



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, November 7, 2016
7:00 PM

Regular

Council Chamber
Columbia City Hall
701 E. Broadway

I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, November 7, 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 PETERS (left at approximately 11:40 p.m.), TREECE, TRAPP, SKALA, THOMAS and NAUSER were present. Council Member RUFFIN was absent. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

Mayor Treece explained the minutes from the October 17, 2016 Council Meeting were not yet complete.

Mr. Thomas asked that R166-16 be moved from the consent agenda to new business.

Mayor Treece noted SI14-16 would be removed from the agenda.

The agenda, including the consent agenda with R166-16 being moved to new business, and SI14-16 being removed from the agenda, was approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Nauser.

II. SPECIAL ITEMS

SI14-16 Aetna Foundation Check Presentation.

This item was removed from the agenda since representatives of the Aetna Foundation were unable to attend.

SI15-16 STAR Communities Certification.

Ms. Buffaloe explained she wanted to notify the community that Columbia had received a leadership award for sustainability. It was a 3-star certification from STAR Communities, which was a non-profit organization that recognized businesses aiming for a healthy environment, a sustainable economy, and well-being for all. She noted she would be back in front of the Council on December 5, 2016 during the pre-council meeting to discuss how they had done and any opportunities for improvement.

Mayor Treece thanked Ms. Buffaloe for her work and expertise in the area of sustainability.

SI16-16 Strategic Plan Annual Update 2016.

Mr. Matthes, Ms. Button, Ms. Messina, Chief Burton, Mr. Glascock, Ms. Buckler, and Ms. Hubbard provided an update on various sections of the City's Strategic Plan, which included Economy, Social Equity, Public Safety, Infrastructure, Operational Excellence, and Community Outreach.

Mr. Thomas thanked staff for their work on the Strategic Plan and noted he thought this had been an excellent report.

Mayor Treece commented that he thought a spreadsheet, similar to a report card or scorecard, might be helpful. He suggested it include a baseline of where the City had

started twelve months ago so they could see where they were now, and for this to continue as they moved forward in the future. Mr. Matthes explained the Council had been provided a printed version of the update report, and it would soon be available on the website. He noted there were different scorecards for each section, and asked that the Council let staff know what they liked the best. He stated they had tried to create simplified scorecards for each, but pointed out some of the items were too complicated to reflect in a matrix. Most, however, had been included.

Mr. Skala stated he believed the dashboard approach was very helpful and noted he was proud of the staff for the work they were doing with regard to the Strategic Plan. He felt the implementation of this Strategic Plan had been a watershed moment in terms of the City's relationship with the community.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

IV. SCHEDULED PUBLIC COMMENT

SPC58-16 Peggy Placier - Response to recent "listening tour" meeting on racial profiling and community policing with Race Matters, Friends, Chief and Deputy Chiefs of Police, and City Manager.

Ms. Placier commented that she would present the latest update from Race Matters, Friends, with regard to their efforts to promote community policing and social justice in Columbia. They had reviewed the Columbia Police Department's response to the President's Task Force on 21st Century Policing and data from the Missouri Attorney General. She explained they had also presented personal experiences and evidence from other cities. She stated the media sometimes portrayed their group as volatile, negative, or obstructionist. They were frustrated with the fact systemic racism continued to affect their institutions, but they had also laid the groundwork for dialogue by meeting with Columbia Police Department (CPD) officers following conflicting claims as to whether CPD data indicated racial profiling. They had offered resources and assistance to guide the effort and to point toward improved policies and metrics for CPD performance. As a result, of these dialogues, they were beginning to understand each other's perspectives. They still had areas of disagreement and tension, but were keeping the conversation going. On October 25, they had met with Chief Burton and members of the command staff along with City Manager Matthes as part of the listening tour to gather community comments. Three related areas dominated the latest meeting. She explained one was the need for training, and noted they had learned current police academy training in Missouri was based on a traditional model. The most important thing for officers was getting back alive, which she believed encouraged them to view the public as potential enemies and to expect to be attacked. She felt this attitude weakened the trust between citizens and police, and could lead to impulsive, fearful decision-making. To compensate for the limitations on their initial preparation, CPD officers had participated in training on procedural justice and fair and impartial policing. She stated that was very encouraging, but noted undoing implicit bias would require ongoing work. She commented that given a higher than average number of calls for service per officer, officers had to prioritize serious incidents over non-criminal, sometimes trivial disputes. She understood the CPD was contacted repeatedly for false alarms from home security systems, and thought the public might need to learn to work security systems and work with neighbors or neighborhood associations to solve neighborhood issues rather than immediately contacting the CPD. She explained the CPD needed more resources to cope with the growing population and a sprawling community. She noted some Race Matters, Friends members had indicated they would be willing to engage in a "Get Out the Vote" campaign for more funding, while others had expressed skepticism or had indicated they would oppose a regressive sales tax measure. Their support as a group for more CPD funding

would be conditioned on the equitability of any tax proposal along with a detailed policy on community policing, a plan and a timeline for implementing the policy, which would include the substantive training and monitoring to hold people accountable for their actions, an evaluation including multiple metrics, an analysis of findings to know if the policy was effective, and periodic public reporting of evaluation results. She stated they did not want to be persuaded to vote for funding to find it would be used to support the status quo in terms of policing practices. She provided a copy of her comments.

SPC59-16

Martha Brownlee - Shared Values & Community Policing.

Ms. Brownlee commented that the views she would express tonight were her own and did not reflect the views of the Veteran Health Administration where she had been privileged to serve veterans for over 23 years. Two weeks ago, when CPD staff and the City Manager had come to Race Matters, Friends, for a listening tour, she had implored them to take the steps necessary to obtain the needed funding to implement comprehensive community policing on behalf of the overworked, underpaid police officers. She explained she had heard many personal stories from veterans that had also worked as police officers as to what it was like to arrive at the scene of a suicide, domestic violence incident, or gruesome motor vehicle accident day after day, so she had a very vivid sense of the stress police officers faced, and wanted to discuss their shared values as citizens and the implementation of community policing. She commented that she believed they all shared the value of faith, which taught the compassion and hope that they could make Columbia a better place by their actions. Another value she felt everyone shared was the safety of the community and the safety of police officers as none of them wanted violence of any kind within Columbia. She believed being overworked and stretched too thin was a set up for the police and put them at risk. She suggested they develop clear, written policies based upon empirical data from the Department of Justice on how to move relationships between the police and the community forward in ways that benefited everyone. She noted she had heard great things regarding Sergeant Mike Hestir and his community outreach team. She explained she believed everyone also shared the value of the importance of doing the right thing, to own it if a mistake was made, and to work to make it right. In her hospital, if a veteran came to her angry about how they felt they were treated, she did not say that could not happen in her hospital or that it was not a part of her job description. She would ask the veteran to tell her about his experience and explain that they would work together to see if they could make things right. She stated the Department of Justice's national initiative to build community trust in justice had selected six cities to pilot a new kind of policing where perceptions of racial profiling were acknowledged rather than denied, and where decisions about police policies were driven by public safety. She believed this was critical because research showed that while anti-bias training could reduce bias, it did not reduce the risk for police shootings as only policy changes could do that. She asked the Council to allow the CPD to adopt a model around which they could organize and mobilize to support a ballot initiative that would not fail. The average voter turnout for ballot initiatives was 20 percent. She thought they could win if they worked together. She provided a copy of her comments.

SPC60-16

Mary Hussmann - Parking concerns.

Ms. Hussmann, 210 Ridgeway Avenue, asked the City to reconsider the recent decision to create spots that could only be used by those that had smart phones and used apps. She had noticed that over the past few years parking had become a serious problem, and noted she had been told by one woman that she would like to go downtown more, but it was no fun to spend so much time searching for a parking space. She commented that she and others had also recently noticed that some of the metered spaces included the option of using the app system and felt that was fine. The issue was the spaces designated for utilization of the app only. She explained she did not use the app technology, and suspected that tens of thousands of other Columbians and visitors also did not use that technology. Throughout downtown, meter heads had been removed or

were absent, and there was only a pole with a sign that said to pay by app only. Someone without app technology could not park in those spaces, which included spots on the west side of the Post Office, by the Armory, near public housing, etc. Also, in contrast to her only being able to pay for two hours of parking, app users were given the option of using ten hours of parking. She noted she also saw many app only spots empty. She stated it was annoying that she was allowed to park only in metered places, and not at the app spots. She understood the rationale for designated space for the disabled and noted she supported that exception. She felt every other public parking space should be available to all of the public that lived in, visited, or passed through Columbia. She asked the Council to consider the downsides and the unfairness of the exclusive app decision. She suggested they intervene and insist all public spaces used for parking be available for all of them with the exception of those marked for the disabled. She asked the Council to allow for all options, to include the app option. She provided a copy of her comments.

SPC61-16

Nora Humfeld and Skylar Koepke - Columbia FIRST LEGO League Tournament.

Ms. Humfeld explained she and Ms. Koepke attended Jefferson Middle School and were a part of the Fantastic Lego Ladies, a First Lego League (FLL) team. She stated this was their third year competing in the FLL in Columbia, and noted their parents were on the committee organizing this year's tournament. She pointed out they had won the tournament in Columbia a couple of years ago, and had advance to an international competition in Fayetteville, Arkansas. She stated they wanted to invite the Council to the Third Annual Columbia FLL Tournament, which would be hosted at Jefferson Middle School on December 10, 2016 from 9:00 a.m. to 3:00 p.m.

Ms. Koepke explained FLL was an international program that allowed kids to develop life skills. The program was for ages 9-16, and consisted of three main parts. The first part was the robot whereby teams designed, built, and programmed a Lego Mindstorms robot, and it taught engineering and programming skills that would stay with them for years. The second part was the project whereby teams selected a program according to the theme and developed and implemented an innovative solution in the real world. She noted that phase taught them problem-solving and discussion skills. The third part was core values whereby team developed teamwork and interaction skills.

Ms. Humfeld noted 26 teams were participating in the tournament, and there were a greater number of Columbia Public Schools (CPS) teams due to an increased CPS involvement. There would be nine teams from Kansas City, nine teams from Columbia, and eight from the rest of Mid-Missouri, and six of those teams would advance to the Regionals in Kansas City on January 14, 2017. The top team from the Kansas City Regionals would advance to the International level in St. Louis in late April.

Ms. Koepke invited the City Council to the tournament at Jefferson Middle School and to envision how they could help grow the program. She reiterated the tournament was on December 10 from 9:00 a.m. to 3:00 p.m. and was free and open to the public.

Mayor Treece asked for a description of the day. He wondered if it was a competition, best display, etc. Ms. Koepke replied there was a public display whereby teams displayed their projects and interacted with the public, but there was also a competition portion whereby teams entered the judging room and competed. She explained it was a mixture.

Mayor Treece asked what challenges in the world they felt this competition would prepare them to solve. Ms. Koepke replied she thought this competition would help them interact with other people. It would help them through life by teaching them the skills of interaction and working with people even if they did not necessarily agree with them. Ms. Humfeld noted it also taught them compromising skills because lots of people had lots of different ideas and they had to come to a good conclusion.

V. PUBLIC HEARINGS

PH20-16 Construction of the Henderson Branch sewer extension project.

PH20-16 was read by the Clerk.

Mr. Johnsen, Mr. Sorrell, and Mr. Clubine provided a staff report.

Mr. Thomas asked Mr. Clubine to explain why staff felt the cost per incident methodology was not accurate with regard to the fiscal impact for police and fire operations. Mr. Clubine replied the issue with that method of calculation was that it reduced the cost per call if there were more calls. Based on a three year average, they thought there would likely be an additional 330 calls for police and 90 calls for fire. He felt there was an issue with the logic since it would cost more per call if there were fewer calls and it would cost less per call if there were more calls.

Mr. Thomas asked if staff calculated the percentage impact on the total cost of those additional 420 calls in the area proposed to be annexed. Mr. Clubine replied if this area were annexed the 330 calls would be less than one-half of one percent of the total number of calls for police services. He noted he did not perform that calculation for fire services. Mr. Thomas thought it would be about the same.

Mr. Thomas asked for clarification regarding the cost per run methodology. He wondered if any important components were omitted from the calculation. Mr. Clubine replied that methodology tried to look at the costs specific to this area versus the impact to the entire budget. He explained they looked at the cost of fuel, the cost of the police officer or fire crew for a specific amount of time, etc. Mr. Thomas felt it omitted a lot of the important components of running the overall service, such as training, administrative workload, etc. as those costs would scale with the number of calls. He commented that his interpretation was that the cost per incident analysis was far better.

