



Columbia City Council Meeting Recap
Council Chamber, Columbia City Hall
7:00 PM
Monday, March 2, 2020

	INTRODUCTORY ITEMS
Pledge of Allegiance	(Recited as indicated.)
Roll Call	(Present: Treece, Trapp, Ruffin, Pitzer, Skala, Thomas, Peters) (Absent: None.)
Approval of Minutes	(Minutes from February 3, 2020 were approved as presented. Minutes from February 17, 2020 were also approved with a minor correction for spelling.)
Adjustment of Agenda	(Thomas asked that R31-20 be moved from Consent Agenda to New Business.)

SPECIAL ITEMS

S12-20 Resolution of Appreciation - Tad Johnsen, Utilities Director.
(Action: A resolution was presented to Tad Johnsen upon the occasion of his retirement by Mayor Treece. City of Columbia Utilities Director Tad Johnsen will retire effective March 13, 2020, after 26 years of service with the City of Columbia. Johnsen began his career with the City of Columbia in 1994 with Columbia Parks and Recreation as the "electrical guy." In 1996, Johnsen transferred to Columbia Water & Light working at the Municipal Power Plant. Johnsen was promoted to plant manager in 2000 before being tapped by then City Manager Bill Watkins for the role of Director of Water & Light in 2010. In 2015, Water & Light, sewer, stormwater and solid waste utilities were all incorporated as City of Columbia Utilities adding additional oversight to Johnsen's responsibilities.)

Johnsen made short remarks and thanked the Mayor and Council for the opportunity to work with the city. He noted that the boards and commissions he has worked with are very important and he thought the opportunity to work with them was excellent. It takes a lot of time, but it demonstrates quality involvement.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

(Action: The Mayor appointed Josephine "Jo" Staley to the Bicentennial Commission.)

SCHEDULED PUBLIC COMMENT

SPC10-20 Traci L. Wilson-Kleekamp - Rethinking Community Policing a Year Later.

(Action: Peggy Placier replaced the originally scheduled speaker. She wanted to address something that may have slipped public notice. An updated community policing policy was approved in December but did not receive attention and was not televised. It did not occur during a council session. It is not yet a formal plan, because there is a lack of specifics and a disjointed effort. That showed by the fact that this update was not given publicity. We have a draft. We need to adopt a solid, complete plan. We need more open lines of communication and community partnerships. Our philosophy needs to be implemented. We need to know how we got where we are now and what kinds of problems still need to be addressed. It is unlikely that groups who have been victimized will work with police unless there is goodwill, transparency and openness. Some things in the plan are more relevant to community policing than others. We know that you will continue to arrest people. But that does not need to be prominent in the plan. We need to hear more about implementation and the actions of officers. What one does and how one does it are both important. How will officers bring equality to what they do? How will training work. How will officers be “guardians”? Let’s look at recent incidents and learn from them. Let’s make this a real plan.)

SPC11-20 Jim Windsor - Electric Load Forecasting.

(Action: The speaker indicated that he wanted to talk about electric load forecasting. He has experience with the city in this regard. Generally, the city does forecasting to determine long-term purchasing. In 2008 there was a significant load change and it changed our forecast. UMC downturns affected our forecasting. Efficiency in solar could affect our future forecasts, and you can see that in the data. You should know, however, that sometimes efficiency declines over time. As for solar, utility peaks in late afternoon when the sun is going down. That means that solar efficiency declines when it is most in demand. If you look at a graph about highest usage you may think that electric loads are not growing, but that is a mistake. Monthly peaks can be different at different times of the year and can be different in the same months in different years. Our typical hot day in summer in recent years has been 97 degrees – but it can get much hotter in some years. One year, we ran between 102 and 111 degrees. We haven’t seen that kind of heat recently. The speaker’s concern is that if we do have a particularly hot summer, our infrastructure will not be able to keep up our demand for energy. We are already overloaded by some measures. We are building more subdivisions that are big users. When everything comes online, there will be a bigger, significant load. When we add in a hot summer, the speaker said he is very concerned. The speaker has never had a fire or a tornado hit the house, but he still buys insurance. He wants the city to insure against worst case scenarios.)

SPC12-20 Lillian Davis - Property Managements.

(Action: The speaker wants to talk about property management people. She has discovered that they work for Century 21 access. They can charge anywhere from \$35 to \$45 to \$75 per person for a place to live. She counted up to nine people who can knock people out of a place to live if they are on a fixed income. This puts people out of a place to live and makes them homeless. This is not right. I challenge you to go out and find out what they are doing and make it right. These people go out and buy up old houses and sell them to the first buyer. Where does this leave poor people? I challenge you to find out how many more property management people are out there doing this. I have counted 9. I am sure there are more.)

SPC13-20 Martha Brownlee-Duffeck, COMO Transit Justice Coalition - Better Buses Make Better Cities.

(Action: This speaker is a member of Faith Voices and earlier spoke about transit in February. She is disappointed that the new budget did not include additional funding for mass transit, but she is glad to hear that the CATSO plan did get a major amendment that will look at the role of transit in our community. Please listen to the people who ask for public transportation who also have disabilities that

make travel difficult. This could be any of us at any time. Even healthy people have difficulty dealing with difficult or new situations. Sometimes we outlive our ability to drive safely. We need to have an option for those people. Old urban redevelopment plans put roads through African American neighborhoods in order to split and redline those communities. When we become more reliant on cars, people who do not have cars are at a disadvantage. Redlining is not just about lending; it can be about access to resources. Automobile debt keeps people down. Social equity needs to be a part of public transit planning. Finally, we have the most energy-centric transportation system in the world. It contributes to greenhouse emissions. It continues to grow. Larger roadways and more parking keep us on a downward spiral. While it is easy to fantasize about how technology will save us, electric cars will not be the answer we believe. She gave some case studies from California and referenced some specific studies regarding electric vehicles. Houston, Texas has redesigned its system by making the buses better and fixing the routes. This is an answer for us. With leadership, we can have a reliable system.)

SPC14-20 Lara Wakefield - Concerned with Columbia Public Schools Misusing School Resource Officers and Creating Serious Problems for Children and Families.

(Action: The speaker is a justice advocate. She has worked with Race Matters, Friends. She has seen that schools can start the pipeline to prison. The good news is, that when school resource officers act with integrity, it helps correct that problem. False accusations should not result in arrests. In one instance, a disabled student was having a meltdown and was deemed to be unsafe to be on the van. The parent was contacted. She could not get there on time. The parent was then called by the police and was told that the parent had abandoned her child. The mother could not believe what she was hearing. The officer found out that was not true and corrected the problem and took care of the child.

This does not always happen this way. Sometimes minor issues get out of hand. A frustrated student acted out. The staff called the SRO to take care of the situation. It did not go well. One boy was accused of truancy. He did not know what it meant. He hollered about it. The school officials said the kid needed to learn respect. Sometimes kids feel like the officers just set there and watch them eat lunch like they are in prison. One child had a mental health meltdown and was taken off to a mental health facility instead of having intervention. This was a second grad kid. He was restrained and transported in a police car. That was his first introduction to police. I am trying to work with the chief on what constitutes a referral.)

SPC15-20 Chad McLaurin, Race Matters, Friends - Thoughts on Vehicle Stop Data to Date.

