



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, April 18, 2016  
7:00 PM

Regular

Council Chamber  
Columbia City Hall  
701 E. Broadway

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#### I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, April 18, 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 TREECE, RUFFIN, SKALA, NAUSER and PETERS were present. Council Members TRAPP and THOMAS were absent. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

Mayor Treece asked the City Clerk to read the minutes of the regular meeting of April 4, 2016 into the record. Mr. Skala made a motion for unanimous consent to waive the reading of the minutes. Mayor Treece asked if there were any objections. There were no objections.

The minutes of the regular meeting of April 4, 2016 were approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Skala.

Ms. Peters asked that B82-16 and B84-16 be moved from the consent agenda to old business.

Upon her request, Mayor Treece made a motion to allow Ms. Nauser to abstain from voting on the appointment to the Liquor License Review Board. Ms. Nauser noted on the Disclosure of Interest form that it was a conflict of interest since her family business involved the sale of alcoholic beverages. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

The agenda, including the consent agenda with B82-16 and B84-16 being moved to old business, was approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Skala.

#### II. SPECIAL ITEMS

SI9-16

Donation of Historical Marker, "Lest We Forget: Lynching at the Stewart Road Bridge."

Angi Haeny introduced herself and Tiffanesha Williams, and explained she was the President of the Association of Black Graduate and Professional Students (ABGPS) and Ms. Williams was the President-Elect of the ABGPS. The goal of the organization was to provide additional resources to support the University of Missouri's black graduate and professional students in helping them achieve their academic and professional goals. For the last few years, the ABGPS had discussed acknowledging the significant history of the Stewart Road Bridge as it was the site of the last recorded public lynching in Columbia. She noted they had decided this was the year to make a memorial happen and understood their goal aligned with the effort of the greater Columbia community to create a trail of historic markers throughout the City. She stated the Sharp End marker had been placed near the Fifth Street and Walnut Street intersection to recognize the contributions of black entrepreneurs. They decided to use the same style as the Sharp End marker except that it would include a photo of the bridge and an inscription. The inscription was entitled "*Lest We Forget: Lynching at the Stewart Road Bridge*" and would

read "Near this place, James T. Scott, a black janitor in the medical school at MU was killed on April 29, 1923. A mob brought Mr. Scott to the bridge, placed a noose around his neck and pushed him over the railing while hundreds of spectators watched. MU's presence and the alleged student involvement in Mr. Scott's murder stirred public outrage and made front page news across the U.S. Although charges were filed against the leaders of the mob, none were convicted. Let this site remind us of the injustices of our historical legacy. As we continue the fight against systems of oppression, let us reflect how to better our community for all Columbians. The lynching at Stewart Road Bridge reminds us of how far we have come and the work we have yet to do." She explained they had received \$1,935 through a GoFundMe campaign and were incredibly grateful to the donors and others that had made this endeavor possible. Today, the ABGPS wanted to donate the marker to the City of Columbia, and hoped the marker would remain its place for years to come after installation. They believed the placement of this marker would be a reminder of the past and encourage the community to continue to move forward and work together to make Columbia a better place for all. She pointed out this marker was part of a larger African-American trail project, which they would later learn of through a report.

Mayor Treece thanked Ms. Haeny and Ms. Williams for their leadership in this regard. He explained Columbia's history and its preservation were important to him as a past member of the Historic Preservation Commission. He commented that when he traveled east on Stewart Road, approaching Providence Road, he liked to stop at the hill and imagine how bridge looked in the past. He thought the marker would be an important reminder of what happened at the site in 1923. He thanked them for their leadership, fundraising, and gift to Columbia.

Mr. Ruffin stated he thought it was great for this generation to re-tell the story. He explained he had been on the committee that had placed the headstone on Mr. Scott's grave, and it had been an effort that had brought all of the affected families together for the first time. It was, unfortunately, hidden in the Columbia Cemetery and could not be found unless one went into the segregated portion of the cemetery. He felt they had done a great service by pursuing this project that placed a marker at a very public space where there was a lot of pedestrian traffic, and thanked them for their efforts. He noted there would be another tribute to James Scott adjacent to Second Baptist Church in the memorial prayer garden.

Mr. Skala expressed his appreciation to the un-hiding of this and other similar events. He understood this was not reparation, but it was at least an acknowledgement of the mistakes made in the past. He thought they needed to recognize mistakes and correct them when possible.

### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

#### BC4-16 Board and Commission Applicants.

Ms. Nauser made a motion to postpone the vote on any board or commission appointment.

Ms. Nauser noted they did not have full Council and one applicant had applied to every open position. She wanted the City Clerk to contact that individual to determine which boards or commissions he was most passionate about as she did not feel it was fair to appoint him to every open position as it could become over burdensome.

Mr. Skala seconded the motion made by Ms. Nauser to postpone the vote on any board or commission appointment.

Ms. Nauser amended her motion so the vote on board and commission appointments was postponed to the May 16, 2016 Council Meeting, and the terms of any current members were extended to May 16, 2016 if their terms were up sooner. Mr. Skala was agreeable to amendment.

Mr. Skala commented that there was an informal hierarchy for some of the boards and commissions. The first tier group included the Planning and Zoning Commission and the

Board of Adjustment, and in the past, they would interview applicants, specifically when it came to the Planning and Zoning Commission. They would either interview all applicants or narrow down the list and interview only a few. He suggested this approach be taken for the more prominent boards and commissions that had a lot of work to do.

