal.

No further public comment was forthcoming.

Pitzer asked about the extension of the runway and its timing. The consultant indicated that it will be completed in 2021 before the new terminal is complete. Skala said he thought the old terminal building would become available for some other purpose. Is that use in line with the operations of the airport or will be used for non-airport operations? Staff said the old terminal can be repurposed and used for many different purposes like general aviation.

**The Mayor made a motion to approve the design-build option.
The motion was approved unanimously.)**

PH46-19 Proposed construction of the Tupelo Place and Larch Court sanitary sewer improvement project.

(Action: The Tupelo Larch Sanitary Sewer Improvement Project will consist of constructing approximately 550 feet of new sewer pipe and two sanitary sewer structures. The existing sanitary sewer pipe system and two existing structures will be abandoned and/or removed. The existing sewer system is made of vitrified clay pipe (VCP) and is failing.

There have been ten reported SSOs at this location since 2008, with the most recent one occurring on December 31, 2018. The new alignment will improve pipe hydraulics, and the enlarged pipe diameter will also create more storage in an effort to reduce the frequency of surcharging sewer structures and sanitary sewer overflows in this area.

The City of Columbia owns one of the two properties on which the sanitary sewer is proposed to be located. Staff has met with the property owner of the other parcel to discuss the scope of the project as well as potential easements that will be required. The property owner is generally supportive of the project. In addition, Staff has discussed the project with MoDOT as the project will tie into an existing sanitary sewer structure located within MoDOT right-of-way.

The resolution cost estimate for this project is \$235,000.

The public hearing was opened and no speakers appeared.

**A motion to approve was made and seconded.
The motion passed unanimously.)**

PH47-19 Proposed construction of the Quail Drive storm water improvement project.

(Action: The storm drainage system on Quail Drive is undersized and the existing corrugated metal pipes are rusted through. This proposed project will address street flooding and maintenance issues with regard to sink holes due to failing stormwater pipes. A sanitary sewer main will be relocated to provide adequate clearance for the new stormwater pipe.

This storm water project was on the list of projects identified to be funded as part of the rate increase approved by the storm water ballot in 2015. The cost estimate for the project is \$525,000, and payment shall come from Storm Water Utility funds.

The Quail Drive Storm Water Improvement Project will consist of constructing approximately 770 feet of new storm water pipe, seven storm water inlets, and two storm water structures. The project also includes relocation of approximately 210 feet of gravity sewer main and two sanitary sewer structures to accommodate the larger storm water pipe within the existing utility easement.

One person from the public appeared to provide testimony.

The first speaker indicated that she is a long-time resident of the neighborhood. These are needed improvements. She would like to know the start and end times for construction and daily operational timing. What will be done to have access to off-street parking? Also, what will happen to the community mailbox at the end of the street? The Mayor said the city crew does take this into account. Staff could not give a definite time frame for construction at this time. Staff also indicated that they will keep the mailbox open and will try to keep access to off-street parking available. The project will be 6 to 9 months

in duration and will start next year. Staff indicated that most crews work from 7 AM until late afternoon to avoid noise and disturbance. The speaker asked for the name of a contact person. Staff said they will provide the neighbors with a specific contact person. The speaker asked when the details will be more concrete. Staff said they will notify the neighborhood early next year, prior to the commencement of work. Skala also indicated that residents can contact him directly.

There was no further public comment.

A motion to approve passed unanimously.)

(The following two items deal with the same subject matter.)

PH48-19 Proposed construction of the Magnolia Falls Park improvement project to include construction of a playground structure and small shelter, renovation of the existing gravel perimeter trail, grading improvements to create an open playfield and expansion of the existing pond, construction of a small parking lot and an ADA walkway, and installation of signage, bike racks, fencing and landscaping.

[See B338-19/Mayor Memo]

(Action: The proposed improvements to the park include the construction of a small shelter, playground, 0.6-mile gravel trail, small parking lot, pond improvements, ADA walkway, and other miscellaneous park improvements. The total project budget is \$125,000 and is one of the projects identified and funded by the 2015 Park Sales Tax. Portions of the project will be bid through the City's Purchasing Department, and the proposed improvements will be completed using a combination of contract and force account labor. Contract labor will be used for the installation of the playground, pond improvements, parking lot construction, and ADA walkway construction. All other work will be completed by park staff. Improvements at the park are scheduled to begin spring 2020, with an anticipated completion date of spring 2021.

Staff noted that during public information meetings, many neighbors expressed concerns about the park generating on-street parking by people who drive to the new park; opposition to the basketball courts in the original plan; potential damage to a large white pine if they expand the pond; ADA access; and the expenditure of funds on a new low-water crossing bridge. Staff looked at the proposal after the first neighborhood meeting and came back with a plan that eliminated the basketball court and low-water bridge and expanded the parking area to accommodate more cars and make it ADA compliant. These changes helped gain consensus among the neighbors. Plans to reconfigure the pond were also changed to avoid damage to the large pine.

Staff indicated that the new or replacement bridge would have cost \$65,000, so they use the funds to make other, more acceptable park improvements. The time frame for construction is within the next 12 months. Some of the playground work will be let to outside contractors and some will be performed by park staff. The Mayor asked how long the connection trail is from the new parking lot to the park itself. Staff said it was not longer than 100 feet. That trail will be concrete. The Mayor asked how often commissioners from the Park Board attend public information meetings. Staff indicated that they are pretty good about attending, particularly if they are the commissioner from that particular ward.

Ruffin asked why people would be opposed to a basketball court? Staff said it was perceived that such an amenity would draw people in from outside the neighborhood and they wanted this to primarily serve the local neighbors. Staff added that they could come back later with a basketball court plan if the initial experience with the new park was positive. Thomas asked if a new bridge were ever proposed,

would it necessarily damage the big pine tree. Staff said no, if it were configured and placed appropriately, but that for now, they are not pursuing such an option.

