



# City of Columbia, Missouri

## Meeting Minutes

### City Council

---

Monday, December 4, 2017  
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, December 4, 2017, in the Council Chamber of the City of Columbia, Missouri. The recitation of the Pledge of Allegiance was led by Boy Scout Troop 733, and the roll was taken with the following results: Council Members THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP, and SKALA were present. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

Mayor Treece explained the November 20, 2017 minutes were not yet complete.

Mr. Thomas made a motion to add B378-17 to the introduction and first reading section of the agenda, which would accept a donation of land. He stated he had been told this should have been included with the annexation and preliminary plat of the property west of the Perche Creek on Gillespie Bridge Road and had been asked to add it to this meeting agenda.

The motion made by Mr. Thomas to add B378-17 to the introduction and first reading section of the agenda was seconded by Mr. Trapp and approved by voice vote with only Mayor Treece voting no.

The agenda, including the consent agenda and the addition of B378-17 to introduction and first reading, was approved unanimously by voice vote on a motion by Mayor Treece and a second by Mr. Skala.

#### II. SPECIAL ITEMS

SI11-17

The American Public Works Association recognizes the Columbia Public Works Department on receiving the 2017 Excellence in Snow and Ice Control Award.

Steve Shultz, President of the Missouri Chapter of the American Public Works Association (APWA), explained APWA was a professional association chartered in 1937 to promote professional excellence and the exchange of knowledge. It included over 30,000 members and existed to develop and support the people, agency, and organizations that planned, built, maintained, and improved communities. He commented that the City of Columbia Public Works Department was one of only 125 APWA accredited agencies in all of North America, and felt that spoke to the quality of the Department. Annually, the APWA provided eight national award categories, one of which was the Excellence in Snow and Ice Control award.

Eric Landwehr, Past President of the Missouri Chapter of the APWA, noted the Excellence in Snow and Ice Control award was given annually to the best public works agencies based upon several criteria, and the City of Columbia Public Works Department had achieved excellence in the materials handling, equipment, training, community outreach, technical, and environmental areas. He explained he had been impressed with

the thoroughness of their snow removal policy and plans. They had well-defined plans for priority routes and tracked vehicle and salt usage through advanced GIS capabilities and automatic vehicle locators. In addition, they aggressively notified the community as snow and ice events evolved, and hosted educational open house events, like Snow Palooza. They were also good stewards of the environment as they had minimized impacts from stormwater runoff at the salt storage facility. He congratulated the Public Works Department on this prestigious national award, and presented it to David Nichols, Director of Public Works, Richard Stone, Engineering and Operations Manager, and Sam Thomas, Superintendent of Operations.

Mayor Treece thanked the Public Works Department for their efforts as he understood it was dangerous work, and those involved were out early and stayed late to ensure the job was done. He stated they, as a community, were appreciative.

### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

### IV. SCHEDULED PUBLIC COMMENT

SPC66-17 Andrew Twaddle - Data on police stops.

Mr. Twaddle provided a handout and noted he understood the Council had been given a report from the Attorney General's Office with regard to police stops along with a thirteen page memo from the City Manager. The Attorney General's Office report provided a huge volume of largely unanalyzed data on motor vehicle stops. He stated he had conducted calculations on a small portion of the report and had created four tables. Table 1 showed percentages by column totals for police stops for each racial group, Table 2 included percentages by column totals for police searches for each racial group, Table 3 showed percentages by row totals across racial groups for each aspect of stops coded, and Table 4 included percentages by row totals across racial groups for each search coded. He explained he had color-coded differences, and those codes were described in the handout. He stated the handout included a summary of findings, and stated he only wanted to emphasize two points. The City Manager's memo had opined that black people were more impoverished and drove older, more derelict or defective cars, which would be a legitimate cause of higher rates of stops among black drivers. If that were the case, one would expect a higher percentage of stops to be for equipment failures among black drivers, and the data in Table 1 showed very little difference between black and white drivers with regard to equipment stops. He noted license stops tended to support the City Manager's hypothesis, but equipment stops did not. He commented that black drivers were stopped at a higher rate than white drivers, and this was evident in the disparity index in the Attorney General's report. This was the finding regardless of the aspect of stops reviewed. For every reason for a stop, for every stop outcome, for every location of a stop, for both sexes of drivers, and for every age of drivers, a higher proportion of black drivers were stopped than the proportion of population would indicate, and this was the same for searches. For every cause of a search, for every category of search, for every type of contraband, and for every arrest charge, the percentages were higher for black people than the proportion of the population should warrant. With one minor exception, the same held for the duration of search as well. People of color, predominantly those defined as black, were more likely to be stopped and more likely to be searched on every dimension measured in the report except two small categories. He felt this was a pattern that merited a deeper investigation.

SPC67-17 Nadia Navarrete-Tindall - Support the use of native plants.

Ms. Navarrete-Tindall withdrew her request to speak.

**V. PUBLIC HEARINGS**

PH41-17 Proposed construction of a storm water management basin project for the area bounded by Garth Avenue, Sexton Road, Oak Street and Lynn Street.

PH41-17 was read 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.

Ms. Peters stated she thought this was a good project.

Mr. Thomas commented that he was happy to see projects being targeted to this particular area where there were a lot of different efforts in play, to include Community Land Trust houses and a sidewalk project, to improve the neighborhood.

Mr. Trapp believed this was a great project for the reasons already mentioned. He noted it had come out of a lot of public planning processes with regard to what people wanted to see for those lots. Since the Garth Avenue and Sexton Road area tended to flood regularly, he was pleased to see a stormwater project for the area. He felt the area would be a great public amenity when it was not retaining water as it would be a grassy field and provide a place for people to play.

**Mr. Ruffin made a motion directing staff to proceed with the Lynn Street Cottages Stormwater Management Basin project. The motion was seconded by Mr. Skala and approved unanimously by voice vote.**

PH42-17 Proposed construction of the Police Precinct/Municipal Service Center North facility to be located on the south side of International Drive in Auburn Hills Subdivision.

PH42-17 was read by the Clerk.

Mr. Nichols provided a staff report.

Mr. Thomas asked for more information regarding the community room and the types of events and activities that might take place there. Deputy Police Chief Schlude replied the process going forward would include neighborhood and interested parties meetings, and discussion would include the uses, scheduling, etc. of the facility. Mr. Thomas understood it would be a training room for officers and a community room when it was not being used for training purposes, and asked if that had been discussed. Deputy Chief Schlude replied the interested parties meeting and North Neighborhood meetings she had attended had included discussion on how the room could be used. She noted they were trying to have a dual purpose room so they could make the most out of the space. She pointed out they had reached out to benchmark cities and others to obtain an idea of what they had done in terms of a community room.

Mr. Thomas commented that he had participated in a tour of a police precinct in a public housing development when he had attended the National League of Cities Conference in Nashville, Tennessee, and it had a community room. He understood they would hold film nights, and individual groups in the community could reserve the room for events. He felt it had been a successful partnership and encouraged the Columbia Police Department to make the best out of the space.

Mayor Treece opened the public hearing.

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

Mr. Trapp stated he was happy to see this moving forward and noted it was an ideal location for a police station. He commented that he had first seen a community room when he had visited Gainesville, Florida as part of a Chamber of Commerce Leadership

Visit as they had met in a community room. He thought that might be a model to consider. He explained the lobby of the current police station in Columbia was difficult to access and was not very welcoming. He liked the designs he had seen thus far, and felt it was nice to have a public facing part of the building along with the needed security for the remainder of the building. He thought it was a great design in a great location through a great process.

Mr. Skala commented that he would have loved to have had this facility in the Third Ward, and understood it would benefit the entire north side of the City. He explained this location had been negotiated and pointed out he had been pleased by the placement of a couple of substations in the Indian Hills and the Whitegate areas, which were in the Third Ward. He echoed the comments related to the community room and making the facility accessible. He saw this as a tremendous step forward in the community, even in terms of community policing.

Ms. Peters understood half of the building was two-stories while the other half was one-story and asked if a second story could be added if future expansion was necessary. Deputy Chief Schlude replied they had asked the architect design group to look at the feasibility of making the building structurally available to build up. She stated she was not expecting that to be a low number, but noted they had asked in order for it to be brought into the discussion because there was not a lot of room to build out on that lot.

Ms. Peters understood there was a total of \$9.6 million allocated, but the estimated cost was only \$7 million. Mr. Nichols explained the \$9.6 million included the land purchase, the hiring of the consultant, the permitting costs, etc. The total project cost was different than the actual construction cost.

Mr. Ruffin asked how the construction of this facility would impact response times. Deputy Chief Schlude replied they had conducted a needs assessment when this process had originally started in 2011, and one of the things the consultant had looked at was where they most needed a facility. It was determined a facility was needed in this area and the southwest. The plan was for it to be an autonomous building and to have the entire north side report to that station, and that would positively impact response times.

**Mr. Trapp made a motion directing staff to proceed with the final plans and specifications for the construction of the new Police Precinct/Municipal Service Center North facility. The motion was seconded by Mr. Skala and approved unanimously by voice vote.**

PH43-17 Voluntary annexation of property located on the north side of State Route WW, approximately 900 feet west of Rolling Hills Road (Case No. 17-76).

PH43-17 was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Skala understood annexation was not within the purview of the Planning and Zoning Commission (PZC), but they had made a recommendation in terms of the zoning, and asked for that recommendation. Mr. Teddy replied the PZC had recommended unanimous approval with eight of the nine members present in terms of zoning. He believed one of the factors was that this was in an area where they had done some planning as it was within the East Area Plan. It was also within an area the City had developed around.

Ms. Peters asked how this fit into the CATSO Plan and expansion of Stadium Boulevard to Lake of the Woods Road. Mr. Teddy replied the Stadium Boulevard extension, as a feature of the CATSO Plan, would not cross this property, but it was a factor in its planning. He noted they could show how the major roadways of the CATSO Plan would affect this tract with the subdivision plat during the next meeting. He stated two collector streets would cross it. Ms. Peters commented that she was concerned about traffic issues as they continued to develop in the area.

Ms. Peters asked if there were any plans to improve Highway WW. Mr. Teddy replied a

traffic study had been performed for this tract of land, and it would be attached to the development agreement that would accompany the zoning of the property. The agreement would require some intersection improvements, which included eastbound and northbound turn lanes at two locations into the development. A traffic signal that had been installed over a decade ago, which was not yet warranted and remained dark would allow pedestrian crossings and safer maneuvers and would potentially slow down traffic. He commented that adding to connectivity always helped as it allowed residents a route to get to Rolling Hills Road that did not involve travel on Highway WW.

Ms. Peters understood Rolling Hills Road going south had been improved, and asked about Rolling Hills Road going north. She wondered if Grace Lane was the problem. Mr. Teddy replied it was under study now.

Mayor Pro Tem Ruffin opened the public hearing.

Tim Crockett, 1000 W. Nifong Boulevard, explained he was an engineer with Crockett Engineering and noted he did not have a formal presentation tonight. The preliminary plat and zoning request would be heard in the near future, and he would have a presentation at that time. He stated they could discuss the process with regard to CATSO in detail at that time as well. He noted they had worked with traffic engineers from MoDOT, Boone County, and the City of Columbia over the past year.

Mr. Skala asked Mr. Crockett if he had discussed this with the Columbia Public Schools (CPS). Mr. Crockett replied they had not had specific discussions with CPS for this piece of property. He understood the preliminary plat had been distributed to many entities including CPS for comments, and they had not received any comments. He explained the Community Development Department had come up with items to add to the preliminary plat to help with internal pedestrian connectivity.

There being no further comment, Mayor Pro Tem Ruffin closed the public hearing.

