



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, June 6, 2016  
7:00 PM

Regular

Council Chamber  
Columbia City Hall  
701 E. Broadway

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#### I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, June 6, 2016, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members SKALA, THOMAS, PETERS, TREECE and TRAPP were present. Council Members NAUSER and RUFFIN were absent. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meetings of May 16, 2016 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Thomas.

Mr. Trapp explained he would like to withdraw B61-16 as he had initially requested it come forward.

Mayor Treece asked that R69-16 and R70-16 be moved from the consent agenda to new business.

Mayor Treece understood staff had asked for R71-16 to be removed from the agenda.

Mr. Skala asked that R60-16 be moved from the consent agenda to new business.

Mr. Trapp made a motion to approve the agenda, including the consent agenda, with B61-16 and R71-16 being removed from the agenda and R60-16, R69-16, and R70-16 being moved from the consent agenda to new business. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

#### II. SPECIAL ITEMS

None.

#### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

#### IV. SCHEDULED PUBLIC COMMENT

SPC22-16 John G. Clark - The many bundles of property rights in real property - owner's private property rights, public property rights, governmental property rights, and other property rights.

Mr. Clark, 403 N. Ninth Street, provided a handout and commented that the bundle of rights concept was devised to explain the complexities of property ownership. In this instance, he was speaking about real property and it was very confusing. He stated the ownership of land was much more complex than simply acquiring all of the rights to it. Each step represented one individual right the owner could lose, could be compromised, could get back, etc. For example, the perfection of a mechanic's lien took some, but not all, of the rights of a fee simple owner of a piece of land or a building, and extinguishing the lien returned those rights once it was paid off. The strongest version of the fullest title

to real estate was called fee simple absolute. He commented that the City frequently heard from people who were speaking about their belief in economic property rights in terms of the idea of a value to property rights, and although it was a useful concept, it was not necessarily the law. For example, a title owner generally had the right of possession to use and occupy, mortgage, lease and provide someone else the right of use and occupation for a certain term, sell, subdivide and develop, adopt restrictive covenants that could run with the land long after ownership, etc. He noted there were other considerations as well, such as public use. He explained the FAA determined what could be done 500 feet above one's home, and listed public parks and electric utilities as other examples of public uses. He stated there were also government rights, and listed a few of those to include the collection of property taxes, the enforcement of liens, and the enactment of zoning laws. He commented that zoning laws were an exercise of police power, and pointed out all of these items restricted the rights of property owners to do whatever they wanted with their property any time they wanted. He explained this list did not include the police power to protect health, safety, and welfare of the public as this existed separately and did not run with the land or property and could be retroactive.

SPC23-16

Brandi Dean - Severe erosion issues in the back yard due to poor storm water management and would like the city to reinforce the storm water drainage ditch walls so no more land is lost into the drainage ditch.

Ms. Dean, 307 W. Alhambra Drive, provided a handout and explained her property had severe erosion and damages due to poor stormwater management. She noted she had spoken with numerous people at the City and had been unable to get her issue resolved. She believed the City was negligent in the stormwater management of her neighborhood, and her property had incurred damages as a result of it. She stated she had been told the City did not maintain natural creeks, but noted the so-called creek behind her home was a stormwater drainage ditch that began in the middle of her neighborhood. In addition, the City had performed and maintained construction of a retaining wall along the drainage ditch to prevent erosion and flooding upstream from her and had stopped at her property line. In 2011, she had been told a project addressing her issue would be included in the Capital Improvement Project (CIP) Plan, and she had not found any project that might help her except for Mill Creek Phase 3, which did not specifically identify her property and was now a 6-10 year project. She explained she had seen about four feet of her property erode into the drainage ditch in the seven years she had lived there. If she waited another 6-10 years for improvements, she would not have any backyard left. She commented that in addition to all of this, in 2001, FEMA had determined the drainage ditch had placed her within a special flood hazard area, Zone A, without an appropriate flood study. She noted Zone A was the area FEMA felt had a one percent chance of being inundated by a flood. It was the highest risk zone so flood insurance was required by her lender, and FEMA classified her home to be at the same risk as if she lived on the banks of the Missouri River. She stated she believed this was a mapping error by FEMA and another area whereby the City failed her neighborhood as the maps had been presented to the City's Floodplain Management Division before they were finalized and the City could have appealed the determination by FEMA. She pointed out that since her property was in a flood zone of an unstudied floodway, she could not fix any erosion issues without also performing a flood study, which would cost \$2,000-\$5,000 and would not include the cost to fix the erosion issues. She commented that as a taxpayer and stormwater utility customer, she had paid the City to maintain streets and stormwater drainage, and did not believe she should incur the cost to repair damage to her property due to the negligence of the City. She asked the City to fix the issues she was having with erosion so she could prevent further loss of her property.

Mayor Treece stated Ms. Nauser was not present this evening, but he thought she would ask staff to look into this issue and to provide a report to Council as to any action that could be taken.

SPC24-16 Lynn Maloney - The Race and Equity Forum held in May and future conversations.

Ms. Maloney stated the City had hosted a Race and Equity Forum on May 3, 2016 in fulfillment of one of the recommendations of the Mayor's Task Force on Community Violence. The public announcement for the forum had described this event as the beginning of many other conversations about race and equity the City would host. In consultation with African Americans that had served on the City's 1996 Race Relations Task Force along with others that had worked for equity within Columbia Public Schools, several suggestions were made to improve the effectiveness of future discussions about race and equity. One suggestion was to include those most adversely affected by social equity issues in the planning process. She noted one attendee had suggested "she be allowed to choose the music so she could dance," and an African American veteran of many city diversity events had referred to himself as a "token" of the City and had suggested the planning include at least one Black Methodist church, one Black Baptist Church, and one black secular organization. She commented that future discussions would more likely attract a better representation of African Americans if they were held at venues that belonged to the African American community, such as the Second Baptist Church, St. Paul AME, or the Youth Empowerment Zone. She noted the people she had spoken with had cited a lack of specificity and detail. The forum had focused on a poverty simulation that had been offered to teachers, but there was a lack of data regarding the racial disparities in the school system. She believed this lack of detail created a lack of confidence in the intention held by those hosting the forum. She suggested an action-oriented agenda be created as the lack of action had been cited by attendees as a source of frustration. Learning about poverty simulations and volunteer efforts outside of City government did not encourage the attendees to believe the City had any earnest intentions to act. She suggested the City be explicit in the objectives and goals of future conversations as there had been a lack of any clear intention or objective for the forum. She understood some felt the forum was held to only superficially satisfy the recommendation of the Mayor's Task Force on Community Violence. She suggested the City earn the trust of the African American community by including those five considerations when planning future conversations about social equity. She reiterated the five suggestions, which were included in a handout provided after the meeting, and hoped the City would act on those suggestions to create something new and to earn the trust of the African American community.

SPC25-16 Kevin D. Everett - A request for the city council to consider policy to improve enforcement of current tobacco policies.

Mr. Everett, 4107 Joslyn Court, provided a handout and explained he was a strong advocate for healthy living and to help to improve the health of individuals. He noted the City had enabled some best practice policies to reduce tobacco prevalence over the years, and asked the Council to consider requiring retail licenses to sell tobacco products as another policy, which was a recommendation of the Healthy Lifestyles Committee as well. He understood some people had already begun to look into the issue of how to make such a policy feasible.

SPC26-16 Tim Vicente - Opposition to proposed roundabout at Green Meadows Boulevard and Forum Boulevard.

Mr. Vicente explained he was representing the Country Club Villas 2 and Villas 1 Homeowners Association and the Green Meadows Daycare Center, which was located on the corner of Forum Boulevard and Green Meadows Road, and noted they were in opposition of a proposed roundabout at the Forum Boulevard and Green Meadows Road intersection. He understood those in support of roundabouts tended to refer to roundabouts working well in Europe, but noted this was not Europe. The roundabouts in

Europe were massive and were not constructed in highly dense populated residential areas. He felt another issue was the fact Forum Boulevard was four lanes and Green Meadows Road was two lanes. He explained he had spoken with design engineers at the open house and they were only familiar with two similar roundabouts that involved one four-lane and one two-lane roadway, and those were located in Wichita, Kansas. Columbia did not have experience with a roundabout of that type. He was concerned a lot of dodging of traffic would occur since there was a tremendous amount of pedestrian and bicycle traffic in the area. He was concerned about vehicle traffic not being aware of people crossing the road at the roundabout. He commented that the vast majority of those in the subdivision were over 60 years old and were petrified of the proposed roundabout. He provided a copy of the petition signed by people opposed to the proposed roundabout, and noted they had 94 signatures from people in Villas 1 and Villas 2 and 45 signatures from daycare parents. He understood this improvement would cost \$600,000, and wondered why they would spend that amount of money to solve a traffic problem that only occurred from 4:45 p.m. to 5:45 p.m. five days a week. He felt there had to be a better way to spend that money, especially when those in the area had concerns.

SPC27-16

Pat Fowler - Report on the volunteer efforts and outcomes during the Salvage The James Project, March 18 - 26, 2016.