Mr. Thomas asked if staff compared the time and distance involved in the typical call in the proposed to be annexed area west of the Perche Creek with the typical call in the rest of the City. Mr. Clubine replied he had not.

Fire Chief White explained there were a few ways to look at the determination of the value of a service. The cost per run method looked at the cost of equipment, the cost of the salaries of a typical crew that would respond to the area, and the cost of the fuel. The cost per incident involved the entire budget for the year, and divided it out so it included the cost of training and everything else needed to run a fire department. He noted both were misleading in the sense that they already had to pay for the training, maintain the trucks, purchase the trucks, etc. If they were not discussing extending services in terms of adding personnel and building a new fire station, it was just another run or call, and they were already paying for that service. In terms of response times, it would obviously be longer because of the distance traveled. He stated there was a pretty good road network out there, and Station No. 2 and Station No. 9 would likely be the crews that covered the area.

Mr. Thomas asked if there would be any negative to the overall service. He noted he thought police and fire would be different in that fire had multiple stations throughout the community while the police only had one. In addition, police officers were going from call to call, which was luckily not true for firefighters. He understood the thought was that there were no extra costs if they did not actually add personnel, vehicles, infrastructure, etc. and only added the workload, and asked if there was a negative to that. Fire Chief White replied the increased call volume would be an issue. Based on historical data projected forward, they felt there would be about an additional 90 calls in this area. He noted they broke 12,000 calls this fiscal year, so 90 out of 12,000 calls would likely have a minimal effect initially. He stated he would not expect it to have that great of a burden on the current system. Mr. Thomas asked Fire Chief White if he would agree there was a level of service reduction for both departments by taking on additional work with no extra revenue to pay for it. Fire Chief White replied he would not speak for the Police Department, but as a Fire Department, they would have to address any

increase in volume.

Ms. Nauser understood the City had an agreement with the Boone County Fire Protection District so service would not necessarily decrease because the Columbia Fire Department (CFD) already responded to areas in the periphery. In addition, there would still be a fire station manned by volunteers that could service the area first as the City was on its way. Fire Chief White stated that was correct. He explained in terms of the response agreement, the CFD personnel would always respond and the Boone County Fire Protection District personnel would also be dispatched so whoever could get there the quickest would do so. The City covered areas in the County that were difficult for them, and the County did the same for the City. They would have to look at this particular area and come to an agreement with the Boone County Fire Protection District as it was outside of the current response area agreement.

Mayor Treece asked if there was a mechanism in the state statutes where by the City had to pay the Boone County Fire Protection District one-seventh of the first year, two-sevenths the second year, etc. as the City gradually took control of the area and they lost the revenue from the annexation. Fire Chief White replied he would have to research it a little further as he thought that only applied to property tax, and not sales tax, but agreed a mechanism of some sort existed. Mayor Treece asked if those costs had been reflected in the cost estimates provided. Mr. Clubine replied no.

Mayor Treece understood the revenues were predicated on the land being annexed, and at least three property owners would have to agree to annex in order for that to happen. He asked if annexation agreements had been signed by those three property owners. Mr. Matthes replied no. He explained there were two approaches. One involved a pre-annexation agreement, and the current policy required a pre-annexation to be signed with any sewer connection. It indicated the property owner would agree to annex when the city limits were adjacent to the property. He noted they had communicated with the three property owners with regard to annexing now in order to provide some revenue to participate in the cost of the sewer, and they had verbal agreements, but at this time the agreements were not finished or signed. Mayor Treece commented that a pre-annexation agreement only created a freeloader problem as the City would be required to expend these dollars, these services, and all other city services without any promise of the revenue. Mr. Matthes explained the pre-annexation agreement would only require sewer services, and they would receive fees for the service. Upon the point the property was actually annexed, the other services would be required to be provided. He commented that he felt they would have the freeloader effect any time there was growth around the city. Many people chose to do that in order to avoid the taxes.

Mayor Treece explained, for him, it would have to be an annexation instead of a pre-annexation agreement, and assuming there was annexation, the City would have to extend all of the services they currently provided in the area proposed to be annexed within seven years. He noted this would include street maintenance, and listed some of the streets in the area. He asked why they had not included costs associated with street maintenance, snow removal, installation of fire hydrants, storm sirens, trash collection, etc. He pointed out Columbia was a full service city and none of those costs were reflected. Mr. Matthes replied all of the properties were commercial properties so they had a choice with regard to garbage collection. They did not have to use the City's solid waste services. In addition, many of the roads were privately owned and the major roads were owned by MoDOT. In this particular instance, the impact to those services would be minimal when the property was annexed. He noted this could change as growth occurred in the future.

Ms. Nauser asked if the projected \$479,000 in sales tax revenue was yearly or if it was projected out over several years. Mr. Matthes replied it was yearly. Ms. Nauser understood the City would collect the \$86,000 connection fee upfront. Mr. Matthes stated that was correct. Ms. Nauser understood \$27,000 would be received each year for the sewer utility as well. Mr. Matthes stated that was correct.

Mr. Matthes explained there were two concepts. One involved the real business transaction of the sewer utility and the other involved the numbers once the property annexed. He noted they had also provided two concepts in terms of the numbers once the property was annexed.

Ms. Nauser understood they were fairly certain the properties would be annexed since they had verbal commitments from property owners to annex so the City would eventually receive the \$479,000 per year in revenues. They just did not know if that would occur in the next six months, a year, two years, etc. Mr. Matthes stated that was correct.

Mr. Matthes explained the request of staff tonight only involved the design phase. He noted they would come back with signed agreements in terms of the decision of whether to bid and build the sewer or not. He stated there would be two more decisions the Council would need to make on this project if they chose to move forward tonight. The intent would be to have signed agreements at that point.

Ms. Nauser understood the City had never had the prospect of bringing in \$479,000 in sales tax revenue within the first couple of years with any previous sewer extension project. Mr. Matthes stated he could only speak to those during his tenure, which was the last five years, and the one he recalled had been in the Battle High School area. In the amount of time he had been with Columbia, there had not been anything similar to this one.

Ms. Peters asked for the cost of obtaining the plans. Mr. Sorrell replied the cost was \$300,000 for complete construction plans, and they were approximately 50 percent done now. He clarified they were already under contract with the consultant. It was a matter of whether they could proceed at this point.

Ms. Peters understood staff wanted Council to decide whether they wanted to spend another \$150,000 for the design while they worked toward the annexation they would want in place. Staff would then come back to Council with the design and final estimated cost to determine if they wanted to move forward. Mr. Matthes stated that was correct.

Ms. Peters asked for clarification regarding the potential of other funding from the Boone County Regional Sewer District or others now that they knew the costs would be higher than initially estimated. Mr. Matthes replied staff had communicated with the Boone County Regional Sewer District and the property owners. The responses from the property owners had been varied, and they had recently received a letter from the Boone County Regional Sewer District. He was not sure what the letter stated. Mr. Skala thought it had indicated they could not afford to contribute any more. Mr. Matthes stated that was how he had taken it, but he had not had enough time to really review it.

Mr. Skala commented that he appreciated the numbers that had been provided by staff along with the thoroughness of several scenarios, but he was less concerned about the details of the numbers than the prospect raised by Mayor Treece. He noted all of the numbers were contingent upon annexation and explained he was not as sanguine as Ms. Nauser about when it would happen. It could be 20 years before it was annexed. There was not any certainty. In addition, the extension of sewers drove development. He pointed out they then would incur lots of costs associated with the added development. He thought they were liable to get the \$400,000 back in revenue eventually, but they would likely also have to make a commitment to provide more roads and other services. They could either proceed with plans and specifications or not proceed until the agreements with contributions were signed. He reiterated this was all contingent upon annexation, which was not a part of this presentation, and noted there would likely be sizable costs along with the revenues.

Mayor Treece opened the public hearing.

Martha Brownlee commented that this process was what spurred development, and that might be good and profitable for the developers, but it would cost the City. She did not believe that aspect had been discussed. She noted police officers were already overworked and thinly stretched, and this could result in a slew of buildings being constructed along I-70 to Midway. It would result in extra calls on a system which was

already strapped. She believed it would be burdensome, and it did not even include all of the other services that would be driven by the development. She agreed with Mayor Treece in that the City should have the money first, and then carefully consider the benefit of this to the community.

John Clark, 403 N. Ninth Street, stated he did not believe the Council should authorize staff to move forward at this time. He thought the fiscal analysis provided by staff had been considerably better than anything they had previously received, but felt it was still inadequate. He did not agree with the notion of only looking at what was on the ground today. Any kind of fiscal analysis that made any kind of sense would look out over at least ten years. He agreed with Mr. Skala, Mayor Treece, and Mr. Thomas in that cost share agreements needed to be in place. The Boone County Regional Sewer District had raised many issues in its letter in terms of service areas, the continuation of the idea of a pre-annexation agreement, and using a sewer extension as the way to expand the City. He noted they had also mentioned there were less costly ways to deal with these types of issues. He did not believe the City should annex due to all of the costs associated with it, and suggested the City engage people to help staff develop a real fiscal impact analysis model that covered multiple years. He asked the Council to reject this today and to direct the Community Development Department staff to work with the Boone County and City of Columbia Planning and Zoning Commissions in the development of a large area plan for the northwest part of the community along with a land analysis map and a major transportation study. He felt only then would staff be ready to make a case to the Council.

Scott Fritz, 216 Strawn Road, commented that his family was one of the property owners with land adjacent to the City so they would be impacted. He explained they were not likely to be customers of the sewer extension because it would not be convenient for them. He had heard a lot of talk with regard to the costs associated with this project and how it would benefit developers. He pointed out that in most cases, development costs were paid by the developers as they put in the sewers and the streets and constructed the buildings. In addition, they generated property taxes and other revenue sources for the City. He agreed there would be maintenance costs after the streets were constructed, but noted fees were designed to cover those types of costs. He reiterated he lived at 216 Strawn Road, which had been a part of the City of Columbia for fifty years, but he presently had a well for his water because the City had not extended water service to his property. The idea that the cost of infrastructure was great was appreciated, but noted it was not helping him much as a citizen that had paid taxes for many years. He thought there was a lot to be considered. He understood the sewer plant had been designed as a regional sewer system, and the Black & Veatch study of 1973 had envisioned this entire area in an effort to protect the watershed, which he believed everyone would agree was good.

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

Ms. Nauser commented that she agreed sewer was a predicator of where development would go, but noted she did not believe that meant it would happen overnight. It would likely take 15-20 years or more. She understood there was not a roadway system in the area except for Highway UU, private driveways, and Van Horn Tavern Road, so she thought developers would have to build the road system and asked if that was correct. Mr. Matthes replied this was a unique situation in that there was a major interstate that would almost parallel the sewer line. He noted the City ordinances required developers to install sewer, water, electric, and roads for development, and to donate it to the system. In terms of sewer, staff calculated a percentage cost and the developer would pay for it when they hooked up to the sewer. Ms. Nauser understood the Council had increased the connection fee to \$2,300 per unit, which was the highest in the State, and was supposed to pay back the associated costs.

Mr. Skala explained he was struggling with the idea of whether to support proceeding with the plans and specifications or rejecting this outright until such time as they had signed

agreement in place. He commented that there had been a good deal of discussion on this issue at a recent Chamber of Commerce Government Affairs Committee meeting with regard to ensuring they kept their promises since the public had decided \$2.6 million should be spent for this extension project west of the City. He noted he had every intention to ensure they honored that commitment, but pointed out the project had changed as it would now cost \$1.7 million more than had been initially estimated. He explained he was obligated to pay attention to how they spent taxpayer money and ensure the cost-benefit analysis would balance as the area built out. He understood there had been some fruitful discussions, to include land donations for the potential of another fire station on that side of town, but the City did not have any signed agreements. In addition, the City had adopted *Columbia Imagined* in the interim, a comprehensive plan, and in that plan, they had discussed an urban service area. The urban service area was established to steer development to areas where the City had already made significant investments in infrastructure, and annexation and extension of services to land outside the urban service area should be considered only in situations where it could be proven the City's return on its capital investment would result in a net fiscal gain, including reasonable consideration for long-term public infrastructure and service maintenance costs. There was also a section on land use and growth management in *Columbia Imagined*, which included an implementation table with two policies. One of the policies was to plan for fiscally sustainable growth, and the two strategies associated with that policy were for new development to pay a fair allocation of infrastructure costs and to give funding priority to the maintenance of existing public infrastructure and services. The second policy was to establish an urban service area, and it had three strategies. Those were to limit or discourage growth beyond the established area, modify the urban service area necessary to support value added growth, and identify potential changes to the annexation policy to promote compact and contiguous growth. He commented that he was committed to honoring the will of the public for \$2.6 million, but noted he wanted to continue to negotiate the vaunted public-private partnership in this area, which was beyond the urban service area, to make up some of \$1.7 million cost difference, particularly in terms of those that were benefitting the most from the sewer extension. He thought the best approach would be to reject this proposal and pursue commitments in the form of signed agreements. It could then come back to Council. He noted he predicted it would likely move forward then without much opposition.