## VI. OLD BUSINESS

B305-17 Voluntary annexation of property located on the north side of Gillespie Bridge Road and approximately 1,500 feet west of Louisville Drive; establishing permanent R-1 and A zoning (Case No. 17-172).

Discussion shown with B326-17.

B326-17 Approving the Preliminary Plat of Perche Ridge located on the north side of Gillespie Bridge Road and approximately 3,500 feet west of Louisville Drive; granting a design adjustment relating to loop street length (Case No. 17-171).

The bills were given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Skala asked if this was associated with the donation of park property, which had been added to the introduction and first reading section of the agenda. Mr. Teddy replied that had not been a part of this zoning or preliminary plat application. It involved the same individual and was only a concurrent request. Mr. Skala asked if the location was elsewhere. Mr. Teddy reiterated it was not tied to this in any way and it had not been presented to the Planning and Zoning Commission (PZC). A question had only been asked about it and the applicant's representative had responded at the PZC meeting. It was not something the PZC had considered. Mr. Thomas understood the property was close by, but was on the east side of the Perche Creek and within city limits. It was also within the floodplain. It was not tied in any legal sense to this annexation and preliminary plat request.

Mr. Thomas understood the surrounding property was zoned Boone County A-2. Mr. Teddy stated that was correct with the exception of the A-R zoning which could be seen

on the diagram. Mr. Thomas asked for the lot size of the A-R zoned property. Mr. Teddy replied it was about a half-acre. Mr. Thomas asked for the minimum lot size in A-R. Mr. Teddy replied a half-acre. Mr. Thomas asked for the minimum lot size in A-2. Mr. Teddy replied 2.5 acres.

Mr. Thomas understood this proposal would include 35 buildable lots. Mr. Teddy replied it would include 33 lots, and noted there were some common lots. Mr. Thomas asked for the minimum lot size for R-1 zoning in the City of Columbia. Mr. Teddy replied 7,000 square feet, which was about a sixth of an acre.

Mr. Thomas asked if this area was within the urban service area. Mr. Teddy replied no.

Mr. Thomas understood this area had been designated as a neighborhood district in the future land use map in the Comprehensive Plan, and asked for clarification as he was not sure why the City's plan would provide a zoning district for an area that was not within the city limits. Mr. Teddy replied they had a larger planning area than the city jurisdiction recognizing there was development along the urban fringe. The neighborhood district was a one-size-fit-all land use category as they used a very minimum number of land use categories in the Comprehensive Plan. It was meant to be flexible in nature and only provided a starting point to consider broadly the type of land use that would fit. Mr. Thomas asked how far beyond the city limits future land use was designated. Mr. Teddy replied they utilized the CATSO area. Mr. Thomas understood this was larger than the urban service area. Mr. Teddy stated that was correct. He pointed out it was for illustrative purposes. It was not meant to predetermine zoning.

Mr. Thomas commented that there was reference during the PZC meeting of a possible future southwest area planning process, and asked for clarification. Mr. Teddy replied staff had remarked an area plan had not been done for this area as they had not anticipated development west of the Perche Creek along the Gillespie Bridge Road corridor. Mr. Thomas asked Mr. Teddy if he would recommend an area plan similar to the East Area Plan and the Northeast Area Plan for the area west of the Perche Creek. Mr. Teddy replied yes, if the City was serious about annexing into the area, because it had particular challenges. Mr. Thomas understood Mr. Teddy would not want to see a City sponsored area planning process determine the City should not annex west of the Perche Creek. Mr. Teddy stated it was something they might want to discuss with Boone County for a joint exercise. The East Area Plan had been a joint effort of the two planning and zoning commissions and support staff. Mr. Thomas stated he would support a similar area planning process to look at land use, transportation connections, utility connections, etc.

Ms. Peters asked if Gillespie Bridge Road was a City of Columbia or Boone County roadway. Mr. Teddy replied it was a Boone County road, and he believed it would remain a Boone County road with annexation as there had not been discussion of a jurisdictional transfer. It was only City jurisdiction up to the area near the bridge.

Mr. Pitzer asked if the CATSO Plan covered this area northward and whether there were any distinguishing features. Mr. Teddy replied no. He explained when he had mentioned there not being many opportunities, it included the CATSO map. There was a Broadway west extension as a very long range crossing of the Perche Creek, but that was about it. It had not been filled in with a collector network. Mr. Pitzer understood that was significantly further to the north. Mr. Teddy commented that a framework was needed for any type of serious growth.

Mr. Pitzer asked if a traffic study had been done. Mr. Teddy replied no as it was a small scale development. It would not generate a lot of trips and the current roadway system could absorb the impacts of this development. The concerns from a planning perspective involved future developments.

Ms. Peters asked if roadway plans would be done for the southwest area within the city limits. Mr. Teddy replied CATSO had done some work there in terms of opportunities for connections of north-south roads and interconnecting routes, but those were contingent upon future development.

Mr. Ruffin asked how many homes could be built if this property was annexed and zoned R-1. Mr. Teddy replied the applicant had indicated 33 homes. He noted development of this nature would not occur on the tract to the east, which was known as the Andrews property, because there was an extensive floodway on that property, and the floodway had to be maintained to move a flood event downstream.

Mr. Pitzer asked about the red arrows on the diagram. Mr. Teddy replied it showed the potential for stub-out streets to mitigate the loop streets.

Steve Callis, 6304 W. Normandy Lane, explained his property was a half of a mile south of the Overton property and displayed the original plat of the Overton property. He noted the blue arrow pointed to the single entry and exit location on to Gillespie Bridge Road from the proposed subdivision. He displayed a sign one could see from that location indicating the road was impassible during high water along with traffic barricades that were stored nearby so they could be pulled out when the creek flooded. He understood City staff had determined the road had been closed eleven times over the past three years due to flooding, and further research had found the road had flooded 23 times since 2009, resulting in the road being closed 65 days or portions of days. When this occurred, current residents had to go to the Midway exit and come into Columbia via I-70, which doubled or tripled travel time and was an inconvenience. He felt it could be potentially fatal if waiting on a first responder. He urged the Council to vote against this project.

Michael MacMann, 115 Hubbell Drive, commented that he believed an area plan was needed if they were going to expand in this direction. Gillespie Bridge Road or something nearby needed to be functional. In addition, utilities were not out there. If annexation occurred, a plan was needed with regard to transportation and utilities. He noted this is the same issue they would have with regard to Sinclair Road if the property there was to develop.

Mark Farnen, 103 E. Brandon Road, stated he was working with Crockett Engineer and Fred Overton, and asked for clarification regarding the process. He understood there were two different thresholds when voting on the two different measures, and explained they would like the two to be contingent upon one another. If the annexation and zoning request was approved, but the preliminary plat was not approved, it would negate the reason for the request in the first place. They would like both to fail or both to pass. He wondered if there was a way to delay the enactment of the annexation ordinance if it were to pass in case the preliminary plat was to fail since it had a different threshold.

Ms. Thompson explained this was more complicated than what Council had faced in the past since the second item on the agenda had a higher voting requirement than the first item. If Council was interested in moving forward with a contingency on the annexation so the annexation did not become effective unless the preliminary plat was approved, she had language that could be used to amend the ordinance. Mayor Treece asked to what the effective date would be tied. Ms. Thompson replied to the preliminary plat approval. If the preliminary plat was not approved by a certain date, the annexation would be null and void. Mayor Treece noted this was one of the reasons he had always argued the annexation should be separate from the plat. It should be part of the risk the developer had to absorb.

Ms. Peters pointed out a suggestion had been to review the Unified Development Code (UDC) in six months or a year for any needed changes, and this issue could be a part of that discussion.

Ms. Thompson explained these were two separate issues for Council to consider, and what made this complicated was that the voting thresholds were different on both actions, which had not been the case in the past.

Mr. Thomas understood the difference in the thresholds was the result of the PZC vote. Ms. Thompson stated that was correct.

Mr. Pitzer asked if they could vote on the preliminary plat first. Ms. Thompson replied the annexation had to be voted on first because the Council did not have the authority to plat

property that was not within the city limits.

Mayor Treece asked Mr. Farnen if he was asking them to vote yes or no tonight. Mr. Farnen replied he was asking that the Council approve both actions. Mayor Treece understood

Mr. Farnen was representing a client and asked that he update his lobbyist registration form to reflect his client so the public had transparency as to his expenditures and who he was representing. Mr. Farnen replied he had filed his regular lobbyist form prior to December 10, and it had showed no expenditures at that point in time. Mayor Treece understood Mr. Farnen had not disclosed Crockett Engineering or Mr. Overton as a client, which the law required within five days of initiating lobbying for a client. Mr. Farnen stated he would and could, and explained this was his first attempt to make a presentation on their behalf. He noted he had disclosed he was working with Crockett Engineering and Fred Overton.

Mr. Farnen stated they would like the two items contingent upon each other, and would be accepting of an amendment that would allow for that. Mr. Thomas commented that he felt it was a reasonable request to have language in the annexation ordinance indicating the annexation was repealed if the plat was not approved. Mr. Farnen stated they were agreeable to what was legally acceptable. He understood Ms. Thompson had suggested a delay of implementing the annexation ordinance and it becoming null and void and never implemented if the plat was not approved. Ms. Thompson noted she had language ready if the Council decided to move in that direction.

Ms. Peters asked if the amendment should be made after public comment. Mr. Thomas replied it would make a difference in the ordinance and would need to be amended prior to a vote. Ms. Thompson stated it could be done after public testimony was received. Mr. Thomas commented that it appeared to be a reasonable request to him, but he was interested in what everyone else thought before making a motion. Mayor Treece stated he wanted to see the language first.

Mr. Farnen noted the annexation and zoning had received a positive recommendation from the PZC and City staff. The two parcels involved were not within the urban service area, but were immediately adjacent to it and contiguous to the City itself. The requested zoning matched the suggested uses for the properties that appeared in the Comprehensive Plan. The first 34 acres were indicated to be open space or greenbelt, and the requested zoning was agricultural. The next 17 acres were identified as neighborhood district, and the request was for the lowest residential zoning classification, R-1, in that area. It was consistent with the Plan in terms of reasonable density and use. He commented that the request to annex into the City was consistent with the City's policy of requesting annexation or a pre-annexation agreement prior to the provision of sewer service to new neighborhoods, and the option to annex had been considered the best option for development in this area. Sewer was already located on the property on the west side of Perche Creek, it had sufficient capacity to serve the development, it comported with the goals of serving the regional sewer needs of the area, and all of the connection fees and rate payments would accrue to the City. The preliminary plat showed 38 lots, five of which were common lots that recognized protected areas or easements. The remaining 33 lots were contemplated to be used for single-family homes. He commented that Gillespie Bridge Road was a minor arterial and connected directly to Chapel Hill Road within the City, and the additional traffic anticipated from the construction of these new homes did not warrant a traffic study and would not cause disruption in terms of traffic flow or general safety. In this area, the road consisted of two lanes and had improved 8-foot shoulders on both sides, and they would only be adding one access point to the road. Under the new UDC, the number of homes that could be served from a single point of access had been reduced from 100 to 30. Their plan would only have 33 homes. He stated if they could not establish a second reasonable point of access and obtain approval from the Fire Department for their plan, they would plat only 30 developable lots on the final plat. He noted this plan showed a stub street to the



property north of the subject site in an area that was not currently developed. He commented that the UDC also had new requirements regarding tree preservation, and Common lot C on the plan accommodated preservation requirements in terms of climax forest. He explained they had also been asked to submit an onsite evaluation of significant trees prior to tonight's meeting, which had been done. The plan also requested a design modification that would allow for construction of a loop street that would serve as the internal roadway for the neighborhood. The UDC limited the length of a loop street to 300 feet, which he did not feel was a practical length to accommodate a subdivision and was known in the trade as an eyelash street. He pointed out it would no longer be a loop if they were able to connect to the north or west as it would be a connected street because it would not start and end at the same road. He explained they already had one stub to the property to the north and the property owner preferred not to have a second stub, and there would be a higher than 3 to 1 incline to the west, making road construction difficult. He suggested they look at the loop as a square as it resembled a small city block with streets that comported to what they saw on an in-town block. It had better connectivity than individual cul-de-sacs and would not promote speeding. It would also reduce the number of intersecting roads and was preferable to the construction of cul-de-sacs serving a single neighborhood. He stated that although City staff had pointed out a loop street was not recommended, they had agreed it was a reasonable approach. He noted this was the only design modification they had requested.