Ms. Fowler, 606 N. Sixth Street, commented that she was a member of the Historic Preservation Commission and had recently had the pleasure and privilege of serving as the volunteer coordinator and the spokesperson for the "Salvage The James" project that had occurred this past March. She introduced Mark Wahrenbrock, a member of the Historic Preservation Commission, and Rusty Palmer, the Historic Preservation Commission staff liaison, and noted Mr. Wahrenbrock was holding a "For Sale" sign showing the Neidermeyer firm had been involved in the sale of the building. It had been found in the storage room of The James tucked away behind a few other items. She credited the Barzell property management company and the prior owners for the amount items still in the building. She stated Mr. Palmer was holding a plumbing access door, which had been signed by most of the volunteers. She explained The James had three principle uses over its lifetime, to include the home-base for the Elks between 1907 and 1945, and prohibition had occurred during 10 years of that time period. She noted they had found a prohibition door at a narrow passageway in the basement of the building, and it had a pull chain on one side and a variety of mechanisms for opening and closing the door on the other side. She thanked the owner of property for his continuing commitment to their efforts as he had made every part of the building accessible to them and had paid for their lunch. He also had a contractor supply generators to the building to make their work easier, and that contractor had assisted them with moving some of the more difficult items. She pointed out they were working with the owner to reincorporate some items in the coffee/study area of the new building. She thanked Rob Cooper, the property manager during the transition, as he had provided them the key and hardware to every door. She noted the planning team had included Kelly Veach, Douglas Jones, Mark Wahrenbrock, Rosie Gerding, Dan Cullimore, Maria Davison, and members of the Historic Preservation Commission. She stated they had 60 volunteers of varying times, and Mr. Cullimore had provided 66 hours toward this project. They had removed 19,000 pounds of architecturally significant items and four full truck loads had traveled to the storage barn at Rock Quarry Park. She pointed out Mr. Cullimore and Mr. Jones had taught the novices how to remove items gently while respecting the building, and thanked Mike Griggs for making space in the storage barn for the items. She noted they had plans for an architectural salvage sale and other festive events around the artesian craftsmanship that had been found in the building, which they hoped would be repurposed around town. Mayor Treece thanked Ms. Fowler for her help, particularly the behind the scenes work and her subtle diplomacy with the owner, the City, and the volunteers. He noted she had

acquired wireless microphones so they could communicate with volunteer leaders and had sign in sheets, safety gear, respiratory masks, etc. It was a professional effort done by volunteers. He was proud they had been able to save so many artifacts for a living history of the downtown.

## V. PUBLIC HEARINGS

PH16-16 Construction of a concession/restroom facility at Gans Creek Recreation Area.

PH16-16 was read by the Clerk.

Mr. Griggs provided a staff report.

Mayor Treece asked for clarification regarding the hallway between the bathroom and the concession. Mr. Griggs replied it was the plumbing chase. Mayor Treece understood this was the same concept as they had at Atkins Field. Mr. Griggs stated that was correct.

Mayor Treece opened the public hearing.

There being no comment, Mayor Treece closed the public hearing.

B124-16 Authorizing construction of a concession/restroom facility at Gans Creek Recreation Area; calling for bids through the Purchasing Division for a portion of the project.

The bill was given second reading by the Clerk.

Mayor Treece opened the public hearing.

There being no comment, Mayor Treece closed the public hearing.

**B124-16 was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

## VI. OLD BUSINESS

B61-16 Amending Chapter 13 of the City Code as it relates to pawnbrokers.

Mayor Treece noted this item had been withdrawn.

B103-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Building Code.

Discussion shown with B112-16.

B104-16 Amending Chapter 6 of the City Code as it relates to the adoption of the NFPA 70 2014 National Electrical Code.

Discussion shown with B112-16.

B105-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Plumbing Code.

Discussion shown with B112-16.

B106-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Mechanical Code.

Discussion shown with B112-16.

B107-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Residential Code for One- and Two-Family Dwellings.

Discussion shown with B112-16.

B108-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Property Maintenance Code.

Discussion shown with B112-16.

B109-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Fuel Gas Code.

Discussion shown with B112-16.

B110-16 Amending Chapter 6 of the City Code to enact a new Article X adopting the 2015 Edition of the International Energy Conservation Code.

Discussion shown with B112-16.

B111-16 Amending Chapter 6 of the City Code to enact a new Article XI adopting the 2015 Edition of the International Existing Building Code.

Discussion shown with B112-16.

B112-16 Amending Chapter 9 of the City Code relating to adoption of the 2015 Edition of the International Fire Code.

Mayor Treece explained public comment would be taken on B103-16, B104-16, B105-16, B106-16, B107-16, B108-16, B109-16, B110-16, B111-16, and B112-16 after the staff report and council questions.

Mr. Teddy provided a staff report.

Mr. Skala understood the codes were reviewed about every three years. Mr. Teddy stated that was correct, and explained the International Code Council (ICC) published the model codes on a triannual basis. Staff initiated the process by preparing a memo to Council asking that the commissions be given the codes to review and suggest changes as deemed necessary.

Ms. Thompson explained amendment sheets had been prepared for some of the bills.

Mr. Thomas commented that there had been discussion of five areas of disagreement between the Building Construction Codes Commission (BCCC) and the Environment and Energy Commission (EEC) at the last meeting, and asked how that was represented in the bills. Ms. Thompson replied each suggested amendment was laid out in a separate amendment sheet for Council to consider. Mr. Thomas understood they were imbedded in the ten amendment sheets included in the packet.

Mr. Thomas understood the original versions of the bills had been the recommendations of the BCCC. Ms. Thompson stated that was correct. Mr. Thomas understood they deviated from the International Energy Conservation Code (IECC) in certain areas, some of which were now being offered by amendments to go back to the original IECC version. Ms. Thompson stated that was correct.

Mr. Skala noted he had attended the most recent meeting between the EEC and BCCC, and accommodation had been made to most of the items, and those were reflected by the amendment sheets.

Mr. Thomas commented that he had noticed some of the amendments were mundane and administrative in nature, such as the number of people on a particular board or commission, and asked why those were tied to the building codes as he felt they were two very different types of decisions. Mr. Teddy replied he would use the first amendment associated with the International Building Code (IBC) as an example and explained it had not been clear in the original recommendation whether a representative with expertise in energy conservation would be an existing member or an additional member. It had since been clarified the energy conservation specialist would be an eleventh member. Mr. Thomas understood the effect of that change would not be apparent for three years when this was done again. Mr. Teddy stated there might be an interim review and noted standalone amendments had been done at times in the past.

Gretchen Waddell Barwick explained she was a grass roots organizer with the Missouri Sierra Club and noted she had attended the recent EEC and BCCC joint meeting and had been very impressed with the team Columbia had in terms of how well they had worked together. She commented that she was present to show her support for the 2015 IECC, which was associated with B110-16. She stated the 2015 IECC would save money by lowering energy costs for residents by building more energy efficient homes, and would create healthy homes since they were now taking into account more advanced building science information to ensure homes had better indoor air quality. It would allow them to reduce pollution and move away from dirty fossil fuels by burning less coal to make electricity, and would protect homebuyers by continuing duct blasting and blower door testing on all new residential homes. It would save residents and new homeowners money, and would provide a sense security that a certified energy auditor had ensured the home was performing the way it should. She urged the Council to adopt the amendments as written for the 2015 IECC. She commented that the solar ready provision would allow homeowners to take advantage of the changing energy market when they were ready to invest in solar panels. It did not require anyone to put solar panels on their homes, and only removed a lot of the existing barriers to installing solar. She understood 50 percent of people in Columbia that had tried to place solar on their homes were ineligible due to things such as dormers, inappropriate venting, and chimneys. This provision would make more people that wanted solar on their homes eligible for solar.

Alison Lindburg stated she was the Building Policy Manager for the Midwest Energy Efficiency Alliance (MEEA) and provided a handout related to technical assistance and energy efficiency impacts with the adoption of the IECC. She explained her background was in architecture and she had experience as a general contractor. She had been working with energy codes for about six years. She stated that MEEA would recommend Columbia adopt the full 2015 IECC for both residential and commercial buildings as it would save one percent and 25 percent, respectively in terms of energy. She commented that she believed they needed to move forward in adopting new codes because building technology had progressed. She pointed out not providing insulation in basements was about more than just energy losses. It was also about potential negative impacts related to moisture issues. She provided a refrigerator as an example and noted it was insulated on all sides. If one of the doors broke and the area was covered with a piece of plastic until the door could be replaced, moisture would build up because the one wall did not have insulation. She stated this same thing would occur if the basement was not insulated, and encouraged the Council to require basements to be insulated if possible as it could otherwise create mold issues. She commented that commissioning and testing were extremely important as they found efficiency met what it was supposed to meet if there was testing.

Ms. Peters asked Ms. Lindburg for clarification regarding her statements about mold in basements and insulation and whether a plastic barrier was needed between the foundation and the insulation. She wondered why they would want to insulate if it created mold. Ms. Lindburg replied she was saying there was a higher chance for mold if they did not provide insulation. She agreed they should seal as a moisture barrier was

needed. She explained warm air on the inside and colder air on the outside without an insulated barrier created condensation, so there was a potential for water to build up on the inside of the wall. She thought they should require the sealing and insulation of the floor because all of the walls of the building would be insulated. She recommended the Council keep the code the way it was as all of these items were built to be a system together. Issues could be created when taking them apart. She explained she did not have much to say with regard to the termite issue, except that she had tried to provide information as to how North Carolina had attempted to get to the termite issue while requiring insulation. She reiterated keeping the insulation requirement for foundations, and noted consumers in Columbia were now used to having their foundations insulated. She wondered if someone would notify consumers of the code change if they stopped requiring insulation for basements.