(Action: The speaker read a prepared statement regarding communications with the police. He thinks the new chief is similar to the old administration. He thinks hiding behind Sunshine Laws is not transparent. Just because it is prohibited does not mean you can't release it anyway. He chooses to hide behind things that are within his control. He waited 8 days to tell us that an officer employed deadly force. He waits until all the information is in. When we brought this up, we were treated with contempt. The department could have provided photos, but the chief would not do it and it would not have compromise any investigation. The speaker then wanted to discuss vehicle stop data. Basically, he wants to get up to date on Columbia's demographics and how other cities and states benchmark. We need to look at more of this data. One book studied 20 million police stops. He then referenced many citations regarding how departments use stops indicate that they are trying to enforce a war on drugs or illegal immigration, but stopping someone because of the way someone looks is not right. Some departments have fired people for having police stop ratios that are not as bad as ours. We also think our disparities are underreported. We think that could be true in Columbia. We need better data to understand our stop data, but we think most stops are unwarranted and our return on investment is bad when we stop people for no reason.)

(The Mayor then introduced an exchange student from Germany.)

PUBLIC HEARINGS

PH8-20 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.

(Action: This is the first phase of a multi-phase sanitary sewer improvement project which will locally improve sewer hydraulics and make progress towards reducing the frequency of sanitary sewer overflows and building backups in the surrounding area. The cost estimate for this phase of the sewer project is \$400,000, and payment shall come from Sewer Utility Funds.

The Phase 1 Fifth to Wilkes Sewer Improvement Project will consist of constructing approximately 825 feet of sanitary sewer main and 4 sanitary sewer structures to improve sewer hydraulics in the area. This area has had multiple reports of sanitary sewer overflows and building backups from sewer during wet weather events. With anticipated Columbia Public Schools construction on the Jefferson Middle School property, it became feasible to coordinate a sewer improvement project to facilitate improved sewer hydraulics to reduce the occurrence of overflows and building backups during wet weather events. This is the first phase of the sewer improvement project. The alignment of a future phase to improve the sewers up to Seventh Street and Wilkes Avenue will be proposed once a hydraulic model and the associated flow monitoring can be completed.

The Sewer Utility is coordinating with Columbia Public Schools to construct this sewer improvement project across their playing field during the summer while school is not in session. The project is also being coordinated with a forthcoming storm water project to replace a failing and undersized storm system in the Hickman Avenue and North Sixth Street area.

Peters asked if this was just sewer? Staff said at this time that is true and does not include stormwater. That could occur in the future. The green lines on maps are existing sewers in good condition. There is no final timeline on this project. They are meeting with neighbors now. Peters asked if this might be within the next year? Staff said possibly, but they have to figure out what will be included to determine final timing.

Thomas asked how many properties will benefit from this project. Staff said there are 20 properties upstream that have reported backups, and this will alleviate some of those, but maybe not all of those problems. Peters asked what direction the sewer flows? Staff said it flows to the south. Part of the southern line has already been replaced. Also, there is another Flat Branch project in the future that has been identified but has not yet received funding. This won't create a new problem for existing properties. The capacity of the new sewer will be larger than the existing line. The Mayor asked when the school project would be constructed. Staff said that they are building a new gym and would probably not tap into this and running the line under the practice field should not present a problem.

The hearing was opened.

The first speaker spoke on behalf of some residents. He appreciated the staff work on this project. In the past, we have had some issues where we point out problems and nothing happens. Here are a few things you may not know. People in this area are hypersensitive to this issue because of past sewer backups. We should not have to put up with these kinds of problems. Staff has done good follow up on

this particular project. Some neighbors thought they had problems and found out it was not a city problem.

The next speaker thanked the staff for their work. She said several things bother her about this. What she noticed was that in this neighborhood, when a public project comes up, then that's when this kind of thing gets traction. She is wondering why they are doing this now when this problem has gone on for decades? Even the school has had some problems. If that is true, why would it be allowed to have students in the school until it is fixed? I know that you have put little pieces of sewer lines in different places to accommodate new homes. I welcome anyone to endure trying to dig out bad sewers. Please consider fixing all of Ward 1 instead of just bits and pieces.

The public hearing was closed.

Peters thought this project will help and we will wait to see what the timeline is. Skala said it is too many problems with too little resources. He wishes we could do it all, but that is impossible. We have to do it incrementally.

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

OLD BUSINESS

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

(Requires Approval by 2/3 of Council.)

(Action: Approval of this request would permit a reduction in the required half-width right of way dedication along Providence Road, waive the requirement to install a sidewalk along Switzler Street, allow a property line to be platted through a structure (i.e. a parking lot), and waive street tree planting along public rights of way. This request is being concurrently reviewed with a proposed replat of 3.68 acres owned by the Columbia Housing Authority, commonly known as Providence Walkway, in advance of anticipated redevelopment with renovated public housing units. The first design adjustment is integral to approval of the plat, so if it fails the plat could not be approved. The other three could be approved independently since they do not appear on the plat itself.

Since the Planning and Zoning Commission (PZC) reviewed this case at their December 5 (which is discussed later in this report) the applicant has submitted a revised version of the plat. The revision increased the amount of right of way being dedicated along Providence Road, and removed a reference on the previous plat that approval of the plat would realign the accepted centerline of Providence Road.

Staff did not recommend the design waiver or the realignment of the roadway center line. Upon further review by the Law Department, it was determined that revising an established street centerline through a subdivision plat process was not appropriate, and the reference has been removed. **Please note that this report regarding the design adjustment request for right of way refers to the most current version of the submitted plat (dated 1/28/2020), not the version reviewed by the PZC. The current version is an improvement.**

Part 1: The requested adjustment from Section 29-5.1(c)(4) of the UDC is sought to reduce the required half-width dedication of right of way for the site's Providence Road frontage. While the request has been revised to increase the proposed amount of right of way dedication, the request is still less than

what is required and thus still requires the approval of a design Executive Summary Discussion City of Columbia 701 East Broadway, Columbia, Missouri 65201 adjustment. Required half-width for Providence Road, a major arterial, is 53 feet. The applicant proposes to dedicate an additional 11.3 feet at the northeast corner and 10.68 feet at the southeast corner of Lot 101 for a total half-width of 47.58 feet of right of way adjacent to Lot 101, and an additional 9.45 feet at the northeast corner and 6.48 feet at the southeast corner of Lot 102 for a total half-width right of way of 46.44 feet adjacent to Lot 102. The previous version dedicated approximately one foot of right of way at the northeast corner of the entire site, and tapered to five feet at the far southeast corner of the site.

Dedication of additional half-width right of way will reduce the subject site's overall lot area which in turn would reduce the total number of units that could be reconstructed upon the property. Presently the site is improved with 64 dwelling units; however, following dedication the number of permitted units would be 61. The total Providence Road right of way width will become approximately 84 feet at the north end of the site and would possibly meet and exceed the 106 foot major arterial right of way width at the south end of the property.

Part 2: The requested adjustment from Section 29-5.1(d) of the UDC is sought to waive the requirement to construct an approximate 180-foot length of sidewalk along Switzler Street extending from the intersection of Switzler and Trinity to the driveway entrance serving the existing laundry facility on the subject property. Pursuant to the UDC all new subdivision plats approved after March 20, 2017 are required to install sidewalks along all public streets. Due to the proposed replat of the subject site into two (2) legal lots the requirement to install sidewalks is triggered.