Tim Crockett, 1000 W. Nifong Boulevard, explained he was an engineer with Crockett Engineering and understood there had been some concerns with regard to development in the floodplain during the preliminary plat stage as the UDC mentioned the avoidance of those areas. He noted City staff interpretation of the UDC was that no development could occur in the floodplain, and pointed out he did not believe that was necessarily the case. The definition of development included anything, i.e., roads, buildings, parking lots, trails, etc. If no development was allowed in the floodplain, the Parks and Recreation Department would have a hard time developing its trail network. He did not feel it meant all development or no development, and noted the UDC had suggested avoiding sensitive areas, except under approved special safeguards. He commented that the proposal included 3-4 lots located in portions of the floodplain and they were providing safeguards for development in the floodplain. He noted FEMA allowed fill in the floodplain and the City had policies for fill in the floodplain, and as a result, the UDC was contradictory to other policies of the City. He explained they would have to complete an elevation certificate and FEMA would require them to be at or above the base flood elevation, which was the 100-year flood elevation. The City of Columbia, however, required a development to be two feet above the base flood elevation for added protection. He stated they would also have to fill out a floodplain development permit, which would go to the floodplain manager of the City of Columbia, as that person was mindful and watchful of anything that happened in the floodplain. He pointed out a letter of map revision would also need to be completed to remove floodplain from any property if built above the floodplain elevation. They would also provide detention on the property. He reiterated safeguards would be in place, and development could occur in the floodplain if certain provisions were accommodated. He commented that the floodway was a more critical area compared to the floodplain as the floodplain provided more latitude in terms of what could or could not be done, and pointed out no portion of the floodway was located within the limits of the property. He explained the section in blue on the diagram displayed was where they were asking to place fill. He noted the 100-year or base flood elevation was 584.4, and the minimum finished floor elevation was that same elevation. The City's minimum floor elevation was 586.4, which was the same elevation as the 500-year floodplain elevation per FEMA, and the lowest proposed development site was 587. As a result, they would be more than a half-foot above the 500-year floodplain. He reiterated that the UDC indicated the avoidance of sensitive areas, except under approved special safeguards,

and noted a lot of individuals, to include themselves, the City of Columbia, FEMA, lenders, and the engineers and insurance companies for lenders, checked this information and work as it was taken very seriously.

Mr. Thomas understood someone to say there had been three 500-year floods in Houston in the last five years so they should be good for the next 1,495 years, but noted he felt floods were happening more frequently and asked if FEMA or anyone else recomputed the 100-year or 500-year floodplain. Mr. Crockett replied they did, and stated that had been done in portions of this area as they had reissued FEMA maps earlier this year. He noted the area in question, however, had not been revised recently. Mr. Thomas understood there was a process to make modifications. Mr. Crockett stated that was correct. He explained the 100-year and 500-year floods were probabilities. The 100-year flood meant there was a one percent chance in any given year that they would have that flood event. The 500-year flood meant there was a 0.2 percent chance of a flood in any given year.

Mr. Pitzer assumed there was an expansion of the area in the floodplain as part of the revisions made. Mr. Crockett stated there were some slight expansions. He explained FEMA followed the contour lines, but did not do an in-depth analysis. He noted they, as engineers, evaluated the watershed themselves. They did not go 100 percent by what FEMA indicated. They would evaluate it themselves and elevate any structure as necessary. He commented that the City's two-foot elevation helped account for any issues as well. Mr. Pitzer asked if there was any risk of FEMA adjusting the floodplain in this area to encompass more of the proposed area or with expanding of the floodway. Mr. Crockett replied he did not anticipate an expansion of the floodway, but noted the base flood could increase. He reiterated there was a 2.5 foot difference between the minimum building pad and the base flood elevation, and stated he did not see FEMA raising the base flood that much.

Ms. Peters asked about the road access location, sight lines, and safety concerns. Mr. Crockett replied they had looked at different locations in which to bring the road out to Gillespie Bridge Road. One of the original locations was slightly further to the west and would not have had a four-way intersection with Coats Lane, but they had been asked to make an adjustment because the distance was not substantial enough for the classification. There would be a four-way intersection and the sight lines would be increased in both directions. It had been measured and the road had met ASHTO and MoDOT guidelines with respect to sight distance.

Fred Overton, 2712 Chapel Wood View, thanked Mr. Matthes, Ms. Thompson, and Mr. Thomas for getting his last minute item on the agenda, and explained it had been his intent to donate that property since the time they had submitted an application for this property if it would help get this property annexed. He stated it was a 20 acre parcel, and understood Parks and Recreation Department staff had been thrilled since it would provide access to Georgetown and allow for a pedestrian bridge across the Perche Creek to add to the master trail plan throughout the community. He also understood one thought was for trailhead parking on the Andrews property and noted he felt he could assist with in any property acquisition. He reiterated he had intended to donate the property with this annexation request.

Mayor Treece asked Mr. Overton if his donation of that land was transactional to the annexation. Mr. Overton replied he had hoped it would be. Mayor Treece stated he was not comfortable with that.

Ms. Peters asked Mr. Overton if he was saying he would donate that land if the Council approved the annexation of this property. Mr. Overton replied that had been his original intent. Ms. Peters understood the expectation was that he would not donate the land if Council did not approve the annexation. Mr. Overton stated that would be another decision. He explained he always tried to work with the Parks and Recreation Department and had always enjoyed working with them.

Jana Stephens stated she lived at the corner of Celtic Drive and Druid Lane, which was

about 1.5 miles from Gillespie Bridge Road, and explained she was confused by the consideration of annexing land that was already agricultural into the city limits. She believed the proposed annexation would contribute to urban sprawl and felt there were other areas the City could expand into that would not require the crossing of a natural barrier. She noted the Perche Creek periodically flooded a few days per year, and would block those residing within the city limits from the City. In addition, Gillespie Bridge Road was a Boone County road so she wondered who would fix any problems. She stated she was opposed to the annexation.

Andrew Sieff noted he lived in the Perche Hills Subdivision and stated he had safety concerns. He commented that if one stood at Coats Lane looking west, there was a 400-500 foot incline into a blind curve on a 50 mph road. He explained he had turned right going toward the City many times where he had to accelerate quickly because someone was traveling at 60 mph. As a result, he felt there was a safety issue. He understood the subdivision could generate traffic from another 60 cars at the four-way intersection and thought that could create some problems. He pointed out a pedestrian had been killed on this dangerous road about two weeks ago. It was a high speed traffic roadway. He commented that he was against the annexation and rezoning, and listed the frequency of flooding, the potential infrastructure costs associated with the road elevation to allow for emergency access, and the emergency response times when it flooded as concerns. He asked that the request for annexation and rezoning be rejected.

Penny Arafe, 3001 Celtic Drive, asked her neighbors in opposition to this proposal to stand, and approximately twelve people stood. She commented that she agreed with Mr. Sieff with regard to the road being dangerous with a speed limit of 50 mph. She stated one had to carefully turn on to the road and the idea of more cars entering the road was scary. She noted Timothy Wright, who she did not know, was the pedestrian that had been killed walking on the road, and on that same day, there had been another accident on the road whereby a fence had been taken out. She reiterated it was a dangerous road and adding to the number of vehicles that traveled the road would make it more dangerous. She understood the Police Chief had indicated on the radio recently that there were 10-12 vacancies for officers and that the community policing model would require fifty more police officers. She believed the annexation would add to their existing workload and service area, and would exacerbate the current shortage of police officers. She did not believe this annexation was a good idea, and hoped the Council would take that into consideration.

Mayor Treece asked if a fire truck could get through Gillespie Bridge Road when flooded. Ms. Arafe replied no.

Scott Mullins, 6100 Gillespie Bridge Road, explained he lived across the street from the site on Gillespie Bridge Road and provided a handout. He noted he and his family were in strong opposition to the annexation of the proposed site for several reasons. He stated this development would be three-quarters of a mile from other City of Columbia developments and over one-half of a mile of the area was within the 100-year floodplain. It had always been and likely would always be prime agricultural and hunting land, which was not suitable for a building of any type. He did not believe the land was contiguous to the city limits of Columbia, and utilized a graphic to describe why he felt that way. Mr. Teddy pointed out the graphic utilized by the City was in error, and the property actually was contiguous to the creek and the city limits. Mr. Mullins commented that he did not feel it made sense to literally jump over the floodplain to stretch the city limit border, and felt it would create islands of areas surrounded by the City of Columbia that would never be annexed for the benefit or profit of one developer. It would also create a safety hazard for the new residents as they would be surrounded by hunting areas. He commented that since this stretch of road flooded on a regular basis, he did not believe it would be financially beneficial for the City to absorb the cost of maintaining that road, raising that stretch of road above flood levels, or building a long bridge across the area. Currently, the bridge across the Perche Creek was very narrow, on a dangerous curve, and in need of

constant repair. There was also no sidewalk or area for pedestrians or bicyclists at this time. He believed annexation would place a responsibility on the City to provide a safer bridge with pedestrian and bicycle space. He commented that he was also concerned about confusion by emergency service providers as to service areas if the City was to annex only one side of Gillespie Bridge Road. In addition, flooding would compromise accessibility and the safety of future residents. He noted some of the land was utilized for agricultural purposes and involved the use of large machinery, and was concerned the use of such machinery when operating on the road would be restricted if within the city limits as that would be detrimental to the livelihood of those with farms in the area. He stated he understood the need for growth and explained other developments on the west side of the Perche Creek had all been done in accordance with existing laws and zoning. In addition, Perche Creek, the surrounding bluffs, and the huge floodplain provided a natural border separating urban sprawl on the east from country on the west. If the Council allowed the proposed site to be annexed, it would be surrounded by farmland, floodplain, and hunting land. He did not feel it was in the best interest of anyone to allow the city limits to be stretched across an undevelopable flood area in order to allow one developer to profit at the risk of others. It would also likely be costly to the City of Columbia and impact the quality of life of those already living in the area.

John Clark, 403 N. Ninth Street, commented that he could not think of any good reason for the City to annex this property. He felt the annexation would massively stretch the resources of the City of Columbia, and pointed out the considerable amount of time the Community Development Department and Public Works Department staff had already put into the review of this proposal. He believed the developer could work with the Boone County Regional Sewer District for sewer service. He did not see any benefit to the City of Columbia government or residents in moving forward with this annexation. He noted he also agreed with the comments concerning safety. If the Council planned to proceed with a separate vote on the annexation and plat, he suggested the annexation ordinance be amended with a condition for the plat to be approved tonight. He did not agree with the notion of not requiring a traffic study, and felt it should have been done by Boone County. He understood the intent of Mr. Overton was to link the annexation with the donation of the land, and hoped the Council would not agree to it. He encouraged the Council to deny the annexation so they did not even have to vote on the plat as it was a bad idea with no benefit to the City.

Mr. Thomas stated he would vote against this and encourage everyone else to vote against it as well, but wanted to amend the annexation ordinance so that if the annexation was approved and the plat was denied, the annexation would be revoked.