Mr. Trapp stated he appreciated the comments of Mr. Skala focusing on the \$1.7 million difference between what they had promised the voters and the issue with which they were considering tonight. The Council, as a body, had voted to move forward with the project based on the lower costs. He commented that this would fall within the Second Ward if they chose to move forward and it led to annexations. He thought this was value added growth as indicated by the cost of service study. He pointed out the increase in connection fees placed the cost of new development on those new developments in terms of sewer. The Council had moved that in a radical way, and Columbia was a leader in the State. He expected others would follow. He noted it had been a result of a cry from the community that they attach more of the cost for new development to the cost of development. In addition, as they moved forward, a couple of key businesses would be brought into the City through annexation, which would result in more money in operating funds. It would pay for the additional services. The \$210,000 that would go to the general fund would be enough to hire two officers to bolster police presence. It would result in more resources than the increased calls they would get. He commented that truck stops, unfortunately, generated a lot of police calls as it was in their transitory nature. He pointed out his dad was a truck driver, and he had grown up in truck stops so he knew there would be police calls there, but believed they would see larger gains in the net. He explained that even though there was a large psychic distance when they thought about Midway, it was really a quick drive down I-70. He noted it was closer than people thought, and a lot of the infrastructure was already provided or would be provided by other

entities, such as MoDOT, Boone Electric Cooperative, etc. He stated they were only talking about \$150,000 for plans and specifications to complete the design work. He understood many council members had made it clear they wanted to see larger private contributions and Mr. Matthes had dutifully been trying to negotiate those agreements. He thought those stakeholders had heard these deliberations and understood where they were at as a Council. As a result, he felt it would be safe to keep the process moving. They had already spent \$150,000 and had people under contract who had been waiting for the City to fulfill its contractual obligation. It made sense to him to spend the remaining \$150,000 to complete the work. He reiterated he thought the stakeholders had heard the deliberations in regard to the private portion of the public-private partnership.

Mr. Thomas noted he would not support this proposal. As mentioned by Mr. Skala, they had an urban service area concept that had been a very popular part of the philosophy that had come out of the *Columbia Imagined* process. It indicated they wanted to develop more densely and did not want sprawl. He commented that he believed moving forward with this project would stimulate a lot of low density development on the west side of the Perche Creek and would cost the City a lot of money. He stated he wanted to investigate this process with a northwest area plan as had been done for the northeast area and the east area. He would like the appropriate stakeholders to be assembled, to include residents and business owners in the area, to study future growth and conduct a more accurate and thorough analysis of the costs and benefits to Columbia. He noted the Council had increased the sewer connection fee. It had gone up from \$800 to \$2,000 per standard residential building. It was scheduled to go up another \$400 to \$2,400 next October. At that point, it would recover about 75 percent of the cost of connecting one new standard home, so they were still losing. Currently, at \$2,000, they were only covering about five-eighths of the cost. As a result, the rate paying community was subsidizing growth through an inadequate connection fee, but it was a lot less of a subsidy that it used to be, which was good. He commented that it would never recover the \$4.3 million that it would cost to build the sewer. As far as the ongoing sewer costs, he thought there was likely balance, based on the sewer revenues received. He stated he believed there would be costs associated with police and fire as well. He understood the City currently had nine fire stations, and explained that as the community grew, they would have to add more fire stations, which meant tens of millions of dollars. He noted they had started to talk about a north and south area police station, so as the community grew, they would have to build additional police facilities. He felt there should be a connection or impact fee for police and fire services as well for the additional one time infrastructure costs that would not be necessary if Columbia was not a growing community. He stated the projection was that the general fund would benefit by about \$250,000 per year and the cost per incident method, which he felt was a good method, showed annual costs of about \$227,000, so the net revenue would be minimal. He commented that he understood the point that the cost per incident was reduced marginally as there were more incidents, but he did not feel that would make a large impact. He noted the average cost to respond to each new call on the other side of the Perche Creek in time and travel costs was significant, and would overwhelm the \$23,000 calculated difference. He believed the City would lose if they moved forward and felt it was also against the public preference for less sprawl and more concentrated economic growth and development. He reiterated he would not support moving ahead with this project.

Ms. Peters asked if they knew for sure this project would cost another \$1.7 million or if this was something they would ask the design engineers to determine. Mr. Sorrell replied the first estimate was based upon typical past costs they had experienced. The consultant had since completed geotechnical work and had produced this estimate, which was more likely to be an accurate reflection of the true costs when the project was completed, if it was approved.

Ms. Nauser commented that they had been looking at this sewer extension since 2013,

and one of the contributing factors to the increased costs was that it was over three years later and costs tended to always increase. If they had taken the approach of extracting money from others due to increased costs, Scott Boulevard would not have opened on Friday. It had taken years for that project to move forward and it had been over budget since the entire scope of the project changed due to the school that had recently been built. She noted the voters had approved this project in 2013, and stalling had allowed those costs to continue to increase. She stated she supported moving forward with the design so they could obtain a true and accurate reflection of the costs. It would also provide Mr. Matthes the opportunity to continue to negotiate with the property owners. She pointed out she could not recall a sewer extension project or pre-annexation agreement whereby there would be a dedicated revenue source immediately upon annexation. It usually took decades to recoup those types of costs. The notion that Columbia would only grow within the urban service area sounded great in theory, but it would essentially push development outside of the city limits while still impacting city services. Those that lived in Ashland and Jefferson City still traveled to Columbia, and had car accidents impacting police services and medical issues involving fire services. They also used city roads, flushed toilets that utilized city sewers, etc. She commented that even those that did not live in the community put a stress on city services and created costs for the community. She noted she would much rather have those people within the fabric of the community so they were paying for those services through fees, property taxes, sales taxes, etc. She pointed out the Country was in a predicament in terms of infrastructure and did not feel they would ever catch up. The increase in the sewer connection fee was a start, but they could only do so much so quickly. She stated she was concerned they would price themselves out of the market. She noted she would prefer Columbia have the problem of growing rather than being stagnant and having shuttered buildings because that certainly would not bring in any tax revenues. She explained she would support moving forward, and thought they owed it to the voters to move forward even if it would cost more.

Ms. Nauser made a motion directing staff to allow the consultant to proceed with the design plans and specifications, and to bring the project back to the Council for consideration. The motion was seconded by Mr. Trapp.

Mr. Thomas agreed this project had been approved by the voters. He explained he had polled people and had been surprised as more people than he had expected felt they should move forward with this project since it had been on the ballot and had been approved by the voters even when most did not know it had been on the ballot. He thought he had received 70 responses and two-thirds felt they should not proceed, while one-third felt they should proceed because it had been approved by the voters.

The vote on the motion made by Ms. Nauser and seconded by Mr. Trapp directing staff to allow the consultant to proceed with the design plans and specifications, and to bring the project back to the Council for consideration was recorded as follows: VOTING YES: PETERS, TRAPP, NAUSER. VOTING NO: TREECE, SKALA, THOMAS. ABSENT: RUFFIN. Motion failed.

Ms. Peters asked if a motion was needed directing staff to come back to Council with information as to whether the stakeholders were agreeable to annexing or if that was a vote to never look at this extension again. Mayor Treece replied his personal feeling was that it had to make financial sense, the annexation needed to be in place before they proceeded, and there had to be some significant financial participation by the two end users. He stated they could take as much time as they needed to pull those agreements together and bring it back to Council.

Ms. Nauser made a motion to directing the City Manager to continue to negotiate

with the interested parties and to come back to Council with a plan of action. The motion was seconded by Mr. Skala and approved by voice vote with only Mr. Thomas voting against it.

- PH36-16 Proposed construction of improvements to the intersection of Waco Road and State Route B to include the installation of mast arm traffic signals and the modification of existing driveway access locations, and construction of raised islands and a pedestrian crosswalk.

PH36-16 was read by the Clerk.

Mr. Nichols provided a staff report.

Mr. Thomas asked if a roundabout had been considered for this location. Mr. Nichols replied this location did not warrant a roundabout due to the volume of trucks utilizing the intersection. They felt a signal would function better for this industrial corridor. Mr. Thomas asked for clarification as to why having a lot of trucks made a roundabout inappropriate. Mr. Nichols replied staff felt stacking at a signal worked better for trucks. In addition, quite a bit of property would be required and they estimated a roundabout would cost about \$1 million. As a result, staff believed the signal was the appropriate fix at this time. Mr. Thomas stated he would support the signal if the roundabout would cost \$1 million, although he was surprised by that.

Mr. Thomas asked for the approximate operating cost of the traffic signal system. Mr. Nichols replied it was about \$3,000 per year.

Mayor Treece asked for clarification regarding the raised median. Mr. Nichols replied it would be made out of concrete. Mayor Treece understood it would incorporate a six-inch curb and not be divided. Mr. Nichols stated it was just a raised curb.

Mayor Treece opened the public hearing.

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

Mr. Trapp thought this was a prudent move to increase safety due to people turning onto Waco Road and due to the expansion of Kraft.

Mr. Trapp made a motion directing staff to proceed with the plans and specifications for the project. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

- PH37-16 Proposed replacement and upgrade of a water main along a portion of Westridge Drive between Broadway and Rollins Road.

Discussion shown with B279-16.

- B279-16 Authorizing replacement and upgrade of a water main along a portion of Westridge Drive between Broadway and Rollins Road; calling for bids through the Purchasing Division.

PH37-16 was read by the Clerk and B279-16 was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece opened the public hearing.

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

B279-16 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. ABSENT: RUFFIN. Bill declared enacted, reading as follows:

- PH38-16 Annexation of property located on the west side of Highway PP and north of Mexico Gravel Road (3891 North Highway PP) (Case No. 16-196).

PH38-16 was read by the Clerk.

Mr. Teddy provided a staff report.

Mayor Treece understood a public hearing would be held tonight, and another public

hearing and vote would be held at the November 21, 2016 Council Meeting associated with the related bill under the introduction and first reading section of the agenda. Mr. Teddy stated there would be another opportunity to review the subdivision as well as the permanent zoning if the Council chose to put it on the old business portion of the agenda.

Mayor Treece understood this was zoned A-2 in Boone County and asked what it would be zoned if annexed. Mr. Teddy replied R-1 had been requested.

Mr. Skala understood a hurdle associated with this had been connecting to the sewer, and the solution proposed was a lift station paid for by the property owner connecting to the existing sewer system serving the area. He noted he had been under the impression that they would try to connect or feed into the Hinkson sewer system, but there had been some topography issues, which might be addressed by the lift station. He explained he had been contacted by people that were concerned about capacity issues in the area, and the addition of this to the already strained system. He asked if staff could assure him that was not the case, and that the engineers had indicated there was adequate capacity for a development of this size. Mr. Teddy replied the recommended solution was to avoid draining the new sewer system directly to the west into the local lines that ran through the Maryland Heights neighborhood. They were bypassing those lines where there might be capacity concerns. He believed that was how adequate capacity had been achieved. Mr. Skala understood the connection was into an area that had adequate capacity and could handle the development. Mr. Teddy stated that was correct. They were going downstream from where the potential problems had been identified.

Mayor Treece opened the public hearing.

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

PH39-16

Annexation of property located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard (Case No. 16-178).

PH39-16 was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Thomas asked if this property was inside or outside of the urban service area. Mr. Teddy replied it was outside and contiguous, and it was capable of being serviced the same as adjacent subdivisions like Quail Creek and Stoneridge.

Mr. Thomas asked about the thinking in drawing the urban service area inside of this property. Mr. Teddy replied, generally speaking, it had followed the city limits at that time, with the exception of those areas where there had been resources committed, such as sewer extensions outside of the city limits, and that was mainly in the northeast. The urban service area really followed the sewer basins that extended outside of the city limits. It was meant to be somewhat generalized. He thought the property could have been brought into the urban service area, but the decision had been made to follow the existing city limits since they did not have knowledge of a desire to annex any particular parcel in the area. Mr. Thomas stated he would have thought the Perche Creek would have been a logical western boundary to choose, but understood it had essentially been aligned with the city limits except in the northeast. Mr. Teddy explained he thought that was the case and noted he could take a look at that prior to the next meeting to ensure he had made an accurate statement. He stated he thought they would see an urban service area larger than the city limits in an area in the north and northeast. Mr. Thomas understood that was the only area where they had projected growth. Mr. Teddy stated he would not necessarily say only, but those were the only significant areas where it extended outside of the city limits.