Mayor Treece made a friendly amendment to reopen and readvertise the vacancies to the boards and commissions to ensure they had a broad pool of applicants.

Mayor Treece noted they would then have time to interview the applicants, either formally or informally.

No one objected to the friendly amendment.

**The motion made by Ms. Nauser, seconded by Mr. Skala, and amended by Mayor Treece to postpone a vote on any board and commission appointment to the May 16, 2016 Council Meeting, for the terms of any current members to be extended to May 16, 2016 if their terms were up sooner, and for the City Clerk to reopen and readvertise the vacancies to the boards and commissions, was approved unanimously by voice vote.**

#### IV. SCHEDULED PUBLIC COMMENT

SPC17-16 Rachel Taylor - Part 2 of Pillar 4 of the Columbia Police Department's Response to the President's Task Force on 21st Century Policing, focusing on Recommendations 4.5-4.7.

Ms. Taylor, 119 Clinton Drive, stated she was representing Race Matters, Friends, and congratulated Mayor Treece on his first official meeting. She commented that during the campaign, Mayor Treece had emphasized a commitment to community policing in Columbia to keep families safe. She urged the Council to read the report completed by the Columbia Police Department (CPD) as it showed how they approached their role in these conversations regarding community policing. She noted items 4.6 and 4.7 asked communities to adopt policies and programs that addressed the needs of children and youth most at risk for crime or violence and reduce aggressive law enforcement tactics that stigmatized youth and marginalized their participation in schools and communities. It also indicated that communities needed to affirm and recognize the voices of youth in community decision-making, facilitate youth led research and problem-solving, and develop and fund youth leadership training and life skills through positive youth and police collaboration and interaction. The CPD report referred to a memorandum of understanding that allowed Columbia Public Schools to handle minor school-based offenses without referring students to the juvenile justice system. The Columbia Public Schools and the CPD had worked together to offer alternatives to out-of-school suspensions and expulsions. She commented that Jim Whitt, who had been reelected to the School Board, had affirmed that Columbia Public Schools had been able to reduce the out-of-school suspensions by two-thirds through the cooperation with the CPD. This was an important tool in interrupting the school to prison pipeline that criminalized the behavior of students of color and involved them in the justice system as children instead of giving them a chance to succeed and exit their school years with equal opportunities to get hired or go to college. She challenged the Council to continue to give voices to students of color in community decision-making by involving them in the beginning of policy-making and by giving them positions of power to execute decisions so they were included in all aspects of policy implementation. She commented that students that were given positions of responsibility became invested in the community. She stated item 4.5 indicated community policing emphasized working with neighborhood residents to co-produce public safety. She wanted to know from whom they were keeping families safe when indicating they planned to keep families safe. They often assumed criminals were dangerous people out there who were not them. Community policing started from the assumption that they were all accountable for each other and criminals were not bad people out there. They were us and everyone was responsible and accountable for

offering criminals a way to build up the community. Talking about neighbors as if they were terrorists did not keep each other accountable. She commented that two friends of her mother-in-law had indicated a police officer had stated they had found ties to al-Qaeda and attendees of the local mosque during a presentation at the Library, and noted that Middle Eastern families had moved into a friend's neighborhood causing the friend to be nervous. She stated they had tried to convince her that Columbia had a terrible crime problem, which was fearmongering and dangerous since it led to discriminatory legislation and policies. Community policing was not convincing rich, retired women that Columbia's Muslim community was tied to al-Qaeda or that it was full of criminals. She believed all families should be kept safe. She challenged the Council to continue to involve the community in transparent decision-making about policing and police policies.

Ms. Nauser commented that the 13th Circuit Court and the Juvenile Office had been working closely as the memorandum of understanding included the Juvenile Office, Police Department, Sheriff's Department, and Columbia Public Schools. Through the Annie E. Casey Foundation, the Circuit Court had worked hard to address the school to prison pipeline issue by keeping kids out of the juvenile justice system, and they were actively working on the issue of disproportionate minority contact.

Mayor Treece stated he appreciated their dialogue during the campaign and hoped it would be a foundation for future discussion.

## V. PUBLIC HEARINGS

None.

## VI. OLD BUSINESS

R35-16 Setting a public hearing: voluntary annexation of property located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard (Case No. 16-13).

R35-16 was read by the Clerk.

Mr. Teddy provided a staff report.

**Ms. Nauser made a motion to amend R35-16 per the amendment sheet. The motion was seconded by Mr. Ruffin and approved unanimously by voice vote.**

**The vote on R35-16, as amended, was recorded as follows: VOTING YES: TREECE, RUFFIN, SKALA, NAUSER, PETERS. VOTING NO: NO ONE. ABSENT: TRAPP, THOMAS. Resolution declared adopted, reading as follows:**

B79-16 Voluntary annexation of property located on the southwest corner of Brown School Road and Range Line Street (Highway 763); establishing permanent PUD-12, O-1, C-P, C-3 and R-3 zoning; approving a statement of intent (Case No. 16-34).

Discussion shown with B80-16.

B80-16 Authorizing a development agreement with Christiansen Investments, LLC for property located on the southwest corner of Brown School Road and Range Line Street (Highway 763) (Case No. 16-34).

