



Columbia City Council Meeting Recap

Council Chamber, Columbia City Hall

7:00 PM

Monday, February 17, 2020

	INTRODUCTORY ITEMS
Pledge of Allegiance	(Recited as indicated.)
Roll Call	(Present: Treece, Trapp, Ruffin, Pitzer, Skala, Thomas) (Absent: None.)
Approval of Minutes	(Minutes from January 21, 2020 were approved.)
Adjustment of Agenda	(Trapp asked to abstain from Report 6-20 dealing with the Downtown CID Board.)

SPECIAL ITEMS

(None.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

BC2-20 Board and Commission Applicants.

Airport Advisory Board: Jean Chambers

Citizens Police Review Board: Heather Heckman-McKenna

Columbia Sports Commission: (*Hotel Motel*) Teri Weise; (*At-Large*) Rodney Gray

Commission on Human Rights: (*3 positions*) Carley Gomez, Amanda Hinnant, Andrea Waner

Convention and Visitors Advisory Board: (Readvertise – No appointment)

Public Transit Advisory Commission: (*4 vacancies*) Rene Powell appointed. Readvertise for remaining positions.

Tax Increment Financing Commission: (*2 vacancies*) Paul Prevo

SCHEDULED PUBLIC COMMENT

SPC6-20 Jan Weaver - Bus Transit.

(Action: The speaker said she can walk or ride to most places she needs to go in this town. I tried the bus system. The buses are clean and the environment is good. I could get to the mall and for its size, the system is good. But, we need a system that goes more places. We need to have a more comprehensive system, but we can't get more buses without more riders – and people won't ride if the buses don't go anywhere. We need to change the perception of the bus system. Here is a modest proposal. Get better signs. Have route maps where the signs are. Make a few extra stops. The bus station should have a sign that says "Bus Station". Next, be the change. Ride the bus yourself. That will set an example and make a

statement. To get that done, I am giving all of you a map of the route and two bus passes. Give the second one to someone else. Thank you.

SPC7-20 Shaunda Hamilton, Boone County Community Against Violence – Crime Prevention through Environmental Design.

(Action: This speaker had a prepared slide presentation. She wants to propose adopting the crime prevention through design proposal. This applies physical design and law enforcement strategies comprehensively. The concept is to update the physical environment. First, use natural surveillance. Criminals don't want to be seen. So, light the fronts of buildings at all time and make visibility a priority. Another idea is to control natural access. Deny access to certain areas of buildings. Channel traffic intelligently. Create a clear distinction between public and private property. Signage and landscaping work in this regard. Use visitor badge systems for security in buildings. Try to make sure that all neighbors know when something is out of place. Adopt this approach and create a task force to study environmental design. Provide training to the police and other stakeholders. Develop a list to incorporate into the zoning rules and improve lighting and landscaping where possible. Other cities have already adopted these concepts. Work with them like you do on the problem of crime. Neighborhood Watch supports this as does the chief. The Mayor supports this as well. Please set up a task force. We don't want to control it. We just would like to see it established. She had a personal experience with crime and would like to address this problem. It resulted from having a secluded area where the criminal could perpetrate his crime. We have instituted these steps on a personal level. Now we need this to go city-wide. She asked for cameras, landscaping and even how you manage shrubs in parks.)

(Another speaker followed up on these comments and noted that we continue to have crime problems. We are a group that is starting to do something. Be part of the solution. He supports this approach and would like the council to consider this option.)

(The Mayor indicated that he would address this at the end of the meeting. He also mentioned that each year we update our building codes and that this idea should be forwarded to the Building Codes Commission.)

SPC8-20 Jeffrey Bittle - Why Columbia should adopt Ranked-Choice Voting at the municipal level.

(Action: The speaker indicated that he is a student at the University and is fascinated by elections. He thinks that Columbia has a flawed election system. Most American elections from a lack of representativeness. In Columbia, many candidates have won with less than a majority of voters. The fault is with the system, not the candidates. Rank Choice voting would allow for any candidate who receives more than half of the first place ranked choices. If no one does, then there is an automatic run off and the process adds second place votes or third place cumulatively until a candidate is selected. This is used in Maine and San Francisco and other places. Candidates have to campaign to be the favorite and second favorite. Some people think that this violates the city charter. He thinks this could be achieved. This could also encourage more people to run since elections become more friendly. What do you do if the top ranked candidate does not deserve the vote of the other candidates? Well, you don't have to rank more than one if you don't want to. This could be a solution.

Thomas asked if anyone supported this idea? Thomas was the only supporter of the idea.)

SPC9-20 Tyree Paladon Byndom - Speaking in favor of the Boone County Community Against Violence to have the city of Columbia adopt the CPTED and could include increased lighting and surveillance cameras.

(Action: The speaker did not give his address since he sometimes gets death threats. He just came back to town and has met with hundreds of people locally. He has been a Marine and wants to be a protector of this community. He has reached out to different individuals, including his institutional friends. For people in the community to interact with institutions, he thinks they need someone to help with that. He has served on commissions that tried to get consensus on how to move forward on the problem of community violence. Most of the points we agreed on back then have not been instituted. He has nine kids and businesses. He wants to give back. We need to institute some new ideas before more people die. Most people told him NO when he suggested ideas. He wants to approach crime prevention as a public health issue. The race relations task force recommendations weren't implemented either. I have talked to families. People let me know what is really going on, even if it is not made public. I am trying to create good relations. I am taking this on myself to protect Sharpe End. There are a lot of African American men who are good men, but sometimes have a bad reputation. Let's reset. Look at all communities, not just white communities. We all drink the same water and breathe the same air. Here, it is like a tale of two cities. This city's policies do not reflect the city I live in. I don't want to fight you guys. Let's figure out a way to collaborate instead of agitate. Under the guidance of the council, lets adopt the SEPTA program.)