Mr. Skala asked if the topography in terms of the burial grounds and sinkholes would be accommodated in the proposal. Mr. Teddy replied there was documentation that had been mentioned in the development agreement. A large not-for-development lot would be created around the burial mound, and the applicant had submitted additional documentation from experts regarding the handling of it. The statement in the development agreement was simply that they would follow the Missouri statutes and any

other applicable laws that addressed such things. Mr. Skala asked if it had the potential for greenspace. Mr. Teddy replied he thought that could be an assessment that was done.

Mr. Trapp asked if the applicant had matched the Boone County protections with regard to sinkhole area preservation and heritage tree protection in their plan. Mr. Teddy replied he thought the plan addressed it. The development agreement included a statement on geotechnical survey and the City having discretion over the location of infrastructure in the final design process. If there was a presence of sinkholes that would interfere with the stability of infrastructure, the City retained the ability to require plan modifications. There was not a reference to specific ordinance language being incorporated into the agreement. Mr. Trapp commented that in the previous versions of this he had seen, there had been encroachments on sinkholes that would not have been allowed in Boone County and the removal of heritage trees were protected in Boone County, but were not protected by city ordinances. He wondered if the revised plans had dealt with those two issues as that would be important to his decision-making.

Mayor Treece explained he was sensitive to the archeological site there and whether the long-term preservation of it was adequate in its size and scope, and wondered who would manage and monitor it. He understood the Historic Preservation Commission had in its charge the oversight of archeological or Native American related issues. He would not mind if there was some liaison there prior to this coming back to Council. He noted he was not familiar with best practices. He reiterated he wondered how that was adequately protected to preserve the long-term stability of the site.

Mayor Treece opened the public hearing.

Tim Crockett, an engineer with offices at 1000 W. Nifong Boulevard, commented that the heritage trees would be preserved and they had exceeded the requirements of Boone County in terms of the sinkholes. They had met jointly with City and Boone County staff to discuss the requirement of the County in relationship to this proposal so they exceeded the County requirements in terms of how they would address sinkhole situations. He explained experts from the University of Missouri had visited the Native American burial site on the property. They had known about this site since the 1980s and had reviewed it again. They had documentation from them indicating that what they had planned to do was what they should do. They were pleased with how the applicant was handling the situation. He noted it was something they wanted to protect, preserve, and make available to the public so they understood its historical significance.

Mayor Treece asked if anyone from the Department of Natural Resources (DNR) had looked at the site. Mr. Crockett replied no, and noted he did not believe DNR had any recognized tribes which was why they had contacted the University. He explained it was the same group the City of Columbia had used when they built the Perche Creek sewer in the early 1980s. He understood DNR had regulations with regard to setbacks and they were exceeding those limits by a substantial amount. In terms of preservation, they were meeting the requirements of DNR. Mayor Treece asked for the scale of the area. Mr. Crockett replied they were setting aside over an acre, and the actual size of the burial mound itself was roughly the size of the semicircle in front of the dais in the Council Chamber.

Mr. Crockett noted that roughly 50 percent of the entire piece of property was being preserved as greenspace. They were not developing large portions of the property.

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

Mr. Thomas explained this had involved a very positive community-engaged process to reach an agreement. He noted he had worked with Mr. Crockett and Mr. Tompkins, the developer, and three different neighborhood associations on all of the issues that had come up, which included the sinkholes, the burial mound, the public space, etc. He pointed out there would also be a system of trails that would connect the interior of the neighborhood to the future Perche Creek Trail and be accessible to the public. He explained a lot good negotiation and compromise had been accomplished by everyone

over a six month period. He stated he would support the annexation. Although he did not like going outside of the urban service area, he felt the logical location for the urban service area for this part of Columbia was Perche Creek.

VI. OLD BUSINESS

R144-16

Approving the Preliminary Plat for Kitty Hawk Manor, Plat No. 6 located on the southwest corner of the intersection of Northland Drive and Parker Street (Case No. 16-137).

R144-16 was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Thomas asked about the history of the 20 foot tall strip. Mr. Teddy replied he thought the applicant could help in explaining it as it was a long history, and there had been a rezoning in the 1990s. Mr. Thomas asked if the lots had been split at some point. Mr. Teddy replied yes. There had been a proposed rezoning to R-3 at one time that involved some of this property. At the time, there had been concern with regard to a buffer, so he thought some negotiations had ensued and the application had been modified. At some point, there was a conveyance of a buffer of 100 feet of the 120 foot lot. Mr. Thomas understood it was the northerly 100 feet of each of the lots. Mr. Teddy stated that was correct. He noted the 20 feet had been retained by the owner/developer. Mr. Teddy understood this was now the subject of the plat. Mr. Teddy stated that was correct. He noted the 20 feet would remain as a common strip. The practical impact was that someone that wanted to develop north of the strip would have to negotiate with the property owner to access Gypsy Moth Drive. He thought the developer was signaling they wanted to protect their investment in the street as they had fully improved it for the benefit of their subdivision.

Mr. Thomas asked Mr. Teddy for his understanding of the civil agreement. He understood Mr. Teddy did not believe the City had any involvement. Mr. Teddy replied his perception was that they were individual agreements. The property owner with property that fronted Northland Drive had signed an agreement this year to remove a restrictive covenant that had barred development in the 100 feet. Mr. Thomas asked if it was near the lots identified as Lots 1-5. Mr. Teddy replied it was the property the red line enclosed on the diagram displayed. He understood the owner of that lot had reached an agreement on removing a restrictive covenant. He thought the buffer had been intended to buffer the house on what was now identified as Lot 6, and the developer had since purchased it. Mr. Thomas understood the restrictive covenant had applied to what was now shown as Lots 1-5 in the plat. Mr. Teddy stated he believed so. Going back in time, there had been a row of single family lots that had been absorbed into ownership by a number of those property owners along Northland Drive. He noted there was also low density zoning along Northland Drive as it was zoned A-1. Lots 1-5 would be R-1 single-family lots. The lot at the corner would not be developed because it was infrastructure, and Lot 6 was to remain one lot zoned as agriculture. It was a large home site that was accessed from Northland Drive.

Chris Burnam, 3321 Greenfield Court, explained he was the property owner and applicant for the land in question and noted he had been before the Council approximately 25 years ago to discuss this particular piece of land. At the time, they were seeking to develop apartments, which were now known as Kitty Hawk Apartments and located approximately 130 feet south of Gypsy Moth Drive. He noted his company and the Northland Neighborhood Association had a cordial relationship over the last 25 years, and they had done other developments in the area with the support of the Association. He commented that the Association had been considerably more active than it was today, and explained that after many months of negotiations, the neighborhood had indicated they wanted a buffer. They had recommended the land in question and the rest of the land to the north of the 20-foot strip along Gypsy Moth Drive be downzoned to A-1 to

match the zoning to the north, and the Council had rejected that proposal and had asked them to come up with another plan. As a result, they had come up with a plan whereby they would continue to own all of the land to the north and would place restrictive covenants, which were privately enforceable, on it. The Neighborhood Association, at the time, felt they did not have the funding and capability to enforce private covenants. They then decided to give each of the owners to the north the southern 100 feet of their property as it would allow the neighbors to do whatever they wanted with it in perpetuity, and they had coexisted peacefully for years. He commented that when they built the new Gypsy Moth Drive, they had no intention of doing anything with the land north of Gypsy Moth Drive and felt protected by the 20-foot strip they had left in place many years ago. They had not given it any thought until the owner of Lot 6 contacted them asking if they would be interested in purchasing their property. Since they were not in the business of owning homes on large acreages, they had decided to reunite their 20-foot strip with the 100-foot strip they had given away 25 years ago to create new R-1 lots, which would be identical to the R-1 lots to the south of Gypsy Moth Drive where they had just built new \$175,000 homes. It seemed like a logical land use and was something that had been contemplated years ago. In addition, it had the ability for anyone that remained on Northland Drive and owned the original buffer to remain protected because no one was building behind them. He commented that they would also consider coming to the Council if anyone else decided to sell their property in the future so they could incorporate those pieces of land into productive R-1 lots.

Mr. Thomas asked about the extent of the 100 foot buffer provided to the residents living to the north. He wondered if it was the width of the map displayed where the 20 foot buffer ended. Mr. Burnam replied yes. Mr. Thomas understood one of the property owners had owned the lot identified as Lot 6, and asked how many others there had been. Mr. Burnam replied he could not recall. He thought there were likely a total of four. Mr. Thomas asked if the other three still owned the 100 feet. Mr. Burnam replied yes.

Mr. Trapp understood there had been more concerns than just the adjacent property owners when they had requested the R-3 zoning in 1990. Mr. Burnam stated he did not recall concerns from anyone beyond those that had a boundary with their property other than Paul Albert, who resided across Northland Drive. Mr. Trapp understood there had been concerns from the Northland-Parker Neighborhood Association. Mr. Burnam stated that was correct.

Mr. Trapp understood the Planning and Zoning Commission had voted 6-3 against recommending the rezoning prior to it coming to Council. Mr. Burnam stated he did not recall the vote by the Planning and Zoning Commission, but noted he recalled the Commission voting down the proposal when they wanted to rezone it to A-1. With regard to the R-3 zoning request, he did not recall the facts too well other than they had received approval by the City Council.

Mr. Trapp asked Mr. Burnam if he recalled saying "from Gypsy Moth north, it would be a buffer area." Mr. Burnam replied he did, and noted he also recalled saying it would be an individual owner's land to do what they chose. As a result, there would be no restrictive covenants. He pointed out there never were any restrictive covenants placed by them on any of the land. The restrictive covenant idea went away in favor of the land gift because the restrictive covenants were not needed to govern what was done if the individual neighbors owned the land.

Mayor Treece understood restrictive covenants would convey to the successor in title. Mr. Burnam stated that was correct. Mayor Treece did not believe the restrictive covenants would go away now that Mr. Burnam owned the land. Mr. Burnam explained there were never any restrictive covenants placed on the property.

Mayor Treece asked for clarification regarding the location of the 100-foot buffer. Mr. Burnam replied the old plat from 1978 had a row of lots that were approximately 120 feet deep along what was now Gypsy Moth Drive. The northernmost 100 feet of each lot had been given to the property owner to the north to do what they wanted with it. Mayor

Treece understood those lots technically belonged to the homes that fronted Northland Drive. Mr. Burnam stated that was correct. He commented that in May of this year, he had purchased Lot 6 and their 100 feet from the owner. Mayor Treece understood the remaining 20 feet was just the curb, sidewalk, etc. Mr. Burnam stated that was correct. He explained it prevented someone from constructing a driveway off of Gypsy Moth Drive.

Mayor Treece asked if the retention pond at the corner would remain. Mr. Burnam replied yes. He explained that was a condition when they replatted land south of Gypsy Moth Drive about 1-2 years ago. It was a permanent detention basin and they would have to bring it up to current standards.

Mac Rouse, 2726 Northland Drive, provided a handout and stated his property was just to the west of the subject tract. He thought five property owners had received the 100-foot buffer, and each deed, which had been signed by Mike Burnam, stated what was on the handout, to include the deed to the land Mr. Burnam had recently purchased. As a result, it was not true that they could do whatever they wanted with the land. It had to stay in its natural state. He explained this had been their wording or they had signed off on it so they had been in agreement to the wording. He stated the second quote in the handout had been taken out of context, but it had been included in an e-mail sent to the neighbor to his west, Annette Buckley-Kolling, and had been written by Weyen Burnam in 2015. It indicated there would be no development north of Gypsy Moth Drive. Gypsy Moth Drive had not been stated in the sentence, but that was the intent. He noted he thought the Burnam Companies needed to be held to their word in that this would stay a greenspace. He explained they had all been fine with it the past 25 years and noted they had paid taxes on it. He commented that they had supported the rezoning to the south where the apartments were located at a lower density in exchange for the 100 feet of greenspace. Approval of this would affect an old established neighborhood that had been around since the 1960s. In fact, some of the properties had been around longer. He thought this was an obvious greenspace and demarcation between the neighborhood and the Burnam property to the south. He was concerned his property value would decrease since it would be next door to this development. In addition, he had concerns about aesthetics as the house on the lot currently faced north, and the proposed 4-5 homes would face south. He thought Mr. Burnam understood the value of trees and greenspace, but a considerable number of trees had been removed to build the new houses and the development to the west. He felt the neighbors would give up a lot and not get much for it.