There were no public speakers on this topic when the hearing was opened and no further council discussion.

See the next item for final action on this issue.)

B338-19 Authorizing construction of the Magnolia Falls Park improvement project to include construction of a playground structure and small shelter, renovation of the existing gravel perimeter trail, grading improvements to create an open playfield and expansion of the existing pond, construction of a small parking lot and an ADA walkway, and installation of signage, bike racks, fencing and landscaping; calling for bids through the Purchasing Division for a portion of the project.

(Action: **The council unanimously approved the construction of Magnolia Falls Park improvements as submitted.**)

OLD BUSINESS

B337-19 Authorizing a power purchase agreement with Boone Stephens Solar I, LLC.

(Action: A Department objective is to regularly evaluate the opportunity for additional renewable energy resources. In 2018 staff believed the market was at a good point for the development of solar energy resources and the Water & Light Department should look at the options available for a contract for solar generated energy. RFP 48/2019 was issued for the Purchase of Solar Energy Power that closed on 1/30/2019. As a result of this process staff is bringing forward a contract with Boone Stephens Solar for consideration.

The term of this contract is 20 years. Contract price is \$31.65 per MWh with no escalation in price for the life of the contract. The total size of the solar field "Expected Facility Capacity" is 64 MW's at the "Point of Delivery". The field is planned to have an annual capacity factor of about 25%. Initial annual energy production is estimated around 142,000 MWh's for the first few years for an initial cost of just over \$4.5 million per year. An annual degradation rate of approximately 0.5% is anticipated.

The contract will be paid out of the annual power supply budget which is \$78,000,000 for the current fiscal year. The field will have an "Expected Commercial Operation Date" of no later than December 31, 2023. The solar field is planned to be tied directly into Columbia 69KV system at the existing Bolstad substation, "Point of Delivery". The expectation for this resource is to be an in-front-of-the-meter MISO market resource. The project will be required to construct the "Interconnection Facilities" to the "Point of Delivery". Also, within 20 months of the approval of the project, the applicant must obtain all pertinent government approvals and easements for connection to the city electrical system. If costs become excessive during that time, the applicant has the right to withdraw from the project.

Chapter 27-106 of the City Ordinance details the required purchase of electricity generated from eligible renewable energy sources at the following levels:

- 2% by 2008
- 5% by 2013
- 15% by 2018
- 25% by 2023
- 30% by 2029

The Climate Action and Adaption Plan has set specific greenhouse gas emission reduction targets for municipal operations. The targets for reduction of municipal operations greenhouse gas emissions below the 2015 baseline are 50% by 2035 and 100% by 2050. One of the strategies to achieve these ambitious emission reduction goals is to maximize Columbia Water & Light's renewable energy purchasing and production.

An important aspect of this planning process is to understand the possible impacts of these increased levels of renewable electric generation and how we plan for the risks they incur.

Our current renewable rate impact methodology is an incremental cost impact model which works with the assumption that renewable generation provides needed capacity, does not exceed current load and can be absorbed by the existing dispatchable resources. When the level of renewable resources has the potential to operate outside of these assumptions, additional impact assessments should be considered. It is important to know that at some point we would be producing more energy relative to our load, depending upon the reconciliation interval considered (i.e. hourly, daily or monthly). As renewable resources are added we will reach a point where the energy produced from our resources exceeds Columbia's load. This excess generated energy will be settled directly in the MISO energy market. To account for this staff has worked to assess the energy market risk of these contracts for Columbia. Our first approach for this consideration was to contact The Energy Authority (TEA). TEA is Columbia's Market Participant in the MISO Energy Market. We asked TEA to assess the market position of this solar resource in using our current Risk Model.

Using this approach shows the Boone Stephens Solar contract will have an annual contract cost of \$4,532,970 and market revenue of \$4,392,980 which results in a net position of (\$139,990) of cost for this contract when settled in the MISO Energy Market.

Our next approach was to conduct an in-house evaluation of the market position for Boone Stephens Solar using a simpler approach. In this approach we took the contract cost minus the MISO market price multiplied by the projected generation for each hour. Using this approach shows the Boone Stephens Solar contract will have an annual net cost position of \$492,164 for this contract when settled in the MISO Energy Market.

There are a number of system factors that can affect the impact on rates from this contract on an annual basis, such as availability of generation resources, system load, MISO market price and system capacity to name a few. Staff believes the numbers presented here represent a range the impact on rates for this resource will operate in. How this resource actually performs year to year will change and should be evaluated on an annual basis as part of the Annual Renewable Energy Report.

While staff believes that this contract represents a good opportunity to secure a utility scale local solar generation resource, this contract will be adding to the environment that the Integrated Electric Resources and Master Planning Task Force will be working in to fully analyze and explore when making recommendations on plans for the future of the electric utility.

Skala asked about involvement by the Water and Light Advisory Board in reviewing this proposal. Staff indicated that the Water and Light Advisory Board had been very involved in the process and has recommended approval of the project. The Mayor asked how much of the power produced by this project the city is obligated to buy. Staff indicated that they have to buy all of it. The Mayor asked how the cost of this power compares to other sources the city currently uses. Staff indicated that in real

terms, the cost is \$6.68 less than the aggregate combined non-renewable energy currently used by the city, and that figure is how they determined that the city could make up to \$1 million on this contract in any given year depending on load and market price. Other evaluations also indicate that the city could lose between \$140,000 and \$500,000 per year, depending on the required electric load level. The more the load grows, the better the city is likely to do with this source of power. The staff also indicated that in any given year they could break-even, lose money or make money by reselling in the secondary market. Staff explained that when they have more power than they need, they become a power merchant and sell excess capacity through the MISO market. Studies show that under current conditions, the city could lose \$140,000 in any given year – or potentially up to \$500,000 if more conservative assumptions were used. All studies performed on potential pricing were based on existing load level comparisons.