Mayor Treece asked Ms. Lindburg for her recommendation in terms of insulation for slab on grade. Ms. Lindburg replied she was uncertain with regard to the termite issue. Mayor Treece asked what she would recommend if she did not have to consider the termite issue. Ms. Lindburg replied she would keep it the way the code was written. Mayor Treece understood that meant it should be insulated. Ms. Lindburg stated that was correct.

Chuck Graham, 102 W. Green Meadows Road, explained he was the Chair of the Disabilities Commission and noted he worked for the Great Plains ADA Center, which was an organization that provided technical assistance and training on the ADA. In terms of drinking fountains, he stated the 2010 ADA standards required a high and low fountain. He understood the BCCC had recommended only the low one, and thought that would set up every new building and their tenants for lawsuits. He suggested both be included since it was required by federal law. He noted the Council should have a letter from the Disabilities Commission with regard to the elevator installation issue, and explained they had unanimously supported the requirement of the IBC to have elevators in two-story commercial buildings. While it was not required by the ADA, the number of Americans with disabilities had gone from 36 million to 56 million since the ADA had been passed, and he believed the number would continue to grow as the baby boomers aged. He noted Columbia currently had lots of second story businesses he and others could not go into, and provided the second floor of Harpo's and KOPN, the community radio station, as examples. He pointed out those were existing facilities, which he understood, but explained they were building for the future and it made no sense to him to continue to build future businesses whereby people could not access their doctor, dentist, etc. because they were located on a second floor.

Mayor Treece thanked Mr. Graham for his help in adding an elevator to the Residence of the Chancellor so the public could access that public building. With respect to the drinking fountain, he noted there could be people with back surgeries or braces that could lean down to use the lower fountain. Mr. Graham stated that was correct.

Mr. Skala noted they also had veterans they had to recognize in addition to baby boomers. He explained he had witnessed the difficulty people had at some establishments and events, such as Bleu Restaurant and the Roots 'N Blues Festival. He thought these accessibility issues were related to the strategic plan, and stated his appreciation for Mr. Graham and his advocacy with regard to ADA. Mr. Graham thanked the Council and City leaders for the improvement to accessible parking in the downtown and understood they were now working on better accessible curb cuts. He stated the amount of progress he had seen in the last 18 months had been impressive.

Lawrence Lile, 7425 E. Route Y, Ashland, Missouri, explained he was a property owner in the City of Columbia, and noted he had recently purchased a code compliant house and then had spent several thousand dollars caulking it so it would pass his own personal blower door test. He stated did not believe everything was passing the blower door test as had been indicated, and explained he was advocating for an unamended 2015 IECC. In terms of termites, he noted his building was insulated from the bottom of the basement



to the bottom of the wall and he had built it in such a way that he could take the insulation off later to inspect it. Six years after constructing the building, he had inspected it and had not found any termites. He pointed out he had termite barriers built into it as well. He reiterated his recommendation of adopting the 2015 IECC without amendments.

Larry Woods stated he was the Vice President of Pest Management at Atkins and noted his specialty had been termites since 1973. He explained he had always recommended that foam on exterior walls and on earth contact be cut off at ground level because termites would come up through the center and between the Styrofoam and the foundation, and were undetectable. In order to make it more attractive, some builders would then cover it with metal, which made it even more difficult to detect. He noted a piece would likely have to be cut off to determine whether termites were coming through it or behind it. He commented that in terms of the suggestion of Mr. Lile, he thought it would be a constant issue to keep it in place. He stated he had seen very few termite shields work in his 40-plus years. He pointed they did not work if plumbers and electricians cut slices out to do their work, people beat the shields flat against the foundation, or the seams were not soldered. He commented that, in his opinion, foam was a horrible idea, but noted he was not knowledgeable on all of the energy reasons to do it. He understood they would likely only get R-3 or R-5 out of four inches of foam and termites would be detectable if foam was not used. He explained termites tended to insulate their own tubes in the winter, which made them more detectable, but they would use the foam insulation for their purposes to make them harder to detect.

Mr. Thomas asked Mr. Woods to characterize in his experience as to the number of incidents whereby termites accessed a house when this kind of foam insulation had been used on basements and basement walls. Mr. Woods replied he could not provide a percentage, but noted he had treated hundreds of homes with 1.5 inches of foam. The termites traveled through the center and there was usually a brown stain. Mr. Thomas understood that was the tunnel for the termites. Mr. Woods stated that was correct. If broken off, one could see the little tunnels. He pointed out the termites could not make as large of tunnels with the insulation, but they then just made more tunnels. The termites also did not need to make them as big because they were insulated. He stated termites worked year round and were more productive with insulation. Mr. Thomas asked if there had been actual damage to the woodwork of these houses he had treated. Mr. Woods replied yes. He reiterated the issue was detection as they wanted to be able to treat the areas with termites. Mr. Thomas asked how often the treatments and inspections typically occurred. He asked if it was on the homeowner to be diligent. He wondered if there was a process for inspection outside of when the property was sold. Mr. Woods replied it was inspected when the property was sold in many cases, but in some instances the inspection was waived. He pointed out he would not be able to see much from the outside foundation if there was Styrofoam all of the way around that was covered with aluminum. He commented that he believed termites would get into homes and the main issue was the ability to see them when they did. If they could not be detected, it would lead to damage. He thought 99.9 percent of homes in Mid-Missouri would have termites at some point and they needed to be able to see them before they did too much damage. Mr. Thomas understood they could be seen by observing them on the outside of the foundation wall. Mr. Woods stated that was one way. He explained there were a lot of ways they could get into the home, especially a slab home.

Mr. Skala understood an effective way to address the issue was to ensure the termite barriers were installed properly and with regular treatment. Mr. Woods commented that the number of retreatments necessary had decreased since the 1980's and 1990's, but noted they needed to be able to detect termites if they were to come back or in case they never left.

Mark Walter stated he was the Deputy Director of Renew Missouri and explained he was present to advocate for the full adoption of the 2015 IECC as it was written. He

commented that he had approached some friends with the Building Code Assistance Project, which was a 501(c)(3) that advocated for building energy codes, and they had reached out to David Carmel, the former government affairs officer for ICC and a current consultant to ICC. He stated Mr. Carmel had indicated the participation in the code development process, including the IECC, was very broad and included thousands of local officials, to include code officials. They had active and consistent participation from the National Association of Home Builders, who had four of the twelve seats on the residential energy code committee and had substantial influence on the content of the IECC residential provisions. He noted Mr. Carmel went on to say any claims that codes were drafted or heavily influenced by environmental activists was inaccurate and pointed out they tended to receive more complaints from the environmental community and efficiency advocates that the process was dominated by builders. One of the safeguards built into the process was that the final vote on all proposed code changes was not open to environmental advocates, builders, or anyone else from the private sector. Only government members, usually code officials and fire officials, were entitled to vote at the final vote whereby a code change was contested. Mr. Walter commented that it did not appear the National Association of Home Builders, which seemed to take a position on about one-third of the codes, had a single word on their website about the provisions heavily debated in Columbia, i.e. the solar ready provision and the foundation insulation provision. He suggested the Council adopt the IECC as written. He pointed out the cost of solar had dropped 73 percent from 2006 to 2015, and was predicted to drop another 40 percent. This, in addition to the cost of batteries decreasing, would create a dramatic increase in solar insulations. He understood utility officials were worried about a mass exodus from the utility sector once people could afford their own solar and their own batteries. He thought Columbia should be a forward-thinking community and to do its best to accommodate what they know would occur in the next 5-10 years.

Mr. Thomas asked Mr. Walter if he was saying the National Association of Home Builders had not taken a position on the solar ready provision and the foundation insulation provision. Mr. Walter replied yes. Mr. Thomas understood they did not support or oppose it. Mr. Walter stated that was correct. He explained they took a position on about one-third of the building code provision changes and about two-thirds of the positions they had taken were in opposition. He could not find that they had taken a position for or against those two provisions.

Jack Meinzenbach, 806 Sunstone Lane, explained he had a villa built after he retired by a builder that had indicated to him that he was the most energy efficient builder in the State. It was a 4,000 square foot villa with a geothermal system for heating and cooling. At the time, solar was not cost effective so they did not include it with the home. They also had 2 inch by 6 inch exterior walls and an insulated basement. He noted the utility bills had never been more than \$178 per month, which was less than what he had paid for his home in Lake St. Louis, which was 60 percent of the size of the villa. He commented that the initial cost of the home might be a bit higher when including energy conservation materials, and felt it was a "no brainer" to ensure every new building could accommodate solar.

Rick Shanker stated he supported the building regulation that would require the support of systems and the electrical portion or solar ready, but was opposed to the documentation. Over 1,900 permits had been issued last year, and of those only 275 involved houses and only 15 included solar. He did not feel the demand was as prevalent as had been mentioned by some, and understood most people initially cared about the bedrooms, kitchens, and bathrooms. He reiterated he believed the documentation was the only portion of solar ready that was an issue. In terms of the foundation, he stated four notable exterminators had voiced their opposition to it.