The applicant has stated that the waiver is sought to address grade-related issues associated with the construction of the laundry facility out of the floodplain. Staff's evaluation of the site conditions did not identify any significant impediments to the installation of a sidewalk except along an approximate 60-foot portion of the overall 180-feet. Based on staff's evaluation it would appear that a minor retaining wall would be necessary to accommodate the installation of the required sidewalk which is not an uncommon requirement for sidewalks within existing developments. **Staff is not convinced that this waiver is necessary.**

Part 3: The requested adjustment from Section 29-5.1(f)(3) of the UDC is sought to grant relief from the requirement prohibiting placement of a property line through a structure. The structure in question is an existing parking lot that is located approximately where the former Boone Drive right of way existed. The applicant proposes to establish a property line that will follow the centerline of the existing drive aisle serving the parking lot. The new property line will divide the overall 3.86 acre parcel into two lots. The requested location of the new lot line is reasonably located and does not arbitrarily bisect parking spaces. Allowing a lot line over the parking lot does not appear to be detrimental to the site, or in conflict with the standards for granting a design adjustment. **Staff supports this request.**

Part 4: The requested adjustment from Section 29-5.1(g)(3) of the UDC is sought to waive the requirement that street trees be planted every 40-feet along all abutting roadway frontage to the site. The applicant has stated that they may leave many of the trees currently existing City of Columbia 701 East Broadway, Columbia, Missouri 65201 on the site, but would like the flexibility to remove certain trees during the future reconstruction of structures without the requirement to replace them. As of this report's preparation, no building or site plans have been submitted for this site and the applicant was not able to identify specific trees that may need to be removed. It should be noted that the site is considered compliant with the current street tree requirements so no additional trees would be

required. **Staff would prefer to see a site plan before granting this waiver but is making no specific recommendation.**

Based on the original application, P&Z voted 7 – 0 to deny all requests and staff also made a similar recommendation. Because this request includes design adjustments that were denied by P&Z, a supermajority is required for approval of each modification. However, it was noted that the plan being presented tonight is different than what P&Z voted on, but the applicant is still asking for the same basic design adjustments. The bill following this cannot be approved unless the first design adjustment is approved.

Right now, staff does not see a problem with the parking lot request. The Mayor asked if this was the appropriate place to seek relief instead of going to Board of Adjustment? Staff answered that they do not agree with the sidewalk variance; that the street tree variance is premature; and that the right-of-way variance is probably about as good as you can get in this built out area. Ruffin asked if there are other areas along Providence where such a grant of easement could not be achieved? Staff said that there are places where displacement would have to occur. There are some wide spots here and there, but up around Hickman there are some narrow spots. Pitzer asked if we have granted such variances along Providence. Staff said there was one further south in relationship to a sorority house and another on College that was NOT granted. MoDOT was indifferent about this request. City staff has taken the position that we should get as much right-of-way as possible when we can. Pitzer asked if having one standard is appropriate since we are dealing with a built out area. Staff admitted that there is no road project identified at this time. Pitzer asked if we had some variable standards it might be a better thing and that sometimes one size does not fit all. Pitzer said we should look at that from a policy standpoint.

Pitzer noted that there is a change to the street tree ordinance in the works. Staff said this project could conform to both the old and the new ordinance, but they are not relieved of street trees on this major road. What we don't want to do is allow the entire site to be clear cut.

The public hearing was opened.

The first speaker was an engineer. He noted that the applicant has donated the fullest amount of right-of-way possible without making other buildings non-conforming. This includes the existing Blind Boone Center. Also, the funding for this has not yet materialized, so these buildings may eventually be rehabbed instead of rebuilt, in which case this would go away. On the sidewalk variance, we provide alternative pedestrian paths throughout the site. No one seems to have a problem with the parking lot variance. He also noted that the street trees requirement is not something we want to change, but with limited funds, we just don't want to be hamstrung.

Peters asked which trees are we talking about? The engineer said most of the trees that exist are not planned to come down. What we don't have to do is come in and plant more trees. He is surprised that the staff believes we are compliant with the street tree ordinance. Peters asked if they were compliant or not? Staff said they believe that they already have enough to comply, but because the applicant is asking for a waiver, we interpreted that as asking to remove some trees. Staff then explained that they are requesting relief from planting trees every 40 feet. The problem comes in where some of the trees are on private property and are not technically considered to be street trees, but staff could grant relief in that regard.

The next speaker represents the Housing Authority and described the program they want to do on this property. This is one part of revamping 597 separate units. This project has been submitted for the tax credit program. It has not yet been approved. We are trying to cut costs to win the tax credits. We don't want to spend extra money on a retaining wall; we don't want to make our other buildings non-conforming; we don't want to lose units. If we become non-conforming on any of the existing buildings, it reduces our ability to win grants on other parts of the property. We don't have room for the trees they are requiring. They will be small, and if they get big they will wreck the sidewalks.

The Mayor asked what the timeframe is. The speaker said they will submit in September 2020 and will be informed in December if they get it. Then they have about 10 months to get to a firm commitment. That's why we are starting now. If it is new construction, it will take two years from then. If it is a rehab, it will take an additional 18 months. Skala asked what affects whether this is a rehab or a rebuild? The speaker said there are cost factors; the discovery of some termite damage; the issue of non-conforming buildings and the cost of some of these requirements. The speaker said they have some additional land up on Sexton where they have plans to build affordable housing, and they will have to replace some cast iron pipes, and they may have to phase this differently than originally projected. The state tax credits are what is really driving this.

Peters asked how many units this involves. The speaker said it would be 34 or 35.

The next speaker said she walks down Providence all the time. She is grateful of all the trees along the housing authority property because there is not much shade along there. At Oak Towers, a bunch of majestic trees were cut down and not replaced. We have a bunch of new curbs and gutters in the areas, and some trees weren't replaced but were relocated and it looks nice. I think it would be a bad precedent not to replace street trees. If they are not exactly between the street and the sidewalk, that is probably OK.

The next speaker was an engineer and noted that the Housing Authority has already planted trees years ago and they are 50 years old. They do not want to spend money they don't have on trees they don't need. The new ordinance doesn't account for the trees on private property and in fact the narrow strip of land is not always the best place for new trees, so we are asking for a variance. We are replacing city sewers in this area as part of this project and it will improve the entire area, not just a lot of little patches and fixes. But we can't do those improvements if we can't do the project. As far as the 103' foot total width, it includes two driving lanes, a turn lane, a pedway and a bike lane. There just won't be a 5 foot green space at one part. He also asked if they don't pass the right-of-way part, please just table this.

The Mayor said he thinks it needs a little more work. Trapp said he thinks we should support the variances. He doesn't think any of the requests are out of line. We should give support to the Housing Authority. We have a long term investment here. We have already put city money into these projects. Some of the other units in this area have steady funding for the next 20 years. We need to keep these projects table and keep improving them. We should not jeopardize these projects because of 5 feet of right-of-way. I walk this area all the time and it is highly walkable. We don't have policies that say you can't build affordable housing, but we do have a bunch of policies that pile on and require things that cost a lot of money. We have a complex code that piles on costs, and we need to pass this with 5 yes votes or more. Thomas agreed with that sentiment. It is a city priority to increase affordable housing. He thinks the 6 feet of right-of-way on Providence is an anachronism and we should not make people jump through a bunch of hoops to provide affordable housing. Long ago, we were focused on creating new

bike and pedways. We did not realize how it would impact this particular situation. Maybe we do need a new policy that gives us more flexibility. He will support all of the variances. He thinks along Switzler Street we could create some new urbanism walkways without a lot of additional cost. I think we all agree on the lot line and the street trees.