Pitzer asked staff to explain capacity costs. Staff indicated that they receive federal credits regarding capacity that drive the city's ultimate real cost down. The differential in marginal locational costs are offset by load credits. Staff explained that for this solar plant, peak production occurs when local demand for power is at its highest, so it fits the credit model best. The formulation of cost credits reflects the value of the resource when it is needed most. The value changes when power is produced that is not immediately needed. The city's studies show both incremental value and cost.

The Mayor asked where the applicant is regarding approval processes for this project. Staff said they have a right of first refusal on the land site and have begun the MISO application and approval process. The Mayor asked about another wind project listed on the city energy source list and staff indicated that although Grain Belt is listed, it is not yet online.

The public hearing was opened.

The first speaker indicated that he was a representative of Dakota Power Partners who is the applicant in this project. He provided a short background on the company indicating that they had a combined 80 years of experience in this type of project and have completed projects worth more than \$4 billion in investment to date. The new plant, when constructed will be located just north of Columbia and will be capable of producing 142,000,000 kilowatts of power annually – enough to power 12,500 homes. He noted that this a low-cost energy alternative that will create no sound, light or additional pollution streams. The plant will produce power year-round and will create construction jobs and positive economic impacts for the city. Some ongoing jobs will be created for maintenance and operations.

The amount of power produced by this new solar farm will be equivalent to taking 21,000 passenger vehicles off the road each year. It will produce power equivalent to the burning of 109 million pounds of coal each year. The speaker noted that this proposal matches the renewable energy goals set years ago by this council and fits in well with the Climate Action Adaptation Plan.

The speaker noted that the price does not fluctuate like general commodities since the production of solar power is not dependent on the burning of a base fuel to generate electrical power. He also confirmed that they do have land under contract if this agreement is ratified. He indicated that there has been no negative response from neighbors at this point. In response to questions about the federal tax credit program step down, the speaker indicated that that is why they are coming forward with this proposal now, and that they can qualify for the full 30% credit if they can safe harbor equipment for the project within the coming year and go online at some point near the contract date.

The next speaker appeared on behalf of the Water and Light Advisory Board. He noted that the applicant had engaged that commission and had agreed to some suggested contractual changes during the course of the review. He thought that Dakota Power Partners had been transparent throughout the process and that they thought this had been a very good model of a review. He indicated that the Water & Light Advisory Board fully supports this proposal.

The next speaker said he represents RENEW and that they believe this is a good project for many reasons. It fits in with the excellent goals for renewable energy developed by the city; it provides clean energy to Columbia; and because it is local, it lets people actually see where clean energy can come from. He fully supported the proposal.

The public hearing was closed.

Skala said he thought this was a very important step forward in meeting renewable energy goals and he fully endorsed the project. Pitzer agreed and noted that we are moving in the right direction. The Mayor indicated that he hoped Dakota Power had chosen Columbia because of its leadership in this area and that this project is a good fit for a place like Columbia.

A motion to approve the contract passed unanimously.)

B345-19 Amending Chapters 4 and 24 of the City Code relating to the regulation of sidewalk cafes.

(Action: On February 4, 2019 the City Council approved amendments to Chapter 4 (Alcohol) and Chapter 24 (Streets, Sidewalks, and Public Places) pertaining to permit requirements for sidewalk cafes in the downtown. The ordinance amendments were initiated at the request of the Downtown Columbia Community Improvement District. After staff began administration of the amended ordinance, collecting applications and fees for several sidewalk cafes, the CID leadership requested an administrative delay on the permit requirement to reassess the ordinance requirements. The City Council approved the delay on August 19, 2019 which is effective until January 1, 2020.)

The CID canvassed their businesses following approval of the administrative delay. The concern expressed by several business owners is that the existing ordinance over-reaches by requiring annual permits and (\$100) fees for relatively simple placements of tables and chairs that are portable. There is general agreement that the filing with the City of simple plans showing table-and-chair arrangements and the 60-inch clear accessibility requirements are reasonable requirements. The draft ordinance amendments remove the permit and application fee requirements from the sidewalk café ordinance. The design standards remain, especially the requirement that 60 inches of clear pathway be maintained on the public sidewalk. Instead of a permit, the ordinance now only requires that a plan be placed on file with the City.

Staff also noted that any fixtures attached to sidewalks would require right-of-use permits, but that most were fairly portable fixtures or furniture.

The Mayor asked if staff thought this was a sufficient protection. Staff said yes and indicated that they will ask for compliance first, then pursue any other remedies if businesses would not cooperate initially. Chain and bollard barriers can be used to separate the dining areas from the general pedestrian flow. Skala asked about tables and chairs abutting parking places. Staff said that if furniture is placed too closely, and the city receives a complaint, they will respond and ask the establishment to move the infringement. The city has a technician who can assist the establishment with correct placement.

One speaker appeared and expressed gratitude for the city making these accommodations. Ruffin asked if the CID would also serve as a place for complaints. The CID said that they would and that they would like to be the first to know.

The motion to approve was approved unanimously.)

CONSENT AGENDA

(All items remaining on Consent Agenda unanimously approved, except where members had indicated abstention.)

B330-19 Approving the Final Plat of “Northwest Highlands Second Addition, Plat No. 2” located on the northwest corner of the intersection of Mikel Street and Hardin Street; authorizing a performance contract (Case No. 223-2019).

B331-19 Vacating street right-of-way at the east terminus of Jacobs Place located between East Broadway (State Route WW) and Broadway East Terrace Subdivision (Case No. 183-2019).

B332-19 Authorizing an annexation agreement with Old Hawthorne Development LLC for property located on the south side of Highway WW (4172 E. Highway WW) (Case No. 175-19).

B333-19 Authorizing a motor vehicle crash data license agreement with the Missouri Highways and Transportation Commission for the purpose of analyzing data for potential safety enhancement improvement projects.