The bills were given second reading by the Clerk.

Mr. Teddy provided a staff report.

**Mr. Skala made a motion to table B79-16 and B80-16 to the May 2, 2016 Council Meeting. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.**

**B86-16** Amending Chapter 29 of the City Code relating to self-service storage facilities (Case No. 15-199).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Skala asked if this was separate from the future consideration of the unified development code. He wondered if the draft unified development code addressed this issue. Mr. Teddy replied the consultants had identified the 14 foot maximum height was obsolete as the industry had been constructing climate control buildings for storage of smaller articles. The industry had been building flat roof garages for a long time, but that had now evolved to taller profiled buildings. They had also carried forward other provisions not related to the 14 foot height in the draft code. Mr. Skala understood this was consistent with the draft code recommendation. Mr. Teddy stated that was correct. He noted some of the aesthetic standards went beyond the draft, but they could be added. He thought they would carry forward any recently approved ordinance. He explained this was done at the request of the property owner. Staff preferred a text amendment versus a request for a variance to such a great degree.

Mayor Treece asked if these changes would be incorporated in the uniform development code if they were adopted today. Mr. Teddy replied yes. Mayor Treece asked if there was any C-3 in the greater downtown area. Mr. Teddy replied no, but explained there was M-1. Mayor Treece understood the C-3 would cascade into M-1. Mr. Teddy stated there was M-1 along Providence Road near the gas station and fast food restaurant along Flat Branch and was generally thought to be a part of the greater downtown. There was also M-1 in the old Wabash Railroad area as well.

**B86-16 was given third reading with the vote recorded as follows: VOTING YES: TREECE, RUFFIN, SKALA, NAUSER, PETERS. VOTING NO: NO ONE. ABSENT: TRAPP, THOMAS. Bill declared enacted, reading as follows:**

**B82-16** Granting a variance from the Subdivision Regulations, and a waiver from the requirements of the City Code, relating to construction of a sidewalk along a portion of the south side of Nifong Boulevard and east of Peachtree Drive (110 Nifong Boulevard); accepting a deed of dedication for roadway purposes and conveyances for street and utility purposes (Case No. 16-50).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Nauser asked if the applicant had been notified this would be pulled from the consent agenda. Ms. Peters replied she did not believe they had. Ms. Nauser suggested they provide the applicant the opportunity to speak if they thought this might not pass.

Ms. Nauser asked if the requirement was to build sidewalks along Nifong Boulevard and Peachtree Drive. She wondered if the variance was only for sidewalks along Peachtree Drive. Mr. Teddy replied it was the east sidewalk of Peachtree Drive and a sidewalk along Nifong Boulevard. The easement he spoke of related only to Nifong Boulevard. Ms. Nauser understood the reason for the easement along Nifong Boulevard was because it would soon be improved. Mr. Teddy stated that was a part of the reasoning. The other was that it was already a developed property and would only be incrementally changed. The estimated cost of the sidewalk was one-quarter of the total project cost. Ms. Nauser understood a drainage ditch might be involved so it would require a lot of site work. Mr. Teddy explained it was very different to design a project for one frontage instead of an entire roadway.

Ms. Peters understood if this variance was granted the City would have the easement necessary to widen Nifong Boulevard and construct sidewalks on both sides. Mayor Treece thought the sidewalks would be constructed at the City's expense.

Mr. Skala stated he missed the checklist on this variance and asked if that was done and if it was the basis of the unanimous recommendation of the Planning and Zoning Commission. Mr. Teddy explained there had been a checklist and staff had reviewed the subdivision code in addition to what he called the streets code. He noted Chapter 24 of the Code of Ordinances was applicable to this situation as it indicated any building permit required sidewalks to be provided when there was multi-family zoning or higher even when the property was already developed. Mr. Skala pointed out they always had this issue of sidewalks to "nowhere" so he wanted to ensure it had been reviewed. Mr. Teddy explained the review of staff had indicated the factors were not supported if the letter of the law was followed, but they also acknowledged providing right-of-way would be a somewhat equitable trade-off considering the scale of the project. It might have been different had this been a brand new gas station because the cost of the sidewalks would be much lower in proportion to the overall cost of the project.

Ms. Nauser stated she also felt the easement was equitable since the City would be constructing sidewalks along Nifong Boulevard when it was improved. She did not feel the Breaktime should be singled out to construct the sidewalk and noted the City would likely have to acquire right-of-way at full commercial value for the road project elsewhere. She asked if staff had an estimated value of the easement provided. Mr. Teddy replied he did not have that information with him. Ms. Nauser reiterated she believed they should postpone a vote if they thought it would fail to allow the applicant to speak.

Ms. Peters commented that she was okay with approving the request and noted she had pulled it off the consent agenda in order to obtain clarification. She thought it made sense since they were considering widening the road as it would not be reasonable to require a sidewalk that would be dug up in about four years.

Mayor Treece explained his general philosophy was that government should be consistent. He understood there were no other sidewalks here and asked why the other property owners had not been required to construct sidewalks. He wondered why the competitor station across the street had a sidewalk and if there were variances or rights-of-way for the other parcels. Mr. Teddy replied any other business or owner of a lot along the Nifong Boulevard corridor would be required to go through this same process if they obtained a building permit. Those that were simply operating would not be assigned that responsibility. Mayor Treece asked if there was a reason this had come up now since the gas station had been there. Mr. Teddy replied they were making a small expansion, which had triggered the requirement.