PUBLIC HEARINGS

PH3-20 Proposed construction of the L.A. Nickell Golf Course driving range improvement project to include expansion of the natural grass driving range tee box and artificial turf tee box, rerouting the cart path to Hole 15, and repositioning certain poles and netting adjacent to the driving range tee box. [See B30-20/Mayor Memo]

(Action: L.A. Nickell Golf Course is situated in the northwest corner of the 533-acre Columbia Cosmopolitan Recreation Area. The 157-acre golf course includes eighteen holes, two practice greens and a driving range. The golf course was established in 1954 and averages approximately 28,000 rounds of golf each year. The driving range has generated annual revenues averaging \$39,306 over the past five years and staff anticipates an increase in usage by golfers with the proposed improvements. We have dedicated fees for everything from green fees to cart rental and we can generate up to \$50,000 each year from that funding mechanism.

The proposed improvements to the driving range include the expansion of the driving range tee box, expansion of the artificial turf hitting area and new cart path to hole #15. This will improve safety and usability. The total project budget is \$50,000 and is funded by the golf course improvement fee (GCIF) fund. In the City's FY-19 CIP, staff had proposed bunker improvements to Lake of the Woods Golf Course, but due to golfer comments, existing condition, amount of use of the driving range, and a need to generate more revenue, staff is proposing to delay the Lake of the Woods project in favor of the L.A. Nickell Driving Range project. By separate legislation staff will request to appropriate the funds from the Lake of the Woods Golf Course Improvement project, which will be rescheduled at a later date.

This is supported by the Parks and Rec Commission and the public. Peters asked if the dedicated golf fees come from both Nickell and Lake of the Woods. Staff said yes. Peters asked if golfers use both courses. Staff said the passes allow it, but Nickell probably has more users, depending on where you live or conditions at the particular course during any given year. Peters said she heard the golf cart paths were not good at Lake of the Woods. Staff said there was a split between golfers and staff when installing irrigation and cart paths, so it did not turn out perfectly.

Skala said he was a little disappointed that the Lake of the Woods project would be delayed by one year. Lake of the Woods has a great driving range. Nickell does not. Both project cost about the same. Nickell

is easier – Lake of the Woods has sand traps and other challenging hazards. We are just switching the order of improvements. Pitzer asked about the golf course improvement fee. Where does the driving range revenue go? Staff said it goes to general operations. That money helps us recover all of our total costs. Pitzer asked if Parks and Rec is tracked by the department or by Finance. He said both Parks and Rec and Finance track this.

The public hearing was opened and no one appeared.

Action on this item appears under the next item, B30-20.)

B30-20 Authorizing construction of the L.A. Nickell Golf Course driving range improvement project to include expansion of the natural grass driving range tee box and artificial turf tee box, rerouting the cart path to Hole 15, and repositioning certain poles and netting adjacent to the driving range tee box; authorizing the Purchasing Agent to call for bids or utilize a duly authorized term and supply contractor; amending the FY 2020 Annual Budget by appropriating funds.

(Action: This item was unanimously approved by the council.)

PH4-20 Proposed construction of the Leslie Lane storm water improvement project.

(Action: The Leslie Lane Stormwater Improvement Project will consist of replacing two undersized storm water inlets with larger inlets, replacing approximately 95 linear feet of undersized 48-inch corrugated metal pipe (CMP) culvert with a larger 60-inch High Density Polyethylene (HDPE) culvert pipe, and replacing a section of failing 24-inch CMP. The resolution estimate for this project is \$150,000 and will be paid for from Storm Water Utility Funds.

Peters asked where the water eventually goes. Staff said it goes to Bear Creek.

No one spoke at the public hearing.

Trapp thought this was a good project and was glad it included the sidewalk.

This item was approved unanimously.)

PH5-20 Proposed construction of the College Avenue, Court Street and Hickory Street sanitary sewer improvement project.

(Action: The Court and Hickory Sanitary Sewer Improvement Project will consist of constructing approximately 533 linear feet of new sewer pipe and 6 sanitary sewer structures to replace failing sewer mains and realign the system. The sewer improvements will reduce the number of sewer mains crossing the MODOT right of way to one, improve system hydraulics and relocate a sewer structure from a building. The existing sanitary sewer pipe system and one existing structure will be abandoned and/or removed. Much of this project will be constructed utilizing a boring method to accommodate MODOT, COLT railroad and adjacent property owners' requirements and requests. The resolution estimate for this sewer project is \$500,000, and payment shall come from Sewer Utility Funds.

Pitzer asked why the first meeting on this occurred 4 years ago? Staff said they had to wait on funding to materialize. Staff was not sure about the exact source of the funds that were reallocated to this project. The timeframe is uncertain on this project because we still have to obtain some easements. This should not disrupt current flow of traffic on College.

No one spoke at the public hearing.

The Mayor indicated that there are other people who are waiting on projects to occur. It seems that park projects move more quickly. We are waiting on easement acquisition and we don't use eminent domain on sewer projects so they move more quickly. The City Manager said that sometimes they use different methods of acquisition and sometimes they do it piecemeal. The Mayor thought we should look at this policy of using eminent domain.

The item was approved unanimously.)

PH6-20 Proposed construction of the Stanford Drive PCCE #21 Sanitary Sewer Improvement Project.

(Action: The Stanford Drive Sanitary Sewer Improvement Project will consist of constructing approximately 140 feet of new gravity sewer main and one sanitary sewer structure. The proposed project will also include new private service connections and replacement of service laterals only as necessary to reconnect the existing laterals to the new sewer main.

Currently, it is required that the temporary construction easements and permanent sewer easements necessary for the construction of the project be donated by the property owners of the parcels currently being served by the PCC sewers. However, in addition to the donated easements, this project may require the acquisition of easements on four parcels that are currently served by public sewers, therefore not required to donate easements.

The resolution estimate for this project is \$150,000. In accordance with Section 22-253 of City Code, financing for this project will be through the Sewer Utility Private Common Collector Elimination funds.

No one spoke at the public hearing.

This item was approved unanimously.)

PH7-20 Proposed construction of the Glenwood Avenue PCCE #25 Sanitary Sewer Improvement Project.

(Action: Based upon site inspections and CCTV reports, eight properties in the area are connected to private common collector sewers and eligible for improvement to public gravity sewers. The remaining homes in the area have separate sewer laterals that are directly connected to public sewer and are not eligible to be part of the project.