Mr. Thomas understood Mr. Rouse was one of the property owners that had received the 100-foot strip. Mr. Rouse stated that was correct, and noted he was one of five property owners. Mr. Thomas asked if the handout included language from the conveyance document. Mr. Rouse replied it was the language on his deed and was the language that had been on the original deed of the subject tract, which had been owned by Bonnie and Ivan Hargis. They had sold it to the owners that had subsequently sold it to Mr. Burnam.

Mr. Thomas understood the deed had indicated the property was to be left in its natural state, and asked who legally was supposed to enforce something of this nature. Ms. Thompson replied the private property owner as it was a private property owner restriction. It was not an obligation of the City. Mr. Thomas understood the property owner would have to enforce it on themselves. Ms. Thompson replied the property owners could enforce it on their neighbors. Mr. Rouse understood he could sue Mr. Burnam, but did not believe that would get him very far.

Ms. Peters asked if this was on her deed and she sold the property, if it would continue or not. Ms. Thompson replied it would continue. It would become a part of the title or title restriction. It would have to be done privately if someone wanted to enforce it. It was not done through the City. She thought the question of Mr. Thomas had been who would enforce it, and it was not a municipal requirement as it was not a part of a city ordinance, city code, or a part of a development plan.

Mr. Thomas asked if someone could dissolve something of this nature on their own

property in civil law. Ms. Thompson replied she did not know enough about this to be able to give that type of opinion. It was typically done when property was donated. For example, the City could receive property that could only be used for park purposes, and that became a restriction on the property they were obligated to comply with or it might be subject to being reverted back to the person who donated the property. She reiterated she did not have the details so she could not provide that type of advice to a private property owner. Mr. Thomas understood Mr. Burnam might be the person who could enforce it and relax the enforcement if he chose. Ms. Thompson stated she did not know.

Mr. Skala understood the only recourse would be a lawsuit if there was disagreement between the property owners that had this on their deed. Ms. Thompson thought someone could try to remove the restriction in some other way. Typically a quiet title action or some other action would be required in order to remove a covenant or to clear title in some fashion. There might be other options as well.

Ms. Nauser wondered how one would obtain clear title when the covenant was broken when the ground was developed. Mr. Skala stated it was not a covenant. Ms. Nauser noted it was a restriction. She thought it would be a clear violation if the property were to be developed, and it would then cloud the title.

Kathleen Anderson, 2900 Northland Drive, explained her property was located west of the buffer, and she and her husband, who had owned the property for 44 years, had not received a buffer. She stated they had seen a lot of changes in the neighborhood over that time and noted she had a couple of issues with the latest development. One involved the agreement they had been discussing as the neighborhood had agreed to the rezoning request in return for the granting of that 100-foot buffer, and it was to remain undeveloped forever. She felt the developers were now trying to go back on their agreement by developing the east end of the buffer, but the neighborhood could not take back their part of the agreement with the reversal of the rezoning. She asked that the original agreement be honored with no development within the 100-foot buffer zone. She stated the Burnam family held a large area of property in the neighborhood, to include the mobile home park on Holly Street, the mobile home park with frontage on Parker Street and Vandiver Drive, the rental houses on Parker Street and Holly Street, the apartment complex on both sides of Parker Street, and the new development they were referring to as Manor Woods. She wondered how many acres and units were involved, and noted she did not feel much greenspace had been left for playgrounds for children, for walking or exercising for adults, or for wildlife and others to enjoy. She suggested they extend the buffer west so all of the area north of the road would remain undeveloped.

Dee Dokken, 804 Again Street, stated she was representing the Osage Group of the Sierra Club as they had been contacted by the neighbors. She thought it was important for the City to uphold the buffer agreements. Even though it was not something the City could legally control, she felt they should support it as much as possible. She explained this was a reason for the Greenbelt Land Trust and other land trusts, but this agreement had been made a few decades ago when people just did the best they could. She commented that the thin strip of mature forest in question was an asset to the homeowners to the north along with the residents of the Kitty Hawk Apartments and the surrounding neighborhood. It took up little space, but offered much value as a view and a bit of natural habitat and wildlife corridor close to an area with dense housing. She did not feel the spirit of the agreement should be ignored as it was not fair or good for Columbia and their neighborhoods.

Mr. Burnam commented that there were no block restrictive covenants placed across the entirety of the land. When they gave the land to each property owner, they had placed restrictive covenants on it, and he understood whoever had granted the restrictive covenants could remove it. Since he now owned the land, they would remove the restrictive covenants. Mayor Treece stated he respectfully disagreed. Mr. Burnam explained that was what he understood and noted he would be happy to visit with his

attorney about it. He thought the facts stood for themselves and did not believe the City had any particular role in this matter. He suggested the Council allow it to be worked out civilly. He stated they had been a force for good in the neighborhood and intended to continue to do so. He noted they had constantly invested and reinvested in the neighborhood. He agreed they likely had the single largest continuous piece of land under private ownership within the City of Columbia represented through all of their parcels in the area. It was a major investment for them and they were constantly upgrading it. He pointed out they had recently added a new park on Gypsy Moth Drive, across the street from the lot in question.

Mr. Trapp stated the Burnams were good developers and property managers, and were good citizens of the Second Ward. He was impressed by all of the family's holdings. The mobile home parks were well maintained and the owners were responsive. He noted he had a particularly cranky constituent who adjoined some of the properties and was a frequent caller, and Mr. Burnam always took her calls. He explained Mr. Burnam ran things well and with respect. He commented that he had first learned of this buffer and its history when Weyen Burnam came to him with a replatting of some properties, just before he ran for re-election. It had involved the clearing of a lot of really nice forestland and he had defended the development by showing the citizens this buffer. He noted he had been informed by the City Council Meeting minutes of 1990 and a representative of Mr. Burnam, David Rogers, had said they would develop an area without impacting at all on the area toward Northland Drive and that a substantial amount of trees would not be touched. In addition, Mr. Burnam had indicated the area north of Gypsy Moth Drive would be a buffer area. He noted Mr. Rogers had also stated the Council would be in the position to completely control any such expansions. Mr. Trapp agreed they did not have to enforce the restrictive covenants as that was not within their purview, but pointed out they had discretion with this platting action. He felt the Council should hold the applicant to the representation that they would maintain the buffer zone. He noted it was not said the buffer zone would exist for 25 years or until they purchased an adjoining lot. It was said the buffer zone would be maintained and that had been the best vehicle available at the time. He noted Mr. Rogers had stated the Council had their representation that they would not do it, and that their word was their bond. Mr. Trapp commented that he very much believed in dense development and buffer zones were great in protecting less dense development. He did not feel those should be abrogated due to a slight change in circumstances. He pointed out this was also coming soon after the area had been represented to him as the buffer for the area, and he had then represented the same to the people along Northland Drive. He explained his word was his bond, and by voting against this, he hoped it helped maintain their word to their neighbors because that was all they had in the end. Every time a deal was made, people in the community looked at how they lived up to the promises made. Although they might have come up with a legal technicality, which did not involve the City, he was only looking at whether they should agree to this replatting action, and did not believe they should, based upon the words stated 1990. He explained he planned to vote against this and asked his fellow council members to vote no as well.

Mr. Skala commented that he was struggling with this because the legalities were somewhat diffuse, and noted this reminded him of a fight a few years ago with regard to what was now Red Oak Memorial Plaza. The area where the Grindstone Walmart was located had precious few red oaks left. He pointed out the developer's representative had indicated they would never see the Walmart from Grindstone Parkway since they would leave enough of a buffer there, and clearly that promise had not been kept. He explained these kinds of promises always bothered him, and the best way to deal with those situations was to have a contract. The next best thing was to have a covenant in place, which had been done to some degree in this situation. He stated he was inclined to defer to Mr. Trapp since it was in the Second Ward and would vote along the same lines as Mr. Trapp.

Mr. Thomas noted Mr. Trapp had convinced him as he felt statements and promises were important, and this appeared to be a legal technicality to avoid fulfilling the promise. He explained he would have supported the development on its face as it appeared to be medium density, single-family homes between large lots to the north and apartments to the south, and thought it could likely be developed leaving a large percentage of trees on the lot. He commented that he understood the Council could to take in a broad range of public interest issues when deciding whether to approve a preliminary plat, which was not the case for a final plat. He noted he intended to oppose this plat based on the words previously stated.

Mayor Treece commented that he, as mayor, had the responsibility of signing the plats the Council approved, and he was not comfortable with the Council abrogating the bargain that had been reached with the neighborhood in 1994. He thought they needed to honor those negotiations and agreements.

The vote on R144-16 was recorded as follows: VOTING YES: NO ONE. VOTING NO: PETERS, TREECE, TRAPP, SKALA, THOMAS, NAUSER. ABSENT: RUFFIN. Resolution declared defeated.

B254-16

Changing the uses allowed on O-P zoned property located on the north side of Berrywood Avenue and east of Portland Street; approving a revised statement of intent; approving the Mainstreet Health & Wellness Suites O-P Development Plan (Case No. 16-171).

B254-16 was given third reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor Treece understood they could have had one four-story building and one two-story building under the current allowed uses for this property. Mr. Teddy replied the previous site plan had included a combination of structures, and up to four stories was the maximum height allowed. Mayor Treece understood they could have two separate buildings. Mr. Teddy stated that correct. Mayor Treece understood this proposal would involve a substantial reduction in square feet, from 250,000 to 60,000 square feet.

Joe Weston, 601 Woodridge Drive, explained most of the residents in the Woodridge Subdivision, after getting riled up, had come to the conclusion a few weeks ago that this proposed zoning would be much better than what they could currently do. They were not present to object to the zoning. They would simply like the Council to begin thinking about the addition of cars in the Woodridge Subdivision as they already had a terrible traffic problem. They had trouble getting out between 3:30 p.m. and 5:30 p.m. due to the traffic on Keene Street and I-70 Drive Southeast. This proposal would add 100 cars and there were others that would add 280 parking spaces. He felt this needed to stop at some point. It was a complex problem, and the Woodridge neighborhood wanted to help the City find a solution. They understood I-70 Drive Southeast and portion of Highway WW were not under City control. He was not sure the City could add a single right turn lane at the connector and at Broadway, but thought they needed to leverage the State or the County to assist with the problem. He asked for their help, and noted they would contact City staff to determine how to approach the problem.

Mr. Thomas asked Mr. Weston what he would like the City, County, and State to do to address the traffic problem. Mr. Weston stated he understood they could not build an overpass, and explained the problem was that there was only one lane going out to the connector near TGI Fridays, which eventually spread out into three lanes. Very few cars used the lane that went south to Highway 63 and the lane that went straight across to Walmart. Most vehicles were in the lane that turned right as it carried all of the traffic traveling to I-70, going east or west, north to Highway 63, or to Clark Lane. He noted there was greenspace with a transformer located on it. He thought there might be room for another lane to turn right to move traffic along. Mr. Thomas understood Mr. Weston thought adding a lane for a certain distance back from that intersection might help. Mr.

Weston stated that was correct.

Eugene Elkin, 3406 Range Line Street, understood a roundabout would be built near Mosers, and hoped that might help some. He wondered if the roundabout should accommodate two lanes if there was the potential for two travel lanes.

Rod Musselman provided a handout and stated he was the Director of Real Estate Development for Main Street. He explained the buildings coded in blue had been originally proposed as a two-story independent living facility, a four-story assisted living facility, and smaller ancillary buildings, and those had come to just over 250,000 square feet. The reddish colored building was the building and the site plan they had proposed. He thought it demonstrated their best efforts to locate the building as far into the southwest corner of the site as possible. This would allow them to maintain a minimum 125-foot tree buffer along the eastern perimeter between their property and residential lots. They had also been able to locate their back of house operations, such as deliveries and staff arrivals, onto the side that was furthest away from the residential area and buffered by the building itself. He noted they had the capacity to park all of their staff, visitors, and physicians onsite so they would not create an on-street parking burden on Berrywood Drive. He commented that they were looking forward to receiving approval tonight on the 53rd project for the company. He explained they had been recognized for their post-acute transitional care facilities and were excited to be in Columbia. He noted the State of Missouri had approved their CON application for a North Kansas City facility earlier this morning. They were committed to the State of Missouri and to Columbia.