**B82-16 was given third reading with the vote recorded as follows: VOTING YES: TREECE, RUFFIN, SKALA, NAUSER, PETERS. VOTING NO: NO ONE. ABSENT: TRAPP, THOMAS. Bill declared enacted, reading as follows:**

B84-16

Approving the Final Plat of Russell Subdivision - Plat 5 located on the northwest corner of Russell Boulevard and Rollins Road (709 Russell Boulevard); authorizing a performance contract (Case No. 16-70).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Peters asked if this was a public sewer that would be placed in the backyards of property owners. Mr. Teddy replied yes. He explained the City would not allow two lots to share a line so any time there were two laterals that connected to a line that line would need to be public through an easement. He noted the sewer utility had signed off on the design, and there was an existing easement in that location. Ms. Peters asked if it drained to the west. Mr. Teddy replied it appeared to drain in that direction. Ms. Peters understood the homes would connect to a public sewer. Mr. Teddy stated that was correct.

**B84-16 was given third reading with the vote recorded as follows: VOTING YES: TREECE, RUFFIN, SKALA, NAUSER, PETERS. VOTING NO: NO ONE. ABSENT:**

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TRAPP, THOMAS. Bill declared enacted, reading as follows:

## VII. CONSENT AGENDA

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

- B81-16 Rezoning property located on the south side of Green Meadows Circle and the north side of Green Meadows Road from R-1 to PUD-5; approving the Woodhaven Age-In-Place Apartments 410 Green Meadows Circle PUD Plan; approving less stringent screening and landscaping requirements (Case No. 16-76).
- B83-16 Approving the Final Plat of Paris Road Village - Plat No. 2, a Replat of Lot 5 of Administrative Plat 2 of Lot 1, Paris Road Village, located on the east side of Paris Road, approximately 400 feet south of Vandiver Drive; authorizing a performance contract (Case No. 16-42).
- B85-16 Authorizing an annexation agreement with Jerome and Jeannie Taylor for property located on the north side of Happy Hollow Drive and west of Highway 163 (801 E. Happy Hollow Road) (Case No. 16-46).
- B87-16 Authorizing construction of the MKT to Parkade Bike Boulevard Project; calling for bids through the Purchasing Division.
- B88-16 Accepting a conveyance for street purposes.
- B89-16 Authorizing a generators sale agreement with MBS Textbook Exchange, Inc. for the sale of two (2) generators and associated switchgear.
- B90-16 Accepting a donation from the Independent Order of Odd Fellows, Columbia Lodge #207 for improvements at the MKT Trailhead at the Martin Luther King, Jr. Memorial at Battle Garden and MKT Forum Nature Area Trailhead; appropriating funds.
- B91-16 Authorizing a facilities and services agreement with The Curators of the University of Missouri for the use of Peace Park for the Fourth of July Celebration and Fireworks Display.
- B92-16 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for WIC local agency nutrition services.
- R41-16 Setting a public hearing: consider the Water and Light 2016 Renewable Energy Report.
- R42-16 Authorizing an educational affiliation agreement with Rush University Medical Center to provide health clinical experience and instruction for nursing students.
- R43-16 Declaring the results of the April 5, 2016 municipal election.
- R44-16 Approving the Preliminary Plat of Stevens Ridge Subdivision located on the west side of Route K and adjacent to William Smith Place (Case No. 16-82).
- R45-16 Authorizing Amendment #2 to the agreement with Columbia Capital Management, LLC for financial advisory services.
- R46-16 Authorizing a master services agreement with Paymentus Corporation for

implementation of a multi-channel billing, payment and automation solution for utility billing; authorizing an agreement with Paymentech, LLC, on behalf of JPMorgan Chase Bank, N.A., for payment processing services.

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

## VIII. NEW BUSINESS

R47-16

Authorizing the installation of a street light on the east side of Elderbrook Drive; authorizing the Purchasing Agent to request proposals for consulting services for an evaluation of street lighting levels in the East Campus neighborhood and a determination of the scope and costs associated with a lighting project.

The resolution was read by the Clerk.

Mr. Williams provided a staff report.

Mr. Skala commented that the message he was getting was that staff was seeking guidance with regard to how the City approached street lighting in neighborhoods and asked if that was correct. Mr. Johnsen replied he thought the request was to evaluate lighting in this particular area. He noted the committee did not have a clear recommendation and this would allow them to determine what would fit the neighborhood best. This was not an attempt to develop standards for the entire City. It was specific to this area.

Ms. Peters asked if anyone on staff had the expertise. Mr. Johnsen replied the City did not have anyone that specialized in pedestrian lighting needs and lighting studies in terms of how one lighted for pedestrian versus road use.

Ms. Nauser understood this was a response to a request and asked how they went from the installation of a light to a study for the entire neighborhood. Mr. Johnsen replied this came from the lighting committee. There were three different requests. The committee felt they should proceed on one, not proceed on the other, and have someone look at the area for recommendations for the third. Staff was requesting only two Council actions. One was to approve the first request and the other was to determine if they should find someone to analyze the lighting that was needed in East Campus. The area was next to campus, but it was not campus.