The Glenwood Avenue Sanitary Sewer Improvement Project will consist of installing approximately 440 feet of CIPP (Cured in Place Pipe) and constructing approximately 347 feet of new gravity sewer main and five sanitary sewer structures. The proposed project will also include new private service connections and replacement of service laterals only as necessary to reconnect the existing laterals to the new sewer main. The proposed sanitary sewer project will eliminate a private common collector sewer in the area that serves two properties along Glenwood Ave. The proposed project will also rehabilitate, extend, and take ownership of an existing privately maintained sanitary sewer main located in the right-of-way that serves six properties on Glenwood Ave.

The resolution estimate for this project is \$300,000. In accordance with Section 22-253 of City Code, financing for this project will be through the Sewer Utility Private Common Collector Elimination funds.

Pitzer noted that all of these projects seem to have different timelines, so why did they all show up now? Staff said it had to do with staffing and the ability to get the design work done. Pitzer asked how long it takes to design a project? Staff said that different projects have different design lead times.

Stanford only affected two properties. This one affected more. Pitzer asked about the backlog. Staff said they are at project number 40 now.

Peters said this seemed a bit piecemeal. Do we have a grand scheme for the overall sewer system? Seems like these individual properties go into something larger and can those lines handle this new load. Staff said that if the mains have been maintained then it will work. Staff also said that when we decided not to tax bill for these improvements, it changed the dynamic of how we approach these projects. These come from petitions from residents and from our own inspections of lines where we identify bad hydraulics. The City Manager said that to fix the problems has to be piecemeal because the private sewers were built piecemeal and you have to take them out one at a time. Staff said if you are asking if we have capacity issues, we could have issues that will be detected when we do additional hydraulic modeling. Capacity and rehab projects are ongoing, even as we complete these kinds of projects.

No one from the public spoke at the public hearing.

This item was approved unanimously.)

OLD BUSINESS

B35-20 Amending Chapter 27 of the City Code to establish water conservation incentives to water utility customers; amending the FY 2020 Annual Budget by appropriating funds.

(Action: Originally, the water conservation program included water conservation rebates for water-efficient products, contractor and builder training, supply-side water assessments, and will be supported by education and outreach strategies such as providing online resources and education programming for customers and K-12 students. Overall, the program will cost \$75,000.

An amendment sheet has been prepared by Staff to correct an error in the retained earnings account number from which the funds for the water conservation program will be appropriated. In addition, the original council memo omitted a water usage map that was referenced in the Outdoor Water Conservation section. This map has now been included in the water conservation information.

The conservation program applies to the following specific topics:

- Rain sensors
- Weather-based irrigation controllers
- Installation of WaterSense toilets
- Low to moderate income users' kits including efficient toilets, shower heads, aerators, etc.

Approval of this plan will allow the expenditure of these funds and will correct the fund allocation.

Staff gave a historical perspective of the overall capacity of the water system and indicated that as the city expands through the year 2040, we could exceed our capacity. That is why we are adopting conservation programs to reduce that demand on the system. Water conservation can address this problem. We have already taken some steps in this regard and we have combined conservation education along with our other conservation efforts. Contractors can be key in helping to achieve maximum effectiveness. We want contractors to advise their customers about these programs and encourage use. Toilets are one of our best opportunities since there are many outdated or inefficient toilets out there. The new style toilets are 38% more efficient than toilets installed prior to 1995.

Staff described the differences between open and closed loop irrigation systems and identified these systems as a great opportunity for water conservation. The new program offers rebates for adopting

more efficient hardware. Peters asked where the funds are coming from. Staff said these will come from the Enterprise Water Fund and retained earnings.

The Mayor asked about the priorities for this program and indicated that these match earlier studies that originally recommended rebate programs and water conservation programs. The Mayor asked about the low to moderate income section of this. That income level is probably \$26,000 per year, with little discretionary income. The Mayor supposed that many of these people will not be the owners of their own homes and may not be able to take advantage of this program. Staff said that if the occupant qualifies, a landlord could install the upgrades and take advantage of the rebate. The Mayor said he thought very few occupants would be able to take advantage of the program in the real world. Before we add another program, the Mayor asked about the status of the water treatment upgrades. Staff said they are currently at the purchasing stage. The Mayor asked about the aerator project. Staff said that project has not moved forward yet. Two other pump stations have also not yet been bid.

Ruffin asked if these same kinds of efficiency projects have been made at city facilities. Staff said they did not know. For instance, the golf course improvements, we don't know if they have efficient toilets or not and we do not know about their irrigation efficiency. Skala followed up on the affordability of low-flow toilets for low-income residents. He asked if earlier consultants ever boke it down by income related to affordability. Staff said they did that to some extent. Pitzer aske if this would be in place by summer and staff said yes. Staff said they are not asking for increased staffing to administer these programs until they determine demand. Pitzer asked why launching this program is linked to water system improvements. Staff said that they can't do both things at once, so they need to take the different projects as they come. Pitzer noted that an earlier move by council was to raise rates on irrigation usage. Pitzer wanted to know if those rate changes had been effective in terms of conservation? Staff said usage was down a fair amount, but that the summer was so mild it was difficult to make a reliable determination about cause and effect.

Pitzer asked about water supply numbers and their accuracy. Staff said that their estimates are typically conservative so there is some confidence that we will always be able to meet demand even when systems are stretched. Our water demand has been flat over the past few years even though we continue to add new users. Staff said eventually the base numbers will have to grow. It will outstrip conservation practices at some point. Skala said he thought that logic made sense, but the primary variable really seems to be weather. We don't want to overbuild or overpromise, but we do need to be responsive to need. Thomas said he thought the key variable should be water usage per capita. How are those numbers looking? Staff said they did not look at that. They looked at similar utilities in other municipalities and looked at performance of those programs. Thomas thought that the goal should be reduction of per capita usage.

The Mayor said he could not find references to rebates in earlier studies. Staff said they believed it appeared in the recommendations section and showed a comparison to other types of conservation programs.

The public hearing was opened.

