

EXCERPTS
BOARD OF ADJUSTMENT MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
JANUARY 9, 2018

V) SPECIAL ITEMS

MR. ZENNER: Okay. You have placed before you on the agenda, and you had included in your packet the rules of procedure for the Board of Adjustment. If you recall, we started this activity back in October, I believe, of this past year, to revise your Board rules in order to conform them more generally to the procedures and the requirements of the newly adopted Unified Development Code, as well as to clean up certain aspects within the Board rules that were previously adopted.

As we have talked in work session about this, under the new Unified Development Code requirements, the Board rules are no longer just adopted by the Board as a motion. They are required to be approved by the Board -- recommended by the Board to City Council, and City Council ultimately will approve these rules of procedure by ordinance. So what we are here tonight to discuss or to receive is a recommendation from the Board members present at our work sessions on their recommendation for the adoption of these rules of procedure.

Following this evening's meeting, should the Board make a recommendation to approve, we will submit an appropriate Counsel report to be presented to the City Council at its March 5th -- March 5th, the earliest meeting we would have it at for introduction as an ordinance, and then final approval on March --- I'm sorry, February 5th, and then approval on February 19th, which would be their second meeting of the year -- or in March -- or February. The code or the rules that have been presented to you here are actually the clean version of the last edited copy that we had in November that Mr. Caldera had worked on and that we had presented back to you.

The only reason we did not act on these last month was due to the lack of having two of our regular Board members present. So there have been no changes from the last version that was sent to you or was agreed upon. If you have any questions or any changes that you need to make, Mr. Caldera may be able to better answer those, given that this is a document of his creation at this point now, and we can include these into an edited version that could then be forwarded to City Council should the Board desire us to go ahead and do that. If there are no changes to the document, a motion is in order to be made for a recommendation of approval and forwarding.

MR. CALDERA: And, Mr. Chair, I recommend that we do this as a roll call vote.

MR. ZENNER: Okay.

MR. CARROZ: Thank you, sir. I have no additions or corrections. Anyone else have any

comment?

MR. CALDERA: I think Ms. Hammen does.

MS. HAMMEN: I have a question. So this conflict of interest clause has to do with financial?

MR. CALDERA: Correct. It actually reflects the state law --

MS. HAMMEN: Yes.

MR. CALDERA: -- as it is spelled out primarily in Chapter 105.

MR. WATERS: I have some really quick comments. There are three commas that I don't think need to be in this document. So if you will permit me, I will show you exactly where those are, and maybe we can get rid of those.

MR. CARROZ: Please do so.

MR. CALDERA: Absolutely.

MR. WATERS: Page 2, under Time of Election, there's a comma between "or" and "when" in the third line.

MR. CALDERA: Okay.

MR. WATERS: I think that can go away.

MR. CALDERA: "Any one of the elected officers has ceased to be a member of the Board or when" -- okay. Got you.

MR. WATERS: Temporary Chair in the same page, next paragraph. The comma between "Chair" and "without".

MR. CALDERA: Okay.

MS. JOHN: Oh, yeah.

MR. WATERS: Second line -- at the end of the second line.

MR. CALDERA: Okay.

MR. WATERS: Quickly, on page 4, there's a -- in the third paragraph, it -- there's a list of three bullet points that don't have bullet points in front of them. I would like to see bullet points there or that as one paragraph.

MS. JOHN: Bullets of some sort.

MR. WATERS: Yeah.

MR. CALDERA: Okay.

MR. WATERS: And then on page 5, Parties in Interest paragraph, toward the bottom, the comma between "tract" with a closed parentheses, and "and".

MR. CALDERA: Okay.

MR. WATERS: And that's it.

MR. CALDERA: Then any motion to approve should approve it as amended, similar to the agenda.

MR. WATERS: I would make a motion to approve --

MR. CLITHERO: Recommend.

MR. WATERS: -- recommend that this revised, edited version --

MS. JOHN: Amended.

MR. WATERS: -- amended --

MR. CLITHERO: Amended.

MR. WATERS: -- version of the Rules of Procedure be approved by Council.

MS. JOHN: Second.

MR. CLITHERO: Second. Third.

MS. JOHN: Fourth. Fifth.

MR. CARROZ: I have a motion and a second to approve the amended --

MS. JOHN: Rules --

MR. CARROZ: -- rules.

MS. JOHN: And send them to the Council.

MR. CARROZ: And send them to Council.

MR. CALDERA: Just to clarify for the record, technically, the motion is "a motion to recommend that the City Council approve the rules as amended".

MR. CARROZ: Okay. That's it.

MS. JOHN: Whatever he said.

MR. CARROZ: Mr. Zenner, will you please call the roll.

MR. CLITHERO: It's Andy's turn.

MS. JOHN: It's Andy's turn.

MR. ZENNER: Mr. Carroz?

MR. CARROZ: Yes.

MR. ZENNER: Mr. Clithero?

MR. CLITHERO: Yes.

MR. ZENNER: Ms. Hammen?

MS. HAMMEN: Yes.

MR. ZENNER: Mr. Waters?

MR. WATERS: Yes.

MR. ZENNER: Ms. John?

MS. JOHN: Yes.

MR. ZENNER: A recommendation to forward the amended Rules of Procedure to City Council for approval will be submitted.

MR. CALDERA: From a housekeeping standpoint, Pat, will you be able to take care of those clerical things --

MR. ZENNER: Sure.

MR. CALDERA: -- or do you want me to -- okay.

MR. ZENNER: As long as the law department generates the ordinance. It's a team effort here.

Just remember that, folks. That is all we have from a staff perspective in the way of general business.