Ms. Nauser asked for clarification on the composition of the street lighting committee. Mr. Johnsen replied it included representatives of the utilities, sustainability, streets, police, and neighborhood services. This allowed for a more community-wide approach as there was more than the utility perspective.

Mr. Ruffin asked about the motivation for this request. Mr. Williams replied they had received requests from students asking for increased lighting levels throughout the East Campus neighborhood. Mr. Ruffin understood they felt it was too dark. Mr. Williams stated that was correct. Mr. Johnsen explained they were used to pedestrian campus lighting and then walked into the neighborhoods, which had road lighting schemes instead of pedestrian lighting schemes.

Mayor Treece asked staff if they knew what a lighting consultant might charge to look into this. Mr. Johnsen replied no. They would ask for requests for proposals and bring the results to Council to determine if an award should be made. Mayor Treece wondered if a better investment of the money would be to improve the lighting.

Ms. Peters asked if it cost any money to send out the request for proposals. Mr. Johnsen replied no.

Ms. Nauser stated she was concerned that many other neighborhoods would ask for a similar study and asked if the committee had any particular criteria for these situations.



Janet Hammen, 1844 Cliff Drive, commented that she was aware of the problem in the East Campus neighborhood. She explained Neighborhood Services had contacted her in the fall of 2014 regarding a complaint of poor lighting in the East Campus neighborhood. As a result, she had driven the streets in the neighborhood after dark and had found three burned out street lights, which she had reported to Neighborhood Services. She noted the area by the Stephens College tennis courts was dark, but the south side of Bass Avenue was fairly well lit. She commented that she had lived on Wilson Avenue for many years and had walked after dark during those years. The area did not have pedestrian lighting because it was not campus. She thought it was well lit and better lit than most residential neighborhoods. She explained in December 2014, she had been told some students perceived the lighting to be poor without any specifics, so she had suggested lowering the lights by installing historic lighting that might be in keeping with the National Historic District. She believed this would also alleviate lights shining in the windows of residents. In February 2015, some University students had organized a walk during the day, which she had participated in, and no one had talked about poor lighting during the night. She noted in December 2015, she had met with representatives of the City who had mentioned a consultant, which she objected to as she did not feel there was a problem. She suggested a citizen task force and a walk-through of the neighborhood at night. She also thought a new method for determining when lights were burned out might be needed. She did not feel there was a problem in need of a solution.

Mayor Treece asked if she recalled a lighting audit or study the Downtown Columbia Leadership Council had received, which had indicated the addition of lights in residential neighborhoods were counterproductive to public safety because those lights created shadows where people could hide and they did not allow eyes to naturally acclimate to the ambient light that existed. Ms. Hammen stated she recalled that study. She noted that when she lived on Wilson Avenue, between Lee Street and S. William Street, the City had added more lighting. This had resulted in students congregating in the middle of the night under the light posts, so the neighborhood had asked for that lighting to be removed.

Ms. Nauser commented that the staff report had indicated they had met with students and neighbors, and asked if this was being requested by students. She wondered if those that owned property and lived in the neighborhood felt comfortable. Ms. Hammen replied she believed that to be the case. She understood that some areas might be darker when leaves were fully on trees, and noted a lady on Ross Street had indicated she felt it was dark at times. She had suggested the groups get together to talk, but nothing more had been done in that regard. She believed they needed to review it street by street to determine what could improve as it was not the objective of street lights to light sidewalks. She wondered if something could be done with what they had as she did not feel a consultant was needed.

Mayor Treece asked if there had been Ameren provided streets lights that the City had taken over within the last decade. Mr. Johnsen replied he did not recall this. He explained the only public lighting entities in the Columbia area were Boone Electric Cooperative and Columbia Water and Light.

Mr. Skala commented that this had begun with the Environment and Energy Commission (EEC) in 1999 whereby an outdoor lighting ordinance was eventually codified. They had not reviewed street lighting as it related to vehicle safety. He noted there had been a paradoxical effect at some of the gas station canopies whereby witness identification had been hampered by too much light. The point of the outdoor lighting ordinance was to create effective and efficient lighting at various venues. He reiterated they had avoided lighting as it related traffic because they did not have that expertise, and believed this issue should be referred to the EEC to review. He explained another issue was in terms of lights in areas outside of the City's service territory as Boone Electric Cooperative had different regulations. He reiterated he planned to refer the issue of residential street lighting in terms of safety of individuals to the EEC.

Mayor Treece thought it might be more cost effective to send a Water and Light employee to training whereby they could assess best practices in residential neighborhoods.

**Mayor Treece made a privileged motion to divide the question naturally and vote on Section 1 and Section 2 separately. The motion was seconded by Ms. Peters and approved unanimously by voice vote.**

**The vote on Section 1 of R47-16 was recorded as follows: VOTING YES: TREECE, RUFFIN, SKALA, NAUSER, PETERS. VOTING NO: NO ONE. ABSENT: TRAPP, THOMAS.**

**Mr. Skala made a motion to amend Section 2 of R47-16 by referring the study of this issue to the Environment and Energy Commission for a report back to Council instead of hiring a consultant. The motion was seconded by Mayor Treece.**

**The vote on Section 2 of R47-16, as amended, was recorded as follows: VOTING YES: TREECE, RUFFIN, SKALA, NAUSER, PETERS. VOTING NO: NO ONE. ABSENT: TRAPP, THOMAS.**

Ms. Thompson commented that staff would treat this as an amendment of the resolution deleting Section 2 and referring the issue to the Environment and Energy Commission. If it came back to Council, it would then come back as a separate measure. She asked if that was acceptable. The Council indicated that was acceptable.