The first speaker appeared on behalf of the Water & Light advisory Board and said that they endorse these programs. He also though that there were very good questions asked tonight and will serve as food for future discussion. He also noted that although total water use has remained flat, winter usage has gone down, but summer usage has actually gone up. This past year, we had rate restructuring and

got about half the job done. When we look at conservation, don't always think of it as a cost. Look at it as an investment. If we can forestall another future bond issue, that is a true savings if we can forestall it for multiple years. We think this is a sound idea. Skala said this is like a virtual power supply of sorts. The speaker said maybe conservation could be considered in that manner, so he just said "Yes" to the question. There are other things we can do including outdoor watering of plants.

No further speakers appeared.

Trapp said he was supportive of the measures. He thought that low income people will not look at remodeling or upgrading toilets very frequently, but combining this with other programs might be effective for some and outreach is important. The Mayor said he thought renters and tenants will not get the full benefit of this and that people who can afford irrigation systems will get most of the benefit. Skala said that might be true, but if the water is being used by the irrigators and if those rates have already been raised, there may be some conservation fairness in this program. The more we make this a cultural norm the better we may be in the future when we DO have to increase rates. If this attracts no takers then we can adjust this later.

Peters asked how many people take advantage of the air conditioner exchange programs and other programs? Staff said that some programs go to landlords. Some go to tenants. In a typical year, we do about 50 air conditioner exchanges per year. Staff said there is a demand side report to Water and Light Advisory and the Climate Action Board as well. Thomas thought this was a good project. He has other questions about the rate structure, but will not withhold support for this because of poor rate setting.

Pitzer said that on its own, this is fine. It's just that in the context of looking at the rates, this gives him a little discomfort and it is difficult to separate the issues.

**The correction amendment was proposed and approved.
The bill as amended passed 5 to 1 with Treece voting NO.)**

CONSENT AGENDA

(All items remaining on Consent Agenda approved unanimously.)

B24-20 Voluntary annexation of property located on the south side of I-70 Drive SE and east of Upland Creek Road (5300 I-70 Drive SE); establishing permanent District M-C zoning (Case No. 34-2020).

B25-20 Rezoning property located on the south side of I-70 Drive SE and approximately 750 feet east of Upland Creek Road (5300 I-70 Drive SE) from District A to District M-C (Case No. 37-2020).

B26-20 Approving the PD Plan for "Discovery Park Subdivision Plat 5, Lot 501" located on the northwest corner of the intersection of Nocona Parkway and Endeavor Avenue; granting a design adjustment relating to entry door placement (Case No. 24-2020).

B27-20 Approving PD Plan Major Amendment #1 for "Discovery Park Subdivision Plat 4" located on the west side of Nocona Parkway and approximately 1,500 feet south of Ponderosa Street (Case No. 38-2020).

B28-20 Rezoning property located on the northeast corner of the intersection of Switzler Street and Trinity Place (201 and 209 Switzler Street) from District PD and District R-MF to District M-OF (Case No. 39-2020).

B29-20 Authorizing a right of use permit with Boone County, Missouri, on behalf of its Office of Emergency Management, for the construction, improvement, operation and maintenance of a warning siren with supporting infrastructure within a portion of the Vandiver Drive right-of-way.

B31-20 Authorizing a first amendment to the redevelopment agreement with Broadway Lodging Two, LLC and Columbia TIF Corporation Two in connection with the Broadway Hotel Phase Two TIF Redevelopment Plan and Project on property located at 1104 E. Walnut Street.

B32-20 Authorizing a program services contract with the Missouri Department of Health and Senior Services for HIV Prevention services.

B33-20 Authorizing Amendment No. 2 to the 2017 Master Services Agreement with N. Harris Computer Corporation, on behalf of its division Advanced Utility Systems, for the implementation of the community solar program module as part of the utility billing software; amending the FY 2020 Annual Budget by appropriating funds.

B34-20 Authorizing the acquisition of easements for construction of the Grace Ellen Drive PCCE #27 Sanitary Sewer Improvement Project.

R23-20 Setting a public hearing: proposed construction of Phase I of the Fifth to Wilkes Sewer Improvement Project to include sanitary sewer improvements from the intersection of Fifth Street and Rogers Street to Sixth Street.

R24-20 Setting a public hearing: proposed construction of the Runway 2-20 extension project at the Columbia Regional Airport.

R25-20 Setting a public hearing: consider the FY 2019 Consolidated Annual Performance and Evaluation Report (CAPER).

R26-20 Authorizing a sponsorship agreement with Columbia Book Festival, Inc. for tourism development funding under the Tourism Development Program for the 2020 Unbound Book Festival event.

R27-20 Authorizing a services partnership agreement with Burrell, Inc. to provide behavioral health assessments, consultations, interventions and education for families participating in the WIC program.

R28-20 Authorizing an agreement for professional engineering services with Leidos Engineering, LLC for local and regional dynamic system modeling and transient analysis of the stability of the City's electric transmission system.

R29-20 Accepting the Neighborhood Traffic Management Program 2019 Year End Report Summary; authorizing staff to complete the public improvement process for the proposed installation of traffic calming devices on Smith Drive, North William Street, Hinkson Avenue and Holly Avenue; authorizing staff to pursue traffic calming projects on Bray Avenue, Louisville Drive and Maplewood Drive.

[Read & Vote/Mayor Memo] Recommended Action:

NEW BUSINESS

R30-20 Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. for a Renewable Natural Gas (RNG) feasibility study for the Columbia Sanitary Landfill.

(Action: A request for proposal RFP 30/2019 was issued for engineering services to study the possibility of processing landfill gas into renewable natural gas. As a result of this RFP, in September 2019 Burns & McDonnell completed a Preliminary Feasibility Study – Columbia Landfill Biogas to Renewable Natural Gas Upgrade Project. This study indicated that the landfill gas has the potential to be financially beneficial for the City.

This study was presented to the Water & Light Advisory Board. At the December Advisory Board meeting, staff recommended that the next step would be execution of an agreement to conduct a detailed feasibility study. Using the results of the RFP 30/2019, staff recommended that Burns & McDonnell conduct a detailed Renewable Natural Gas Feasibility Study.

The cost of this study is not to exceed \$160,500 and will utilize funds already appropriated to Capital Improvement Project E0175 Landfill Generator Unit 4.