Mayor Treece asked why documentation was a problem. Mr. Shanker replied he understood staff was provided prints of all components of a commercial building since they were complex, and each component was reviewed. Residential buildings were not

as complex so detailed plans were not necessary. The energy code required building plans or roof plans. Mayor Treece understood building plans were not required to be submitted for residential construction in Columbia. Mr. Shanker stated that was correct. He noted a plot plan had been suggested for documentation, but City staff had indicated a roof plan would be required detailing all aspects of the roof. Mr. Simon commented that in order to enable staff with the ability to enforce the solar ready provisions, a roof plan would be required demonstrating where the solar panels would be placed. The code was clearly written in that manner. Mr. Thomas asked how much work that would be for a builder. Mr. Simon replied he would not be able to speak to that adequately and suggested the question be referred to a builder. Mr. Thomas understood it was simply a plan drawing of the roof surfaces showing where the panels would go and indicating there were not hindrances. Mr. Simon stated that was what he would look for to ensure they met the requirement of the code. Mr. Shanker pointed out it could involve more than a roof plan if the home had a fireplace, vents, etc. Mr. Simon stated the roof plan would show where the chimney would be located.

Mr. Shanker reiterated he did not feel there was much demand for solar now based on the permit applications of the past year, and suggested this not be required until there was more demand. He thought they could accommodate a portion of the code requirement, to include the roof being able to hold the panels, the electricity being adequate to provide for solar energy, and a pathway.

John Page, 8391 S. Forest Creek Drive, commented that he had been a builder for the past 36 years and noted the issue was that plans could change. He explained a roof plan could be submitted to the City, but then the property owner could decide they wanted to make alterations to the roof plan after work had started. The current code would allow them to build something without detailed plans. He pointed out he could have the plans on a napkin at this time. He explained they had to submit a plot plan to the City showing where it was on the lot, but did not currently have to provide anything further.

Mr. Thomas asked if the roof plan could be submitted at the end of the building process. Mr. Page replied he thought that could be done, but noted it would be an added expense. It also depended on the complexity as he wondered if a builder could submit it or if it would require an engineer.

Mr. Thomas asked if it could be submitted by a builder. Mr. Simon replied a builder could submit it as long as the information supplied was adequate to secure the fact the code was met.

Mr. Page wondered how neighborhood covenants would be impacted by solar panels.

Mr. Page noted the problem with termites was that the amount of damage they created before being found was extensive and expensive. He commented that termite shields did not work, and gave an example of weed eaters tearing them up along with other reasons they could be damaged. He explained the BCCC had attempted to address the problem by changing the classification for Missouri, which was allowed by the code. He thought it would be a horrible disservice to the public to require foam on a slab. He commented that he felt they were viewed as builders that just wanted to slide by, but that was not accurate, and noted a lot of the amendments they had recommended to the code were more stringent. He provided examples of areas whereby Columbia was more stringent and had been for years.

Mr. Skala stated he appreciated the perspective of the builder and the fact that many of them made an extra effort. He understood there was a snow load requirement that made some of this unnecessary in terms of solar because roofs had to be built to certain standards already. He thought the solar ready provisions really had more to do with the electrical box and ensuring things were not in the way. The plan was the issue as plans were not required for residential structures. He understood any change when building a home would cost the homeowner a lot of money, and asked if that was correct. Mr. Page stated a significant change would require the homeowner to pay for the change as it

could require more materials. Mr. Skala commented that it would not be the builder that paid for any change. Mr. Thomas suggested the cost of re-measuring and documenting the solar panels be added to the cost to the homeowner.

Dick Parker, 215 W. Sexton Road, commented that two paragraphs in the solar ready provisions referred to documentation. One stated instruction documents should indicate the solar ready zone, and the other stated the structural design load for the roof dead-load and the roof live-load should be clearly indicated on the construction documents. He noted the requirements for roofs would meet the requirements for solar as roof designs were required to meet the solar provisions and the snow loads. He pointed out builders were not required to present documentation that their roof design met those provisions. He personally did not feel that set of documentation was necessary and the identification of the zone seemed to be clear.

Dan Cullimore, 715 Lyon Street, stated it was true plans were not required for single-family residential construction in Columbia. He understood contractors in many other communities were submitting plans to regulating agencies and documenting what was within the walls and above the ceilings for homeowners. They were photographing walls before the dry wall was installed and submitting it as quality construction information. This made it easier to know what could or could not be done when changes were made later. He commented that he did not know of any builder in Columbia that did this, but thought they should be able to provide simple diagrams of a roof in order to locate solar in the future. He did not believe it would be expensive to accommodate.

B103-16 was given third reading by the Clerk.

**Mayor Treece made a motion to amend B103-16 per Amendment Sheet 1. The motion was seconded by Mr. Skala and approved unanimously by voice vote.**

**Mayor Treece made a motion to amend B103-16 per Amendment Sheet 2. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.**

**Mayor Treece made a motion to amend B103-16 per Amendment Sheet 3. The motion was seconded by Mr. Skala and approved unanimously by voice vote.**

**The vote on B103-16, as amended, was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

B104-16 was given third reading by the Clerk.

**The vote on B104-16 was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

B105-16 was given third reading by the Clerk.

Mayor Treece made a motion to amend B105-16 per Amendment Sheet 1. The motion was seconded by Mr. Trapp.

Mr. Trapp explained this issue had come up several years ago when a long serving journeyman plumber had become a master plumber and would not have been eligible to serve any longer had they not made the change. The change had been made, but it had not been carried into the ordinance, and this would clean up a past action of Council.

**The motion made by Mayor Treece and seconded by Mr. Trapp to amend B105-16 per Amendment Sheet 1 was approved unanimously by voice vote.**

**The vote on B105-16, as amended, was recorded as follows: VOTING YES:**

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**SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

B106-16 was given third reading by the Clerk.

**The vote on B106-16 was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

B107-16 was given third reading by the Clerk.

Mayor Treece made a motion to amend B107-16 per Amendment Sheet 1. The motion was seconded by Mr. Skala.

Mr. Thomas explained he had tried to weigh the burden of the solar ready provisions against the potential benefits as he did not want to create more work for builders than was necessary without a justifiable benefit. He stated solar panels had been on his home for over a year, and noted he had seen tremendous economic benefits on his utility bills. He understood there had been growth and acceleration in terms of solar installation in other areas of the country and in other countries. In addition, the solar ready provisions had been in effect in San Francisco for several years and solar panels were now required to be fitted to all new buildings of certain categories. He did not feel the burden of designing the roof and documenting where solar panels could be installed overwhelmed the benefits of the need, as a global community, to wean themselves off fossil fuels in a short amount of time. He stated he would enthusiastically support the solar ready provision.

Mr. Skala commented that he appreciated the work of the BCCC and the EEC, and understood the only differences of opinion were related to energy conservation. He also understood the roofs were already designed to support snow loads and the only issue was related to documentation and the mapping of solar. He hoped this might provide incentive for the building community to think about the orientation of homes, understanding there were limitations in terms of lots sizes, shade, design, etc. He noted they had long prided themselves, as a community, in terms of renewable energy and had a history of supporting these international building codes. He did not feel the solar ready provision was a terribly onerous burden, and if there was a burden, it would likely be passed along to the consumer. He stated he thought it was in the best interest of the community to accommodate this provision along with some other forward-thinking energy efficiency ideas.

**The motion made by Mayor Treece and seconded by Mr. Skala to amend B107-16 per Amendment Sheet 1 was approved unanimously by voice vote.**

**Mayor Treece made a motion to amend B107-16 per Amendment Sheet 2. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.**

Mayor Treece made a motion to amend B107-16 per Amendment Sheet 3. The motion was seconded by Mr. Trapp.

Mr. Thomas asked for clarification as to the purpose of this amendment. Mayor Treece understood there had been an effort to include Missouri in the very heavy probability for termites as it would increase the standards for termite protection. Mr. Thomas understood those were not the City's maps. Mayor Treece stated that was correct. He explained this amendment would maintain the Columbia's existing status as a moderate-to-heavy climate for termites. Mr. Thomas understood the original paperwork was wrong. Mr. Skala stated that was not correct. The original map that put Columbia in the moderate category was still accurate. Mr. Thomas stated he thought the proposed bill had contained a map that was wrong. Mr. Skala explained the map was correct, but

there was an argument that Columbia should be included in the high infestation category. Mr. Thomas asked staff for clarification. Mr. Teddy replied the code had a blank table within it that referred to a number of standards, to include the termite infestation probability, wind loads, and snow loads. Recognizing that geography across the United States was different, it allowed localities to choose the values that applied to them and insert them into the table. The proposal by the BCCC initially was to change from moderate to high in terms of termite probability for the purposes of constructing the table. The map was offered in the code as a reference map. Mr. Thomas understood the map had not changed, and they were determining whether to take the map on its face value or to take a more conservative view. Mr. Teddy stated that was correct, and explained the consequence of changing to a high hazard probability was that the foam insulation would become optional. Mr. Thomas understood this amendment would change the table to reference Columbia as moderate as was indicated in the map. Mr. Simon stated that was correct, and reiterated the code clearly correlated the foam insulation and termites together.

**The motion made by Mayor Treece and seconded by Mr. Trapp to amend B107-16 per Amendment Sheet 3 was approved unanimously by voice vote.**

Mayor Treece made a motion to amend B107-16 per Amendment Sheet 4. The motion was seconded by Mr. Skala.

Mr. Trapp commented that they knew there would be an energy cost to every household that did not insulate if the Council chose not to require the slab insulation. He understood it would be about \$103 without inflating the value so there would be a certain cost of at least \$5,000 over a 50-year period for every single home in lost energy savings. When comparing the \$5,000 in lost energy savings to the possible problem of having an ineffective termite barrier that would result in a much larger cost from termites, he felt that \$5,000 could be better invested in ways that would provide further protection from termites or other needs. He pointed out there was also an indirect cost to everyone of not engaging as fully as possible in energy efficiency since they had a municipal utility. Adopting the strict energy efficiency codes as they did three years ago and tonight and concentrating those costs on the new construction itself was in line with community values and the values that had gotten them all elected as costs were socialized across all payers of electrical rates. He stated his appreciation for the work of the BCCC and the testimony of the termite experts, but he believed they had to weigh the certainty of the cost of lost energy savings against the possibilities. He noted the ownership of houses changed over frequently, and this tended to lead to termite inspections. He stated he would support the requirement of the foam insulation with the termite barrier as the most reasonable and rational course as it would create the most benefit to current and future residents of Columbia.