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

R48-16

Recognizing the Water and Light Association as an appropriate representative unit of employees with a mutually acceptable community of interest separate from other City of Columbia employees.

The resolution was read by the Clerk.

Mr. Buckler provided a staff report.

Mayor Treece asked how many members were within that bargaining group. Ms. Buckler replied she thought there would be well over 229-230. Mayor Treece asked if the State Board of Mediation had conducted the election for that exclusive bargaining unit. Ms. Buckler replied only the electric division employees had petitioned to be recognized. They were going to have an election, but they included a position that had been covered by another union so they went through a process with the State Board to discuss the issue. A conference call was held between Local 773, the petitioners, and the City to determine how they might resolve the issue. The State Board had indicated an election was not necessary if they mutually agreed.

**The vote on R48-16 was recorded as follows: VOTING YES: TREECE, RUFFIN, SKALA, NAUSER, PETERS. VOTING NO: NO ONE. ABSENT: TRAPP, THOMAS.**

**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.

B93-16

Approving a major revision to the PUD Plan of Cotswold Villas at Bluff Creek Estates located on the east side of Bluff Creek Drive and east of Pebble Creek Court; approving a revised statement of intent; approving less stringent setback requirements (Case No. 16-3).

- B94-16 Approving the Final Plat of The Gates, Plat No. 1-A, a Replat of Lots 127 & 128, The Gates Plat No. 1, located on the southeast corner of Rivington Drive and Brackenhill Court, approximately 500 feet west of Abbotsbury Lane (Case No. 16-30).
- B95-16 Approving the Final Plat of Nova Plaza Subdivision, a Replat of Lots 14, 15 & 16 of Rockbridge Subdivision Block IX, located on the west side of Peach Court, approximately 600 feet south of Nifong Boulevard (Case No. 16-84).
- B96-16 Vacating a portion of right-of-way along Nocona Parkway and Arrendale Drive within Discovery Park Subdivision Plat 3A (Case No. 16-71).
- B97-16 Vacating a sanitary sewer easement located on the east side of Richmond Avenue (912 Richmond Avenue) (Case No. 16-81).
- B98-16 Authorizing a municipal agreement with the Missouri Highways and Transportation Commission as it relates to the temporary closure of St. Charles Road at its intersection with the westbound I-70 ramps to allow for pavement replacement.
- B99-16 Authorizing construction of sanitary sewer improvements along Providence Road from 125 feet south of Stewart Road to Turner Avenue and along Turner Avenue to Fourth Street, more specifically described as the Flat Branch Watershed Relief Sewer Project No. 2; calling for bids through the Purchasing Division.
- B100-16 Amending Ordinance No. 022782 which was intended to add and delete a position in the Finance Department - Administration Division.
- B101-16 Accepting the 2016 Public Health Volunteer Award from the State of Missouri Emergency Management Agency - Department of Public Safety for the Medical Reserve Corps program; appropriating funds.
- B102-16 Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Human Services for tobacco control coalition services; appropriating funds.
- B103-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Building Code.
- B104-16 Amending Chapter 6 of the City Code as it relates to the adoption of the NFPA 70 2014 National Electrical Code.
- B105-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Plumbing Code.
- B106-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Mechanical Code.
- B107-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Residential Code for One- and Two-Family Dwellings.
- B108-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Property Maintenance Code.

- B109-16 Amending Chapter 6 of the City Code relating to adoption of the 2015 Edition of the International Fuel Gas Code.
- B110-16 Amending Chapter 6 of the City Code to enact a new Article X adopting the 2015 Edition of the International Energy Conservation Code.
- B111-16 Amending Chapter 6 of the City Code to enact a new Article XI adopting the 2015 Edition of the International Existing Building Code.
- B112-16 Amending Chapter 9 of the City Code relating to adoption of the 2015 Edition of the International Fire Code.

## X. REPORTS

- REP33-16 African American Heritage Trail.
- Ms. Messina and Mr. Griggs provided a staff report.
- REP34-16 Broadband Update Report.
- Mr. Johnsen provided a staff report.
- Ms. Nauser asked if staff knew whether the State would involve itself in the issue as it previously had. Mr. Matthes replied at least one bill had been introduced to preempt cities from providing broadband service during this session, and the federal government had preempted states that had tried to preempt cities, which was interesting. He commented that it would be great if the market had taken care of the problem, but the intelligence they were receiving was that it really was not being offered or it was only being offered in few small places. Staff was trying to determine the facts before taking any action.
- Mr. Skala commented that he felt they should move forward by collecting as much information as possible and move as quickly as possible in an effort to get ahead of the State in case it decided to affect local policy. He thought of this as a continuation or update.
- REP35-16 Intra-Departmental Transfer of Funds Request.
- Mr. Matthes provided a staff report.
- Mayor Treece asked if there was any net fiscal impact. Mr. Matthes replied no.