Mayor Treece thanked Mr. Musselman for their commitment to Columbia, and asked if he ever thought he would be before a City Council asking for an 82 percent reduction in what they could build on a site. Mr. Musselman replied he always learned something new with every project, even after 37 years in the business. Mayor Treece stated he liked the way they had proposed preserving almost 50 percent of the greenspace in addition to providing a tree line buffer to the residential area. He also liked the way they had equated the service access and employee access further away from the residential area. He hoped traffic from the development would chose not to go through the neighborhood when leaving. He noted this was a dramatic improvement in terms of what could be there. Mr. Musselman stated they had participated in some very positive meetings with the residents in the area over the last week, and was happy they were willing to support the request.

Mr. Thomas asked if the Council approved this rezoning and development, if the buffers and the forest preservation would be binding on the current property owner and any subsequent property owner. Ms. Thompson replied this was a City action as opposed to a private restriction. The items that were noted on the development plan could be enforced by the City. Mr. Thomas understood any future property owner that wanted an exception or variance would have to ask the Council for approval. Ms. Thompson stated that was correct.

Mr. Skala commented that he had been involved with this property for quite a long time, and noted his first reaction tonight was relief in that the neighborhood had decided to support this new development since it was a huge reduction in the footprint and impact. In terms of the traffic, he agreed it was awful. It was a medical corridor and there had been an incremental exacerbation of traffic problems, sometimes solved with some street parking restrictions. He noted there would be relief coming on the corner where the Mosers store was located via a roundabout. He understood the neighbors were skeptical it would solve any of the problems, but he thought it would solve some of the problems. He explained this issue went as far back as 2005 when an increase to the sales tax had not been approved, and due to its failure many improvements in this area were cut, to include improvements to St. Charles Road and an overpass at Ballenger Lane. He thought they would need to focus on this area in the future as they were now at a point in which they were hemmed. He noted it was high on his priority list. He reiterated he thought the roundabout would help relieve some of the impact to the area, but he was not

sure it would be enough as this area needed significant attention with regard to traffic congestion.

The vote on B254-16 was recorded as follows: VOTING YES: PETERS, TREECE, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. ABSENT: RUFFIN. Bill declared enacted, reading as follows:

R157-16 Approving Creek Ridge, Preliminary Plat #2 located at the western terminus of Waltz Drive and at the southern terminus of Heath Court (5420 Heath Court); granting a variance from the Subdivision Regulations regarding maximum terminal street length (Case No. 16-145).

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Ms. Nauser asked if there would be a notation on the final plat indicating there would be a temporary turnaround as she recalled two instances whereby people thought they were living on a cul-de-sac, but the road was later extended to connect to another subdivision causing people to be upset. Mr. Teddy replied he thought the idea was to build it as a temporary style turnaround so it would look temporary in appearance. It would look like a dead end street. The hope was that Ridgewood Road or Waltz Drive or both were improved to that point. There would then be a through street.

Ms. Peters understood there would be a 10 percent grade for part of the street if this variance was approved. Mr. Teddy replied 10 percent was the most it could be for a local residential street. It was not ideal, but there was about 50 feet of fall from the east portion to the creek so it was fairly steep terrain. Ms. Peters asked for the reason they were asking for the variance. Mr. Teddy replied he did not believe the right-of-way existed for Waltz Drive to be anything but a substandard street. In addition, the right-of-way did not exist to the end of the improvement of Ridgewood Road. At the present time, there was not a good possibility of connecting this street so there was access to other streets through the subdivision.

Tim Crockett, 1000 W. Nifong, stated he was engineer for this project, and noted the property was currently zoned R-1 and would contain 24 single-family lots. He commented that they wanted to connect to Waltz Drive to the east, but there was not a dedicated right-of-way for Waltz Drive. It was a Boone County maintained street by prescriptive use, and the street fell short of this particular piece of property so they did not have access to Waltz Drive. He explained they had petitioned Boone County and the neighbors, and they did not want it to be connected. As a result, they were suggesting granting half of the right-of-way for the future extension of Waltz Drive and stubbing to the property to the south. With regard to the variance, he noted it was not a standard length of cul-de-sac and they were considering this a temporary variance. They had the expectation that the property to the south would be developed, and they would then have the ability to stub to it for connectivity. Currently, there were 77 single-family lots off of a single point of access, and that would not be allowed under Appendix D of the Fire Code. It would only be allowed if they had future connectivity, and this was what they were proposing, which was why it would only be a temporary variance. They did not have access to any other adjacent roads. He reiterated it created future connectivity, it was not a permanent situation, and it did not create an unsafe situation. He explained he had talked to the Fire Department and had been told that as long as they did not go over the 10 percent grade, they were okay with it because they had provided two points of turnaround at the end of the street and it would provide for future connectivity. He commented that in the past, this situation would not have been thought to have needed a variance to the cul-de-sac length, and listed other subdivisions whereby a point of future connectivity existed. If the variance was not approved, they would have 77 lots off of a single point of access at 10 percent grade. He noted that when this was going through the review process, the Parks and Recreation Department staff had contacted his client

about acquiring roughly 20 acres of property, and he thought they were close to entering into a contract. It was a sale, but would be provided at a discounted price. He commented that he felt stubbing the street to the south for future connectivity was appropriate for this location.

Mr. Trapp stated he thought Mr. Crockett made a good case as there was a possibility of future development, and noted possibility of connectivity would be better with 100 lots than the certainty of no connectivity with 77 lots. He stated he would vote in favor of it.

Mr. Thomas asked for the rationale for having a maximum cul-de-sac length. Mr. Teddy replied any one cul-de-sac likely did not have a negative impact regardless of the length. It was the cumulative impact. Mr. Thomas asked if snow plowing was the issue. Mr. Teddy replied it reduced the overall length of excessive travel. There was a lot of duplication of movement when considering service provisions. He understood people liked to live on cul-de-sacs so there was a trade-off. He noted cul-de-sacs helped manage terrain in that it was sometimes more appropriate over a ridge than a through-street over a ravine. He pointed out the other issue was that Heath Court had already been designed as a cul-de-sac and he did not know if that was an issue with those that had already purchased lots along there.

Mr. Thomas understood the Planning and Zoning Commission members that had voted against this had wanted to uphold the rules. Mr. Teddy stated a stand had to be taken sometimes. He agreed there were inconsistencies and a good number of variances had been granted over the years.

Mr. Thomas understood if this was denied, but Waltz Drive connected at some point in the future, it would open this property up to be developed in this manner. Mr. Teddy stated that was correct. He commented that a good plan would be to state that they would think differently about it if there was another available access.

John Clark, 403 N. Ninth Street, stated this was a wonderful opportunity for him to support the staff and the Planning and Zoning Commission recommendation, and believed the Council should do it as well. He commented that cul-de-sacs created all kinds of burdens for the City and the public with snow plowing being the most obvious. He felt this proposal was massively premature. He noted they were going through the Unified Development Ordinance (UDO) process to increase the predictability of zoning and subdivision ordinances, and predictability amounted to prescriptions. In that light, he encouraged the Council to vote no. He wondered how long it took for connectivity in the examples that had been provided as he thought there might be examples whereby there was never connectivity. He believed this would result in a stale plat because they would not have discretion when the final plat came before them. He felt the idea of a variance based upon the expectation of the development of the lot to the south made this a speculative development. He suggested the Council reject the argument of future connectivity as it violated core rules and principles.

Rick McKernan, 181 W. Waltz Drive, commented that the examples of the past mistakes the City had made with those long cul-de-sacs should not be a blueprint for making the same mistakes. He thought the Highway 63 connector was a prime example of doing something prematurely. He believed another option would be to run it back to Old Plank Road and have two accesses on Old Plank Road. He did not believe Waltz Drive was a suitable road and noted there would be no way for a fire truck to pass through with vehicles parked on both sides of Waltz Drive. He encouraged the Council to respect the recommendation of the Planning and Zoning Commission.

Aileen Berk, 310 Waltz Drive, stated she and her mother were the only property owners on the south side, and her mother had no intention of doing anything with the property. The only utilities connected to the property were along Route K near Hill Creek Road, which was clear on the other side of the property.

Mr. Trapp commented that his previous remarks were premature and he appreciated the information specifically regarding the large property to the south as it was informative to his decision.

The vote on R157-16 was recorded as follows: VOTING YES: NAUSER. VOTING NO: PETERS, TREECE, TRAPP, SKALA, THOMAS. ABSENT: RUFFIN. Resolution declared defeated.

PR159-16 Approving a Minority and/or Woman Owned Business Program Plan for the City of Columbia.

The policy resolution was read by the Clerk.

Mr. Whitt provided a staff report.

Anthony Stanton, 315 LaSalle Place, stated he supported the spirit of this policy resolution, but noted he had some concerns. In 2013, Byndom, Stanton and Associates had been commissioned to do a report for REDI. It had been accompanied by a database that had collected 125 minority businesses and had provided solutions to a problem that had been posed by the former President of REDI in terms of how they could incorporate African-American businesses into the economic engine of Columbia, Missouri. He explained the report had been provided to REDI in September 2013 and was similar to what was being presented to the Council now. He commented that this was an issue he had been involved in most of his adult life and noted he had been involved in construction and minority businesses for quite some time. As a result, he had dealt with some of these issues in the field. He explained establishing percentages, writing resolutions, and conducting disparity surveys were great as they moved things forward, but they did not have teeth or do anything substantive. He stated his former company had every letter, i.e. DBE, MBE, WBE, etc., but it did not help much because the policy did not have teeth. He noted Section 2 of the policy resolution indicated they could not have set asides as they were still under the lowest bidder philosophy, and suggested they use a proposal format similar to what was used by the federal government, which included a review of how the business had pursued soliciting bids from minority businesses. He understood they might not want to do this for the entire City, but thought they might want to do this for the strategic areas. He agreed with the focus of Section 4 and Section 5, but suggested the City have its own certifying agent because the State was overwhelmed with certifications and it often took over 90 days to obtain a certification, which could affect opportunities for many local businesses. He suggested this policy resolution be tabled to incorporate more so it had teeth. He stated this policy resolution had not established any percentages, and thought they could look to the federal model or the MoDOT model. He commented that he was very impressed with the enthusiasm of Mr. Matthes in addressing this issue, but believed they needed to add to it so it was successful.

Rob Roach, 2121 Cherry Hill Drive, stated he was the Division Director of Pro Love Marketing, which was a marketing agency that served the LGBT professional community. He noted the policy resolution to approve a minority and/or women owned business program plan did not include the LGBT business community and asked that it be amended to include LGBT business owners. He explained there were an untold number of gay entrepreneurs in Columbia and Missouri, and amending the language in this policy would show Columbia was truly open for business to all. He pointed out the LGBT community qualified as a disadvantaged business enterprise and many LGBT business owners were discriminated every day, negatively impacting their businesses. On the national level, there were large organizations that helped with programs that incorporated LGBT communities into various supplier diversity programs. In St. Louis and Kansas City alone, there were well over 100 LGBT business owners that needed help. He urged the Council to support the movement of creating a more benefiting business marketplace by including all lesbian, gay, transsexual, and bisexual business owners to policies such as the one being discussed tonight. By amending the language in this policy, he felt they could further the vision and mission of Columbia to be a better place to live, work, and play for everyone. He commented that he acknowledged there might challenges in regulating a policy for LGBT businesses specifically, but felt it was well worth their effort

to try. He hoped the Council would see the need for inclusivity within the policy and knew the LGBT community in Columbia would be forever grateful.

John Clark, 403 N. Ninth Street, commented that Mr. Stanton had tried to explain to him his central objection and had provided good criticism. He suggested the Council table this issue to think further about the comments made. He recommended Section 1 be changed so that the word desire was not utilized as it was not good language for establishing policy. He thought it should say "the policy of the City of Columbia is." He stated the policy and plan did not explicitly reject the decision-making rule based on the lowest bid, and a rejection of that criteria needed to be specifically stated in the policy and reflected in the plan. He was not certain what other criteria should go along with the lowest bid. By measuring everything by that one single point, it left a lot of people out, especially those relatively new in business. It was a systematic bias he wanted to see removed. He understood Mr. Matthes had become aware that the standard hiring policy for Columbia amounted to whether the person would be a good fit into the group of people that were already there, and he felt that was an insurmountable barrier. He was pleased to hear Mr. Matthes was trying to rethink that idea. The good fit was similar to the lowest monetary bid. There were other things that should be at least considered in winning bids for providing goods and services. He asked the Council to continue to work on this so it was reflective in the policy and articulated in the plan.

Eugene Elkin, 3406 Range Lane Street, stated he felt Mr. Stanton was correct in that this needed to be put on hold and believed all lives mattered. He was not sure what the real barrier was that they were discussing tonight, but noted the ability to enable oneself to move forward to own a business might not be taught in the schools. He thought they needed to determine how they could find and help those individuals.