Skala said he thought he would not vote for this before he came here because he doesn't like showing one thing to P&Z then making improvements and showing us something else. I respect the Housing Authority and I know they operate on a shoestring. But, I like to preserve the city's pursuit of right-of-way. He is inclined to table this and see if we can get a bit better product, even though he will support most of the variances.

Ruffin indicated that this is in the First Ward. He is inclined to support all of these issues. He does not see a reason to table this any further. He thinks this will preserve affordable housing. This is the place where our immigrant population has been able to find housing. We are a welcoming city and we need to provide good housing for people who come here. I will support this.

The Mayor said he generally agrees with all of what was said, but because the Housing Authority is a public agency, he thinks they should lead by example and should be required to do what private developers would be required to do. He was surprised he has not spoken to the housing Authority Board about this even though he does appoint them. Peters thinks the easement request is excessive.

The requests all passed 5 to 2, with the Mayor and Skala voting NO. The request achieved the 2/3 majority required.)

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).

(Requires Approval by 2/3 of Council.)

(Action: The purpose of the final plat is to consolidate multiple lots from previous single-family subdivisions into two larger lots in order to better facilitate the redevelopment of the site, by the Columbia Housing Authority, with renovated public housing units. The existing structures on the site are built over former single-family lot lines – a practice no longer permitted per the UDC. The final plat will eliminate this conflict and confer legal lot status upon the proposed lots which will permit issuance of future building permits.

Because this request is being considered in conjunction with the previous item, the council's decision to APPROVE the previous bill enabled a vote on this item to be taken.

The final plat was approved by a vote of 5 to 2 with the Mayor and Skala voting NO. This item received a 2/3 majority vote.)

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).

(Action: The applicant is seeking to rezone approximately .44 acres of property from PD (Planned Development) to M-N (Mixed use- Neighborhood). The site has been subject of numerous rezoning requests over the past twenty years.

In 2004, the subject property was rezoned to C-P and restricted to a single use – an auto parts store. The C-P development plan for this use was approved in 2005; however, site improvements were not completed until mid-2009. In November 2009, the subject property was successfully rezoned to permit an expansion of allowed uses and to revise the design parameters. The 2009 expanded use list permits the property to be used for general offices and the related sale or rental of goods for such uses as artists, lawyers, physicians, teachers, barber and beauty shops including the retail sale of beauty supplies, and counseling centers excluding halfway houses in addition to the previously approved auto parts store.

Additionally, the 2009 ordinance also imposed restricted hours of operation (7:00 a.m-7:00 p.m.), a high-level landscaping plan, and less stringent parking (21 spaces verses 23) upon businesses operating on the site. Most recently the site has housed the AQ Beauty Supply store. The property owner has indicated challenges in leasing the space given the limitations of the permitted uses and has indicated going through the PD revision process for new uses for new tenants is time consuming, uncertain and costly. As such, they are seeking to rezone the property to the M-N district as they feel the zoning would allow the uses they believe are likely to want to occupy the property. Furthermore, the straight zoning would eliminate the need for additional rezoning actions or plan revisions in the future.

Staff acknowledges the applicant's concerns and frustrations with revisions to a PD and their desire to seek straight zoning; however, rezoning requests to remove property from such a designation come with additional concerns. Property is often zoned planned district because of a need for careful consideration of the impacts that permitted uses may generate on adjacent property and to allow site specific conditions to be applied. The requested rezoning would eliminate the ability to impose use restrictions, mandate enhanced landscaping requirements, and limit hours of operation. Furthermore, such an action would eliminate the requirement of a public approval process for site plan changes.

Should the subject property be successfully rezoned to M-N, all of the permitted retail uses within the M-N zone would be allowed. It is staff's belief that many of the retail uses are not appropriate given the property is not at a nodal location and it is directly adjacent to a residential neighborhood already experiencing cut through traffic and commercial creep.

Given the immediately surrounding zoning mix, taking this property out of PD and zoning it M-N would be a spot rezoning, and may contribute to unplanned commercial creep further into the neighborhood. While some office and planned commercial uses are along the Providence Road corridor, the existing list of permitted uses per the site's approved SOI do not seem out of line with the existing land use mix. As noted above, staff has discussed with the applicant the potential to revise the existing permitted uses to accommodate uses not presently allowed, but potentially appropriate on the site. As stated above, the applicant does not favor incrementally revising the site's entitlement due to time and cost.

Per the Comprehensive Plan, the proposed zoning designation sought with this request could reasonably fit within the context of the Comprehensive Plan land use designations for the site, which is commercial. However, when giving further consideration to how this property and the proposed zoning changes correlate with the Comprehensive Plan it should be noted that the Plan promotes context-sensitive development and neighborhood planning. The subject property is not part of an existing neighborhood plan which would typically provide finer-grain details as to its desired future land use.

In preparing the initial report, staff had received no information from adjoining property owners or the neighborhood association (for or against) this proposal. The applicant has indicated the neighbors are in

support of this proposal now that there has been time to see the building and operations thereof, though no correspondence has been provided. The owner of the Aroma Coffee House to the north attended the public information meeting in support of the request and described the challenges they perceived as recent applicants going through the PD zoning process.

Given all of the information and the facts inherent to this site, it is staff's finding that the requested rezoning is not appropriate at this time. Staff believes the remedy to the property owner is to work with the city and the community to revise the existing permitted uses with related and appropriate control mechanisms. This is especially true in an area where the land use mix is challenged by commercial creep in a historically residential area.

After the original report was submitted, and subsequent to the last P&Z hearing, staff discussed this matter with the applicant to see if a revision to the original Statement of Intent in a Planned District would be sufficient for the applicant's uses, rather than ask for a change of zoning to M-N. Based on this discussion, staff prepared a revised SOI for the applicant's consideration that expanded permitted uses to include retail, general and restaurants and prohibit alcoholic beverage sales. The revised SOI retained all previously approved SOI provisions pertaining to landscaping, hours of operation limits, and reduced parking.

Upon review of the revised SOI, reformatted to conform to UDC provisions and terminology, the applicant chose to reject the proposed revisions and desired to continue to pursue the requested zoning change from PD (Planned District) to M-N (Mixed-use Neighborhood). On that basis, P&Z considered the case and voted 4 to 2 against approval of the request with one abstention.

P&Z recommends denial of the request to change the zoning designation.

Pitzer noted that staff had described M-N zoning as transitional and said that seems like that is exactly what this is. Staff said that it is transitional, it's just a matter of degree. Skala asked if liquor stores will still be prohibited, and they said it would be subject to a conditional use permit.

The public hearing was opened.

An attorney appeared on behalf of the applicant. He distributed a diagram that showed properties just to the north of the proposed site. He showed how much of the surrounding area was already commercial or M-N, even though some are residential homes. The speaker said that back in 2009 when he first worked on this project he thought staff was very helpful. He wants to address some specific aspects of this. This property has always been occupied by a beauty shop. They are leaving. The current zoning is too restrictive to appeal to the potential pool of replacement businesses. He also wanted to pose the issue of whether it would cause commercial creep or would it have bad consequences. He said it has been commercial for a long time, and nothing bad happened. In fact, he put in more green space than required, he has enhanced the quality and value of this neighborhood. If there was any danger of denigration, it would have already happened. Changing the zoning will prevent commercial blight. You have all seen what happens when buildings go empty. He has no interest in selling liquor or tobacco or establishing a restaurant. M-N is the best way to achieve what he would like to do and there are already numerous M-N in this area. It is already zoned for development, and his single property will not change any of that. To prevent commercial blight, it should be given the ability to attract a new tenant. There is no evidence that this existing property has degraded the area at all.