Mr. Skala stated Mr. Trapp had outlined the energy efficiency aspect of this along with the collective costs to the community, and he did not feel it was an onerous burden when amortized over the mortgage of a house. He agreed the difficult piece of this had to do with termite infestation since they lived in an area that was at least moderately affected by termites, but he felt it would be accommodated with inspections, proper installation, and treatment. He stated he thought an economic development model for the pest control business could be to emphasize the need for treatment along with the maintenance of termite barriers. He pointed out that if a plethora of termite infestation occurred as a result of this decision, they could then make a change to the code. He commented that he would be remiss if he did not support this, and reiterated he thought they would be in a better place by updating the codes in their entirety.

**The motion made by Mayor Treece and seconded by Mr. Skala to amend B107-16 per Amendment Sheet 4 was approved unanimously by voice vote.**

**The vote on B107-16, as amended, was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

B108-16 was given third reading by the Clerk.

**The vote on B108-16 was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

B109-16 was given third reading by the Clerk.

**The vote on B109-16 was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

B110-16 was given third reading by the Clerk.

**Mayor Treece made a motion to amend B110-16 per Amendment Sheet 1. The motion was seconded by Mr. Skala and approved unanimously by voice vote.**

Mayor Treece made a motion to amend B110-16 per Amendment Sheet 2. The motion was seconded by Mr. Skala.

Mr. Trapp stated he was pleased they were moving forward on including residential buildings that were classed as commercial as it had been an oversight the last time they had looked at the codes and led to issues similar to what had occurred at Aspen Heights in terms of outrageous electric bills for the life of the building. It was much better to get ahead of the issue to ensure people that were already struggling financially were not also being asked to pay outrageous utility bills.

Mr. Skala commented that this had been discussed the last time they had reviewed the codes, and noted he was not sure it was an oversight. He thought it was an issue of what they could do at that time as they had already accomplished quite a bit politically. He was glad it was included this time as it was a very important piece in terms of energy efficiency.

**The motion made by Mayor Treece and seconded by Mr. Skala to amend B110-16 per Amendment Sheet 2 was approved unanimously by voice vote.**

**The vote on B110-16, as amended, was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

B111-16 was given third reading by the Clerk.

**The vote on B111-16 was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

B112-16 was given third reading by the Clerk.

**The vote on B112-16 was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

B132-16 Authorizing an agreement with KMI L.L.C., d/b/a Wynwood Townhouses, for the lease of property on Aztec Boulevard to be used for the Police Department's temporary northeast substation.

The bill was given second reading by the Clerk.

Assistant Chief John Gordon provided a staff report.

Mr. Thomas asked Assistant Police Chief Gordon if he had an estimate of how many hours per day it would be staffed. Assistant Chief Gordon replied the community outreach unit team was assigned to the area full time so he would expect them to be in the area during their 40-hour period. Since there would be beat officers in the area as well, he expected the station would be used quite a bit, especially in terms of writing reports. The Beat-40 officers had been asking for a facility elsewhere so they did not spend so much time driving back and forth to the station downtown. He stated it was hard to put an hour to it, but he expected it to be used a great deal, and noted it would be furnished with three computers. There was a potential issue in terms of internet service and bandwidth, but the move to the RMS system would hopefully eliminate some of those problems.

Assistant Chief Gordon explained it was not really costing a lot to get the substation up and running because they were able to obtain some extra computers and had asked other departments for desks. They tried to keep the costs at a minimum.

Ms. Peters understood the substation would be two stories and asked what would be upstairs. Assistant Chief Gordon stated the offices for the community outreach unit and storage for community outreach would be located upstairs. He pointed out they would not be completely based out of that substation since they would have to come downtown to obtain vehicles, but they hoped the second floor would essentially become their offices. Ms. Peters asked for clarification regarding the first floor. Assistant Chief Gordon replied the first floor would be comprised of three desks for the beat officers to write reports. They would also include some tables and chairs for them to eat lunch, etc. as they planned to encourage the officers to not return to downtown headquarters until the end of a shift. He pointed out travel time for an officer at Ballenger Lane or Clark Lane to downtown was about 20 minutes, and this was lost time.

Mr. Thomas understood the building would be utilized by two community outreach unit officers and a certain number of beat officers that were assigned to that general area. Assistant Chief Gordon stated that was correct. It was a facility they could access 24-hours a day and no prisoners would be taken there. It was only an administrative building, and it would be the home for the community outreach team for the area.

Mayor Treece understood the cost was \$300 per month. Assistant Chief Gordon stated that was correct. Mayor Treece thought that was a great deal. Assistant Chief Gordon explained the landlord had been really supportive of helping them.

Mr. Skala commented that land for a larger station had been found in Ward 2 and he had been willing to support that if he could get something in return on the northeast side. He noted they had looked at commercial properties initially, but that turned out not to be financially viable as they were trying to position it to be located between Demaret Drive in the County and other hotspots in terms of crime in Ward 3. He was happy to learn about this opportunity, and stated he had received almost nothing but good comments from the residents in the area. The one complaint was due to the feeling the City was picking on this particular area, but he had explained this was a strategic location to interdict a lot of the traffic coming through Rice Road from the County. He felt this was much needed and would enthusiastically support it. He noted he thought the accommodation by the public in wanting these types of things in certain neighborhoods said a lot about the acceptance of community policing ideas and the necessity to get ahead of the issues.

Assistant Chief Gordon pointed out the objective of Chief Burton was to get the officers into the neighborhood, and noted the community outreach unit team would be able to park their vehicles and walk to the park. They wanted them to be on foot and wanted the



beat officers in the area as well.

Mr. Thomas stated he supported this idea as there were so many good things about it. It put the officers in the areas where people needed law enforcement protection services and saved tremendous resources. The community outreach unit program placed two officers in each of the three target areas, and it appeared each area would now have a home base in order to be visible and accessible to the community. It would also save some time going back and forth, and in Ward 3, it amounted to 20 minutes more of community policing. The Beat 40 officers would gain some time and resources as well, which was another benefit. He commented that he liked the fact the community outreach unit team would be right at the center of things, and noted he had discussed the possibility of issuing those officers with bicycles and those officers training on bicycle safety education as part of the community outreach program. Assistant Chief Gordon stated that was already in the works as the officers would borrow bicycles from the downtown unit. Mr. Thomas noted it was efficient and saved money in terms of vehicles and fuel, and it allowed them to be more accessible to the public as police cars were somewhat intimidating to many people. He stated he was very excited about this lease and the entire program.

**Ms. Peters made a motion to amend B132-16 per the amendment sheet. The motion was seconded by Mayor Treece and approved unanimously by voice vote.**

**B132-16, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE.  
ABSENT: NAUSER, RUFFIN. Bill declared enacted, reading as follows:**

## **VII. CONSENT AGENDA**

The following bills were given second reading and the resolutions were read by the Clerk.

- B125-16 Amending the FY 2016 Annual Budget by adding and deleting a position in the Public Works Department - Regional Airport Administration Division; amending the FY 2016 Classification and Pay Plan by adding a position.
  
- B126-16 Amending the FY 2016 Annual Budget by adding a videographer position in the Community Relations Office - The City Channel Division.
  
- B127-16 Authorizing grant agreements with the Mid-Missouri Solid Waste Management District for the purchase of a commercial recycling roll-off truck, commercial food waste containers and commercial recycling containers; appropriating funds.
  
- B128-16 Accepting conveyances for water and electric utility purposes.
  
- B129-16 Accepting conveyances for sewer and temporary construction purposes.
  
- B130-16 Authorizing an agreement with The Curators of the University of Missouri for the 2016 Missouri State Senior Games and Show-Me STATE GAMES.

- B131-16 Authorizing a program services contract with the Missouri Department of Health and Human Services for the Show Me Healthy Women program.
- B133-16 Appropriating funds for reinstallation of a City-owned public art sculpture located at the intersection of Cliff Drive and Ann Street.
- B134-16 Authorizing a right of use permit with Columbia Hotel Investments to allow construction, improvement, operation and maintenance of a heated sidewalk loop within a portion of the Cherry Street right-of-way.
- R61-16 Setting a public hearing: construction of the sanitary sewer main and manhole rehabilitation project.
- R62-16 Setting a public hearing: construction of improvements to the Columbia Police Department (CPD) facility located at 600 E. Walnut Street, more specifically to include security upgrades, ADA compliance improvements and renovation of building space and equipment replacement.
- R63-16 Authorizing a cooking matters satellite partnership agreement with Operation Food Search, Inc.
- R64-16 Authorizing Amendment No. 3 to the agreement with CBIZ Benefit & Insurance Services, Inc. for employee benefit consulting services.
- R65-16 Granting a temporary waiver from the requirements of Section 16-185 of the City Code to allow possession and consumption of alcoholic beverages for the Global First Responder/Rally in the Alley fundraising event.
- R66-16 Authorizing an agreement with S.B.J. Holdings LLC for reimbursement of costs related to widening a sidewalk on the south side of Walnut Street, adjacent to Room 38 Restaurant and Lounge.
- R67-16 Authorizing an agreement for professional engineering services with Bartlett & West, Inc. for Phase 1 design services relating to the Nifong Boulevard/Sinclair Road and the Vawter School Road/Old Mill Creek Road intersections improvement project.