**Mr. Thomas made a motion to amend B305-17 so Section 9 read "This ordinance shall be in full force and effect contemporaneously with the passage of B326-17. In the event B326-17 is not approved by the City Council on or before December 5, 2017, this ordinance shall be null and void." The motion was seconded by Mr. Trapp and approved by roll call vote with Mr. Thomas, Mr. Pitzer, Ms. Peters, Mr. Ruffin, Mr. Trapp, and Mr. Skala voting yes, and Mayor Treece voting no.**

Mr. Thomas commented that he did not support annexation and development west of the Perche Creek at the present time to City standards. The Perche Creek was a very satisfactory western boundary for urban growth-type of development. The proposed site was surrounded by property with a minimum lot size of 2.5 acres while this site would have lots of about one-third of an acre. It would also have all of the impacts people were concerned with in an area that was not equipped to deal with it. He stated he liked the idea of a planning process, and his hope was that the planning process would decide to sustain the existing low density, low impact environment west of the Perche Creek. He reiterated that he planned to vote against the annexation request and the plat, if the annexation request was approved.

Mr. Skala stated his fiscal conservatism was starting to evolve. He commented that with the defeat of a modest development fee for roads a few years ago and the recent defeat of the use tax, which had been an attempt to recover lost sales taxes, he would carefully review annexations of areas beyond the urban service area. He believed it was incumbent on the private sector to help establish a public-private partnership that would compensate the City to some degree for the amount of infrastructure that would be necessary to accommodate development, and did not see that here. He agreed they should participate in a planning process and noted the east area planning process had been very successful. He stated he could not continue to spend taxpayer money given the limited budget and vocal opposition to tax increases. He noted he planned to vote against this annexation.

Mr. Trapp commented that he wanted to speak broadly and philosophically about this proposal. He believed there were some real legitimate concerns about floodplain development and did not feel this proposal would move forward. He, however, wanted to challenge the idea that the Perche Creek made a logical end to the western expansion of the City of Columbia. He noted the area was experiencing development pressures and those pressures would not be alleviated by halting annexations. He believed they would be met through the formation of another city, bedroom community, or suburb that would incorporate, which would squeeze the City of Columbia. He suggested they communicate with the Boone County Commission and move forward with a planning process for the southwest area. This would allow them to protect what they liked about the rural nature of the area. He commented that he had participated in a great conversation with Mr. Teddy with regard to the idea of rural by design. He understood there was a low density road network, but felt country-style living, which absorbed pasture and farmland with people living on 2.5 acres lot, was the least environmentally-friendly way to develop. It used the land with the least amount of people and contributed to the worst kind of sprawl. He stated he was not criticizing those that enjoyed it, but noted he did not want to be a part of a policy-making process that would extend and continue that as the gold standard for how they should develop. He explained there was a concept of rural clustering where they could cluster some areas near the roads and build attractive village-style developments instead of houses on 2.5 acre lots. In the context of those developments, he thought they could get conservation easements to preserve farmland and pastureland as it would protect the rural nature of the area. He believed the City could be a good partner, and that it could happen within the city limits when it made sense as the City had developmental and environmental restrictions that could be used. He commented that he understood the idea of not wanting a city subdivision in the middle of country living in the floodplain, and suggested a planning process that would look at a way of meeting the road density while protecting farmland and pastureland and not encouraging low density large lot developments. He stated he planned to vote in favor of the annexation because he thought it was important to encourage the judicious expansion of the City of Columbia along its edge so as to avoid a bedroom community outside the city limits that did not pay into the property tax system or follow the regulatory regime while still having the benefits of being in the Columbia area.

Mr. Pitzer stated he agreed with those that spoke in favor of planning more comprehensively for this area. He commented that he did not view the Perche Creek as a natural barrier, and felt it was likely inevitable that they would talk about further development and annexation in that area in the future. He noted someone would be first at some point, and it would be disruptive and problematic for some people. He felt it would go a long way toward smoothing the entire process if they had plans in place to more adequately deal with the issues that had been mentioned tonight. He agreed with many of the comments of Mr. Trapp and stated he would vote accordingly.

Ms. Peters commented that she would vote against this proposal due to Gillespie Bridge Road as she believed there would be problems in the future with more development. She

understood it was a Boone County road now, but felt that could change with annexation, and noted someone would be responsible for that road. She did not feel either the City or the County had the money to address the road issues in terms of flooding, emergency services, etc. While she did not object to developing on the other side of the Perche Creek, she objected to development when it involved only one road that tended to flood. She planned to vote against this in hopes that in the future they could build in the area. She felt a better plan was needed than the hope of no flooding.

**The vote on B305-17, as amended, was recorded as follows: VOTING YES: PITZER, TRAPP. VOTING NO: THOMAS, PETERS, TREECE, RUFFIN, SKALA. Bill declared defeated.**

Mayor Treece pointed out B326-17 was moot since B305-17 was defeated.

B351-17

Amending Chapter 22 of the City Code to update requirements relating to the inflow and infiltration reduction program.

The bill was given second reading by the Clerk.

Mr. Sorrell provided a staff report.

Mr. Thomas asked about the two programs. Mr. Sorrell replied there was a program the Council approved earlier this year would reimburse property owners for installing a backflow prevention device or grinder pump, and this program could be used for situations like removing a sump pump that was pumping into the sanitary sewer or a downspout connected to the sewer. It would eliminate inflow sources on private properties. Mr. Thomas understood this program had been in place for several years. Mr. Sorrell stated that was correct, and pointed out it had not been the most effective because it involved a difficult process for the customer. This change would allow the two programs to follow the same process and hopefully encourage participation.

Mr. Pitzer asked about participation in the backflow prevention program thus far. Mr. Sorrell replied they had received six requests for participation and had hoped for this modification to be approved so they could both be used together as anyone that participated in the backflow reimbursement program had to remove inflow and infiltration sources. Mr. Pitzer asked for the location of the six requests. He wondered if they were clustered together. Mr. Sorrell replied he thought there were a couple on Aldeah Avenue and another on Rockcreek Drive. He stated they were scattered around.

**B351-17 was given third reading with the vote recorded as follows: VOTING YES: THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

B356-17

Adopting the Choice Plus \$750 Plan, the Choice Plus \$1,500 Plan and the Choice Plus \$2,700 High Deductible Health Plan for the City of Columbia.

The bill was given second reading by the Clerk.

Ms. Buckler provided a staff report.

**Mayor Treece made a motion to amend B356-17 per the amendment sheet. The motion was seconded by Mr. Skala and approved by voice vote.**

**B356-17, as amended, was given third reading with the vote recorded as follows: VOTING YES: PITZER, PETERS, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. ABSENT: THOMAS (Mr. Thomas stepped out during the vote on this bill.) Bill declared enacted, reading as follows:**

B357-17 Authorizing a first amendment to the agreement with The Curators of the University of Missouri, on behalf of its Office of Social and Economic Data Analysis, for data collection and analysis services relating to socio-economic, housing, health and education community indicators.

The bill was given second reading by the Clerk.

Mr. Hollis provided a staff report.

Mr. Trapp commented that he had the opportunity to use the indicator group for a grant that he had worked on for a non-profit that was applying for Boone County funds. It included a lot of amazing data, and the cooperation between the City, County, and the United Way in terms of social services was a long time coming. They used to have their own systems, but they had now built a parallel system for a less fragmented social service system that had the ability to support grassroots non-profit organizations that did not have a lot of capacity. It was an open and accessible system as well. He explained one of the things that made Columbia great was that they had a social services program through a purchase of services model that was highly impactful, and they were becoming better at measuring that impact and ensuring they were moving toward targeted goals that lifted the community. He thanked Mr. Hollis for his good work along with those at the County and the United Way.

**Mr. Pitzer made a motion to amend B357-17 per the amendment sheet. The motion was seconded by Mr. Skala and approved unanimously by voice vote.**

**B357-17, as amended, was given third reading with the vote recorded as follows:**

**VOTING YES: THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP, SKALA.**

**VOTING NO: NO ONE. Bill declared enacted, reading as follows:**

B360-17 Designating a portion of the City of Columbia as a redevelopment area; approving the Broadway Hotel Phase Two Redevelopment Plan and project; adopting tax increment financing (TIF) within the redevelopment area.

The bill was given second reading by the Clerk.

Mr. St. Romaine, a part-time employee, provided a staff report.

Mayor Treece understood property taxes would be excluded from any future increases, which meant if the City asked voters to raise property taxes for public safety, the applicant would not pay any of the increase or if the Columbia Public Schools (CPS) asked voters to approve a property tax increase for education, the applicant would not pay that increase. Mr. St. Romaine asked Mark Grimm of Gilmore & Bell P.C. to respond. Mr. Grimm explained the statute contained similar provisions for both future property tax increases and future sales tax increases. In either case, a future property tax increase or a future sales tax increase would not be captured by TIF. The taxing district that was the beneficiary of the increase would receive 100 percent of that tax revenue. In the example of CPS implementing a property tax increase of 20 cents, CPS would get the entire 20 cents. The TIF would not capture any portion of that property tax increase. The same was true of a future sales tax increase. The new sales tax would not be captured by TIF. Mayor Treece asked if the developer would be required to pay the increased tax. Mr. Grimm replied the developer was always paying the property tax levy applied against the assessed valuation. If the current property tax levy was \$5, the developer would pay \$5 times the assessed valuation, and once the \$5 was received, it was allocated between the TIF portion and the non-TIF portion.

Mr. St. Romaine continued the staff report.

Mr. Thomas understood the original TIF, i.e., TIF One, was still in the process of being

paid off and asked for clarification regarding the revenue generated for the new building. Mr. St. Romaine replied the applicant would be able to keep 50 percent of the sales tax generated as a result of the new building, Broadway Two, and the City would be able to keep the other 50 percent. This included food and beverage sales, banquet sales, etc. He noted that because the cash register, i.e., the reporting system, was in the original Broadway Hotel, those sales taxes would flow to the original Broadway TIF. Mr. Thomas asked about the rooms rented in Broadway Two, i.e., TIF Two. Mr. St. Romaine replied the room sales tax charges were excluded from TIF. They were not captured by TIF. Mr. Thomas understood there would not really be any sales tax impact in the TIF proposal. Mr. St. Romaine stated there would be a tremendous sales tax impact in terms of what the taxing jurisdictions would receive because they did not collect any of those sales taxes now. Mayor Treece commented that there was only one cash register when one checked out, and it was located in TIF One, and it would see an increase in the already abated sales taxes when checking out. He pointed out there were not sales taxes associated with TIF Two. The applicant was asking for 100 percent property tax abatement for TIF Two, which meant they would only pay what was currently paid. Mr. Thomas understood the property taxes would go to pay off TIF Two, but no sales taxes would go to TIF Two. Ms. Peters understood all of the sales taxes would go to the taxing jurisdictions. Mr. St. Romaine clarified 50 percent of the retail sales taxes would go to the taxing jurisdictions. Ms. Peters asked about the other 50 percent. Mr. St. Romaine replied those would be captured by TIF One to help pay off TIF One.

Mr. Grimm clarified there was a divide on the taxes as TIF did not capture any sales taxes on hotel rooms. It was excluded by the TIF Act. The developer did not receive any revenues from hotel rooms. When they discussed sales taxes being captured by TIF, they were only talking about food and beverage sales. He explained 50 percent of the sales taxes on food and beverage sales would be captured within TIF One, and there would not be any food and beverage sales that would be allocable to TIF Two. He pointed out this was per the proposal of the developer and was what was before the Council as an ordinance to approve the redevelopment plan. The ordinance did not confer any rights on the developer so the City had not yet negotiated a redevelopment agreement with the developer. What Mr. St. Romaine was speaking about was what the developer had proposed, but the Council did not have an agreement before them tonight.