Thomas asked how much methane is generated and how much escapes? Staff said that on occasion the current capture mechanisms do flare off some gas, but that there are some studies on that. Thomas said he thought that up to 80% of methane could escape and never be captured. Thomas asked if diverting food waste to another location could reduce the amount of loss? Staff said it was more efficient to put the food waste in the landfill. Thomas asked if the study says this is a good idea, what will the investment in new equipment be? Staff said there were three scenarios that were considered, and that this study will actually give you a better answer to that question, but they have to complete the study to be able to answer that question. Skala asked if the staff could make the original study available and asked if Water & Light Advisory has ever reviewed this? Staff said Water & Light Advisory did look at this proposal. Another staff member indicated that they have an approximate 75% methane recovery rate in response to an earlier question from Thomas.

The Mayor asked if 100% of the current gas goes to the bioreactor? The Mayor asked how this product would be monetized? Staff said this could fuel garbage trucks and it could potentially be injected into the pipeline. The estimated value of the gas could be \$1.6 million.

The public hearing was opened.

One speaker appeared on behalf of herself, the Climate and Environment Commission and the Sierra Club. Sierra Club is opposed to this idea. The reason for concern does not really address the larger climate problems we are having and does not seem to be in line with the Climate Action Plan. We are in a climate crisis right now. We need to reduce our emissions. We do not have time for small measures, and this is a half-step. She also noted that the Climate Action Plan directs the city to examine ALL sources of energy, and this is just a small piece of the pie. We would encourage the staff to evaluate our financial decisions in light of the Climate Action Plan in accordance with all of our objectives. We also think you should reevaluate our composting policies and ask that if you do pass this, please do a life-cycle evaluation of this process to see how clean it is.

The next speaker represented Missouri Peace Works and said they agree with the Sierra Club in opposing this proposal. He thinks if we invest in this technology to invest in methane, we will want to use it for a long time. This could last for decades. We should only collect and burn methane that we have to use, not to what we WANT to use. It is better to compost and recycle rather than collect the by-product of the yard waste and other materials. If we invest in this technology now, it creates incentives to send yard waste to the landfill. Actually, we think you should ban yard waste from the landfill. If we compost, we save trees rather than cut them down. When European settlers originally arrived here, they found thick dark soil. Now, our land has eroded and our carbon sink has been depleted. If we compost more it will help our soil. If we want to collect methane, we should first have an incentive to do more composting and recycling. We ask you to reject this idea.

The chair of the Water & Light Board indicated that the group endorsed this idea by a 3 to 1 vote. He was the dissenting vote. He then gave his personal opinion in opposition to this proposal. Here's why it is not a good idea. First, Water and Light doesn't really own all of these resources. We own the rights to make electricity out of this. Secondly, we are not a gas company. We are taking money out of Water & Light and put it into gas. Three, there is a risk. This is renewable natural gas. The gas itself is cheap. The EPA requires the use of natural gas for some vehicles, so we don't understand that. A lot of this comes from California, so I guess somehow we are going to get money from people in California to fund parts of this – and what if they have a bad year? On top of that, this process has only been invented in the last

few years. Are we going to trash all the collectors and generators that we already have just so we can sell gas to California? I think a bunch of other suppliers will jump on this market and lower our price. Fourth, what are we going to do with our stranded assets? Fifth, this doesn't do a thing for Climate Action in this community. It sends any benefit somewhere else. I told staff we should look at specific tasks. If we want to spend some money, why not first evaluate the finances and risks. That would cost \$30,000 instead of \$160,000 and see where we are first. Do a few tasks first and see where we are at that point. Look at our risks. Just do that. I am particularly riled by the fact that they will take money from the Number 4 Generator to spend on this. Those are my thoughts.

The Mayor asked where this idea came from. The speaker said he thought it came from a consultant called The Energy Authority – at least that's my impression. Staff said that that is where they first heard of this but that they and Burns and McDonnell both believe there is a viable market. We did not want to be accused on the flip side of not investigating this alternative to the Number 4 generator. The Mayor asked if The Energy Authority (TEA) markets low carbon fuels? Staff said they could not say that with any certainty, but that company could be involved in the marketing of some fuel products. Staff also said that we should investigate if it were possible to inject gas that is captured into the pipeline for wider sale.

Pitzer asked about the value of low-carbon credits in terms of projecting the term of payback. He asked about the history of that practice. Staff did not have that information and noted that they do not have a market participant in this kind of sale at this point in time. TEA might be able to help, but we have not gotten to that point in the evaluation.

Skala said there are not too many players in this kind of market. Are we a pilot project? Staff said we are new to this and that there are some risks. We cannot say how stable the market will be in the future, but that is why we are doing this study. We also want to find what kinds of uses would be most appropriate for the output. Trapp asked if this would replace what we do now or if this is a new use for excess gas produced. Staff said it could be both if one or the other uses becomes less efficient or less profitable. We wanted a study to see if this could pay off before we proceed on the alternative project.

The Mayor believes that we are cannibalizing our own renewable energy source in some regards. Pitzer asked if the Number 4 Generator is on hold while we wait to do this project. Staff said that is correct. Pitzer asked if we have excess gas produced now. Staff said that when all three generators are running, we do throw off extra gas.

The next speaker said he is a member of the Climate and Energy Commission. He opposes this proposal. He thinks our resources would be better uses to divert waste product from the landfill in the first place.

The next speaker said that he is not particularly well educated in this area, but he would like to see all the resources used to fix the trash collection problem, not spend money on how best to separate organic waste or generate gas.

The public hearing was closed.

Pitzer said he is going back and forth on this issue. He is planning to vote NO. He is hearing that we should do this to see if we can make money off of this. He does not think that is the job of city government. He thinks we can use Generator 4 to turn gas into electricity and that that is a safer, less expensive, already budgeted way to move forward. There are some low-carbon credits that trade, but

those prices fluctuate and may go away. I don't think it is appropriate for a municipality to take on this kind of speculative risk. Skala said he agrees with Pitzer and that he was originally intrigued by the proposal. His problem with this at this time is that there seems to be competing information or a lack of information on this topic. He wants to see the data before he makes this momentous decision. This could cost a lot of money for nothing. This has a lot of inherent risk. I think we should stick with the Number 4 generator capabilities. Thomas said he will vote against this and would like to look again t the cost of food waste diversion. He does not believe the earlier numbers and believes composting could be beneficial. Trapp said he supports utilizing the Number 4 Generator.