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

John Clark, 403 N. Ninth Street, congratulated Mr. Ruffin on his many years of work that had resulted in the opening of the Blind Boone House in September as a community center and historical site. He commented that some of these things took a long time, and it did not mean a big round of applause was not deserved when finally completed.

Mr. Clark stated he was quite interested in the process in terms of the lighting in East Campus as he wondered how it got to the stage of including a proposal to hire an outside consultant at this meeting. He suggested staff contact Karl Kruse with regard to lighting standards and research the standard in other communities.

Mr. Clark commented that he believed the best strategy in stopping the State from adopting preemptive rules would be to talk to other cities that would have the same problem in an effort to develop a cooperative strategy.

Eugene Elkin, 3406 Range Line Street, congratulated Mayor Treece on his election.

Mr. Elkin thought the community would be in bad shape if they continued to throw money away. He noted he saw an expensive vehicle with paratransit written on the side of it. He understood it was being powered by compressed natural gas and wondered where the money came from to purchase it.

Mr. Elkin suggested general comments be allowed at 9:00 p.m. and to consider allowing multiple opportunities per night as that would address issues of the disabled and provide a break for council members to step away.

Mr. Ruffin thanked Mr. Clark for acknowledging the long history of those who had envisioned the complete revitalization of the Boone House. Since the beginning, in 1997, the vision had been for it to be a community center rather than a museum. He noted they were working on a use policy document and developing a website to promote the house, and although that had not been launched yet, there was already great demand for the use of the house. The house had hosted two delegations from Korea and the Downtown Community Improvement District retreat. It was also being considered as an ideal location for a reception for Ben Vereen this summer. In addition, an after school tutoring program would host an outdoor picnic on the grounds this week. They had envisioned this to be the use of the house as it was an important location for the entire community. He explained they were still seeking funding for the Tribute Gardens. The City had completed an amazing hardscape, but the trees and plants still needed to be purchased and installed. When it opened in September, it would be a spectacular and wonderful place.

Mr. Ruffin noted the Boys and Girls Club was in the process of expanding its facility, which was located in the First Ward near Hickman High School. It was a \$2.5 million project to more than double the space they currently had by building a multi-purpose performance and gym facility for teens. The kitchen and restrooms would also be expanded. He believed this would make the Boys and Girls Club much more effective in their ability to reach a larger demographic of young people. He stated they served more than 700 children every week and had provided more than 42,000 meals during the year. He felt this was an important project in terms of social equity because the Boys and Girls Club currently struggled to find programming for older teenagers who were between the eighth and twelfth grades. Many were too young to get jobs and there was not much for them to do so they tended to drop out of the program. There was a challenge to provide something for underserved teenagers, and the Boys and Girls Club desired to do more. They would soon enter into the public phase in terms of fundraising and would welcome anyone who would donate money of any amount so they could celebrate a groundbreaking for the expansion project in October. He believed this was an urgent need that was reflective in their agenda for social equity.

Mr. Ruffin commented that a couple of weeks ago he had inquired about the possibility for some sort of diversity training for the Council so they all had a common vocabulary when they spoke about the issues of race and diversity in the community. He asked about the status of this in terms of whether it was possible and whether it was on an upcoming work session agenda. He noted he thought it was critical and necessary for them going forward to speak the same language.

Mayor Treece asked if this could be considered as part of the retreat meeting. Mr. Matthes replied that would be a great time to discuss it.

Ms. Nauser stated she received an e-mail asking if two copies of books given to the Council and senior staff by the City Manager could be provided to the public library so the community could read the information given. She asked that this be accommodated.

Ms. Nauser explained she had received a copy of a petition from residents in the Grasslands neighborhood regarding the sidewalk along Burnam Road, and asked staff to review this and provide a report to the Council on the status of the project because several on the Council might not have been a part of previous discussions.

Ms. Nauser reminded staff that she had previously asked for a review of the West Outer Road along Providence Road, from Stoney Creek Inn to Reactor Field, in terms of street lighting as it was a very dangerous area in the community. She noted she had driven it during the day and there were many people walking along that very narrow path. She felt it would be more hazardous in the evening. She asked staff to look into the issue.

Ms. Nauser commented that she read in the newspaper about the potential for a decrease in general revenues and potential cuts to the Police Department. She noted she was opposed to that and did not want any of the public safety departments affected by cuts. She stated they were already behind and did not need to get even further behind. She would rather have fewer potholes fixed if it meant more police officers on the streets. She commented that she thought public safety should be first and foremost in a declining budget.

Ms. Nauser stated she was glad to hear the Blind Boone Home would soon be opening and was excited for it. It was sadly one of the more controversial funding issues a few years ago. She commented that she had someone contact her today regarding the plaque memorializing James T. Scott in that the person felt it was divisive. She did not understand how honoring and talking about the past was divisive. She was happy to see they were talking about these issues as a community because she did not believe they would be able to heal or move forward unless it was discussed.

Mr. Skala commented that his last campaign was centered on social equity and was happy to say they were making some progress, especially in the Third Ward with the reallocation of resources to the three targeted areas. This reallocation affected public safety and infrastructure in those areas.

Mr. Skala stated he was happy to hear about the proposal for the African American Trail as it fit with the Blind Boone House. He noted the Council had taken some heat for funding the Blind Boone Home, but he viewed it as a public safety issue as well. He thought the divisiveness needed to stop. He commented that there were some tremendous resources from the National League of Cities and pointed out he was on the Racial Equity and Leadership group that had provided racial toolkits. He stated he would make that information available again so it could be used in discussions.