Mr. Ruffin asked about taxes on conference room rentals. He wondered if those fell within the same guidelines as hotel rooms or food and beverage sales. Mr. Grimm replied if there were sales taxes on room rentals, they would be treated like food and beverage sales. If it was not a sleeping room, it would be captured. If it was a sleeping room, it was not captured per statute.

Mr. St. Romaine continued the staff report.

Mayor Treece understood the "but for" test was not met on whether this project could proceed without a TIF, but rather whether any development could proceed without a TIF. Mr. St. Romaine stated that was correct.

Mayor Treece commented that in addition to finding that this property contained conditions that might lead to blight, the Council had to determine there would be no development on this lot in the next 23 years without a TIF.

Mr. Thomas understood the actual proposed project was not relevant to the "but for" consideration. Mr. St. Romaine stated it was relevant. Mr. Thomas thought they had to agree the test said no project could be successful on this property. Mr. St. Romaine stated it was both. It was whether this project or any other future project would reasonably be anticipated to occur in the future, which was why he had suggested it was somewhat subjective as it was difficult to determine what could happen in the future. He commented that from his perspective, he did not feel they could predict what would happen ten years from now. They only had the history of the property. He understood the building had been there 40-50 years, and very little redevelopment had occurred on the site. It was not necessarily a predictor, but was one piece of guidance. He noted



that if developers, when looking at the property, which was a small piece of property at 11,000 square feet, could not make an investment with a reasonable rate of return without the use of TIF, the investment would not occur. A document had been provided as part of the packet showing the internal rate of returns based upon no TIF, a TIF, and a TIF and other financing methods. He pointed out there would still be a financial gap with the TIF, but they were only discussing the TIF. He understood the rate of return was not great or as high as it was for TIF One. He stated the developer was passionate about the project and had a vision that was complimentary to the planning studies in terms of garnering a convention center at some point downtown. He emphasized they were not talking about a convention center with Broadway Two. They were only talking about the need for additional hotel rooms and meeting space downtown.

Mayor Treece asked about a Community Improvement District (CID) as he understood the project could not go forward even with the TIF because there was a gap in financing. Mr. St. Romaine replied one of the duties of the TIF Commission and the Council was to ensure any project that was proposed was financially feasible. He understood there would still be a financing gap with the TIF and that the applicant was considering the formation of a CID on that parcel in order to generate additional sales taxes on the room charges. Mayor Treece understood that would be a CID on top of CID on top of a TIF. Mr. St. Romaine stated that was correct. Mayor Treece noted the slide that had indicated private financing of \$18 million was incorrect because there was a gap of \$1.2 million that would conceivably be met with a CID. Mr. St. Romaine stated that was correct. Mayor Treece understood that would be public financing. Mr. St. Romaine agreed part of it would public financing.

Mayor Treece asked Mr. St. Romaine if he had contacted Carrollton Bank to see how much they would be willing to finance. Mr. St. Romaine replied he had not. Mayor Treece asked if there was another bank that was backing up the other part of the private financing. Mr. St. Romaine replied that was a question for the developer as he understood the developer had contacted several banks to secure financing and that was the only letter of commitment received.

Mayor Treece asked Mr. St. Romaine if he had asked the developer if the project could be done with 50 percent abatement instead of 100 percent or if he could build seven stories instead of eight stories. Mr. St. Romaine replied yes. He noted the numbers did not work out and the developer was prepared to discuss that.

Mr. St. Romaine continued the staff report.

Mr. Skala understood the lot in question was about 11,000 square feet, and asked for the size of the lot next to what used to be Boone Tavern or Bleu Restaurant. Mr. St. Romaine replied he did not know.

Mr. St. Romaine continued the staff report.

Mayor Treece asked if a schedule had been done showing the building of the tower without TIF. Mr. St. Romaine replied no. Mayor Treece wondered what the taxes would be if someone built a \$5 million project. Mr. St. Romaine understood the County Auditor, June Pitchford, had done something similar, but it had not included the fact this project would impact other revenue sources, such as the lodging tax, which was over \$4 million. Most other projects did not assist with other revenue sources. If the property remained in the hands of the current owner with no other offers to develop the site, it would remain in use as it was now and the taxing jurisdictions would continue to collect \$115,862 over the next 23 years. He commented that it was difficult to predict the breakeven point on hypothetical scenarios, and believed the argument was that this proposal was likely the highest and best use of the property over 23 years based upon the history of development or lack of development on the site.

Mr. Thomas asked for clarification regarding the "but for" test. He wondered whether they were deciding "but for" the TIF subsidy this specific development proposal would not take place or "but for" the TIF subsidy no development would take place on this property. Mr. Grimm replied he thought it was closer to the latter, and explained the statute did not

refer to a particular redevelopment project when it discussed the “but for” test. The statute required the developer to sign an affidavit saying that the developer would not undertake the redevelopment project “but for” TIF. The statute did not require the Council to make a finding that redevelopment would not reasonably be anticipated to occur. Mr. Thomas understood their analysis of the “but for” question and decision was independent of the project being proposed. Mr. Grimm replied that was the view of his firm. The opinion of the firm was that the ultimate finding required by the Council was for no material development that addressed the blight factor. He noted there was some subjectivity as to what would be considered development. He commented that it was clear the General Assembly did not specify a particular redevelopment project in that part of the statute.

Ms. Peters commented that there had been a lot of discussion as to how other property on Walnut Street had developed and wondered how it could be said that this property would not develop due to the Brookside and Orr Street Lofts developments. Mr. St. Romaine replied incentive programs were generally passed by governing bodies to help drive the types of development the community wanted. Prior to 2008, the City had not utilized incentives. He thought the Council likely felt that based upon all of the planning that had been done in the downtown, there needed to be something to incentivize developers to create the types of projects they wanted. Much of the development that had occurred downtown had been initiated by government or was student housing, which was not necessarily what the community wanted. Mayor Treece stated that was not exactly true and explained an office space was going up without any public subsidy, and the building that housed Medici Pizza and had lofts above it had been constructed without a public subsidy. A TIF had also been approved at Tenth and Locust, but they had opted not to use the TIF and proceeded to develop in that area anyway. Mr. St. Romaine stated Mayor Treece was correct in that the Tenth and Locust project had been approved for use as a TIF project, but noted the next step had been the redevelopment agreement. The City wanted the first level to be pedestrian friendly with retail space and the developer refused and walked away from the TIF. As a result, the development was a block of student apartments with no walkable space or active storefront. Mayor Treece stated development had still occurred without the TIF. Mr. St. Romaine agreed, but pointed out it was at a much lower level.

Robert Hollis, an attorney with offices at 1103 E. Broadway, explained he was representing the applicant, Mr. Parmley of Broadway Lodging Two, LLC, and displayed a graphic showing the location of the proposed development. He pointed out the potential convention center was not a part of this proposal and was only in the early stages of discussion. The hope was that it would follow this project in the future. He commented that the proposal met TIF guidelines, and noted no credible evidence had been purported by anyone in opposition to the development. He stated this was the decision of the Council, and unless the decision was arbitrary or influenced by fraud, collusion, or bad faith, it would stand. He noted the Council could base its decision on extremely flimsy evidence if they chose. He listed the components of a conservation area as the structure being more than 35 years old and the site moving in the direction of causing harm to the public health, safety, morals, or welfare. He stated the structure was more than 35 years old and explained that if they believed this site was moving in the direction of causing harm to public safety, they would be done with their analysis with regard to the conservation area. He commented that he believed safety was an issue due to the deleterious land layout. It was dangerous to enter on to Walnut Street due to poor sight and elevation conditions. It was also dangerous for pedestrians to traverse while vehicles were attempting to enter on to Walnut Street and dangerous to park due to a ledge. He displayed photographs illustrating this, and displayed other slides indicating other ways the site could be determined as a conservation area. In terms of the “but for” test, he explained the site should not have been subject to growth and development and it should not be reasonably anticipated to be developed. He stated there had not been any growth

or development and his client was uniquely situated to develop the site and would still require assistance. He commented that all the Council had was unsubstantiated speculation with respect to the fact it would not develop, and pointed out indicating other redevelopment was a possibility was not enough to circumvent the "but for" test. There had to be concrete evidence supporting redevelopment in the area without TIF. He noted there were no known quantities as to what would happen on that site and there were not any other proposals for development.

Mayor Treece noted he had seen a KOMU story and the applicant had been quoted as saying that the project would not happen in its current fashion if the Council did not support it. Mr. Hollis stated Mr. Parmley could speak to that comment.

Mayor Treece asked Mr. Hollis how he could reconcile the fact there would still be a financing gap if the Council approved the TIF. He wondered how the project would move forward. Mr. Hollis replied the CID discussion had arisen because one of the requirements was for it to be a financially feasible project, and one way to fill that gap would be through a CID. A CID could be formed, if Mr. Parmley and the Council chose, as it would not require any other parties. It was not the only gap filler as Mr. Parmley could find funds elsewhere. Mayor Treece asked how many more funds he could find. Mr. Hollis replied that was unknown.

Mayor Treece referred to the August 17, 2017 TIF Commission meeting where Ms. Pitchford had asked if it was the intent to capture two types of taxpayer assistance for this project and Mr. Parmley had stated yes as he intended to seek TIF and a CID. The Council had not approved a CID so there was still a financing gap. He asked how the project could move forward if they approved a TIF. Mr. Hollis replied a CID was one possibility for filling the gap. It was not the only possibility. In addition, it would not make sense to come forward with a CID without the TIF being approved first. It was not something that would be brought forward at the same time either. If the TIF was approved and a CID was chosen as the gap filler, they would be before the Council again asking for approval of a CID.

Mr. Skala noted Mr. Hollis had referred to issues of unsuitability or danger with the property in determining whether or not it was a conservation area, and understood those issues would have to be mitigated if the TIF were granted. Mr. Hollis replied that if Mr. Skala was asking if those safety issues would have to be mitigated as part of redeveloping the site after the TIF was approved, the answer was yes. Mr. Skala thought the issues would have to be mitigated regardless of a TIF if there was development. Mr. Hollis stated he did not believe any other development was being proposed, but thought someone could propose something that would not require improvement to the access point or bringing the grade to a point it was equal or level.

Mr. Pitzer asked Mr. Hollis if he was saying that absent concrete evidence supporting another type of redevelopment, it met the "but for" test by definition or if that was one criterion where it could possibly meet the test. Mr. Hollis replied he was saying that it was not enough per Missouri law if all they had was speculation that it was possible someone else might redevelop the site. They had to have some sort of concrete evidence supporting redevelopment, which did not exist.

Mr. Ruffin explained he was concerned about the gap in the financing and the possibility of proposing a CID on top of the existing CID, and asked if other alternatives had been considered for filling the gap. Mr. Hollis replied they were considering all alternatives. Mr. Ruffin asked for a specific example. Mr. Hollis replied mezzanine financing and additional capital were other possibilities, but it was unknown at this time. He commented that the gap was there and would need to be addressed.

Pat Nasi stated he was with Development Dynamics in O'Fallon, Missouri, and explained they had been involved in the preparation of the redevelopment plan and cost-benefit analysis. He noted the redevelopment plan described the area and the conditions present in the area and discussed the redevelopment costs from the project overall as well as the proposed financial redevelopment costs, the timing of the project, the taxing

jurisdictions impacted by the project, and the current tax rates. The cost-benefit analysis supplied a narrative and accompanying tables that described the impacts of the project in a build and no build scenario on each taxing district. He explained that included in the documents was a letter from the developer addressing the financial feasibility and his commitment to finance, which indicated the rate of return and public assistance being requested was sufficient to obtain loan approval. It also included a letter from the bank indicating they would back the loan if public assistance was provided. He displayed a few photos of the conditions of the project site. In response to Mr. Skala, he stated he believed many of the conditions would have to be addressed in order to change the configuration or construct something new, but those costs would be a part of a future project.