B334-19 Authorizing a cooperative agreement with the Missouri Department of Conservation for a Tree Resource Improvement and Maintenance (TRIM) grant for the Emerald Ash Borer (EAB) management plan; amending the FY 2020 Annual Budget by appropriating funds.

B335-19 Amending the FY 2020 Annual Budget by appropriating funds received from the University of Missouri and the Economic Development Administration associated with construction of the Discovery Drive Roadway and Sewer Extension Project.

B336-19 Accepting conveyances for street and sidewalk purposes.

B339-19 Authorizing a tax credit agreement with the Missouri Development Finance Board and Columbia Center for Urban Agriculture relating to construction of the Clary-Shy Community Park - Agriculture Park - Phase II improvement project.

B340-19 Amending the FY 2020 Annual Budget by appropriating funds for the 2021 Columbia Bicentennial (CoMo200) planning efforts.

B341-19 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant for a DWI traffic enforcement unit; amending the FY 2020 Annual Budget by appropriating funds.

B342-19 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant for DWI enforcement relating to sobriety checkpoints and saturation patrols; amending the FY 2020 Annual Budget by appropriating funds.

B343-19 Authorizing a contract with the Missouri Department of Transportation - Highway Safety and Traffic Division for acceptance of a grant to conduct special traffic enforcement of hazardous moving violations; amending the FY 2020 Annual Budget by appropriating funds.

B344-19 Authorizing a fire service cooperative agreement with the Boone County Fire Protection District relating to primary service responsibility and automatic aid where service boundaries overlap in areas along Interstate 70 and Highway 63.

B346-19 Changing the uses allowed within Lot 1 of Centerstate Plat 6 (also known as “Ruby Tuesday PD Plan”) located on the south side of Vandiver Drive and north of Bass Pro Drive (3310 Vandiver Drive) to allow a medical marijuana dispensary as an allowed use; approving a statement of intent (Case No. 190-2019).

B347-19 Approving the Final Plat of “Truman Solar” located on the south side of I-70 Drive SE and approximately 2,000 feet east of St. Charles Road; authorizing a performance contract (Case No. 202-2019).

R161-19 Expressing support for a grant application by the University of Missouri-Columbia for an analytical safety study of electric-assist scooters as part of the Behavioral Traffic Safety Cooperative Research Program.

(This item was removed from Consent and moved to New Business for discussion.)

R162-19 Authorizing an agreement with the Missouri Basketball Coaches Association for sports development funding under the Tourism Development Program for the FY 2020 Norm Stewart Classic “48 Hours of High School Basketball” event.

R163-19 Authorizing agreements for FY 2020 Signature Series Funding under the Tourism Development Program.

R164-19 Authorizing the installation of a streetlight on the west side of Apple Tree Court.

R165-19 Authorizing a memorandum of understanding with Ring LLC for access to the “Neighbors by Ring” portal application to assist in law enforcement operations and investigations.

(This item was removed from Consent and moved to New Business for discussion.)

R166-19 Authorizing a software license agreement with Foundant Technologies, Inc. for hosting, maintenance and support services for the Office of Cultural Affairs’ funding program to local nonprofit arts organizations.

NEW BUSINESS

R167-19 Approving the Rock Quarry Road Corridor Plan; adopting the Stakeholder Recommendation and Implementation Matrix to serve as a guide for future policy and regulatory change applicable to the Rock Quarry Road corridor (Case No. 231-2019).

(Action: The Rock Quarry Road Scenic Road Overlay (SR-O) was adopted in 1998 and provided corridor specific provisions intended to preserve the scenic qualities of Rock Quarry Road from Stadium Boulevard to the southernmost corporate limits of the City. In 2002, the City adopted the Rock Quarry Road Special Area Plan as a planning document to guide land use and redevelopment decisions within the area. In August 2012, the regulatory requirements governing the establishment of Scenic Road Overlays (Section 29-3.3(b) of the UDC) were modified to provide for a corridor planning process, a roadway design process, and inclusion of definitions for “routine maintenance” and “alterations and improvements”.

Pursuant to these revisions Council, in May 2014, established the Rock Quarry Road Scenic Roadway Stakeholder Advisory Group (Advisory Group) to prepare a Corridor Plan for the designated Rock Quarry Road SR-O. The 11-member Advisory Group held meetings between 2014 and 2017 with the primary objective of evaluating various scenarios that could help guide development and maintenance decisions along the roadway corridor with a general focus of protecting the scenic qualities responsible for the roadway’s SR-O designation. In January 2017, the Advisory Group with the assistance of the City Traffic Engineer (staff liaison) completed the attached Final Report (the Report).

In 2018, the Advisory Group submitted the report to the P&Z Commission for review. The Commission identified several issues with the Report’s contents that it desired to review at greater length prior to moving the Report to a public hearing. Of principal concern to Commissioner’s was the desire to

understand how the Report interacted with the existing 2002 Special Area Plan and how the proposed goals and objectives of the Report would impact future SR-O's that may be established.

As a part of its final review, the Commission classified Report contents as falling into one or two categories (global or specific) and developed a "Recommendation and Implementation Matrix" intended to be used as the tool for guiding future regulatory or policy decisions that would be needed to effectuate the overall Report's goals and objectives. In general the Commission found that the Report, while not a traditional "corridor plan" as envisioned by the requirements of Section 29-2.3(b)(7)(i), did contain significant value as a guidance document that expressed desired outcomes relating to development and maintenance along the Rock Quarry Road corridor.

The Commission also concluded that many of the recommendations contained in the Report would be applicable to future SR-O roadways that may be designated. Given this conclusion, the Commission believes that the general regulatory provisions governing SR-O's need additional modifications to clearly distinguish Report recommendations that apply specifically to the Rock Quarry Road SR-O and those that would be applicable globally to all SR-O's moving forward.