The motion failed by a unanimous vote.)

INTRODUCTION AND FIRST READING

(All items were introduced as indicated.)

B36-20 Granting design adjustments relating to the proposed Final Plat of Providence Walkway Plat 1 located on the northwest dedication, reduced sidewalk construction, allowing a lot line to bisect an existing structure, and eliminate the installation of street trees. (Case No. 12-2020).

B37-20 Approving the Final Plat of "Providence Walkway Plat 1" located on the northwest corner of the intersection of Providence Road and Park Avenue; authorizing a performance contract (Case No. 12-2020).

B38-20 Rezoning property located on the northwest corner of the intersection of Providence Road and Third Avenue (1001 N. Providence Road) from District PD (Planned Development) to District M-N (Mixed-use Neighborhood) (Case No. 28-2020).

B39-20* Amending Chapter 22 of the City Code relating to the calculation of monthly volume charges for residential sewer service.

B40-20* Authorizing an amendment to the agreement with Tyler Technologies, Inc. relating to the Columbia Financial Enterprise Resource System (COFERS) project to replace Transparency software with the Socrata Open Finance module.

B41-20* Authorizing an amendment to the master services agreement with N. Harris Computer Corporation for the implementation of the Software as a Service (SaaS) LINK Enterprise solution to create a citizen portal for management of utility billing accounts; amending the FY 2020 Annual Budget by appropriating funds.

B42-20* Authorizing a low-income home energy assistance program supplier agreement with the Missouri Department of Social Services, on behalf of its Family Support Division.

B43-20* Authorizing a program services contract with the Missouri Department of Health and Senior Services for Hepatitis A Outbreak response services.

B44-20* Authorizing a subaward agreement with the National Environmental Health Association to support food safety program initiatives; amending the FY 2020 Annual Budget by appropriating funds.

B45-20* Authorizing an amendment and consent to assignment with The Curators of the University of Missouri, on behalf of the School of Medicine Department of Family and Community Medicine, and Columbia Family Medical Services, Inc. for physician services.

REPORTS

REP6-20 Downtown Community Improvement District (CID) Board of Directors - Annual Membership and Membership Change due to a Resignation.

(Continued from the February 3, 2020 Council Meeting)

(Action: At the February 3rd Council Meeting, the Mayor indicated his intent to appoint 6 members to the Downtown CID Board of Directors. The nominees were:

Deb Sheals for the partial term ending February 2021

Deb Rust for the full term ending February 2023

Kenny Greene for the full term ending February 2023
Heather McGee for the full term ending February 2023
Mikel Fields for the full term ending February 2023
Josh Safranski for the full term ending February 2023

Two members of the council were absent during that meeting.

These appointments were made and approved by the full council.)

REP8-20 Proposed amendments to ordinances relating to short-term rentals (B348-19, B22-20, B23-20); proposed administrative delay in the enforcement of short-term rental regulations.

[Council Memo](#)

[Short-term Rental Consolidated Amendments](#)

[Proposed Ordinance-Short-Term Rental Administrative Delay](#)

(Action: During the February 3, 2020 City Council meeting, the Council made several amendments to B348-19 (amending Chapter 29 Unified Development Code), B20-20 (amending Chapter 13 business licenses), B23-20 (amending Chapter 22, Article V Rental Conservation Law) in regard to short-term rentals (hereinafter "STR").

The Council then tabled the bills as amended to the March 16, 2020 Council meeting, directed staff to produce a "harmonized draft" of the bills including the several amendments, and referred the same to the Planning & Zoning Commission for further review and a recommendation. (Refer to the Short Term Rental Consolidated Amendments link in this report.)

The Amendments approved by the Council on February 3 are summarized as follows and affect B348-19 (establishing use-specific standards for Short-term Rentals in the Unified Development Code); one amendment to B22-20 (that portion concerning Ch. 13, Business Licenses); and two amendments to bill B23-20 (Rental Conservation Law):

Amendment #1 Eliminates the requirement for an owner host to be present when transient guests are using the hosted STR. Owners must name a designated agent if they themselves are not able to respond to STR issues;

Amendment #2 (option 1) Allow up to two transient guests per bedroom under administrative review of hosted STRs;

Amendment #3 Authorize administrative approval of STRs in the M-C and M-DT Districts;

Amendment #4 Allow an owner-occupant to obtain approval of an STR that is adjacent to their permanent residence;

Amendment #5 Limit an unhosted STR in a single-family dwelling district to not more than 95 nights in a year;

Amendment #6 Increases the number of transient guests allowed for unhosted STRs by conditional use permit in the R-1, R-2, R-MF, M-OF, M-N, M-C, M-DT Districts to up to two per bedroom. Council further modified the occupancy limits to make hosted and unhosted the same. By conditional use permit, more than two (2) guests per bedroom may be authorized in any non-residential district;

Amendment #9 - (amends B23-20, Ch. 22) - Requires an annual attestation of compliance by operators. New language related to #9 and #10 authorizes an "eligibility for platform listing" that will be shared with the platforms, regulatory authorities, and the public;

Amendment #10 - (amends B-23-22, Ch. 22) - Authorizes revocation of certificate from STR with

two or more substantiated complaints. The Director shall notify the platforms, termed short-term rental intermediaries (Airbnb, VRBO, etc.) of any such revocation;

Amendment #11- (option 2, amends bill 22-20, Ch. 13) - Requires collection of nuisance enforcement fee of \$2/night. As modified by Council, the platforms (intermediaries) may collect and remit the fees.

These bills and amendments will be the subject of a Planning & Zoning Commission public hearing scheduled for Thursday, March 5, 2020 at 7:00 P.M. in the Council Chambers.

Council also requested that an implementation plan ordinance be brought forward for consideration. The Law Department has attached a draft administrative delay ordinance for Council review. The delay is intended to allow current operators to honor bookings made on the platforms prior to the effective date of the ordinance. It would prohibit STR operators from showing any additional availability to house transient guests until the operator has received a certificate of compliance from the City, gets a business license and applies for a Conditional Use approval if required.