Mayor Treece asked Mr. Nasi if he had conducted the first cost-benefit analysis involving the Regency TIF project, which was referred to as TIF One. Mr. Nasi replied yes. Mayor Treece understood his determination had been that "but for" the TIF the project could not move forward. Mr. Nasi stated that was correct. Mayor Treece asked how his projections had materialized. Mr. Nasi replied the sales tax revenues had exceeded initial projections, but the property tax revenues were not meeting projections. The reasons included the delays that had occurred with the project along with some of the initial projections and assessment practices that were assumed to occur. He believed some of those things would balance out over time. Mayor Treece asked Mr. Nasi if he was referring to the recalcitrant tax assessor. Mr. Nasi replied there was more than one reason.

Mayor Treece stated he had reviewed the cost-benefit analysis and understood Mr. Nasi had projected the assessed valuation would be about \$10.2 million higher over the base year to the year they were in right now. Mr. Nasi thought it had been about \$1 million. Mayor Treece agreed it was about \$1 million per year, and explained it was about \$693,000 less than the projection based upon the actual real estate taxes paid from the base year of 2010 to 2017. Mr. Nasi stated that was correct. Mayor Treece asked how the Regency project had been able to proceed when the real estate tax projections of which they captured 50 percent of the increment had not materialized. Mr. Nasi replied the risk was borne by Mr. Parmley. No debt had been officially issued so Mr. Parmley borrowed the funds and in essence took the risk. Mayor Treece asked how Mr. Parmley had been able to borrow the funds if he needed the TIF to do the project. Mr. Nasi replied the revenue stream was an additional stream that helped with financing so the pledge of those revenues had applied toward the debt.

Mayor Treece understood the sales tax had exceeded projections and real estate taxes had lagged behind on TIF One. With regard to TIF Two, no sales taxes were projected to be captured because they would all flow through to the cash register for TIF One and 100 percent of real estate taxes would be captured. If those real estate taxes did not materialize as they had not in TIF One, he wondered how the project could move forward. Mr. Nasi replied they thought the TIF Two numbers were very accurate based upon experience and history. He stated they felt very secure there were a lot of assurances in the numbers.

David Parmley noted he was with Broadway Lodging Two and explained the first tower had been estimated as a \$17.5 million project, but actual costs had been 25-30 percent higher for a cost of over \$20 million. He thought that illustrated that he had borne the risk as the TIF amount associated with it was \$3.3 million. He stated the second tower was projected to cost a little over \$20 million and was about 75 percent of the size of the previous project. As a result, they were estimating 75 percent of what the assessor was assessing the current tower. He commented that when they had started the project, they had viewed it as a gateway to the downtown and a catalyst for other developments, and felt they had met those goals. In addition, the project had begun in 2010 during the recession and construction costs were \$130 per square foot. His initial bids on the second tower had come in at \$235 per square foot and he had gotten it down to \$200 per

square foot. As a result, the economic conditions now were almost worse than when constructing the previous project. They also had a tight space to work with for this project. He displayed a slide showing that \$9 million would be generated for local taxing districts with only a \$2 million investment. If the projections did not materialize, he would forgive the loan altogether. He pointed out there was not any risk to the City as the City had not pledged its credit. If in 23 years the taxes were lower than expected, he would not receive the full \$2 million. He explained that for every \$1 spent for rooms, \$3 more was spent offsite, so the project would generate another \$9.5 million. In addition, \$6 million in state sales taxes would be generated and \$1.5 million in garage revenues would be received along with \$4 million in utility charges. This totaled about \$30 million in additional taxes and revenues. He noted there were also ancillary benefits in terms of the actual construction project as it would result in jobs, materials, etc. The project would also result in \$19 million of additional payroll and 37 full time jobs. He stated they currently had about 230 employees between the Hampton Inn and Suites, Stadium Grill, and the Broadway Hotel, and 207 of those employees lived within the City of Columbia. He felt the Council had a choice between allowing this project to move forward as it would generate revenue in the future or do nothing, which meant continuing to receive \$115,000 in property taxes over the next 23 years. He appreciated the trust and confidence the Council had placed in him in 2011 when he had started the first project, and hoped they would support his vision for a growing downtown by approving this project tonight.

Mr. Ruffin understood Mr. Parmley had indicated the project would result in 37 jobs and asked for the types of jobs involved. Mr. Parmley replied they would mostly be lower entry level positions, such as housekeeping, banquet servers, etc. He noted Columbia had a 1.5 percent unemployment rate, which was the second lowest in the nation, so anyone with some level of training likely had a job. They would likely hire people that needed entry level jobs so they were able to move up. Mr. Ruffin asked if the jobs would come with benefits. Mr. Parmley replied they had benefits.

Mr. Pitzer asked for clarification regarding the gap in financing. Mr. Parmley replied the application had showed the gap, and during the TIF Commission process, the City's attorney had mentioned the feasibility had to be shown and had suggested a CID. He noted he was not keen on that idea because they would then have to tax their guests, which would put them at a disadvantage, but they had to show something that was feasible, and tonight that was feasible. He commented that he thought he might be able to get mezzanine financing even though it would be at a higher rate, and his intention was to not proceed with a CID. Mr. Pitzer understood Mr. Parmley could not get the financing to cover the amount requested through the TIF. Mr. Parmley stated that was correct as they were pushing the limits with the mezzanine financing at a higher rate.

Ali Said stated he worked at the Hampton Inn & Suites and had worked there for seven years, seven months, and fifteen days, which was a month after he had arrived in America. He commented that he had learned a lot since working there, to include rules, the law, etc., which he believed would help him to improve in life. He noted he now had a house, car, a bank account, etc. He explained his dream was not to make millions. He only wanted to live a good life and for his child to finish college, and this one job had allowed that to happen. He commented that he loved Columbia, and the owner of the hotel along with the managers had taught him what he needed to know about America. He noted he thought there were others like him that just wanted to be happy.

Kevin O'Brien explained he had worked in downtown Columbia for 20 years and was familiar with what had been downtown at the site of the Broadway Hotel before it was built. He thought everyone would agree the Broadway Hotel was a tremendous asset to the community, and believed a convention center would also be a tremendous asset to the community as it would help all downtown businesses with more customers and clients in a way student housing did not. He felt this project would help merchants in the area at a time they were challenged due to increased parking rates. He thought this was a great opportunity, and believed the City needed to seize it. He hoped the Council would

agree to try to economically benefit the downtown area.

Sean Spence commented that he did not know the intricacies of TIFs, but noted he could speak as a long term customer of the property. He explained he had stayed at the Regency hotel for a week many years ago, and it had been a nightmare as it had been scary and disgusting. He was pleased it had gone from that to the marque property it was today as it set a standard for what they should have in the community and the downtown. He stated he had gotten to know the developer and the hotel had been a place that had said yes to him on many occasions when he had asked them to help with community events and non-profit activities. He noted the City had made it possible for the Broadway Hotel to be an exemplary citizen. The site had gone from a disgusting and scary place to being an incredible place that contributed to the community. He thought the hotel would be a place that could do even more for the community from an economic and charitable perspective if it were to expand. He stated he felt this was a good bet for the community.

Mike Radzin, 1806 Caledon Court, asked the Council to consider all of the local auxiliary companies Mr. Parmley had mentioned that would benefit as he worked for one of those companies. He commented that his company had hundreds of employees and they sold products to the hotel. He stated they had not seen any business from the hotel that had been there previously. He believed the new tower would generate more business for food and beverage, linen, audio/visual equipment, meeting planner, etc. industries. He reiterated his company and others would benefit from the Council's support of the project. He pointed out Mr. Parmley's companies paid their bills on time and he was a great civic supporter. He asked the Council to factor in the local employers that serviced the Broadway Hotel and would see an increase in business from the new tower with support of the TIF.

Anthony Sims, 2623 Oakbrook Drive, commented that he started working at the Hampton Inn & Suites in 2010 at a low entry level job of a Maintenance Technician, and seven years later, he was the Chief Engineer. He explained he was the kid that had hung out a Douglass Park doing what he should not have been doing. He noted his mom had told him to either go to school or get a job. He arrived at the Hampton Inn & Suites as a CMCA temporary service worker, and after a few months, Mr. Parmley had offered him a job as the Maintenance Technician. He pointed out he now had a few certifications as well. He stated he was born and raised in Columbia, and noted it was important to him that they offer jobs to intercity kids, which Mr. Parmley did. He commented that Mr. Parmley was willing to help anyone who came to him for help, and asked the Council to vote in favor of this project.

Barby Wulff stated she was the Associate Director of Veterans United and captained the company bicycling team, and wanted to express her support of this project. She commented that Mr. Parmley and his amazing staff at the Hampton Inn & Suites, Stadium Grill, and the Broadway Hotel were their second largest supporter. Through their partnership in various events, they had raised well over \$30,000 for the MS Society over the past several years. They were giving and very involved in giving back to community causes. She thought it would be a shame to miss out on the opportunity for a second tower because it would generate additional tax revenue and create an additional venue for the community to come together for various community causes. She pointed out Mr. Parmley had turned the Campus Inn to the Hampton Inn & Suites and the Stadium Grill, and the Regency to the Broadway Hotel. Those previous blemishes were now flagships where she was proud to host events. She felt not approving this would discredit what those properties had brought to the City in terms of advancing the City's economy.

James Gray, 3105 Woods Crossing Dive, understood the Council had a plan for the City of Columbia in terms of jobs, and believed this could bring about 100 jobs. In addition, it was along a bus line, so those without a car could use the bus to get to work. It also had jobs with benefits. He believed the hotel had a higher percentage of minority workers and would give people a second chance. He commented that the passage of this would

result in new jobs and a new look for Columbia. It also meant more people would stay in Columbia instead of going to Jefferson City, Boonville, or elsewhere.

Kelly Thornton explained she was a supervisor at the Broadway Hotel and had started there about four years ago before the building was even completely finished. She noted the site that would be utilized for the new tower only housed some computers and had a show room. She commented that she had started working there as a part time employee, but after two years, she had become a full time server and hostess. She was later given the opportunity to be promoted as a morning supervisor. She stated she spent 40 plus hours at the hotel and had gotten to know a lot of locals and travelers. She noted she had recently become a new homeowner in Columbia. She reiterated the comments of others with regard to the opportunities Mr. Parmley provided people, and that approval of this project would create jobs. Even though they were entry level positions, they allowed people the opportunity to move up and receive benefits and paid time off. She hoped the Council found it in their heart to give Mr. Parmley a chance as his companies had benefited Columbia.

Jay Lindner, 1400 Forum Boulevard, commented that he spent a lot of time and money at the Broadway Hotel. He believed this TIF request was a sound business decision for the City of Columbia and should be considered a no brainer. The hotel had done a lot for the image of downtown Columbia. It had elevated the community profile by creating a destination where people wanted to come. It provided local residents a reason to come downtown without having to go to a college bar, and provided businesses a badly needed event space and a top quality hotel for clients. It was also a reason to keep coming back to Columbia for out of town people. He noted he had met numerous SEC football fans from out of the state that every year put this destination on their calendar because they wanted to stay in a place that had a vibrant downtown. He explained he was hosting a Christmas party at the hotel, and numerous clients planned to stay overnight that would not have previously without this hotel. A larger event space in the second tower would bring additional revenue to the City. He commented that he felt this was the highest and best use for the subject property. If the project was not approved, the property would likely sit vacant or be unutilized for many years. As a commercial real estate professional, it was hard to see who else would be able to make a development work there as the property would be challenging in terms of making a profit on as a standalone piece of property. He understood there had been discussion about other commercial properties in the downtown that had been developed without TIF, but felt that was unfair. This property when developed would have a parking garage on one side, an 8-story hotel on another side, and a vacant lot that could be developed on another side. It was not near the Avenue of the Columns or the Tenth and Broadway development. It had to have some kind of incentive. He commented that when looking at the vast majority of downtowns in comparable cities and larger cities, hotel developments were not done without some kind of incentive. He believed this was a sound investment for the City as it would generate a tremendous amount of sales tax revenue. It was a \$20 million investment by a private citizen. He felt this was the right thing to do for the City as it would help ensure long term sales taxes and benefits for everyone going forward.