The Planning and Zoning Commission consider this item at its October 24, 2019, meeting. Most notable issues were increasing communication about the SR-O requirements, addressing "illegal" clearing, and creating a "retroactive" buffer replacement provision. Both the report and the matrix were approved by a 6 – 0 vote of the P&Z Commission.

Some recommendations in the report could have a price tag attached to them if implemented, although no specific costs were identified. Potential impacts are dependent on what policy or regulatory changes are implemented within the next few years. Cost impacts may be incurred if consultant services are required for assessments and cataloging of corridor features or if roadway signage or products used to ensure roadway safety (i.e. guardrails) are changed. Additional costs could include maintenance or updating of inventories of corridor-related features, public notification costs, and increased staffing to enforce and/or maintain corridor elements.

Two speakers appeared in support of the plan. The first speaker noted that she is very happy with this work product and that it has taken several years to achieve. This was a true group process. It was educational and resulted in many positive changes. The concept of a scenic road is important. One friend said they thought that this had already been passed by the city. The speaker said that the original ordinance did not always do what it was supposed to do, so this is an improvement. She emphasized two important things. The original plan was very general. This time, the bill is more specific in some regards, but defines different areas better. It is also important to have naturalists on board. We don't want to use the words "pretty" or "Beautiful". It is to enhance and protect what is already there that makes it scenic. We have a nice downtown. We have great trails. We also have a great scenic road. The speaker also noted that new priorities have emerged, and not everyone agrees with all elements, but replanting, restoration, enforcement and protection are all important. We believe these documents establish a blueprint for this work.

The second speaker also thanked the citizens who worked on this over the past 22 years. We want to emphasize that this is the beginning of a new phase, not the end of a process. Don't stick this on a shelf. Use this for guidance to help us maintain this treasure for our community. We ask for immediate attention to restoration and give attention to the dangerous sides of the road. We ask for enforcement.

There was no further testimony.

Peters noted that she was involved in this process and thanked the citizens who were involved. She also thanked P&Z and is pleased with the result.

A motion to approve the plan passed unanimously.)

R165-19 Authorizing a memorandum of understanding with Ring LLC for access to the “Neighbors by Ring” portal application to assist in law enforcement operations and investigations.

(This item was removed from Consent and moved to New Business for discussion.)

(Action: Skala asked the Chief of Police if this was a direct form of communication between neighbors and the police department? Is this something like Neighborhood Watch or does this intersect with other apps and methods? The chief indicated that this is similar to NextDoor. Those kinds of apps require you to be invited. This app allows neighborhoods to opt in and helps bring coordination to the overall system that does not exist within NextDoor. Skala asked if this is a reallocation of any existing resources and wants the police to continue devoting sufficient resources to high intensity neighborhoods and hope this helps. The chief said this is somewhat of a blessing because it helps fill in gaps.

The Mayor asked if neighborhoods opt in per incident or if it is more general in nature. The chief explained that this is opt in by person. Trapp noted that sometimes these kinds of things seem creepy, but there are several people who are concerned about crime. He thinks this helps and he will support this concept despite his general philosophical concerns.

The resolution passed unanimously.)

R161-19 Expressing support for a grant application by the University of Missouri-Columbia for an analytical safety study of electric-assist scooters as part of the Behavioral Traffic Safety Cooperative Research Program.

(This item was removed from Consent and moved to New Business for discussion.)

(Action: Staff indicated that this bill authorizes the city manager to write a letter of support for a University of Missouri grant proposal. It will study scooter safety. Pitzer noted that the report noted that the study will mount cameras at various locations around town. He wanted to know if the grant applicants would have to ask for additional permission from the city to actually install cameras on public property. Staff said that would be true. The purpose is to document risky behaviors and use and currently there is not a lot of data. They are not sure of the exact nature of all camera placements at this time and some observations may take place in other ways. Pitzer approves of the letter of support, but will be interested in the camera aspect when it comes back to council. Staff was not sure how long cameras would be in place and suggested it might be dependent on the level of grant funding. There was no further discussion.

A motion to approve passed unanimously.)

INTRODUCTION AND FIRST READING

(All items introduced as indicated.)

B348-19 Amending Chapter 29 of the City Code to establish use-specific standards governing the operation of short-term rentals (Case No. 31-2019).

B349-19* Authorizing a municipal agreement with the Missouri Highways and Transportation Commission for maintenance responsibilities associated with the construction of intersection improvements at Sinclair Road, Route K and Old Plank Road.

B350-19* Authorizing a municipal agreement with the Missouri Highways and Transportation Commission for maintenance responsibilities associated with the construction of intersection improvements at Keene Street and I-70 Drive Southeast.

B351-19* Amending the FY 2020 Annual Budget by appropriating funds for upgrades to equipment and the elevator cars in the Eighth and Walnut (Plaza) and Tenth and Cherry municipal parking garages.

B352-19* Authorizing the acquisition of easements for construction of a storm drain replacement project on a portion of South Greenwood Avenue.

B353-19* Amending the FY 2020 Annual Budget by appropriating funds for certain private common collector elimination (PCCE) sewer improvement projects.

B354-19* Repealing Ordinance No. 024057 which authorized a sponsorship agreement with The Curators of the University of Missouri, on behalf of University of Missouri Health Care, for the use of its logo and signage in Court 3 within the Columbia Sports Fieldhouse located in A. Perry Philips Park; authorizing a revised agreement.

B355-19* Amending the FY 2020 Annual Budget by appropriating funds from the 2019 Celebration of the Arts event.

B356-19* Authorizing a program services contract with the Missouri Department of Health and Senior Services for childcare health consultation services.

B357-19* Authorizing an equitable sharing agreement and certification with the U.S. Department of Justice and U.S. Department of the Treasury detailing FY 2019 receipts and expenditures of shared funds by the Police Department.

B358-19* Amending the FY 2020 Annual Budget by appropriating funds in the Police Department to hire temporary part-time employees to assist with municipal warrant entries and evidence purging.