Mr. Skala understood more people had security alarm systems as there was an increasing need for security, but this resulted in more false alarms. He asked staff to look into the issue and determine whether a fee for service or a flat fee per month might be needed. He suggested looking at benchmark cities for a solution to this issue as it could alleviate some service calls and impact the budget.

Mr. Skala understood the Police Department reduced ticketing and reports for accidents without injuries due to the lack of public safety officers. He noted he had received a call today because a community service officer had determined an accident had been a no-fault accident, and due to this it became an onerous burden when dealing with the insurance companies. He asked for a report on the policy so they could better understand it and were better able to explain it to the citizens.

Ms. Peters congratulated Mr. Ruffin for his work on the Blind Boone Home.

Ms. Peters commented that she agreed with the request of Ms. Nauser to not lose any more police officers or firefighters.

Mayor Treece understood Mr. Matthes had implemented a 30-day hiring freeze on new

hires and commented that he would like to exempt police officers and firefighters from the freeze as it was hard enough to recruit and retain those public safety officers and they did not want to introduce a gap in the hiring process. He was concerned people would go to other communities when they learned of the gap. He asked for the support of Council in order to provide Mr. Matthes the direction he needed to proceed. He asked if anyone objected. No one objected.

Mayor Treece stated Chris Kelly, the Chair of the Mayor's Task Force on Infrastructure, who had served at the pleasure of Mayor McDavid had announced his resignation. He appointed Tracy Greever-Rice to replace Chris Kelly as Chair of the Mayor's Task Force on Infrastructure so she could quickly conclude that Task Force's recommendations and get them to Council in time to incorporate them into their discussion about the unified development code and potential infrastructure impacts.

Mayor Treece understood the University had announced last week it was closing two dormitories due to declining enrollment. Throughout his campaign, he had received a lot of feedback on student housing, and thought it was timely to have a discussion on the student housing economy and whether they might be inadvertently contributing to a housing bubble for those types of projects. He commented that his natural tendency was to let the private sector determine this and to bottom out, except to the extent the City of Columbia might be subsidizing those types of development through preferred infrastructure costs, preferred development fees, less restrictive parking requirements, no retail requirements, etc. since it could result in them all having to pay the price. He noted the units not being filled affected the City's investment in infrastructure to the extent development costs and the build out of infrastructure was related to the projected number of units in the pipeline. If the units were only 85 percent occupied, no one would make money and there would be a failure and a glut on that economy. He wondered if there was some consensus to ask staff to bring back some ideas for the potential for an administrative delay or at least a stop gap until the Council could consider the unified development code and was able to put some protections in place so they could take a more thoughtful view of that marketplace.

Ms. Nauser asked if that would be considered a moratorium on development. Ms. Thompson replied an administrative delay could be done as it related to a particular zoning district or area if there was a concern they could identify and articulate while they undertook a study and implemented solution. Ms. Nauser understood student housing would impact more than one zoning district. Ms. Thompson thought it was too early to determine as she understood Mayor Treece was suggesting a plan, thought, or study.

Mayor Treece wondered if it would be helpful to at least establish some type of baseline as to how many units they currently had, how many had been approved, how many more might be in the pipeline, and how that mirrored where the University was in its perspective of enrollment numbers. He thought one solution was to limit it geographically. They could also limit 3-4 bedroom units so there was at least there was some incentive for adaptive reuse.

Mr. Skala thought it was worthwhile to follow this track for information. He understood it was difficult to obtain occupancy numbers as entities did not have to reveal that information. He believed this was something they should look at prior to the getting into the challenges of the unified development code.

Ms. Peters stated she thought they should also consider the R-3 zoning areas because they would be ripe for redevelopment if building in the downtown was limited while they reviewed the development code. If they were to consider this, she also felt a time frame needed to be established to get through the review. At some point, it would not be appropriate for the property owners to not be able to develop or to use their property as they wanted. She thought this needed to be looked into and was also interested in the number of units currently available and in the pipeline. She reiterated she thought they

should include the older surrounding neighborhoods to the downtown.

Mayor Treece asked Mr. Matthes if this provided him some direction to be able to come back with something at the May 2, 2016 Council Meeting. Mr. Matthes replied yes. He understood he needed to provide Council some language about an administrative delay inside of which they would conduct research and provide as much information as possible regarding dense student housing within downtown and throughout the City. He noted he thought it would take a few months to conduct the research and time would then be needed for discussion so he recommended a six month administrative delay.

Ms. Nauser suggested they have conversations with the University if they were going to go down this path because she understood they had indicated there would be a dip in enrollment today due to several reasons, such as demographics involving children, competition among other colleges, etc. She thought they needed the full story and to be aware of the unintended consequences of moratoriums because it could affect low-income housing as well. Mr. Matthes understood.

Mr. Matthes stated staff would return with language to establish the delay as soon as possible, and would then try to provide a scope of work on the research.

## **XII. ADJOURNMENT**

**Ms. Nauser made a motion to adjourn. The motion was seconded by Mr. Skala. Mayor Treece adjourned the meeting without objection.**

The meeting adjourned at 8:59 p.m.