John John, 33 E. Broadway, stated there was not an ongoing building boom in downtown Columbia as the student housing market was overbuilt due to the loss of students at the University of Missouri. He thought it would likely be 5-10 years before much more new housing was built for students in Columbia and that was dependent on the University getting back to 35,000-40,000 students. He commented that constructing one new office building on the Courthouse Square did not generate a housing boom for downtown for Columbia. It was one building being constructed by a private enterprise. He noted there were blocks and blocks of older buildings in the downtown. He felt this site only had one good user for a large development, and that was the owner of the hotel next to it. Anyone else would build something small, and the breakeven point would require a minimum \$5 million property. He agreed there could be a miracle development, but there was no

anticipation of anyone developing the site in this way except for the owner of the hotel. He understood the development would generate \$15 million, and without it they would get \$251,000 over the next 20 years from an old office building. He commented that over the past year he had heard the Council indicate more money, taxes, and income were needed. He noted they had gone to the voters for more taxes and did not think they should turn down \$15 million in public revenue because they liked the \$251,000 they received now. He did not feel that made fiscal sense. If they wanted voters to vote for future tax increases, they needed to prove to the voters that they understood the difference between \$15 million and \$251,000. If they did not, he suggested they not place any more tax increases on the ballot for many years.

Mike Kelly explained he was from St. Louis and wanted to offer his perspective as a consumer. He noted he had lived in Columbia for 17 years, and through his role as the voice of the Missouri Tigers, he remained active and cared deeply about the community. Although his business interests took him to St. Louis four years ago, he was a frequent guest that spent a significant amount of time in Columbia during the football and basketball season, and the Broadway Hotel was his second home. He stated he and his wife spent more time downtown now than they ever did as residents of Columbia. A typical visit involved checking into the hotel, eating, and shopping downtown. Over the past four years, he had witnessed a hands-on owner that was there on a consistent basis and who was willing to invest a significant amount of money to the proposed project. The hotel had a great staff that enjoyed working for Mr. Parmley, many who had become dear friends to him and his wife. He commented that the Broadway Hotel had become a place of destination for Mizzou fans and fans from outside the community. He understood SEC basketball teams now wanted to stay at the Broadway Hotel and visiting football fans loved it. He believed adding a conference center made logical sense. He stated he had seen the Broadway Hotel become a vibrant meeting center for local business people and for out of town attorneys that had set up shop in the facility for a week at a time. He thought other communities in the SEC would love to have a willing party to develop a piece of property that no one else wanted to touch. He asked the Council to recall what had been at the sites prior to the Broadway Hotel and prior to the Hampton Inn & Suites, and for the Council to give Mr. Parmley its full consideration.

John Hubert, 1715 Burlington Street, stated he was speaking on behalf of the Columbia Cosmopolitan Luncheon Club and noted they wanted to voice their support for the Broadway Doubletree Hotel TIF proposal. The project would generate a great deal of new tax revenue in the City and would bring in tourists and new jobs. He noted the Cosmopolitans had a long rich history in Columbia and described its involvement with Columbia Cosmopolitan Recreation Area, otherwise known as Cosmo Park. Over the past 70 years, the Columbia Cosmopolitan Luncheon Club had continued to support the City of Columbia Parks and Recreation Department with their time and funds. The Club had also started the Columbia Cosmopolitan Shelter Workshop, which was now called Job Point, and they still provided the disabled with jobs while doing so much more. He commented that the Club was able to do great things due to partnerships with companies like the Broadway Hotel. The Hotel had come to them about eight years ago so they could help give back to the community through funds and Club leaders. They employed responsible, contributing citizens. He understood the project would generate additional revenues for the City, County, School District, and State of Missouri. He begged the Council for its approval of this good project. He pointed out the Hotel had also partnered with Job Point by hiring some of its candidates. He asked the Council to consider the difference between the amount of taxes being generated now from the site and the amount that would be generated with the approval of this TIF.

Mike Kelly noted he was the other Mike Kelly, and explained he was a TIF Commission Member and the General Manager at the Stoney Creek Hotel. He commented that for every dollar spent at a hotel, \$3 additional dollars were spent in town. He stated the project met all of the requirements of a TIF, and would raise over \$8 million in projected



sales taxes and would increase real property tax for the School District. It would also increase the hotel tax so they could spend more on tourism attractions and have more funding for the expansion of the airport. He noted it would enhance the downtown and generate revenue for it. He explained hotels in the downtown for larger conferences had been endorsed by the Convention and Visitors Bureau. The project had also been endorsed by the Downtown Community Improvement District (CID) and Columbia Water and Light as having minimal infrastructure issues. He pointed out it also had the ability to pay off the earlier TIF since the sales tax revenue would go toward that project. He questioned where they would be without the prior TIF projects of the Tiger Hotel and the Broadway Hotel. Both had a direct impact on the growth of the downtown. He commented that he could not see any other business being able to generate the revenue and taxes the second tower could generate.

Courtney Tiefenauer explained she was currently employed at Chesterfield Hotels, Inc. as the Director of Nightlife at the Broadway Doubletree Hotel, and felt Mr. Parmley and the management team had brought innovation, improvement, and a gateway building to Columbia. In addition to great employment opportunities, the Hotel offered a company that valued its employees and the community. She noted Mr. Parmley and the management staff continued to strive for greatness in terms of a great guest experience and giving back to the community. She commented that she and her staff recently hosted a blood drive for the American Red Cross that received over 56 donations. It was clear Mr. Parmley and the team made it a point to succeed and expand into the Columbia community. She stated an abundance of events occurred in Columbia, and people needed a place to stay. She believed a second tower would be beneficial and profitable to the community and the Hilton family.

Richard King stated he was there to speak on behalf of Mr. Parmley and noted he used to own the Blue Note and Mojoes in downtown Columbia. For those first ten years, he had produced many shows throughout the community, and the comments he had received the most from tour managers, agents, and representatives of bands was that Columbia was a great city and it needed hotels in the downtown. He explained the Tiger Hotel had been a retirement home at that time and the owner of the Regency Hotel had tried to do what Mr. Parmley had been able to do. He stated he now ran the Roots 'N Blues Festival, and the addition of the Tiger Hotel and the Broadway Hotel to downtown Columbia made his job enormously easier. It also drew more top named entertainment because there were better facilities for them. He explained he had people call him regularly when there were major events in town asking for assistance with space in the Tiger Hotel or the Broadway Hotel. He pointed out those facilities were important to him and the well-being of the festival. He noted he loved this community and continually tried to sell it. He stated he could not wait for the airport to be updated and believed the proposed tower would be a great addition. He commented that Mr. Parmley was a present owner as had been stated by others. Any time he had problems or needed assistance, he was able to call Mr. Parmley as he would take care of him. He pointed out he was also one of the few hoteliers that had stood up for the hotel tax, which he felt was admirable. He stated Mr. Parmley had demonstrated to him that he was committed to the community and hoped he was able to pull his finances together for the project. He thought it would be helpful if the Council would assist in getting it going.

Gary Kespohl, 2215 S. Country Club Drive, appreciated the agony the Council had experienced with the budget this year as they had to cut some things, reallocate some funds, and make hard decisions. He noted Columbia had two successful TIFs that had created additional property taxes and sales taxes in Columbia. Part of the legacy of their time on the Council could be to approve this TIF because in 23 years they could have the satisfaction of knowing something they did helped a future Council with more money to better Columbia. He believed Columbia was becoming a destination city, and the airport was a great example as people were flying in and out of there all of the time. Columbia was becoming a popular place in the central United States, and he felt this tower and the

convention facility would add to the downtown and the popularity of the community.

John Clark, 403 N. Ninth Street, stated he was a member of the TIF Commission and was one of the eight members that had voted to recommend the Council reject this proposal. He pointed to the letter from June Pitchford, which essentially made the case that the law had been created for preventing blight, remediating blight, or for economic development in terms of public infrastructure improvements. He understood it had been hinted at that the Council could face a lawsuit if it rejected this request because it was arbitrary and capricious in making the decision. He suggested the Mayor accept all of the documents and have them read by reference into the evidence they would use in making their decision tonight because the courts would defer to the decision of Council as long as they had some basis for making it. He commented that those that had spoken to the Council had presented far more evidence than would be needed to justify a rejection of the claim this qualified as a conservation district and that it met the "but for" test. He did not feel there was any reason to believe investment would not continue to take place in downtown and on Walnut Street without this public assistant. He recommended the Council ask Mr. Grimm to clarify the comments of Mr. Hollis regarding the level of material they had to have in the files in case there was an appeal of their decision. He commented that when the TIF Commission first met, they had no idea the \$1.25 million would potentially be funding with a CID. He suggested the Council insist the applicant provide the data upon which all of the projections were developed. He also suggested the Council address the other type of financing that would occur, whether a CID or something else, and send the issue back to the TIF Commission for further review.

Jeff Guinn, 101 Rothwell Drive, commented that the Broadway Hotel brought a great gateway and philosophy to the downtown. It was not a cookie-cutter hotel. It fit into the vibe of Columbia and the downtown. By supporting the TIF, the Council would support the great things Mr. Parmley did. More hotel rooms would equal more dollars along with some job creation. He asked any employees of the hotel that had not spoken but were in favor of the request to stand, and approximately six people stood. He asked the Council to support the TIF moving forward.

Eugene Elkin, 3406 Range Line Street, understood an employee of the hotel was homeless and stayed in another hotel so a good and bad picture could be painted for anything. He suggested clarification of some of the details as a lot of information had been provided and stated he was not sure another tower was needed, and suggested the Council not approve this if they were not 100 percent comfortable with it.

Mr. Ruffin understood the tower would house 80 guest rooms and it would not involve a convention center. Mr. Parmley stated it would include 80 guest rooms and they would almost triple the amount of meeting space. Currently they had about 3,000 square feet of meeting space. They would have a ballroom in the new tower that would seat 300 plus people. Mr. Ruffin stated he wanted to make it clear that this project did not involve the convention center as it had been in the diagram Mr. Hollis had presented. Mr. Parmley explained he would not term this as a convention center. It would only include additional meeting space.

Ms. Peters understood Mr. Parmley was not planning to build the convention center. Mr. Parmley stated not any time soon. He noted he would love to see it and felt they were putting some pieces together, but it would take Herculeaneum type effort for that to come to fruition.

Mr. Skala asked Mr. Parmley if it was a fair characterization that he had an ambitious vision for a big chunk of the block on Walnut Street. Mr. Parmley replied yes. He commented that he had not intended to discuss it because he did not want to be accused of dangling carrots with a conference center as a Phase 3 project. He noted the current project, if completed, would fit into any new project as it would be connectable.