- R68-16 Transferring funds for City-owned stormwater Best Management Practice (BMP) landscape maintenance.
- R72-16 Authorizing an agreement for professional engineering services with Geosyntec Consultants, Inc. for ambient monitoring and regulatory support services of the Columbia Regional Wastewater Treatment Plant.
- R73-16 Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. for design and construction administration and quality assurance of bioreactor landfill disposal cell #6 and study of leachate treatment alternatives.
- R74-16 Authorizing demolition of dilapidated structures located at 608 McBaine Avenue; authorizing an exception to Ordinance No. 022823 relating to the administrative delay on the demolition of structures in specified areas; and authorizing a special taxbill against the property.
- R75-16 Authorizing an agreement with North East Community Action Corporation for the provision of Title X family planning services.

**The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN. Bills declared enacted and resolutions declared adopted, reading as follows:**

## VIII. NEW BUSINESS

- R76-16 Establishing the Parking and Traffic Management Task Force.

The resolution was read by the Clerk.

Ms. Christian provided a staff report.

Mr. Thomas commented that he planned to propose the term of the Task Force be twelve months instead of six months, and that they ask the Task Force to review the parking components of the unified development code in the first six months.

John Clark, 403 N. Ninth Street, explained the charrette process had recommended they get someone to help them with a long-term downtown transportation plan, and that had been completely forgotten. He was concerned about the Task Force as the name indicated it would focus only on parking, and he felt it would fail as a result. He suggested the Council hire H3 Studio to work with this group to actually develop the long term downtown transportation plan, which he thought would result in a walkable downtown in 20 years. He did not believe parking was the issue. The issue was how to get people to and around downtown so they could play, shop, and do business in the downtown area. If the Task Force started with parking, they would end with parking and be stuck on garages, etc. He reiterated the need was for a long-term downtown transportation plan and noted it would tie into the CoMo Connect study as well. He commented that the draft unified development code was not anything like the plan in Missoula, Montana, that had led to quality development. It was only reframing the current bad rules the City had in a more usable format. The draft unified development code was an auto-centric transportation-oriented development plan. He felt it would be a disaster,

and reiterated his suggestion to hire H3 Studio as they could likely get this done in six months. He thought it would serve the interest of everyone to develop a long-term transportation plan for the downtown.

Pat Fowler, 606 N. Sixth Street, explained several of the downtown places of worship were having trouble with parking for their older congregants and senior members. As a former member of the Boone County Council on Aging, experience and research had taught them that a senior might be able to stay more independent with a vibrant social support circle, which in many instances, could include an active faith-based organization or place of worship. It would diminish the culture downtown and the viability of historic churches if seniors could no longer attend worship downtown or had switch to something else. She noted many churches pre-dated the automobile or the common use of the automobile and were landlocked with no good viable options. She believed seniors required special care and due attention, given their special circumstances and vibrancy in terms of what they contributed to the community. As a member of a downtown neighborhood, she was familiar with the many layers of parking challenges. She suggested vehicles not be allowed to be stored downtown between 2:00 a.m. and 6:00 a.m. on the mornings of worship so those that want to attend worship could attend. She asked the Council to consider taking a more immediate action and bringing forth a solution by August 1 as she was concerned it would be another year if it was not resolved by then since the University would again be in session.

Mr. Thomas asked for clarification regarding the problem. He wondered if it was that parking meter spaces close to churches were utilized on Sunday mornings. Ms. Fowler replied parking was an issue once enforcement stopped. Mr. Thomas asked if the meters were enforced on Sundays. Ms. Fowler replied no. Mr. Thomas asked if they should start enforcing meters on Sunday. Mr. Fowler replied several good ideas were being discussed, and she thought they needed to bring those forward more quickly, even if it was an interim or trial solution. Mr. Thomas asked when the City stopped enforcing meters. Ms. Fowler replied enforcement stopped at 7:00 p.m. on Saturday. Mr. Thomas wondered why the City did not enforce meters on Sunday as he thought that would resolve the problem. Ms. Fowler asked if the space would be open for a senior that wanted to approach their house of worship. Mr. Thomas replied he did not believe someone would want to plug the meter all day Sunday. Ms. Fowler noted they would have left their car from 7:00 p.m. the night before and would take a space a senior might want in order to visit a house of worship.

Ms. Fowler stated her request was for Council to accelerate consideration of this difficult issue.

Mr. Skala asked if a solution could be to do something similar to banks in terms of a permitting process for the needed hours. Ms. Fowler replied she thought that was a great idea to bring to the houses of worship that wanted some recognition and an acceleration of a solution.

Dan Cullimore, 715 Lyon Street, commented that he thought Ms. Fowler's points with regard to downtown houses of worship and their concerns for access for seniors to those locations only emphasized Mr. Clark's concerns of the Task Force not being focused exclusively on parking or traffic. He thought some of the solutions that might serve Saturday and Sunday worshipers were not car-based. He felt this was an opportunity to do what H3 had recommended and as had been suggested by Mr. Clark. He noted the North Central Columbia Neighborhood Association (NCCNA) had participated in the parking audit and the associated workshops, and had great interest in the issues. He explained parking on Lyon Street had dramatically increased over the last three years. He used to be able to park in front of his house, but he now had to park up to two blocks away. He was curious as to why this had occurred and thought anything that could address it would not only concern parking or downtown traffic. It was a transportation issue and the City's long term goals and desires for transportation in and about downtown Columbia.

Eugene Elkin, 3406 Range Line Street, understood the Missouri United Methodist Church had its own parking lot, which was constantly monitored. Others parking there would be ticketed and towed, and on Sundays, they used an adjacent parking garage. Due to the most recent construction, it was becoming landlocked. He thought they should look for large parking lots as points of transfer to the area churches.

Mr. Thomas stated it had been his suggestion to name this the Parking and Traffic Management Task Force, and it had come from the parking audit workshop, which had been focused on parking and was responding to a perceived need for additional parking in the downtown area. He noted it had shown there was enormous availability of parking, but it would not necessarily be right outside of the location where people wanted to be so there was a forced walk. He explained they needed to ensure there were accessible parking spaces at regular intervals for people that could not walk a longer distance. He stated the workshop had four recommendations. One was to form a parking commission, which they were modifying to become a task force with the charge to determine if a permanent commission was needed. Another was to conduct a mode-share analysis throughout Columbia and to set goals for future mode-share. He understood the goals would likely be to increase mode-share in terms of walking, bicycling, and transit, and key challenge to increasing the mode share of transit was that they would have to increase the level of service of the transit system, which would require funding decisions. The third goal was the expand transportation demand management programs, such as GetAbout Columbia and other encouragement programs that would get people to use alternative transportation and work with other institutions to implement transportation demand management programs. He felt the focus of the Task Force was very much on other modes of transportation and finding ways to convince a politically significant proportion of the community that service for the other modes needed to be improved in order to solve the parking problem. He commented that a key element that had come from the workshop was that they were not going to solve these problems unless they strictly enforced the parking rules. He noted he had not realized parking meters were free on Sundays, and thought they should reconsider that if it was causing a problem of people storing their cars for 36 hours. He thought they had seen great success with the North Village parking permit program, and the Benton Stephens neighborhood had recently voted to implement a similar program. He understood a strong residential parking permit program with good enforcement of the valuable public commodity of a parking space was the way to get to where they wanted. He commented that this was the scope of work for the Parking and Traffic Management Task Force with a specific request to look at the parking rules in the proposed unified development code. He felt they would set themselves back if they made a bad decision in terms of parking with the code as it would undermine their efforts for the transformation needed. He stated he did not think six months was enough time for the Task Force to study and make recommendations for all of these issues, but thought they needed to spend the first period of time reviewing the parking recommendations in the current version of the zoning code.

Mr. Thomas made a motion to amend R76-16 by extending the time for the Task Force to complete its work to twelve months and to recommend the Task Force look at the proposed code for parking related issues first. The motion was seconded by Mr. Trapp.

Mr. Skala stated he understood and appreciated the tasks that could be before this group and agreed it was too ambitious to do this within six months. He thought the group should take up the unified development code issue within the first six months since that was the time frame the proposed code would be considered and the window of time for the administrative delay on downtown development. He agreed they may need a permanent commission for a broader perspective and the broader transportation issue. He saw this group as having a targeted function so the work could be accomplished within the same time frame as other items. He stated his inclination was to have a six-month targeted group, and noted its time frame could be extended if necessary.

Ms. Peters commented that she agreed with Mr. Skala in that she thought it would be nice for this group to specifically look at the unified development code issue along with the issue Ms. Fowler had brought up with regard to parking near downtown churches or other houses of workshop. She hoped the issue with churches could be reviewed by August 1 and that the code review could be completed within six months as it would provide target dates and two issues for them to consider.

Mr. Trapp stated he thought it was fine to have the early expectations, but believed a year's time was justified. He noted Ms. Christian had concurred a year was probably a more appropriate amount of time.

Mr. Thomas explained he agreed with Mr. Trapp in that there would be too much pressure if they had six months to address even only two items. Although they wanted them to complete those two items within six months, he thought they should set the Task Force up for a year as they would need a year.