REPORTS

REP103-19 Short Term Rentals.

(Action: At the November 4, 2019 City Council meeting, the Council discussed short-term rentals during comments of Council and requested a work session on the topic. Suggestions regarding the process included:

- 1) Separate public hearing and decision-making meetings;
- 2) The possibility of a special meeting;
- 3) The possible referral back to Planning & Zoning Commission with directions; and
- 4) A Council work session on all of the above, plus time to receive a briefing from staff on the process and time to review potential amendments to the draft ordinance.

As Council is aware, the Planning & Zoning Commission deadlocked 3-3 on recent amendments to Chapter 29, the Unified Development Code in connection with short term rentals. In general, the draft ordinance would permit short term rentals subject to compliance with defined use-specific standards which place an emphasis on relatively small-scale owner-occupied or “hosted” arrangements and allow for approval of non-hosted rentals only by a case-by-case, conditional use process.

While the P & Z deliberations could not produce a recommended ordinance, the Commission was thoughtful about the topic and produced a list of issues for further discussion which have been included in the staff report on the ordinance. These are:

- 1) a preference for “hosted” verses “un-hosted” STRs;
- 2) a shared concern with the conditional use process, but a belief if that was what it would take to get the regulations “right” the additional burdens of vetting each application needed to occur;

- 3) possible limits the number of STRs authorized to a single individual as well as within particular locations;
- 4) concern regarding the loss of affordable housing;
- 5) accommodation of families to stay within a single STR through adjustment of the transient guest occupancy limits;
- 6) looking at the Tuscaloosa model, but not following it for fear of becoming elitist;
- 7) balance the original “sharing economy” intent of STRs with that of a commercial business model;
- 8) utilize taxes and fees that will be collected to hire staff to administer the regulations;
- 9) concern regarding the addition of a “designated agent” and its possible creation of a loophole for “hosted” STRs especially in the R-1 district;
- 10) support for guest occupancy limits and administrative approval for “hosted” STRs only.

Considering that short-term rentals and the online platforms that enable them are a fast-evolving phenomenon, writing an ordinance that covers every contingency is a challenging task. A work session could help staff identify what Council views as the most important components of an STR ordinance and respond accordingly. In addition, staff can brief Council on the companion pieces to the Ch. 29 amendments pertaining to business licenses, lodging tax, and rental inspection certificates.

The Mayor noted that he is inclined to table this idea until the second meeting in January; hold a two hour work session on this topic before the first meeting in January; then schedule a hearing in January where amendments could be introduced; then hold a voting meeting with a hearing at the second meeting in February where full debate and consideration could occur. Skala agreed that the council needs to be fully informed. The Mayor also indicated that he would be inclined to accept testimony at the first meeting in December when this item is tabled prior to the first work session.

That general idea was endorsed by the council and will be implemented.)

REP104-19 Potential Update to R188-81 - Rules for public hearings and comments before the City Council.

(Action: This report deals with potential updates to R188-81, which sets forth the rules for public hearings and comments before the City Council. R188-81 reaffirmed R179-77 and has not been reviewed or updated since April 20, 1981. Comments at the September 16, 2019 meeting suggested a desire to update those rules.

Item 3. Speakers are currently required to provide their name and address prior to speaking. Having the address allows Council to know whether the speaker resides in the City and where in proximity to a particular project or voiced concern the speaker resides in order to properly weigh the comments made during the meeting. It also helps the City Clerk correctly identify and spell the name of the speaker for the minutes. Discussion at the September 16, 2019 meeting suggested further discussion was warranted to determine whether or not speakers should be required to state their address due to privacy concerns. Options mentioned included a sign-up sheet where the speaker provides the speaker’s printed name and address prior to speaking, asking the speaker to spell their name prior to speaking, and/or asking the speaker to identify whether they reside within the city of Columbia and in which ward.

In researching this topic, other items were identified that may need to be updated or revised. Staff is also suggesting that other rules regarding procedure may warrant review or consideration. Those include:

Item 4. This item provides that public comment by any one person is limited to five minutes. Based on verbal history from former City Counselor Fred Boeckmann, the practice to limit public comment by any one person to three minutes occurred over 30 years ago, likely between April of 1981 and August of 1986. Staff cannot find where the reduction for any individual speaker from five minutes to three minutes was ever memorialized by formal action of the City Council. The practice has also been for any person speaking on behalf of a group to be allowed to speak for five minutes. A formalized written record of the five minute “speak on behalf of a group” rule has not been found either.

Item 5. This item lists the types of comments which are out of order by a speaker. It has been suggested that the use of profanity be included as a comment the chair may rule as out of order.

Item 7, which provides for removal of any person who refuses to leave the Council Chamber when ordered to do so, should be improved upon so it is gender neutral.

Item 8. This item discourages smoking and requires smokers to utilize ashtrays. It may be deleted since smoking is prohibited in the building and is addressed in the City Code.

Other items the Council may wish to consider in any update to R188-81 are as follows:

- A rule addressing demonstrative outbursts from members of the audience during public comment, such as shouting, clapping, cheering, or booing.
- A statement by the speaker as to whether or not the speaker is a paid representative or receiving any type of compensation for their comments or attendance.
- The total public comment time allowed for each agenda item upon which a vote is to be taken. For example, some municipalities provide a total of 15 minutes of public comment per agenda item.
- The total amount of time a single individual may engage in public comment at any particular meeting. For example, New Orleans limits any speaker to a total of 6 minutes per Council meeting and allows the speaker to divide up their time among council agenda items in increments of not less than one minute per item.
- Whether or not a public comment card needs to be completed prior to the start of the meeting or if it may be completed before or after speaking. For example, several municipalities require any person wishing to speak during a public comment period on an agenda item to complete and submit a card within five minutes of the call to order of the meeting.
- If a public comment card is adopted, whether the speaker should sign a statement affirming that their testimony made before the Council is true and correct.
- General guidance as to whom the speaker should address the speaker’s comments, whether or not the speaker should expect to have questions answered during the council meeting, whether or not to limit speaking only on agenda items and discourage the use of public comment as a time to promote business and/or political candidacies. Examples from other communities such as Bloomington, IL, New Florence, OR, and other municipalities can be provided.
- Whether a speaker may yield their time to another person.
- Whether to provide for special circumstances in which the Council may establish longer and/or shorter time limits for speakers.
- Whether to provide for an established adjournment time. For example, the City of Palm Springs, CA has established an adjournment time of 11:00 pm with the Council pausing at 10:00

pm to determine which agenda items will be considered before the 11:00 adjournment time and which items will be continued to a subsequent meeting.