The next speaker noted that he has been involved in trying to attract a new tenant to this space. They have seen a number of new potential users, but none can occupy the building as the zoning currently sits. The intent of the new code was to get away from Planned Districts and codify specific zones. This is a transitional zone and some limitations could occur, but this makes sense in terms of M-N the way it was described in the new code.

The next speaker was the applicant himself. He is the owner of the building. He has been involved with the zoning of this property for 25 years when his son was still a student at Hickman. This will go to him. It won't be for sale. You will know what this is going to be. It used to be an old house. I wanted Corinthian columns in the front. I was told to put in an ell. I can do this right. I have 4 years more to pay off this building. I have to continue to work just to pay off the building unless I can lease it. I have asked for changes to this 18 times to fit new customers and opportunities. 3 months rent goes to tax. 2 months goes to insurance. I have to work to make that up. I am not going to do something wrong in this building. This is more valuable than the houses around it. I work hard to support this building. And when I finally retire, it will go to my sons. This is the way the Greeks do it.

The next speaker said she does not see any problem with rezoning this property.

Another speaker said she lives about a block from the property and represents the Ridgeway neighborhood association. She mentioned that several years ago, there were several people who opposed a car parts store at this location. They beat it twice, then it got changed. They worked with him to get the zoning he has now. We are very concerned that we have some neighborhood input. We supported a coffee shop here. We supported a medical pharmacy. Our neighborhood association does more than zoning. We discuss poverty; we take care of stray cats; we have socials in the park. We have worked with the Kardons to get something they can use. When does the changes stop? We already decided this. We shouldn't change this just because it is not convenient for the developer.

Another speaker said she lives in the neighborhood and is a homeowner there. She supports this request.

The next speaker said he is the owner of his dad's business. He noted that the one opponent to this who spoke tonight has M-N zoning on her property and she is opposing this request for M-N even though she has the ability to do the same thing with her property herself. He goes back in time and remembers when there were no apartments downtown. Now there are a lot built by big guys with big money. Why not for little guys too? Don't stop the dream. Help it go forward.

The next speaker indicated that the applicant runs Tom's Imports. The speaker thinks this guy has paid taxes to this city for years and that this request represents more revenue for the city.

The public hearing was closed.

Skala asked about the M-N zoning designation. He is nervous about the potential for bringing alcohol sales into this property. What would be the path for the applicant to get permission for a broader range of uses? Staff said that they would have to change the Statement of Intent to include more uses. The only time the plan would come into play would be if they altered the building. Skala asked if they give M-N zoning, can the city still control some uses? Staff said there are some use-specific standards for some things, but most are self-limiting because of size. Realistically, you treat all M-N the same. Staff agreed with Skala that there is another way to change some of the uses for this site.

Pitzer said he will vote for this. He believes this is truly a transitional area, that M-N is a mixed use district and that is transitional. He also thought the size of the site is self-limiting. He supports getting away from individually negotiated deals and believes that is what this would have been zoned if we all looked at this through a fresh lens.

Thomas asked if a car parts store could be put here under M-N. Staff said that the new definitions would allow general retail which would include car parts, but you couldn't have fuel sales, car repair, car washes, large scale kennels, but a pet supply store would be allowed. A day care could go in there. Thomas asked about minimum parking requirements. Staff said there are uses that require different levels of parking. Retail would be covered there, but a restaurant would probably require more parking than would be possible. Thomas asked if there were existing M-N properties that were used as residential.

Trapp said he didn't think he would vote for this, but once he saw the map with all the surrounding M-N, he has changed his mind. He thinks this is generally supportive. I think we are a little too cautious about separating all of our different uses. Sometimes our zoning gets in the way of achieving our overall goals.

The vote was taken. The bill passed 7 to 0.)

DO NOT COPY

CONSENT AGENDA

(All items remaining on Consent Agenda Approved unanimously.)

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.

R31-20 Setting a public hearing: proposed replacement of the pervious pavement in parking areas located in the alleyway north of the City Government Center.

(Moved to New Business for consideration.)

R32-20 Setting a public hearing: proposed construction of sanitary sewer and storm water improvements to the Cullimore Cottages project located on the west side of Eighth Street and north of Fairview Avenue.

R33-20 Setting a public hearing: consider an amendment to the FY 2019 CDBG and HOME Annual Action Plan.

R34-20 Authorizing an agreement for professional engineering services with Walker Consultants for a condition assessment report of the elevators in the Tenth and Cherry, Eighth and Walnut, Eighth and Cherry and Sixth and Cherry municipal parking facilities.

R35-20 Authorizing the dissolution of the Source Water Protection Plan Task Force.

NEW BUSINESS

R36-20 Authorizing Dan Summers and Sylvia Greer to pursue access to sanitary sewer services through an annexation agreement for contiguous property located at the terminus of Cherry Bark Court and south of Old Ridge Road (3805 Cherry Bark Court) (Case No. 50-2020).

(Action: Approval of the attached resolution will authorize the City Manager to enter into an annexation agreement with the property owners of 3805 Cherry Bark Court in lieu of the typically required “direct” annexation of property contiguous to the City’s corporate boundary. The subject lot is presently vacant and is proposed to be improved with a single-family dwelling that is connected to public sewer. Pursuant to Policy Resolution #115-97A prior to a property connecting to the City’s sanitary sewer system it must either enter into an annexation agreement or annex into the City’s corporate limits.

Policy Resolution #115-97A includes criteria that specifies that parcels seeking to obtain City sanitary service are either required to annex when contiguous to the city boundary or enter into an annexation agreement when they are non-contiguous. Given that these requirements are contained within a Council Policy Resolution it has been determined, by the Law Department, that the applicant’s request to seek authorization to utilize the “annexation agreement” provision verses the standard practice of requiring “direct” annexation is possible should Council find specific and unique conditions inherent to the subject property that justify the deviation.

The principal issue driving the applicants request to obtain authorization to utilize the annexation agreement provision is associated with the desire to reduce expenses related to extending a 6-inch water main to the site in order to bring the lot into compliance with the City’s fire flow requirements of 800 GPM (gallon per minute) and other city-related Fire Code improvements.

The subject parcel is the last lot within an existing 1977 County-approved subdivision that has been fully built out with public infrastructure. Water is supplied to the subject lot and those within the surrounding three county-approved subdivisions by Consolidated Water District No. 1. The subject lot and the 3 adjoining lots located on Cherry Bark Court are served by a 2-inch water line that is sufficient to support domestic water flow only and there is no fire hydrant along the street. Cul de sac lots within the adjoining subdivisions are similarly served by 2-inch water lines. Non-cul de sac lots within the surrounding subdivisions are served by 4-inch water lines.

The sizes of the installed water lines were the accepted standard at the time of platting and there were no fire flow requirements in place for County development. While fire flow requirements have now been adopted for **newly platted** County subdivisions, City staff has been informed by County Building Officials that a county building permit would be issued to the subject lot irrespective of its ability to meet the current fire flow requirements since no new platting is being proposed.