Mayor Treece stated he would vote against the amendment as he believed the work would expand to fit the time period the Council chose to give the Task Force, and he would rather keep it focused and have it overlap with the administrative delay they had put into place and the expectations they had for the Planning and Zoning Commission to give them the draft development code. He did not feel the facts would change and the consumer deadline was closer to August or September when the students returned. He looked forward to the recommendations of the Task Force, and noted the recommendations could include the extension of time or the hiring of a consultant.

**The motion made by Mr. Thomas and seconded by Mr. Trapp to amend R76-16 by extending the time for the Task Force to complete its work to twelve months and to recommend the Task Force look at the proposed code for parking related issues first was defeated by voice vote with only Mr. Thomas and Mr. Trapp voting in favor of it.**

Mr. Skala understood the evaluation of the unified development ordinance was stated in the resolution, and asked if they needed to include something with regard to the parking issue associated with churches as well. Mr. Thomas thought there would be enough for this Task Force to do in six months in terms of reviewing the M-DT District codes and providing a recommendation for new development. He stated he preferred not to add another item to the list, but would be happy to entertain enforcing the meters on Sundays. Mayor Treece commented that he believed that was a recommendation the Task Force could evaluate. Mr. Thomas stated he would prefer the Task Force consider it after they had reviewed the M-DT District codes. Mr. Skala explained he had the opposite perspective, and believed it was something that could be accommodated without a lot of work prior to August or September.

Mayor Treece understood the resolution set forth membership for the Task Force and asked if that would be provided to Council at the next Council Meeting assuming this resolution was adopted tonight. Ms. Christian replied most groups likely already knew who would serve on the Task Force. The Council would have to appoint a representative of the area churches. She noted she was expecting a letter from three of the downtown churches, and assumed the position would need to be advertised for applications.

Mr. Thomas thought they should also discuss co-chairs, and believed the model of task forces with two Council Members as non-voting co-chairs had worked well. Mayor Treece suggested Mr. Skala as one of the co-chairs. Mr. Thomas suggested Mr. Trapp as the other co-chair.

Ms. Peters asked if a separate committee should be established to look into the issues of downtown parking for the houses of worship. Ms. Christian replied she thought the Task Force could create a subcommittee for the issue. Some of the items discussed, such as shared parking, were a part of the smart growth best practices and recommendations, so some of the big picture items would also address the church

parking issue. She noted the Sunday enforcement suggestion was not a part of this resolution, and she hesitated recommending a separate commission due to time constraints. She thought Mr. Skala and Mr. Trapp could lead a discussion to form a subcommittee to deal with those issues promptly.

Mr. Skala pointed out there was a natural constituency as they were asking some of the churches to get involved in appointing a representative to the Task Force.

Mr. Trapp commented that he looked forward to working with Mr. Skala to meet the aggressive deadline.

Ms. Amin asked for clarification as to how the church representative would be appointed. If the Council wanted the position to be advertised with the regular board and commission vacancies, potential appointees would likely not be presented to Council for at least a month. Mayor Treece suggested Ms. Christian continue her outreach with a firm deadline that met the City's time table. Ms. Christian stated she would be happy to reach out to the churches.

**The vote on R76-16 was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN.**

**Resolution declared adopted, reading as follows:**

R77-16 Authorizing the sale of Special Obligation Refunding Bonds, Series 2016.

The resolution was read by the Clerk.

Ms. Nix provided a staff report.

Mayor Treece assumed this would not shorten the length of the term, which was at about 13 years. Ms. Nix replied it would not shorten or extend the length. Mayor Treece asked for the origination date of the bonds. Ms. Nix replied 2008.

Mayor Treece stated this appeared to be a great financial opportunity.

**The vote on R77-16 was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN.**

**Resolution declared adopted, reading as follows:**

R60-16 Setting a public hearing: construction of the Henderson Branch sewer extension project.

The resolution was read by the Clerk.

Mr. Skala asked for clarification regarding this project. Mr. Matthes replied this was associated with a ballot item that had passed handily in 2013 as it was within the list of promised projects. He commented that the ballot had been a pivot point in Council policy. The previous sewer ballot was about 80 percent expansion and 20 percent maintenance. The ballot in 2013 was the opposite in that it included 80 percent maintenance and only 20 percent expansion. The Henderson Branch sewer extension project was one of two projects associated with the ballot that involved new connections, and in 2015, they began the design process. He pointed out City staff had negotiated with the Boone County Regional Sewer District per the direction of Council to determine if they would be willing to enter into a partnership, and they had agreed to fund about \$600,000 worth of the project in exchange for a subdivision to remain their customers. He commented that they were actively speaking with private property owners along the line to annex earlier than they would otherwise be required as it would accelerate tax revenue if they were to do it.

Mr. Skala understood most of this expansion was beyond the urban service boundary and hoped the Council would take up the issue for amending service areas dependent upon results in terms of new revenues from connection fees versus the services provided to accommodate an enlarged urban service area.

**The vote on R60-16 was recorded as follows: VOTING YES: SKALA, THOMAS,**

**PETERS, TREECE, TRAPP. VOTING NO: NO ONE. ABSENT: NAUSER, RUFFIN.**  
**Resolution declared adopted, reading as follows:**

R69-16

Authorizing the temporary closure of a portion of the sidewalk on the south side of Burnam Road between Providence Road and Curtis Avenue to facilitate the construction of a sorority house.

The resolution was read by the Clerk.

Mayor Treece explained his observation was that the Council had typically approved these types of requests and the only requirement was that the sidewalk or road closure be put back in roughly the same condition it was found. He felt this was essentially taking a public asset out of public use without any compensation to the taxpayers that had paid for the sidewalk or street or to the pedestrians that were inconvenienced by having to walk around the snow fence that had been installed. He suggested they require some type of compensation as wise stewards of taxpayer resources via a predictable formula. That money could then be used for one-time capital improvements for pedestrian safety, disability parking, etc. He pointed out three blocks of sidewalk and three lanes of traffic were closed in the downtown currently, and it was inconvenient and was likely creating public safety problems. He thought some type of compensation would incentivize the completion of the project sooner than later or the installation of scaffolding with the protection to allow the sidewalk to remain in use.

Mr. Thomas stated he supported this idea as there was a tremendous amount of construction going on downtown inconveniencing pedestrians at a time they were trying to make the downtown more walkable. He thought the rules imposed and permits approved were sometimes exceeded and that they did not have adequate enforcement. He understood there had been an illegal closure on Ninth Street for either a stretch of time on a sidewalk or a sidewalk portion that had not been permitted, and the Columbia Art League had suffered a loss of business through the lack of sidewalk traffic. Placing a value on accessible sidewalks made a lot of sense and confirmed their commitment to pedestrian access.

Mayor Treece commented that in this particular case, the sidewalk was included inside the fence, and pedestrian traffic was stepping onto Providence Road or the grassy median next to the curb, which he felt was unacceptable.

Mr. Trapp asked if there was legal framework that would allow such a change. Mr. Matthes replied he thought this was an excellent idea and asked that staff be provided time to research the situation. He suggested they create a policy moving forward. Attaching them to these closures would create a rush, which might cause them to not be able to provide as good of information as they would with a delay.

Mayor Treece asked Ms. Thompson if there was a mechanism to allow for what he had suggested. He assumed they charged a fee for when parking meters were taken out of service. Ms. Thompson replied she believed the policy was to require payment for parking meters and noted there were ways to calculate a per linear foot fee. She explained they currently did not have a policy in the Code so they would have to get something in place or would need to talk to these particular property owners in terms of these projects.

Mr. Skala asked if there was a mechanism to place a condition on these closures to at least accommodate pedestrians as that would allow staff to provide a well-researched idea in terms of linear foot fees, etc. Ms. Thompson replied they could have included something if they had been prepared with a number. She noted the Council could table these closures to the next meeting in order to allow time to include something.

Mayor Treece understood this particular applicant was already approved through June 21, and the next meeting was June 20. He suggested they table this resolution until the June 20 meeting as that would allow staff to come back with a recommendation.



Mr. Thomas stated he was concerned about making a dramatic change in the rules on a project that had already begun. He thought Mr. Skala had suggested the Council make a request to the applicants and to get a policy in place for future situations. He believed the applicant would make a good faith effort to provide access to pedestrians during the closure. He was not comfortable with levying a fee on a project that was in process.

Mayor Treece asked if there was sufficient support for a policy going forward. Mr. Thomas replied he was supportive. Ms. Peters stated she was agreeable as well.

Ms. Peters commented that she was agreeable to tabling this item to the next meeting, but suggested they also ask the applicant to explain the project and indicate whether they could provide pedestrian access. She understood variances had been received to build closer to the road.

Mr. Thomas asked for the length of the two closure requests. Mayor Treece replied the current one was active until June 21, and they were asking for an extension through August 4, 2017. Mr. Thomas thought they should invite the applicant to propose how they might mitigate the situation so there was safe access for a large portion of time. Mr. Skala agreed and pointed out there would still be time to extend it regardless of the answer. Ms. Peters agreed, and noted that would also allow time to determine what the City could do moving forward as had been suggested by Mayor Treece.

Ms. Peters made a motion to table R69-16 to the June 20, 2016 Council Meeting. The motion was seconded by Mr. Thomas.