Jerry Wilhoit, 2670 S. Winding Trail Drive, recommended the Council not table this policy resolution. He felt the City of Columbia had shown a good faith effort. He admitted it was not perfect, but felt it was long overdue. He saw this as a giant step, and recommended they pass it tonight. He noted it was a working document and pointed out a lot went into developing a supplier diversity program. They needed to get started and he did not feel they should table it.

Ella Wilhoit, 2670 S. Winding Trail Drive, commented that she knew they were moving in the right direction and this was a great first step even though it was not as comprehensive as it might be in the future. As she listened tonight, she thought they ought to consider voting on this and amending it in the future. She felt doing nothing was a problem, and suggested they move forward with the resolution so they could discuss it further later. She did not believe everyone would be in agreement even if they tabled this and brought something new back in the future. She asked that the Council vote on this tonight.

Mr. Trapp stated he agreed with Mr. and Ms. Wilhoit in that they should move forward with this, and that it was only a first step. He thought they needed to strongly consider adding the LGBT business enterprise in a next phase. He also thought service-related disabled veterans should be considered as they moved forward. He noted he had heard a sense of urgency in that they needed to take action and move forward. They had momentum as this was a key part of the strategic plan, and there was a call to action for them to move forward. He stated he would support moving this policy resolution forward while requesting staff look into adding LGBT and service-related disabled veterans to this. He was uncertain as to the laws, but if they could add more teeth to this per the recommendation of Mr. Stanton, he wanted to consider those items as well. He reiterated he thought they should move forward with this tonight while continuing to examine their options to strengthen it.

Ms. Nauser stated she would support the suggestion of Mr. Trapp in terms of staff looking into adding other groups while strengthening the document. She also thought they should move forward with what they had tonight.

Mr. Skala commented that he believed this was long overdue and agreed it needed to be expanded as much as possible. He explained he and a few others would be attending

the National League of Cities Conference next week, and in the past he had brought back information from the Racial Equity and Leadership (REAL) Council with respect to Orlando, Florida as they had improved their minority hiring practices. He thought this was an opportune time to bring back more information to make this a better product. He believed some of the suggestions of Mr. Stanton were likely some of the things they would hear from the group. In addition to African-Americans, the group involved LGBT and other races. He stated he agreed with others in that these were steps forward, and they could further amend the policy resolution in the future. He noted he was prepared to endorse the product as it was now.

Ms. Peters asked how they could strengthen the document if they voted on it tonight. She wondered if it would come before the Council again in the future or if they needed to ask staff to look into further amendments. Mayor Treece replied that was his concern as well. He supported the intent of this, but leaned toward the comments of Mr. Stanton in that it could be a more robust document. He commented that this addressed a DBE, WBE, and MBE, and they defined the WBE and MBE, but never defined DBE. He thought it was 85-90 percent complete, and felt it could be more robust. He explained the airport project as a construction project had the opportunity to be catalytic by providing an example of how they could have a work force, supplier pool, prime vendor, subcontractors, etc. that really mirrored the community served. He would almost rather they take a look at that project and determine how they could bid it in a way to Mr. Stanton's comments, and then look at the resolution to determine if it got them there as he did not feel it currently did. He was not sure of the mechanism and would hate to pass this resolution to come back in a couple of weeks or months to add to it. He noted he would also prefer to have Mr. Ruffin here to advise them. Ms. Peters asked if they could table it for a month so they could ensure it came back in a timely fashion. She stated she would like to support this as well, but was uncertain.

Mr. Matthes explained it was up to the Council. They could vote to adopt it tonight and staff could work with everyone here tonight and others to incorporate what the Council had indicated they would like to see. He noted they had discussed sexual orientation and gender identity, but might need to be more specific. Mayor Treece did not believe that had been reflected in this policy resolution and noted DBE had not been defined. Mr. Matthes stated they could come back with items to strengthen the document, and reiterated it was up to the Council as to whether they wanted to move forward or table it. The preference of staff would be to move forward and tweak it as necessary.

Mr. Thomas stated he did not believe it was legally or procedurally complex to come back with an amended version. Mr. Matthes agreed.

Mr. Thomas commented that he thought it was wonderful that they were being presented with this policy resolution and felt it was important to adopt it and be a leader in Missouri in moving toward setting some things straight that had been very out of balance and would continue to be out of balance in spite of this even after it was tweaked as there were historical biases that continued to create the disparities they were trying to address. He thought he would fall on the side of adopting this now while asking for improvements as it would make a strong statement.

Mr. Skala stated he had not been opposed to the idea of tabling this, but noted perception was reality, and he believed this was important to social equity. He agreed they should put the statement out there by passing this tonight. They could then work on it to make it better. He explained another factor was that the Unified Development Ordinance (UDO) would soon dominate their time to a large degree and he preferred seeing something on the ground prior to then. He reiterated they could tweak it later.

The vote on PR159-16 was recorded as follows: VOTING YES: PETERS, TREECE, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. ABSENT: RUFFIN.

Policy resolution declared adopted, reading as follows:

VII. CONSENT AGENDA

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

- B274-16 Rezoning property located on the north side of Lynn Street between Oak Street and Garth Avenue (107 and 115 Lynn Street) from District C-P to District R-1 (Case No. 16-184).
- B275-16 Rezoning property located on the west side of College Avenue and south of Business Loop 70 (1201 N. College Avenue) from District R-3 to District C-1 (Case No. 16-182).
- B276-16 Approving the Subdivision Replat of Sigma Nu Fraternity located on the northeast corner of College Avenue and Bouchelle Avenue; granting a variance from the Subdivision Regulations regarding dedication of street right-of-way subject to a condition (Case No. 16-189).
- B277-16 Appropriating funds received from the Columbia Public School District pursuant to the terms of a development agreement related to public infrastructure improvement upgrades associated with the construction of the Beulah Ralph Elementary School.
- B278-16 Appropriating grant funds received from the Federal Aviation Administration for the Runway 13-31 and Taxiway B reconstruction and extension project at the Columbia Regional Airport.
- B280-16 Authorizing construction of the Hubbell Drive PCCE #39 sanitary sewer improvement project; calling for bids through the Purchasing Division.
- B281-16 Accepting conveyances for water and electric utility purposes.
- B282-16 Accepting conveyances for sewer, utility and drainage purposes.
- B283-16 Accepting a donation from The Downtown Community Improvement District for the purchase and replacement of two (2) safety cameras in the downtown area and associated funding of applicable technology support for the downtown camera system in FY 2017; appropriating funds.
- B284-16 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services relating to the Teen

Outreach Program (TOP).

- R160-16 Setting a public hearing: proposed construction of Phase II improvements to the pickleball court area at Albert-Oakland Park to include the installation of two new pickleball courts, lighting improvements, a small shelter, water fountain and construction of walkway connections.
- R161-16 Transferring council reserve funds to support the 2016 Columbia/Boone County Homelessness Summit.
- R162-16 Transferring council reserve funds to support the Room at the Inn program relating to emergency shelter services for unsheltered homeless persons.
- R163-16 Authorizing a Memorandum of Understanding with Columbia Housing Authority's Low Income Services (CHALIS) for Teen Outreach Program (TOP) activities in Boone County.
- R164-16 Authorizing the installation of a street light on the south side of Benton Street and at the intersection of Sanford Street and Conley Avenue.
- R165-16 Authorizing an agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. for planning, design and construction of airport projects at the Columbia Regional Airport.
- R167-16 Appointing Cavanaugh Noce to the position of Municipal Judge.

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

VIII. NEW BUSINESS

- R168-16 Finding the structure located at 111 East Stewart Road is a dangerous structure; authorizing an exception to Ordinance No. 022823 relating to the administrative delay on the demolition of structures in specified areas.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Matthew Kriete, 1113 Fay Street, explained he was an engineer with Engineering Surveys and Services and noted this was a structure that was in disrepair. Since it was determined to not be repairable or able to be remodeled, a new structure would be built. He thought the photos shown by Mr. Teddy told the story of vagrant activities were becoming common now. The structure needed to be torn down for the safety of the public and those that might try to enter the building.

Mayor Treece asked when it was built. Mr. Kriete replied he had been unable to determine an exact date, but thought it was about 70 years old. Mayor Treece asked if it had been built as a fraternity. Mr. Kriete replied he was not certain, and noted it was not the original house for the Lambda Chi fraternity.

Mr. Skala asked if there were any particular problems, such as asbestos. Mr. Kriete replied yes, and noted the asbestos would be abated as part of the process.

Mayor Treece asked if a site plan had been provided. Mr. Teddy replied they had provided a preliminary site plan, but it was not construction ready. It showed how they would lay out the new house. They would use the existing driveway to the beginning of the parking area and would have parking in the back and on the west side of the building.

Mayor Treece noted Flat Branch Creek ran nearby and there were some trees between this property and the Taco Bell, and asked Mr. Teddy if he knew if that area was contemplated in any of this. Mr. Kriete replied the intent was to save the trees to the maximum extent possible, but they needed to install a sanitary sewer through there. Mayor Treece asked from where that would come. Mr. Kriete replied the sewer was currently a private lateral that extended off of the property to the west. There was public sewer on the property, but it was in the creek area so they would need to extend back to it to make it legal. He referenced the triangular piece on the northeast corner of the property and noted they needed to extend to the sanitary sewer located there. They would keep the disturbance of the area to the minimum extent practicable. The intent was to save as many of the trees as possible. He noted the drive on the east side was the existing driveway and the intent was to save it as well.

The vote on R168-16 was recorded as follows: VOTING YES: PETERS, TREECE, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. ABSENT: RUFFIN. Resolution declared adopted, reading as follows:

R166-16

Authorizing an agreement for professional engineering services with Engineering Surveys and Services for design services relating to improvements to Nifong Boulevard between Providence Road and Forum Boulevard.

The resolution was read by the Clerk.

Mr. Nichols provided a staff report.

Mr. Thomas understood the disadvantaged business enterprise contribution would be 33 percent, which seemed good to him. He asked if staff had recent traffic counts for this section of Nifong Boulevard. Mr. Nichols replied yes.

Ben Ross, 1113 Fay Street, explained his company, Engineering Surveys and Services, had designed Nifong Boulevard, from Providence Road to Bethel Street, in 1978. He noted they did not have current traffic data for the entire corridor. It was a part of the scope of work. They planned to use a special camera system known as Miovision as it would record traffic for twelve hours and would incorporate results the City had for side streets and the concerns expressed. He stated actual counts would be collected for 27 intersections as part of the scope of work and would be the basis for their design recommendations. Mr. Nichols explained they wanted to wait for Scott Boulevard to open since there were different traffic movements when it was closed.

Mr. Thomas understood the traffic flow would be monitored for twelve hours and asked which twelve hours. Mr. Ross replied it would be from 7 a.m. to 7 p.m. He explained it would be continuous video and a computer would count it. They would be able to see every car on the video.

Mr. Thomas understood there was only one lane each way there now. Mr. Ross replied yes, but noted there were some center turn lanes and two lanes closer to Providence Road.

Ms. Peters left the meeting at approximately 11:40 p.m.

Ms. Nauser asked how this would work with the improvements being made to Peach Tree Drive. Mr. Nichols replied he understood it would be coordinated. He pointed out Engineering Surveys and Services were also representing the developer for that improvement. Ms. Nauser asked if that work would be done first.

Matthew Kriete, 1113 Fay Street, explained he was the engineer involved with the Peach Tree Drive project and noted he thought the schedule in the development agreement was that it would come first. He pointed out a signal was part of the agreement.

John Clark, 403 N. Ninth Street, commented that he had asked for this to be removed from the consent agenda. He stated he liked the idea of a comprehensive study of a corridor as they had gone away from it with Providence Road and College Avenue. He felt this was meaningful planning and thinking. He liked the idea of going north and south on Bethel Street for a bit and north and south on Forum Boulevard for a bit, but did not feel only studying Nifong Boulevard was enough. He suggested the Council ask staff to develop a west/southwest major transportation plan similar to the northeast plan that had been done. He thought this was missing the east/west route of Chapel Hill Road and Green Meadows Road, which were all major roads. He believed they would be missing a huge opportunity by not including these other areas as they would all be better guided by looking at the entire transportation area. He did not believe there would be much of a delay to conduct the greater study and noted it would provide the best context for the consultant to take on the work contemplated for Nifong Boulevard.

**The vote on R166-16 was recorded as follows: VOTING YES: TREECE, TRAPP, SKALA, THOMAS, NAUSER. VOTING NO: NO ONE. ABSENT: PETERS, 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.