Basically, the administrative delay will allow existing operators to honor current lodging commitments through September 1 without obtaining a certificate of compliance. However, the operator would not be allowed to create any new bookings without first obtaining a certificate of compliance. There is no administrative delay in the collection of the tourism tax. You are obligated to start collecting that tax immediately upon enactment, which is suggested to be 30 days after the council votes on the package.

The 30-day delay in the effective date of the three ordinances would allow time to develop a communication plan with existing operators about the new regulations. This will also allow each operator time to update their information within the booking platforms. Staff will begin accepting applications for administrative approval as soon as 30 days following enactment of the ordinance and will also accept applications for conditional use permits.

The proposed legislation does not address the issue of operators of STRs who have applied for a license, certificate or Conditional Use Permit but such applications have not yet been processed by the city. As written, if an STR operator was required to obtain a Conditional Use Permit, that process could potentially take two-months from the time of application to approval, during which time, the operator would be precluded from advertising online.

The Mayor noted the timeline for this issue. Skala said he thought the earlier process was valuable and thought there may still be some new amendments coming forward. Pitzer had asked for implementation of an administrative delay and he appreciates staff's efforts. However, this may not be a perfect rule and he also wants information on how they intend to enforce these new rules.

Trapp asked if the impact on affordable housing would be used as a criterion for acceptance of a Conditional Use Permit. Staff said it would not be. Legal did say, however, that if Trapp has some specific criteria like density or something, they could look at it. The Mayor said that if they go down that path, it would jeopardize a person's ability to maximize the use of their property and it would open the city to some liability.

Trapp asked for the P&Z to look at the impact of STRs on affordable housing. Thomas agreed with that. Staff said that they could look at the concept of gentrification and impacts on affordability broadly, not in isolated cases since they will impact different neighborhoods in different ways.

The Mayor noted that last time there was a suggestion to possibly refer this issue to the Community Development Commission in addition to Planning & Zoning. Skala said he was concerned about time. Thomas said he did not mind the extra time. The Mayor said that this issue may not belong in our zoning code at all and may not need to go to the P&Z. Skala said he is reluctant to tell people to butt out, since he thinks people have valid inputs. He would like to hear from the commissions.

Trapp thought that STRs may have an effect on affordable housing and would like to hear the opinion of the Community Development Commission. Peters said she struggles with the idea that STRs may have an impact on affordable housing. She asked if there was an emergency at this point?

The Mayor said at this point it is not helpful to him to hear an opinion about affordable housing unless someone can come forward with some specific ideas or amendments to address any perceived problems. Staff looked at dates for the next meeting of the Housing and Community Development Commission. The next realistic meeting of that group is on March 11. They could look at this then if they want. Skala would like to be open to their thoughts. Peters thought it could have some value. The council hearing is currently scheduled to take place on March 16.

Pitzer said he was not sure if this administrative delay bill actually solves the problems.

No formal action was taken and the bill was not formally referred to the Housing and Community Development Commission. It will still be considered by the Planning & Zoning Commission as originally announced.)

REP9-20 Subdivision of two-family dwellings (duplexes).

(Action: City Council requested a report at the December 16, 2019 meeting regarding the possibility of allowing the subdivision of two-family dwellings, commonly referred to as duplexes, within R-2 two-family zoning districts (also permitted with greater density in R-MF districts). Currently this is not allowed by the City's adopted Unified Development Code (UDC) or the 2018 International Residential Code (IRC).

Community Development consulted with the Utility Department and Fire Department in the development of this report and recommends that the UDC, IRC, and utility related ordinances remain as currently codified.

Trapp asked if discussion of this whole issue could be moved to another meeting. He is not prepared to discuss this tonight.

No further discussion occurred and no formal action took place on this report.)

REP10-20 FY 2019 Utility Financials.

(Action: During the June 6, 2019 City Council Retreat and during the FY 2020 Budget Public Hearings staff proposed no longer requesting utility rate changes as part of the fiscal year budget hearing process. Staff proposed to evaluate the previous year financials once all revenues and expenses are finalized after the fiscal year is over. This approach will allow staff to have a better financial picture of how the utilities fared to determine whether a rate increase is necessary. Proposing a rate increase for utilities during the budget process in April/May is complicated by the fact that a majority of the Water and Electric utility revenues are significantly impacted by the summer months (June thru September).

Staff presented a report indicating that utilities are not only affected by summer month billing and usage activity, but also by budget practices that require certain levels of cash reserves, debt coverage. Each of the five utilities has provided current, unaudited financial information for consideration by the council. (Click on the following link to view the financial summary presentation for each utility.)

[FINANCIAL SUMMARY FROM FIVE CITY UTILITIES](#)

The five utilities are as follows:

Water

If we adjust out the cash reserve target numbers and debt coverage numbers, then we cover our ratios and can remove our revenue increase assumptions that were made earlier. Pitzer asked if we dip below the 1.1 debt coverage specified in our bond covenants, so we cannot dip below that number. Pitzer said that when we project out our debt service coverage our actual coverage was different than our projected coverage. Pitzer thinks that it should be certain on which numbers we are using and how we calculate our ratios. He wants to look at this further in the future.

If we did not do the Operating increase of 1% or the 3% general rate increase we would miss some targets.

Electric

In 2019 we had an increase in revenue over the previous year, however, we anticipated higher revenues than we actually received. We did not receive as much PILOT payment due to fewer capital projects ongoing. A mild summer resulted in less electrical demand and less revenue. Power supply expenses were also lower and we purchased less power from the open market. In fact, we sold some back.

We had originally budgeted for a 1% operating increase. We removed that request We still cover our debt service and reserve requirements.

Sewer

Revenues were higher than usual and operating expenses were less. We also had less expenses for flood repairs. With no increases we meet our financial reserve and debt coverage numbers.

Solid Waste

Our revenues were higher than expected and our operating expenses were also lower. We have ordered new vehicles that did not arrive yet, so we will see those expenses next year. We do not have a debt coverage requirement in this category.

Storm Water

Revenues were slightly higher than expected. We do not have a debt coverage requirement in this category.