Mr. Trapp stated he wanted to speak against tabling this measure. He felt the one day between the next Council Meeting and the expiration of the current street closure would create a lot of undue anxiety, and thought they could get answers with regard to whether pedestrian access could be accommodated without tabling the item. He noted he was fully supportive of investigating the law and looking at policy changes, but was concerned about any changes in the interim to existing projects that had moved forward based on long-standing practices and current laws. He thought they should approve both of these measures and consider the policy change for future projects.

Mr. Skala commented that he did not view this as a delay except to provide an opportunity for the applicant to provide an answer regardless of the answer as they could potentially still move forward. He thought they should allow the applicant an opportunity to comment on what might be in the best interest of the community at-large without creating an undue or onerous burden.

**The motion made by Ms. Peters and seconded by Mr. Thomas to table R69-16 to the June 20, 2016 Council Meeting was defeated by voice vote with only Mr. Skala, Mr. Thomas, and Mayor Treece voting in favor of it.**

Mr. Thomas asked staff to make the request and inform the applicant of this discussion. He noted engineers were problem solvers so he would appreciate them solving this problem for them. Mr. Matthes replied staff was happy to communicate with them to ask for a plan to make these safer.

Mayor Treece pointed out they could reject the closures as well. Mr. Thomas agreed.

Ms. Peters commented that, as Mr. Trapp had pointed out, this project had been in the works already and it seemed unreasonable to not allow the closure. She noted they could approach them to provide suggestions on how they could reduce the problem for pedestrians.

Mr. Thomas stated he would prefer to approve these closures while making the request to the applicants, and to research the fees for the future. Mr. Skala noted he was inclined to agree.

**The vote on R69-16 was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TRAPP. VOTING NO: TREECE. ABSENT: NAUSER, RUFFIN. Resolution declared adopted, reading as follows:**

- R70-16 Authorizing the temporary closure of a portion of the sidewalk on the west side of Seventh Street between Cherry Street and Locust Street, and the east-west alley located between Sixth Street and Seventh Street, to facilitate the replacement of a sidewalk and reconstruction of a roof on property located at 119 S. Seventh Street.

The resolution was read by the Clerk.

Mayor Treece understood this was a more temporary closure to accommodate a roof issue, but he felt the same premise applied in that they were taking a public asset out of public use, and that there should be fair compensation to the taxpayers for it.

**The vote on R70-16 was recorded as follows: VOTING YES: SKALA, THOMAS, PETERS, TRAPP. VOTING NO: TREECE. ABSENT: NAUSER, RUFFIN. Resolution declared adopted, reading as follows:**

#### **IX. INTRODUCTION AND FIRST READING**

The following bills were introduced by the Mayor unless otherwise indicated, and all were given first reading.

- B135-16 Authorizing the issuance of Special Obligation Refunding Bonds, Series 2016.
- B136-16 Approving a major revision to the PUD Plan of Lake Broadway Condominiums located on the north side of Broadway and west of West Boulevard (1103-1121 W. Broadway); approving a statement of intent; approving less stringent signage requirements (Case No. 16-103).
- B137-16 Vacating a portion of an east-west alley located between 203 E. Walnut Street and 115 N. Providence Road (Case No. 16-93).
- B138-16 Vacating a sanitary sewer easement located on the south side of the southern loop of Cliff Drive and north of Hinkson Creek (Case No. 16-109).
- B139-16 Authorizing an annexation agreement with Jared Whiteaker Taylor and Brandy Kristen Taylor for property located on the north side of Happy Hollow Drive and west of Highway 163 (801 E. Happy Hollow Road) (Case No. 16-46A).
- B140-16 Authorizing reconstruction of the Runway 13-31 and Taxiway B turnarounds and installation of runway lighting, directional signage and runway markings at the Columbia Regional Airport; calling for bids through the Purchasing Division.

- B141-16 Authorizing application for transit planning, operating and capital assistance grants.
- B142-16 Authorizing a road relinquishment agreement with the Missouri Highways and Transportation Commission for the conveyance of a portion of Business Route 63 from Business Loop 70 southerly to Route 740/Stadium Boulevard and from Route 740/Stadium Boulevard southerly to Route AC.
- B143-16 Accepting conveyances for temporary construction purposes.
- B144-16 Appropriating funds for repair of the "Look Out Point" public art sculpture located at Stephens Lake Park.
- B145-16 Establishing an affordable housing permit fee waiver program; establishing an affordable housing permit fee rebate program.

## X. REPORTS

- REP44-16 Correspondence from the Citizens Police Review Board regarding funds for NACOLE Conference 2016.
- Mr. Matthes provided a staff report, and suggested funding this from the mediation budget through a transfer. They could then come to Council if they ended up needing mediation funds.
- Mr. Skala asked for clarification regarding how much was in the mediation budget and the cost of the conference. Mr. Matthes replied he thought the mediation budget had \$16,000, and a really expensive trip would be about \$2,000 per person, so approximately \$6,000.
- Mr. Trapp stated he thought that suggestion was reasonable. He explained he had championed funding the mediation budget and believed there was a will and commitment for mediation if people took the opportunity.
- REP45-16 Correspondence from the Bicycle/Pedestrian Commission and Public Transit Advisory Commission regarding street lighting at Providence Road and Carter Lane (Case #16-138).
- Mr. Matthes provided a staff report.
- Mr. Thomas understood there was standard protocol for street lights as a committee reviewed those types of requests. Mr. Matthes stated that was correct, and noted it could be referred to that staff team.
- Mr. Thomas thought a lot needed to be done to that stretch of Providence Road to make it safe for pedestrians and bus users, and this would be an easy start.
- REP46-16 Administrative Public Improvement Project: Fairview Park - Tennis Court Renovation.
- Mr. Griggs provided a staff report.

REP47-16 Providence Road Improvement Project/Burnam Road Sidewalk (CM #4107).

Mayor Treece commented that at his first meeting, there had been public testimony and a petition signed by about 22 property owners with concerns about a sidewalk on the Burnam Road extension to the Providence Road Improvement project. He noted he and Ms. Nausser had attended the neighborhood association meeting at which City staff explained why it would be located where it was proposed. He thought of the 15 people that had attended, 14 had changed their minds and now supported the current plan.

Mayor Treece asked about the time frame for this project. Mr. Nichols replied the City was currently in the process of acquiring right-of-way. He noted they were moving as fast as possible in hopes to start construction next spring.

REP48-16 Intra-Departmental Transfer of Funds Request.

Mayor Treece understood this had been provided for informational purposes and no action was required.

## XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Mr. Trapp stated he appreciated the presentation of Mr. Everett regarding tobacco retail licensing and asked the Council to direct staff to refer the matter to the Board of Health to hold public hearings, collect stakeholder input, and make recommendations for an ordinance to be brought back to Council. He noted the FDA continued to find tobacco retailers out of compliance in terms of the age of 18. The City had not done enforcement with regard to Tobacco 21 due to the priorities of the underfunded Police Department. This would generate funds for enforcement to live up to the promise to the people of Columbia when they decided to adopt Tobacco 21. He commented that smoking had touched all of their families and lives, and research showed that local licensing laws could reduce youth sales by about 30 percent. If they wanted to see a real impact from Tobacco 21, it had to be enforced, and in order for it to be enforced, they would need an enforcement regime and licensing could add teeth to it in addition to fines.

Mayor Treece asked if there was any objection to referring this to the Board of Health. No one objected.

Mr. Skala thanked Ms. Nix for saving the City \$3 million.

Ms. Peters asked for a report on the stormwater issues at 307 Alhambra Drive.

Mayor Treece commented that there had been an article in the Columbia Daily Tribune regarding the Mayor's Task Force on Infrastructure, as they had held meeting that failed to have adequate notice. He did not feel that was acceptable and noted it was not consistent with his promise to have an open, honest, and transparent government. He had asked Mr. Matthes to look at what happened, why it happened, and how it would not happen again, and understood some changes would be implemented to ensure an agenda was posted to any notice on the calendar prior to posting the notice, and for the agenda to be posted on the bulletin board at the same time to meet the necessary requirement.

Mayor Treece understood a constituent had made a request for public records in March, and in the last few weeks she had received a request to file that in the form of a formal request under Chapter 610 of the Revised Statutes of the State of Missouri. He wanted to ensure they were liberally construing any request for public information as a sunshine request under Chapter 610. He felt if that had been the policy, she should have been asked to do that in March before it had gotten to this point as she was now frustrated and it appeared as though the City was not coming forward with those public records. He

reiterated he thought they should treat any request for public information as a Sunshine Law request.

Mayor Treece noted he had received several requests to preserve and post videos of Planning and Zoning Commission hearings on the City's website, particularly with respect to the development code debate. This would allow people to watch those at their convenience and go back to educate themselves with regard to the discussion. He did not feel that should cost anything as the meetings were already being filmed. He noted this has been requested of the Board of Adjustment meetings as well.

Ms. Peters thought this had already been addressed as she had received correspondence from the City Manager's Office indicating they would start doing this for Board of Adjustment and Planning and Zoning Commission meetings. Mr. Skala agreed he believed this was in the works. Ms. Amin stated that was correct.

Mr. Matthes apologized on behalf of staff for the miscommunication involving the Mayor's Task Force on Infrastructure. In this situation, one of their employees had made a mistake. It was the City's job to protect volunteers from that outcome and they failed in this situation. He apologized again for allowing them to meet when they should not have met, and stated the City planned to implement new procedures to keep this from happening again.

## **XII. ADJOURNMENT**

Mr. Trapp made a motion to adjourn. The motion was seconded by Mr. Skala. Mayor Treece adjourned the meeting without objection at 10:29 p.m.