Staff is open to any and all suggestions and would welcome feedback from the Council to draft an updated Resolution. Once updated and adopted by Council, Staff will post a copy of the resolution on the city's website where it is relevant and easy to find.

The Mayor suggested that the council should start by codifying the general rules that they already have. That would include allowing 5 minutes for the main presenter or groups. Allow three minutes for individual speakers. Eliminate the requirement to state your name and address publicly. Fill out a contemporaneous card with your name and contact information along with a disclosure about whether you are a paid spokesperson and allow for summary comments about their intended topics. However, he thought they should stay away from codifying specific rules about what is appropriate at a meeting; what kinds of demonstrations should be disallowed; don't put a hard cap on number of speakers or length of meetings; don't have automatic adjournment; etc.

Trapp thought that the 5-minute rule for organizations should be carefully considered and may be hard to apply fairly. Trapp thought on complex projects you might want to allow both sides to have at least one five-minute speaker and maybe the rest should be 3-minute speakers. If we are going to make a rule, let's try to get it right, even though it hasn't been a big problem. The Mayor noted that at first, he wanted all people in favor to speak first then have all opponents, but it doesn't work. Skala said if people want to ask for additional time maybe it could be handled that way. The Mayor said he would prefer not to contract the current rules. Thomas said he thought there should be a rule that outlaws personal attacks. Pitzer said he thought it is already in the rules where it talks about derogatory language and personal attacks. Pitzer thought political campaign speeches are not really appropriate. He also said he would like to know if a person is directly connected to a project or if they live nearby. He thinks that is helpful but does not know how to balance that. The Mayor suggested that speakers could supply that information if they want to, but they should not be required to divulge a specific address or name, particularly on more polarizing issues. Skala noted that some people don't know which ward they live in so that might not work. Pitzer also said he thought all comments should be directed to the council members, not staff members. We have had some awkward moments. The Mayor said he thought the chair should remain in control of the clock and he does not want to cap how many times any one speaker can get up and talk during a meeting.

All that being said, the clerk will take this information and create a draft resolution with a report for consideration at a future meeting.

That idea gained consensus and no further action was taken.)

REP105-19 Overview of CDBG and HOME Funding Policy Resolution.

(Action: The attached CDBG and HOME Council Policy Resolution was formulated with City staff and the Housing and Community Development Commission input for the purpose of guiding funding allocations for affordable housing and community development for FY 2020-2024.

The recommended resolution would replace the existing Policy Resolution PR 137-14 adopted on August 20, 2014, should Council proceed with consideration of the resolution. Significant changes included within the resolution include the following items:

1. Incorporation of Fair Housing Task Force policy recommendations including the definition of affordable housing, housing quality items and homelessness.
2. Narrows the percentage ranges for annual allocations to more closely track with goals.

3. Renames categories to align with industry standard names.
4. Incorporates categories with percentages into HOME allocations.
5. Adds tenant-based rental assistance as a fundable activity.
6. Adds review process for non-CDBG and HOME funds in the event funding is available and adds consideration of cost of administration.
7. Formalizes rating criteria for annual application review in alignment with previous practices.

Trapp asked the speaker if they were creating some sort of housing opportunity grant. The speaker indicated that they are working with the Realtors to sponsor a Spring program on housing opportunities. **No further action was taken.)**

REP106-19 North 763 Community Improvement District - End of Fiscal Year Report.

(Action: This report fulfills the requirement to provide the city with an annual financial report regarding the financial status and activity of the North 763 CID.

The report was accepted without comment.)

REP107-19 Correspondence from the Business Loop Community Improvement District.

(Action: This report fulfills the requirement to provide the city with an annual financial report regarding the financial status and activity of the Business Loop CID.

(The report was accepted without comment.)

REP108-19 Applying Late Fees to Past Due Utility Account Balances.

(Action: Section 27-19(f) of the City Code provides that the City may assess a three percent (3%) late fee against all delinquent utility accounts. The City has not charged late fees on delinquent utility account balances since 2016 during the implementation of a new billing software while working through configuration issues. As of October 28, 2019, all software configuration issues with penalties have been resolved with a software upgrade. Staff worked diligently to finalize the software, test and prepare it for all functions and services of the utility.

From 2005 to 2016, the City collected \$4,297,095.92 in late fees for delinquent utility accounts with a yearly average of \$358,091.33. Collected penalties helped to fund billing and customer service operations. Applying late fees to past due balances is a common practice for utilities and provides two purposes: to encourage customers to pay the utility bills on time and to ensure that costs associated with collecting late payments are not passed onto customers making timely payments. These costs include staff time to process late notices, service disconnections, collection efforts and bad debt write-offs that can total over \$100,000 per year.

As of January 1, 2020, the City will begin assessing late fees on past due balances on utility bills dated after January 1, 2020. Customers also receive a past due notice listing a possible disconnection of services date if the past due amount is not paid in full. Services may be disconnected for non-payment after 30 days from the original due date. If the account remains disconnected for 30 more days, the account is deactivated, and the past due amount will be sent to the City's contracted collection agency.

As per ordinance, late fees will not be applied to outstanding balances on disconnected accounts or outstanding balances covered under an active payment agreement. Late fees will not be collected in a compounding manner.