It should be further noted that fire protection services to the subject lot and the surrounding developments is currently provided by the Boone County Fire Protection District. Following either annexation or approval of an annexation agreement this service provision will not change. The current service provision acknowledges the fire flow deficiency that presently exists.

Sewer service to the developed lots within Country Woods Subdivision Plat 1 and 2 as well as the adjoining two county subdivisions is provided by the City of Columbia via a “bulk” sewer agreement approved prior to adoption of Policy Resolution #115-97A. It should be noted that among the three subdivisions two contiguous parcels were required to annex into the city and two non-contiguous parcels were required to enter into annexation agreements pursuant to the requirements of Policy Resolution #115-97A. At the time of these actions the issues of water supply deficiencies were not identified as impediments to new construction.

Following review of the submitted correspondence, evaluation of the existing utilities available to the property, Boone County permitting standards, and the public health benefits that would be compromised if the subject property were not permitted to connect to the City’s sanitary sewer, staff believes the parcel has a unique set of conditions associated with it that support the applicant’s request.

If authorized to enter into an annexation agreement, the applicant will not be relieved of having to annex the parcel into the City’s corporate limits. Rather the annexation would be delayed to allow the new single family dwelling to be constructed following all Boone County development standards. A provision requiring that the applicant complete the annexation process within 60 days after receiving a certificate of occupancy from Boone County is proposed to be included in the annexation agreement.

Thomas asked why they wanted to commit to the county standard? Staff explained that there are very few customers in this area that are served by city water and that it would be prohibitively expensive to extend a large line for a single house. If built, this line would bypass existing houses that are on the water district line. Staff pointed out that both the city and county would be responsible for fire service here. Whoever gets there first takes precedence.

Pitzer asked if they signed the agreement, they could get the sewer, then would annex later. Would that be automatic or would it require a process? Legal said it would require a process, but they would commit to it. Staff said they did the same thing at another lot in this area. On some other lots, they did NOT require immediate annexation which would have triggered the need for the city fire flow standards because they are not contiguous. However, they got sewer by requesting a pre-annexation agreement. That’s why this is being asked for. In this instance, the county can serve this area because they have tanker trucks, but the city doesn’t, and that’s why the requirements are different. Would all city services then be required? Solid waste would be required. So, you mean a truck would go into this neighborhood and only serve one house? Yes. Would other services be required? No, they are on Boone Electric and Consolidated water.

The Mayor asked if they would be required to annex or not? Staff said the applicant has indicated that they would. The Mayor said that’s not what this says. The city manager said he could force it if they wanted if they did not file an application.

The hearing was opened.

The first speaker was an attorney for the project. He showed a map. They have a single family lot and want to build a single family home. They are eligible for a building permit in the county if they can prove they can get sewer or have an onsite treatment system. They have a sewer line within 40 feet, but if they annex in first, they will have to spend \$140,000 to upgrade water lines for other lots because they will come under the city fire code rules. If they build first, then annex, they can avoid the \$140,000 cost,

still have sewer instead of an onsite wastewater system, and not hurt any neighbors. Other properties in this area have already done the same thing. Pitzer asked if other homes were allowed to do this same thing? The attorney said yes, but they pulled permits under the county code and were not contiguous, so they didn't have to annex.

Peters asked if this is annexed will the city have to pay to upgrade the lines? Staff said no, it would be a legal non-conforming building. Staff then explained that the water district only guarantees drinking water and the city guarantees drinking water and fire flows, so that's why they have a bigger line requirement. The council then went through the discussion of being both in and outside the city at the same time. Pitzer said he was confused. He wondered if it would be better to do the pre-annexation agreement, let them have sewer, then not approve annexation – or just say no to the deal and deny sewer?

The city manager asked what your concerns may be. The Mayor said he is philosophically opposed to extending services to people who aren't in the city since there are other taxpayers still waiting on their services. The city manager said they will tap into our sewer lines and they will pay a 150% connection rate. The city manager said not sending one garbage truck into the subdivision to serve one house would be ridiculous. Staff also pointed out that there are two other lots in the area where there has been very little activity in this area and that fighting fires in this area will not be affected by the size of the line to one house.

Trapp said he thinks this might be a reasonable way to get a good sewer in there and this is a unique situation, so he could support this. Maybe we can decide later to annex or not, but this would help provide sewer and will chip away at that little island that is outside the city.

The motion was approved 6 to 1 with the Mayor voting NO.)

R31-20 Setting a public hearing: proposed replacement of the pervious pavement in parking areas located in the alleyway north of the City Government Center.

(Moved to New Business for consideration.)

(Action: The Parking Utility staff has identified a need to replace the pervious pavement in the parking area located in the alley north of the City Government Center, along the south side of the plaza parking garage. The pavement is deteriorating to a point that it will be creating a potential safety issue of a dropped edge next the existing concrete drive if not addressed this year. Staff has also determined the green "Filterpave" pavement section that was installed as part of a pilot project a few years ago has become severely clogged with fines and will also need to be replaced. Staff intends to replace these two pervious pavements with a "Paverdrain" block system pavement.

This system has no issues of clogging and is performing to the MoDNR 319 grant specifications. The estimated cost of the project is \$70,000, the Parking Utility set aside \$30,000 in the 2020 budget to begin the investigation into what was needed to make these improvements. Now that a final scope has been determined, staff will need to appropriate an additional \$40,000 from retained earnings.

Thomas asked if the earlier paving was an experiment and if the new system would have grass growing through spaces in the concrete? Staff said this was a test pilot of Filterpave and it just didn't work very well. We did a different test at the Grissum Building and that one worked well, so we are going to do that in this area. Thomas asked if this is now best practice? Staff said it is and it is way better. Thomas asked if we could make this a new standard? The Mayor said this is only a discussion about setting a

public hearing. Thomas said he was interested in this topic. The Mayor suggested they take that up later. Thomas agreed.

The decision to set a public hearing passed unanimously.)

INTRODUCTION AND FIRST READING

(All items introduced as indicated.)

B46-20 Establishing an administrative delay in the enforcement of Chapter 29 regulations related to short-term rentals, Chapter 22 regulations related to the requirement to obtain a short-term rental un-hosted certificate of compliance, and Chapter 13 regulations related to the requirement to obtain a business license.

B47-20* Approving the Final Plat of “Spencer’s Crest, Plat 4-B1” located on the west side of Range Line Street and south of Rain Forest Parkway; authorizing a performance contract (Case No. 32-2020).

B48-20* Amending Chapter 14 of the City Code to provide reserved parking for police vehicles along a portion of the south side of Walnut Street.

B49-20* Authorizing Amendment No. 1 to the contract with Boone County, Missouri relating to ongoing maintenance responsibilities of roads along the geographic boundary of the Columbia city limits.

B50-20* Amending the FY 2020 Annual Budget by appropriating funds for replacement of the pervious pavement in parking areas located in the alleyway north of the City Government Center.

B51-20 Authorizing a contract for sale of real estate with BAMDA Properties LLC for the acquisition of property located at 1206 Bowling Street to be used by the City Utilities Department as part of the Municipal Power Plant and Electric and Water Distribution Complex campus of buildings.

B52-20 Authorizing construction of the Runway 2-20 extension project at the Columbia Regional Airport; calling for bids through the Purchasing Division.

B53-20* Amending the FY 2020 Annual Budget by appropriating a disbursement from the Conley Fund to the Department of Public Health and Human Services for utility assistance.