Overall, unassigned cash reserve was above the budgeted cash reserve target for all Utilities in FY 2019. Debt coverage (per bond covenant) was met for Water, Electric and Sewer in FY 2019. **No utility revenue increases are proposed for FY 2020, and therefor no rate increases are being recommended.**

Skala noted that the reason we had fewer operating expenses is because we did not spend as much on personnel. Is that a recruitment problem? Staff said it is more a retention and hiring problem. The City Manager said we run at an average 10% vacancy rate. Skala said it seems chronic across the board. Staff said that is true and that money that was budgeted for personnel but not spent in the Sewer division exceeded \$700,000. Water & Light said that they had higher budget authority for line workers, but they have not been able to hire at full staffing levels yet. It is a systemic problem and it affects everything we do.

The City Manager asked if this is the appropriate time to discuss rate increases at this time or during the regular budget time. Peters said she likes it better in discussions after we have full year numbers. The Mayor thinks it is better to do it at the end when we already know what the actual numbers would be. If we had had this information back then, we probably would have reached a different conclusion.

Skala said he likes to have a preview of rate during the budget process. Staff said they can preview and wait until January or February to actually approve any rate increases.

The Mayor asked why our sophisticated software can't produce realistic revenue numbers any quicker? The City Manager said they can produce numbers quicker, but they won't be audited. Pitzer said that he believes we are actually approving a budget for utilities in September, and that needs to occur then, even if we don't set ne rates at that point in time.

No further action was taken.)

REP11-20 Amendment to the FY 2020 Annual Budget - Intra-Department Transfer of Funds.
(Action: No action required. No formal action taken.)

GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Public

One member of the public indicated that he wanted to explain the Water & Light Board's help regarding financials related to utilities, particularly the water division. He said he wanted to remind the council what was happening when the discrepancies originally occurred. When some funds that were unrestricted were found, they were disclosed but there was no formal report to council at that time, and there was a lack of actual financial data. All of this occurred during the summer of 2018. As the Water & Light Board, they are happy to help in resolving the current water situation.

Pitzer said there was some suggestion that the Water & Light Board had a responsibility to bring forward such a report, but he does not believe that is true. However, if you know of anything else, let us know. Pitzer asked if the financial training they received earlier was helpful. The speaker said it was and that it is easier to identify the key metrics that need to be studied when evaluating different budgets. We have created a new subcommittee structure to help us deal with the various reports.

Skala said he thought that the reason the Water Department problem arose was a perfect storm and that it involved personnel changes and other factors. He thinks the overall situation has gotten better, but there are some practical things like faster reporting could be improved. Software and personnel reliability will help.

The Mayor said that the Water & Light Advisory Board is all volunteer, but we expect a lot of this board. He asked the speaker if he felt that they are getting accurate and adequate financial information on a

monthly basis? The speaker said he thinks they do, and that recent training helps us analyze that information better. The Mayor asked if he thought that staff was responsive to requests for information? The speaker said yes. The Mayor asked if he thought it was unusual that \$500,000 in unrestricted funds were reassigned after the books had already been closed for those years? The speaker said he could not say with any certainty. The Mayor asked who would have the authority to authorize something like that? The Speaker said he thought it would be the Finance Director and would not be the call of the Utility Director. The Mayor said he finds it curious that we have all of this expensive software, but we still rely on a human to make the call on such transfers. You would think it would be automated or that a policy would govern the situation. The speaker said he believed that a performance audit would address this situation.

Another speaker indicated that she lives on Again Street and that there is a new Short Term Rental coming in. I bet that house sold for \$100,000 or less. There are other houses over there like that. Just adding that to the conversation.

The next speaker said he was going to ask for more assistance as a disabled individual very, very soon. His funds are running low. His water and trash rates are hurting him, and he is running out of money. All low income people need some help. Also, if people have the word felony by their names, can they be hired by the city? Staff said it just depends on the department. Next, he wanted to talk about potholes. They are worse than ever. He rolled into a giant hole at 5th and Ash. Just letting you know. Also, he talked to the chief of police. You should consider something new about health. John Glascock is only the City Manager. He needs your help. We need to know more about how to strengthen our immune systems. I learned about Silver Solution. It can save lives. The Brazilian Pepper Tree can be used to help us. China is doing well with masks. Some of the meds I take are related to car parts. I am not trying to bring terror and scare. I am trying to bring knowledge.

Council

Thomas announced the Affordable Housing Summit on Thursday, February 27, 2020. He said the topic will be workforce housing that is between

He also announced that Mike Trapp and he had formed a study group on affordable housing and that group has met a couple of times and they will make an announcement in a couple of months.

Trapp said he met with a member of the Tree Board about the Emerald Ash Bore and he thinks there will be a lot of people who will need help in dealing with this pest.

Skala said that (SEPTED) the idea of environmental design and crime prevention is important and there is a lot to be said for it. However, be careful about lighting. Sometimes there is a paradoxical effect, like at gas stations, where more light does not necessarily make a place safer, depending upon where it is placed. Surveillance cameras also can have different kinds of impacts and some may be better used by private entities than public entities. He was glad that an earlier speaker brought this up.

The Mayor said he agreed with the environmental design idea, and he immediately thought of referring this information to the Building and Construction Codes Board or possibly Energy and Environment? He thinks we should look at some other ordinances before we create another task force and maybe we should refer this to some appropriate commissions for further study. Thomas said that this seems to focus on the public space, not the private space. The Mayor said there are some parking lots that are private but seem like public gathering spaces and there may be some way to work with them.

Pitzer said he wanted to highlight the work of a few city employees, particularly a Parks & Rec planner who used garbage markers at the golf course; an analyst in the parking utility who saved the city \$27,000 by hooking the phone into the existing phone system; and others. He thinks innovative and practical work like this should be encouraged.

Peters said she met with the Water Department and she wanted to thank them for the review of the entire water system. She asked for someone to help her go through the new CAFER report. The Mayor suggested they do that after they get the new member of the council elected in April.

Trapp thought the task force on crime prevention should evaluate some of the environmental safety design ideas.

Staff
(None.)

ADJOURNMENT
(Time: 10:38 PM.)

©2020 CityWatch-Columbia

(This document may not be reproduced, redistributed or significantly cited in other works without the written permission of the author.)

DO NOT COPY