It is expected that charging late fees could allow the city to realize an additional \$350,000 in revenue each year.

The Mayor asked if the billing software problems have now been worked out. Staff indicated that they have and that many modifications have been made. The Mayor asked about the number of complaints. Staff said complaints have dropped dramatically. We treat people as our customers and as humans. We try to stick to the rules but figure out ways to help people find a way to pay their respective bills.

Thomas thought late fees were sometimes counterproductive since you charge people extra fees when they are already struggling to pay in the first place. Thomas asked how much it costs to impose late fees. Staff said it costs about \$100,000 to impose fees. He suggested that we could reduce late fees to get the number closer to the actual cost of collection. Staff said they can't quite determine that yet since people sometimes do it as part of regular service and sometimes it is a separate effort.

Thomas asked about the trigger for disconnection. Staff indicated that it is 30 days overdue, plus a 10-day window. If the city has not heard from the customer within that time, they are subject to disconnection, but they can work out something within that time without penalty. Ruffin added that he does not want to lose sight of the human connection despite the advance of technology. Sometimes it needs regular intervention.

There were no further comments on this topic.)

REP109-19 Amendment to the FY 2020 Annual Budget - Intra-Departmental Transfer of Funds.

(Action: **No action needed. This is a report by the city manager of transfers made within the existing authority of the City Manager.**)

GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Public

The first speaker indicated that he is teaching a senior level course at the University about public infrastructure construction and development. As a part of that course he has developed a water system problem that includes bond issues, refunding schedules and documentation regarding windfalls within a water system. It is based on financial data extrapolated from a city scenario. Students can choose from a variety of answers on how to cope with such scenarios. He is presenting this problem to the council and indicated that they cannot consult with city staff and cannot Google the answer, but you may talk to people in your ward or members of the Water and Light Advisory Board. He is available to help. Let's see if you would like to take the test. The Mayor indicated that he feels bad for the students and thanked the speaker. The speaker handed out copies of the test to the council. He offered to grade the responses and report back to the council in January.

The next speaker approached the podium and said nothing for a minute or two. During that time, another person loaded a slide presentation onto the computer and initiated a presentation that showed pictures of the Bluffdale area before trees were cut down and after trees were cut down. Before the presentation ended, the speaker turned away from the podium and left the council chamber without saying a word. The council remained silent until the slide show ended, then asked for additional speakers.

The next speaker said it was kind of sad that the previous speaker's moment of silence represented that the city did not do what they said. He wants to know if the city really did what they were supposed to do. The Mayor indicated that the city did do what they said and that they did leave some additional trees. He then thanked the Mayor for explaining the airport situation earlier so that the public could understand it.

He then switched to the topic of homelessness and complimented Ruffin on his words regarding violence. We have no reason for the violence that has occurred in this city. Some things have stopped, but we need a clear message from the council in this regard. We are not a violent community and we need to address that. Finally, he said that the council is very intelligent. They used to have CROCs that were shoes lined with lead. We had toys with lead paint. We have had vaping. We now have G2. It will change body cells. We need to look into this. If G5 is that dangerous, we need to look into this, and it is in cell phones. It can give you brain tumors. Let's look into this.

Council

Thomas believes that there is a communications breakdown between the city and county on the West Area Planning process. He said that he received a note from Commissioner Thompson affirming the city's interest in conducting a West Area plan. He drafted some language and indicated he was open to amendment. He would like the council to move forward in this regard. The City Manager said he has spoken with Stan Shawver and has indicated moving forward. Do we need to present them something in writing? Skala said if we need to do this in writing then let's do it. The Mayor said he thought we had already made that indication. The Mayor suggested adopting Thomas' letter. The City Manager said they can send that along with earlier correspondence. The council voted to send a letter to the county commission stating their strong support for the West Area Planning process. A roll call vote to send such correspondence passed unanimously.

Thomas then said the CATSO committee will hold a vote on the CATSO 2050 plan and has some severe concerns about the process and the plan put forward. He thinks there is not sufficient outreach to the public or the council and that most work on this occurs without public scrutiny. Earlier, some complaints led to some public review and CATSO staff did make some changes. Thomas still has some problems with the current plan which looks too much like a 60's and 70's action plan. It is out of touch with our current policies. He questions whether this council should endorse such a plan. He wants the four votes that are allocated to the city should be cast against the current draft proposal. He will send additional information and wants to have another discussion about this before December 5. Skala said he would like to see the full report and would like to see the problems and become more informed.

Trapp said he wants the council to look at the policies regarding when we open overnight warming centers. We had a recent cold snap and we need to be responsive, even when conditions change quickly. We have seen negative stories in this regard and we have been criticized in the press. We need to address this. I had a call from someone who needed a place to stay that night. If it is a question of police resources, we need to look at that. Room At The Inn will open, but some people have been banned from some places, and people who have trouble still need to be taken care of. The Mayor said he did not think there was an easy answer to this. What is the right temperature to invoke the opening of our available resources? We don't staff a volunteer shelter – so we have to allocate resources. The Mayor said he would be happy to revisit this, but we need to weigh all factors. Peters said she had checked in on this and that the shelter occupancy had varied during that time and she did not want people to suffer, but that not all beds have been consistently used. Trapp does not want people to feel bad about this, but he wondered if we could create a lower barrier to entry for needed resources. He agreed that it was not an easy answer and wants the council to look at this from a policy perspective. He would like to see action on this before March. Room At The Inn will open soon and may fill the need, but we need to be aware of the potential problem. He thanked different groups for responding with both space and supplies. We are not the only actor in this space. It is an overall community problem.

The Mayor addressed the question of eminent domain. He believes that its use has decreased. He asked staff for a report on how frequently that has been used. He also wants to see how it has been used for bike trails vs. sewer projects.

Staff
(None.)

ADJOURNMENT
(Time: 10:25 PM)

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