B54-20* Amending the FY 2020 Annual Budget by appropriating funds to the Office of Sustainability for training expenses.

B55-20* Amending Chapter 29 of the City Code relating to the installation of street trees in public rights-of-way (Case No. 105-2019).

REPORTS

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

(Continued from the February 17, 2020 Council Meeting.)

(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). The request was initiated by Trapp to see if such division could result in the availability of additional affordable housing units.

Currently this is not allowed by the City’s 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.

The *2018 International Residential Code* requires that dwelling units in two-family dwellings “be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating.” One-family attached dwellings are referred to as “townhouses” in the IRC and require double walls meeting the 1-hour fire-resistance rating (1-hour exterior wall for each unit/2-hour equivalent rating) or a common wall with a 2-hour fire resistance rating.

The IRC also requires that each individual townhouse be structurally independent. This requirement does not apply to duplexes. Furthermore, townhouse common walls are constructed without plumbing, mechanical equipment, ducts, or vents in the cavity of the common wall and only allow membrane penetrations for electrical outlet boxes. Common walls in duplexes do not meet this requirement and the 1-hour resistance rating often terminates at the ceiling. Only a draft stop which restricts the movement of air between the two sides is required in the attic of a duplex.

Staff believes that none of the above provisions associated with a townhouse can be met in existing duplexes without significant alteration of the structure. Staff also believes that there are common expectations associated with home ownership (and home financing and insurance), two of which are a minimum level of fire and structural separation from a neighbor's property.

There are also concerns regarding both sewer and water service. Many duplexes are constructed with sewer taps which were done with limited regard to their location as it relates to each side of the duplex since it is all on one lot. Therefore, in those cases, splitting each side of a duplex into a separate lot essentially creates a private common collector sewer. That would seem to be counterproductive to what the sewer division has been working to eliminate.

Trapp spoke to the issue and acknowledged the shortcomings of the proposal. He asked if covenants could address the issue of shared costs for things like roofs? Staff said yes, but that some things are code requirements. Trapp said he understood the fire ratings and codes, but he didn't seem to think that it was a safety issue since there were already people living on both sides safely. Staff said that in theory that could work, but it is not allowed. Trapp asked if a covenant could be achieved between property owners to get around that requirement? Staff said you could possibly establish it like a condo, but as we understand it, if it were a fee simple arrangement, there would have to be code improvements. Who would pay for common damage to both sides? Staff also brought up the utility hook up problems.

Trapp asked if condos could be allowed without such improvements? He said he was just looking for affordable housing options. What he sees is that there are a lot of duplexes in the Second Ward, without a lot of ownership. There should be some way to agree to some shared costs. City legal said this would be a smaller version of a condo, but we would have to look at it from the city standpoint to be able to allow it. Trapp said he thought that title and insurance problems could be solved based on conversations with some experts in those fields. Legal staff did indicate that they cannot be divided because of the construction rules and any agreement would be more complex in nature. The Mayor worried about having equal protection for consumers who own both sides of the duplex.

Trapp said that in general he thinks the council's policy should be to promote affordable housing and we don't always do that.

No formal action was taken.)

REP12-20 Growth Impact Study.

(Action: This report addresses spending \$75,000 on a study to determine whether or not new construction in the city pays its own way, or whether the city should impose new development fees on builders to recoup money spent on new infrastructure and required services. Although the RFP that will be issued specifically states that this new Growth Impact Study "is not intended to offer the final word on whether development pays for itself" or not, other provisions in the document seem to indicate that

the expectation is that changes with significant impacts to new development will be made including “revisions to ordinances, policies and practices as necessary.”

“The completed study will be used by the City Council in its periodic review of its development policies, including but not limited to, the schedule of fees and charges to offset the growth in infrastructure and public services as well as other practices required to support the built environment, population, and territory within the city boundaries.”

Typically, a fiscal impact analysis examines the revenues that residential, commercial, industrial, institutional and mixed-use development generate as well as the estimated public expenditures required to provide services to the new development. This study will put those factors into a context with which the City Council and the community may consider the benefits and costs of growth that go beyond the narrower analysis of revenues and expenditures generated by new development.

In other words, in this study, infrastructure is conceived of as evaluating not only the costs associated with putting pipes in the ground and wires in the air, but also the costs of providing basic public services. Therefore roads, water treatment plants, and sewer networks are considered to be infrastructure as well as police, fire service, and public schools. Their expense is measured for both “bricks and mortar” and additional personnel.

The study is anticipated to include various opportunities for public input during the course of the study and the appointment of a Steering Committee to help with implementation. A due date for the study and a final price tag for the study are not included in current staff documents, although the city did budget \$75,000 for this project during budget hearings in September of 2019. Council Member Thomas was the sponsor of this budget amendment.

[LINK TO DRAFT GROWTH STUDY RFP](#)

Thomas noted that on the second page the report says that this study will examine the built environment and the cost of public infrastructure. Staff said that they believe that there are both public and private expenditures. Thomas said that may be true, but he wants to call out the public costs. Thomas then noted that this RFP indicates that the State of Missouri does not have impact fee enabling legislation. Staff said that is true, but we do have development fees. They are different in that impact fees don’t have to define a nexus or geographic realm for improvements. Development fees act a little more like a tax and was voter approved. Connection fees do not require voter approval, but they do require justification. Thomas then asked why it was noted that there is no electric connection fee. Isn’t it also true that the city also pays for all infrastructure within a subdivision? Staff said that the city does supply materials, but that it is not entirely paid for by the city. Thomas also thought it was good to specify that there would be a stakeholder committee.

Skala said he thought this was a long awaited update to the Infrastructure Task Force. He thinks this was already done, but it should be updated. Does growth pay for itself? It depends on what kind of development you have. I think we need an update. I think it has gotten a little more difficult.

The Mayor asked if this study would contemplate a cost analysis of proposed annexations? Staff said that would be included in the analysis, but it would not be the focus. Will we be putting a dollar figure on soft costs like services? Will these numbers be scalable so we could use the data to determine the costs of annexation? Could we determine how much it costs to extend services per mile? Staff said solid

waste, street repair and that sort of thing could probably be measured. The Mayor said that state law does not PROHIBIT impact fees, there is just not enabling legislation to allow it in Columbia right now.

Pitzer said he does not want to set up a new commission to do this. Maybe a steering committee is fine. Will the rate studies we have already paid for be part of the data these people have access to? Staff said yes.

Thomas said that this is essentially a study coming up with numbers, he does think it would be good to have a broad stakeholder committee.

No further action was taken. The RFP will go forward.)

REP13-20 Commission on Human Rights: Request to Add Veteran Status as a Protected Category.

(Action: The Commission on Human Rights sent a letter to city council requesting the adoption of an ordinance described in the following way:

The Commission recommends that veterans' status be added to the definition of protected category in Chapter 12 of the City's Code of Ordinances with the definition of veteran as: "a person who served in the active military and who was discharged or released under conditions other than dishonorable."

The Commission believes that the addition of this definition is very clearly in line with the City's Principles of Community, and lives up to the aspirational nature of the Principles that seek to create a community that is inclusive of all citizens who have differing perspectives, identities and lived experiences.

Trapp asked for a rationale for why this should be added to protected status. The Mayor agreed.

Both would like to see more documentation from the Commission before the council takes action.

No further action was taken.)