- B285-16 Amending Ordinance No. 022823 to extend the administrative delay on the processing of applications for a building permit to construct new multi-family units and demolition of structures which are at least fifty years old in specified areas to March 31, 2017.
- B286-16 Voluntary annexation of property located on the west side of Highway PP and north of Mexico Gravel Road (3891 North Highway PP); establishing permanent R-1 zoning (Case No. 16-196).
- B287-16 Voluntary annexation of property located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard; establishing permanent R-1 zoning; authorizing a development agreement with Tompkins Homes and Development, Inc. and the Glen Smith Trust and Lillie Beatrice Smith Trust (Case No. 16-178).
- B288-16 Approving the Final Plat of Anthony's Addition Plat 2, a Replat of Lots 19, 20 and 21, Anthony's Addition to Columbia, Missouri, located on the northeast corner of Anthony Street and Dorsey Street; authorizing a performance contract (Case No. 16-206).

- B289-16 Approving the Final Plat of Cunningham Place Plat 2, a Replat of Lot 3 of the Revised Plat of Cunningham Place, and Lots 1, 2 and 3 of Mitchell Court, Columbia, Missouri, located on the east side of College Avenue and south of Paris Road 404 and 408 N. College Avenue); authorizing a performance contract (Case No. 16-207).
- B290-16 Approving the Final Plat of Wyndham Commercial Corner located northeast of the intersection of Scott Boulevard and State Rout KK; authorizing a performance contract.
- B291-16 Vacating a stormwater drainage easement on Lots 69 and C1 within Bristol Lake Plat 1 located on the north side of Bradington Drive and northwest of Bristol Lake Drive (Case No. 16-180).
- B292-16 Appropriating funds to finalize and close out the Chapel Hill Road improvement project.
- B293-16 Appropriating and transferring funds relating to the Grissum Building renovation improvement project.
- B294-16 Authorizing an agreement with PNC Bank, National Association, Lexington Steel Corporation and LexWest, LLC to facilitate warehouse storage of carbon steel at the City's transload facility.
- B295-16 Authorizing a contract of obligation with the Missouri Department of Natural Resources to satisfy financial assurance requirements for proper closure and post-closure care with respect to a permit for operation of a solid waste disposal area.
- B296-16 Authorizing permit holder and certifier registration designations relating to the electronic filing of discharge monitoring reports, in compliance with the National Pollutant Discharge Elimination System Electronic Reporting Rule, with the Missouri Department of Natural Resources Water Protection Program.
- B297-16 Accepting conveyances for water, utility and electric purposes.
- B298-16 Accepting conveyances for drainage and utility purposes.

- B299-16 Authorizing construction of Phase II improvements to the pickleball court area at Albert-Oakland Park to include the installation of two new pickleball courts, lighting improvements, a small shelter, water fountain and construction of walkway connections; calling for bids for a portion of the project through the Purchasing Division.
- B300-16 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for maternal child health services; appropriating funds.
- B301-16 Authorizing a subrecipient monitoring agreement with Boone County, Missouri relating to acceptance of the FY 2016 Justice Assistance Grant (JAG) Program Award to purchase equipment for the Police Department; appropriating funds.
- B302-16 Accepting funds from the Community Foundation of Central Missouri to be used for FY 2017 annual arts agency funding; appropriating funds.
- B303-16 Authorizing a first amendment to antenna agreement and memorandum of agreement with Cellco Partnership, d/b/a Verizon Wireless, relating to the lease of property and space on the Shepard Water Tower (1160 Cinnamon Hill Lane).
- B304-16 Authorizing a first amendment to tower agreement and memorandum of agreement with Cellco Partnership, d/b/a Verizon Wireless, relating to the lease of City-owned property located at 1313 Lakeview Street (Grissum Building).
- B305-16 Authorizing an agreement with The Curators of the University of Missouri, on behalf of its Veterinary Medical Teaching Hospital, for emergency veterinary services.
- B306-16 Amending the FY 2017 Annual Budget by adding and deleting positions in the Police Department; amending the FY 2017 Classification and Pay Plan by adding and closing classifications.
- B307-16 Amending Chapter 19 of the City Code relating to payment of floating holidays for certain fire department employees.

X. REPORTS

- REP79-16 Correspondence regarding reproductive non-discrimination from the Commission on Human Rights.
Discussion shown with REP84-16.
- REP80-16 Correspondence regarding paid parental leave from the Commission on Human Rights.
Discussion shown with REP84-16.
- REP81-16 Downtown Community Improvement District - End of Fiscal Year Report.
Discussion shown with REP84-16.
- REP82-16 Business Loop Community Improvement District - End of Fiscal Year Report.
Discussion shown with REP84-16.
- REP83-16 Hazardous Tree Removal Report: A. Perry Philips Park and Frank G. Nifong Memorial Park.
Discussion shown with REP84-16.
- REP84-16 Intra-Departmental Transfer of Funds Request.

Mr. Thomas commented that the first report was a letter from Human Rights Commission recommending they adopt a reproductive health non-discrimination ordinance and he understood some legal research would need to be done. He stated he would like staff to do that legal research and then bring back an ordinance to Council for their consideration.

Mayor Treece asked Ms. Thompson how much research she thought that would require. Ms. Thompson replied she did not know as she had not looked at it and had not had the opportunity to talk to her staff about the time commitment required. She pointed out the Law Department staff was in the process of reviewing the Unified Development Ordinance (UDO) and other documents in the upcoming months. She asked what priority they wanted staff to give to this. Mr. Matthes wondered if two months would be satisfactory. Mr. Thomas stated yes. He noted he understood a member of the Law Department staffed the Human Rights Commission. Ms. Thompson stated the Law Department staffed the Human Rights Commission, the Disabilities Commission, the Board of Adjustment, and the Citizens Police Review Board, and Ms. Wibbenmeyer was the staff person associated with the Human Rights Commission. Mr. Thomas assumed Ms. Wibbenmeyer was familiar with this request. Ms. Thompson agreed, but noted it required a different level of research than only attending the meetings. Mr. Thomas thought 2-3 months would be fine.

Mr. Matthes commented that staff would try to provide something to Council in three months. Mr. Thomas was agreeable.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

John Clark, 403 N. Ninth Street, stated he was glad the Henderson Branch sewer extension project was defeated, and felt although Mayor Treece gave staff some tough items to come back with, he thought more items needed to be addressed. He thanked the Council for rejecting it. He commented that the level of service on a 1 to 12 scale was a minus one when the police officers were at zero status 23 ½ hours of the day. He did not feel this was a reflection on them. It was a reflection of not having enough staff. Two more calls in a new area, when they were already at zero status, would make life worse for everyone else and would make it difficult to provide decent police service out

there. In terms of a fire, he thought the City would basically have to pay the Boone County Fire Protection District for services since they did not have a station nearby. He commented that he believed it would be years before they were at a level they thought was acceptable for police service.

Mr. Clark believed it would take some real thinking to move forward with the comment of Mayor Treece about looking at the airport project as a beta test opportunity for how they let contracts in the future. He would have preferred the Council delay approval of the minority and woman owned business program plan, but since they had approved it, he suggested they fix it tomorrow because they had already missed too many opportunities for large projects to be used for catalytic training, skills development, etc. He recommended the issues brought forward be addressed immediately because he doubted the plan would accomplish their goals and did not want to miss another opportunity.

Anthony Stanton, 115 LaSalle Place, commented that he was distressed about the vote on PR159-16. He stated African-American businesses were going extinct. They only made up one percent of the business community even though they were twelve percent of the population. He did not think they should be taking baby steps to solve the problem of extinction. The market would not solve this problem on its own. He believed they needed to take stronger steps, which was why he had come tonight. He noted the Columbia Public Schools had \$80 million in capital projects this year, and ten percent was \$8 million. He thought this one percent of the business community should have the opportunity for that \$8 million, and if they were unable, there was a problem. There would not be an issue if they had the opportunity for \$8 million. He noted there were many other entities, such as the City and MoDOT, and billions were invested in the community. This was the reason it was important to be specific in the resolution. He understood the time constraints, and pointed out the Planning and Zoning Commission had felt the pressure of time until they decided they would take their time to do it right. He felt the same should have been done for the minority and women owned business policy resolution. He commented that he had been naïve in his early 20s when he had started the Minority Contractors Alliance as all of the prominent members were now dead. He explained the owner of Turner Paving had not had time to develop a legacy plan so it was dead. He reiterated the systems in place at the state and federal level did not have any teeth. White contractors spent the time to hire lawyers to determine how to obtain a waiver versus abiding by policies, such as the resolution passed tonight, because they did not have any teeth. He agreed they needed to save money, but did not believe it always had to be the lowest bidder and noted the federal government solicited proposals. He agreed the lowest bid should be weighted heavier, but felt other criteria should be looked into as well. He explained the federal government had obligations other than constructing the building, such as economic development, social development, etc., and those were just as important as the brick and mortar building. He commented that he was a free market capitalist so he did not feel he had the right to tell a private sector contractor that they should hire minorities, but noted the public sector drove the private sector. If the public sector had these items in place, it pushed the private sector to follow. He stated he never thought he would see the day whereby the administration of a community would care so much about this subject, which was why he felt this needed to be addressed now. He noted he was from Columbia, and those working on this were his heroes, but they were not from Columbia. They often looked at St. Louis and Kansas City to solve problems in Columbia. Columbia was unique and St. Louis and Kansas City did not have all of the answers for Columbia. He stated he was willing to help with the language.

Eugene Elkin, 3406 Range Line Street, suggested the diagrams shown as part of presentations to the Council should identify where in Columbia the projects were located. He asked if there was a way to denote locations based upon Providence Road and

Broadway so they knew the general area. He thought this would help the general public.

Ms. Nauser commented that she saw someone get off of the bus at the stop on the west side of Providence Road and dart across two lanes of traffic. It was dark and vehicles were traveling at 55-60 mph. She asked staff to look at this situation as it was another accident or death waiting to happen.

Ms. Nauser understood the City Code required tree preservation and did not feel small hubs of trees did much other than make them feel good. She wondered why they did not have an option for people to provide an offset in another location or add trees elsewhere. She asked that staff to look at the policy to determine if offsite contributions could be an option. Mayor Treece wondered if that could be done in terms of greenspace preservation as well. Ms. Nauser agreed. She commented that to really preserve trees, large swaths of land were needed. She did not feel small islands accomplished much.

Mr. Skala asked for the status of the urban service overlay and the parking permit program for the Benton Stephens neighborhood as he thought both were ready to be addressed soon. He noted they had also submitted a downzoning for about 24 tracts, which he thought was remarkable.

Mr. Skala encouraged everyone to exercise their right to vote.

Mr. Trapp asked about the status of a dim light situation on Hillsboro Drive. He wondered if it had been heard by the lighting committee yet.

Mr. Trapp noted there would be another election in April and the filing period for it was open now. He encouraged the public to think about service, and welcomed the public to reach out to a council member if they wondered what it was like as a lifestyle. If they wanted good voter turnout in April, they needed good competitive elections and diverse candidates that represented lots of perspectives. He encouraged the public to think about service and noted the filing period was open now. He understood the City ran an ad, but did not think many people looked at newspaper ads anymore. He suggested doing a press release to notify the public of when the filing period was open starting next year. He noted he was up for reelection during the next cycle, and stated he would try to remember to mention this again then.

Mr. Thomas asked if they had made a specific request with regard to amendments to PR159-16. Mr. Matthes replied staff would follow up with those individuals that raised potential amendments tonight. He thought it might be useful to hold something similar to an interested parties meeting to vet it prior to coming back to the Council.

Mr. Skala noted they would also harvest information at the National League of Cities Conference and from Mr. Stanton.

Mr. Thomas understood the Water and Light Advisory Board (WLAB) had voted unanimously to request a joint work session with the City Council at its October 5, 2016 meeting. He explained he would very much like to participate. He noted they had concerns about communication to the City Council and he had concerns about an electric utility connection fee for new customers, which had morphed into a line extension policy and was causing confusion. He understood the WLAB had other issues as well. Mayor Treece stated he would like to meet with them as well at a work session.

Mr. Thomas asked if they could find a date to meet with them, preferably prior to a council meeting. Mr. Matthes replied yes.

Mr. Thomas noted he had attended part of the Fair and Impartial Policing training that

Sergeant Mike Hestir held on Saturday. He thought it was great for it to be presented to the public and media. He thanked Mr. Matthes and Chief Burton for attending the Race Matters, Friends meeting. He was encouraged to see the openness and willingness to really engage in these difficult issues. He thought they were moving toward some good outcomes in terms of effective and community-involved policing.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 12:15 a.m.