REP14-20 2020 Pavement Management Report.

(Action: This report details the general condition of roadways within the City of Columbia and discusses relative funding levels for street maintenance. Columbia's street infrastructure is critical to the operation of the City. The replacement cost of Columbia's 1389 lane miles of streets is estimated at more than \$575 million. Over the years, traffic, weather, water, and aging of asphalt and concrete pavements all contribute to street deterioration.

The City of Columbia Pavement Management Plan proactively addresses street deterioration in the short term, and improves the integrity and service life of Columbia streets over the long-term. The plan is grounded in the principle that preventative and rehabilitative street maintenance is more cost effective than reconstruction.

Current funding levels are better than historic levels, but are still approximately \$2.3 million/year below what is necessary to maintain a high quality driving surface for all streets. This annual shortage is based on the current FY2020 budget for 1389 lane miles in comparison to budgets other agencies have historically had to successfully maintain their street networks. From our experience and what other professionals around the country recommend, a successful program will allocate approximately \$0.67 per square yard for their entire paved street network per year. By doing so, this means that they can maintain about 1/10th of their system each year with some sort of preservation treatment. Due to the size of our network, funding for the Columbia Street Maintenance Program

should be at \$6.55 million/year. For FY2018 and FY2019 funding was at \$4.275 and \$4.355 million. The funding for the program for FY2020 is \$4.226 million.

If funding stays the same, beginning possibly as soon as FY2021, some decisions will need to be made about potentially deferring more maintenance for local streets or having a lower expectation of our street conditions. This is because more major routes within Columbia will not be able to defer maintenance any longer; this will cause the pavement management plan to start transitioning from residential streets to free up funding to cover the higher cost of our collectors and arterials.

Pavement condition is evaluated according to the Pavement Surface Evaluation and Rating (PASER) System. The PASER system utilizes a 10 point scale, with 10 being a newly constructed road surface and 1 being total failure. Ratings for all arterials and collectors are now in the City's GIS Pavement Management Database. The current average PASER rating for streets within the GIS system is 6.70; this is down from 6.97 last year and 7.5 the previous year. This large drop in such a short amount of time is because the higher PASER ratings were initially over-represented due to most streets being rated after maintenance was performed.

The report offers 4 different funding scenarios that would result in different levels of PASER ratings for Columbia roads:

- **Scenario A:** Would provide funding for all critical seal coat and overlay work and some reconstruction, at a cost of \$6.55 million in FY2020 with an additional funding of an anticipated \$80,000 to \$100,000 per year added after that. PASER rating predicted to be 8 or 7 (Very Good or Good).
- **Scenario B:** Would add \$265,000 per year to the existing funding level of \$4.226 million per year. Average PASER rating predicted to be 6.5 (Good).
- **Scenario C:** Would maintain the City's current 2020 funding level for pavement maintenance, at \$4.226 million per year. Average PASER rating by the year 2030 predicted to be 4.5 (Fair) for major routes and 3.5 (Poor) for minor routes.
- **Scenario D:** Would defer essentially all pavement maintenance for ten years, with no annual cost for maintenance. This scenario would result in the average PASER rating of 2.5 (Very Poor, at the risk of failure) by fiscal year 2030.

The primary report is 25 pages in length and is accompanied by individual street reports by ward.

Skala though this report was very timely and was able to respond to constituent questions with some of the data contained in this report. Trapp asked if staff could remind us what our policy goal is regarding street maintenance. Staff said that if council indicates a funding level, we can get to a 7 rating which is our goal.

Thomas thought this was very data driven. He wanted to know if \$6 million per year more would get us back to our goal? Staff said if we do it now, that is true. If we wait five years, it will cost more. Thomas asked if the transportation sales tax all goes to street maintenance? Staff said it goes to operations and the airport and some maintenance. Staff said the next time they go to the ballot, they may want to adjust the split.

Pitzer asked about the annual funding, but does one-time funding help? Staff said it doesn't hurt, but it is hard to plan in a short-term window. If you passed something in September, you could use that money in the next year.

The report was accepted. No further action was taken in this regard.)

REP15-20 Citizens Police Review Board 2019 Annual Report.

(Action: This Board consists of 9 members and was created by ordinance in 2009. The board is authorized to review allegations of police misconduct; host meetings and engage in public education; review and make recommendations on police procedures and policies; and provide an annual report on its work. During this reporting period, the board reviewed 4 cases of police misconduct; hosted monthly public meetings and participated in community outreach; met with the new police chief on two occasions to share its view of current operations; has trained volunteer advocates to assist complainants and police with the appeal process; issues an RFP for a professional mediator; engaged in various board training opportunities.

Of the police conduct cases reviewed, one was considered to be unfounded; one sided with the decision of the police chief; recommended reconsideration of an original decision and found policy violations had occurred; and dismissed one complaint since the officers involved were no longer employed by the city.

Additional details of all activities are included in the full report.

The report was accepted. No further action was taken.)

REP16-20 Amendment to the FY 2020 Annual Budget - Intra-Departmental Transfer of Funds.

(Action: No action required, and none taken.)

GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Public

One speaker indicated that he had a lot of territory to cover. He is interested in the corona virus. His mom has had a knee replacement and other things where he has had to go to the hospital frequently. If corona gets out of hand, we need to slow down that airport. You can't be protected by a mask. Doors are being welded shut in China. Please educate our public about this potential disease. I am not saying everything. Wake up.

Another speaker thought several things were not addressed tonight. There are problems here with housing. I haven't really seen everything that is being done. I haven't seen what you are doing for elderly people. What are you doing for people who earn less than \$18,000 a year? Can you tell me about the 2013 sewer bond issue? What was that for? Staff said it was mostly for maintenance. How much was for Ward 1? Did we get our share? Is it still in effect? Why didn't it show up in our ward? Staff said it has. She said people are still digging up bad sewers. Then she said it has been three years since she called to have a lightbulb replaced on her street. Then she wanted to know what they were doing to try to get a handle on crime.

Council

Ruffin asked to speak first tonight and wanted to address a few issues as his term comes to an end. Eric Williams was the president of the Ridgeway Neighborhood Association. He passed away at a young age recently. He was a great individual who moved here at the age of 18. He bought and maintained several rental properties in the area. His vision was to establish a community garden on Sexton and Garth. We mourn his passing but celebrate his life.

Ruffin also mentioned that a woman addressed the council about the death of her daughter and has used that circumstance to make sure that we appreciate the victims of crime. She has established an organization to help victims of crime and to help eliminate valance in our community. We have all been

impacted. When a grassroots organization arises to align with the vision we hold as a city council and to make sure that all people feel safe, then I think we should publicly endorse this initiative as something we support. We are committed to walking this journey with them. She also requested that we agree to a policy that is called crime prevention through environmental design. So, I am requesting that the council support the Boone County Committee Against Crime and that we will support it going forward.

The council agreed and Ruffin asked that they pass such a resolution before his term on the council expires.

Thomas thanked Glascock for proposing an amendment to CATSO that would put transit on the list of potential plans on the long range plan and the creation of some working group on transit. Thomas believes there are some shortcomings, including some structural problems relating to goals =without specific plans and how transit is built into budgets and plans. Thomas also asked for staff to prepare some responses to people who brought up community policing this evening. He would also like to address the ROI on police stops comment made earlier.

Staff
(None.)

ADJOURNMENT
(Time: 10:58 PM)

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