Mr. Pitzer asked Mr. Parmley if he wanted to build the second tower because he needed additional hotel rooms or if he was constructing the rooms so there was something below the meeting space. Mr. Parmley replied the meeting space was driving the second

tower. They could not even do a decent size wedding as the space would only hold 150 people now. Most weddings involve 200 plus people. He understood the Convention and Visitors Bureau was focusing on trying to get small and medium size groups to come to Columbia on Mondays, Tuesdays, and Wednesdays. He hoped this would bring more people downtown and to Columbia.

Mr. Ruffin asked for the timeline if this was approved. Mr. Parmley replied he hoped to break ground in the spring. Depending on the contractor, he thought it could open in the fall of 2019.

Mr. Trapp commented that he believed they had heard testimony that this met the conservation district and the "but for" clause, and they had heard lots about the community benefit that they had seen from the two existing hotel TIF projects. He stated he did not see downtown hotels developing without a subsidy. From all of the leadership visits he had participated in, TIFs had been big financing vehicles in revitalizing downtowns. Columbia was doing well, but they needed to continue to invest and build on what was being done. There were tremendous spinoff opportunities. He pointed out this would be an incredibly walkable development. Anyone staying in hotels off of the highway had to rent a car and drive into and find parking downtown. They would also likely eat at the chain restaurants near the highway. He noted his sister had that experience when she had come to town and had not returned since. He commented that the downtown had attracted him to Columbia, and felt those that visited would get a better experience of Columbia if they stayed downtown.

Mayor Treece stated he believed Mr. Parmley was a great innovator and investor, and had done great things for the community. The Broadway Hotel as a replacement for the Regency Hotel had been a catalytic project for downtown Columbia. This project however was different. He commented that it was difficult for him to satisfy the first two legal hurdles even though he agreed with the cost-benefit analysis and the economic impact of the project. He did not think he could say the site was blighted or had conditions which would lead to blight. He also could not predict there would not be any development on the site over the next 23 years. He felt they had a growing downtown due to the success of the Broadway Hotel, and investment was possible and probable on that site. He hoped Mr. Parmley found a way to do the project because he believed it would have a tremendous impact on downtown Columbia. The economic impact of the sales taxes flowing to TIF One would exist regardless of whether they approved the TIF or not. The gap in the financing being addressed with a CID or with mezzanine financing were barriers to him. He believed they had to follow the first two legal tests before deciding whether the redevelopment plan made sense with the economics.

Mr. Skala explained he had been purposely non-comital during a KOMU interview as it was not fair to make a decision without hearing all of the testimony. He commented that he shared the skepticism of Mayor Treece about the legal requirements and had come to the meeting with an inclination to vote against the project because of the limitation of the conservation area and because he was not sure the issues surrounding the "but for" test had been settled, but noted there had been a lot of compelling testimony. He stated he had been around in 2008 when the TIF Commission had been formed, and had voted for the Tiger Hotel TIF project. He was not in office in 2011 when the Regency Hotel project was approved and was not sure how he would have voted, but felt the project had done a lot for the downtown. He commented that he was dogged by the notions of the requirement of the statutes in terms of the conservation area and "but for" test because there could be another development. He understood many had made the case that no other development was in the pipeline. Another consideration was the 8 to 3 vote of the TIF Commission. He noted it was a very difficult decision.

Mr. Thomas commented that this was a very difficult decision for him as well because he believed in strong downtowns, infill development, and walkable places. There was no question the Broadway Hotel had contributed mightily to the downtown ambiance. It was also amazing to hear the testimonials from those that worked for Mr. Parmley and those

in the community that benefited from the generosity and philanthropy he provided Columbia. It was very much appreciated. He stated he also loved the vision Mr. Parmley had as he thought the tower and a conference center should be built. He noted the decision they had to make now was whether it satisfied the legal requirements of the conservation area and the "but for" test and he was not sure as those were difficult judgements to make. He understood they had to ask if any development on this property would need public assistance. He also believed the amount they were being asked to commit was arbitrary, and wondered if there should be a mechanism for negotiating it. He agreed there would be an economic development benefit to this project, but that was not the question they had to answer. He noted he was also concerned about any precedent this might set. He wondered if it meant they had to award public assistance whenever anyone asked for it through the TIF process on a piece of land that had some safety issues as many lots had safety issues. He understood that if the projections were correct, there would be a tremendous benefit to the City over the next 23 years, but many in the community did not feel that way. They saw it as a tax giveaway and threatened not to support existing taxes that were applied fairly across the community. As someone that had studied development subsidies, such as the lack of an electric connection fee, he was skeptical with regard to providing public subsidies. He commented that the TIF Commission, which was tasked to look into the nuanced issues more deeply, had voted 8 to 3 to recommend they not support the project. He stated he would vote against it as well.

Mr. Pitzer explained he had initially been skeptical of both the conservation test and the "but for" test, particularly the "but for" test, when reviewing the success of the first tower as he thought there should be a way to profitably develop the second tower. Upon looking at the evidence and testimony more clearly, it had become apparent to him that it did meet those criteria. With regard to the conservation test, they had learned the age of the facility, that it was dilapidated and obsolete, and that it had excessive vacancies, and with the way the statute was written, it met the standard. The property had sat there as it was for the last twelve years and had missed out on the building boom in the downtown. He understood something could happen tomorrow, but there was no reason to think something would. Last year, the City had collected \$234 in tax revenue from that property, and it had essentially been flat for the past twelve years. He believed there was a clear benefit of this project to the community. It encouraged the goals and objectives set forth and clearly resulted in a net positive economic gain. He agreed they needed to be careful in awarding subsidies and incentives. The priority should be for programs that would bring new companies, jobs, and people to town because the necessary services would follow afterwards. A second priority would be for something that was creating a destination-type facility, which he thought this was. He noted they would not lose tax revenue from online sales from this type of development. He did not believe this was in-town cannibalization as competitors of Mr. Parmley were here tonight indicating they wanted him to be able to compete more effectively against them for the same events. He commented that he felt it was also important to remember they would not take existing tax dollars as part of the subsidy. These were tax dollars that did not exist and would not exist unless the tower was built. He stated he believed there were clear benefits to the general fund in terms of tax revenues, and it would help fund the redevelopment of the airport. The projects would all build upon each other leading to more economic opportunities. He stated he reviewed the numbers and had cut the projections by about 25 percent, and it was still a good deal. He noted the City would have a better rate of return on its investment of money that did not yet exist than Mr. Parmley would have as the developer himself. He understood some members of the community would be less likely to support the City when they asked for additional taxes in the future if they approved this, but pointed out he thought the opposite. They had the opportunity here to generate more tax dollars, and if they did not take advantage of it, they would have to go to the community sooner and ask for more than they otherwise would. He stated he

planned to support this tonight.

Mr. Ruffin stated this project was in the First Ward, and the First Ward was extremely diverse as it included public housing, the downtown, the University of Missouri campus, and many interesting neighborhoods in between the downtown and the Columbia Mall. He noted this project had compelled him to think about the future, and in 23 years, he would be 88 years old. Trying to imagine what would happen in the next 23 year on the subject site was the same as trying to imagine what would happen to him between now and when he turned 88. He commented that he had the opportunity now to make a difference that he could see. The testimony of the employees had been compelling as the organization provided an opportunity to work in an environment where someone cared about one's whole life and was willing to provide good jobs with benefits that impacted the entire family and not only the employee. He felt that the opportunities outweighed the risks. He explained he had worked his way through the legal ramifications, and like Mr. Pitzer, he did not have any reservations about the legality of this decision. He stated he had convinced himself that it was best for the community right now. It was something they could see, touch, and use, and would benefit this generation today. He planned to support it.

Ms. Peters commented that even as of this afternoon she had anticipated voting against this because she had concerns with the conservation area and "but for" standards. She explained it was difficult for her to not believe the site would develop when thinking about all of the development in the downtown, but agreed that was all student housing developments that had come to a screeching halt. She felt Mr. Parmley had a good track record. She noted she was concerned about voting against the recommendation of the TIF Commission, but in reading the reason for their vote, she understood they felt it did not meet the requirements of the conservation area and the "but for" test, and she thought those standards had been met. She explained it was a difference of opinion and pointed out she did not know what would happen in the next 23 years. She agreed with Mr. Ruffin in that they had the opportunity to assist in the building of a hotel that would bring more jobs downtown and provide a tax base. It also involved money they did not have currently. She stated she planned to vote in favor of this TIF project.

**B360-17 was given third reading with the vote recorded as follows: VOTING YES: PITZER, PETERS, RUFFIN, TRAPP, SKALA. VOTING NO: THOMAS, TREECE. Bill declared enacted, reading as follows:**

## VII. CONSENT AGENDA

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

- B348-17 Authorizing construction of the Vandiver Drive and Parker Street roundabout improvement project; calling for bids through the Purchasing Division.
- B349-17 Authorizing the acquisition of certain interests in real property for construction of the Vandiver Drive and Parker Street roundabout improvement project.
- B350-17 Authorizing a non-federal limited design and implementation reimbursable agreement with the Department of Transportation Federal Aviation Administration relating to additional work associated with the rehabilitation and extension of Runway 13-31 at the Columbia Regional Airport.

- B352-17      Accepting conveyances for sewer, drainage and utility purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B353-17      Accepting conveyances for underground electric, water utility and utility purposes.
- B354-17      Amending Chapter 19 of the City Code relating to employment discrimination.
- B355-17      Amending Chapter 19 of the City Code as it relates to employee incentive programs.
- B358-17      Authorizing an agreement with Columbia Center for Urban Agriculture, Inc. for the development and operation of an agriculture park at Clary-Shy Community Park.
- B359-17      Authorizing an agreement with Columbia Farmers Market, Inc. for the operation of a farmers market at the Clary-Shy Community Park.
- R165-17      Accepting the terms of a settlement with SERC Reliability Corporation; authorizing the City Manager to negotiate and execute a settlement agreement with SERC Reliability Corporation.
- R166-17      Authorizing a venue agreement with Tough Mudder Event Production Inc. for the use of the Gans Creek Recreation Area and A. Perry Philips Park for the 2018 Tough Mudder event.
- R167-17      Authorizing Amendment No. 1 to the agreement for professional architectural services with SFS Architecture, Inc. for A. Perry Philips Park improvements.
- R168-17      Adopting revisions to the drug and alcohol policies and procedures as part of the administrative rule for City employees to comply with a change to federal Department of Transportation testing rules.
- R169-17      Authorizing a Fifth Amendment to the software license and services agreement with Superior, LLC, formerly known as Ramundsen Public

Sector, LLC and successor in interest to SunGard Public Sector, Inc., for a Records Management System (RMS) for the Police Department.

- R170-17 Authorizing an agreement with Green Valley Rifle & Pistol Club, Inc. for range facility access and use by the Columbia Police Department for training purposes.

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

## VIII. NEW BUSINESS

- R171-17 Establishing a Mayor's Task Force on Bicentennial Celebration Planning.

The resolution was read by the Clerk.

Mayor Treece stated the Task Force would consist of nine members, but noted he anticipated more people being involved through maybe a subcommittee structure with respect to events, fundraising, etc. He thought it was important to constitute the group and appoint members to it, and anticipated making appointments in January 2018 to correspond with the founding of Smithton.

Ms. Peters asked if Boone County would be included or if this Task Force would be asked to work with the County, the Columbia Public Schools, and other interested groups. Mayor Treece replied he was not sure a Boone County Commission member would be on the Task Force, but noted he saw involvement from the Boone County Historical Society, the City's Historic Preservation Commission, and the Downtown Community Improvement District at a minimum. He stated he wanted to ensure it was inclusive and representative of everyone's experience within Columbia's history.

Mr. Trapp stated his appreciation for Mayor Treece spearheading this matter.

Mayor Treece commented that he thought it would be an exciting opportunity for them and liked that it was a three year process as it would allow for more thoughtful events and interpretive opportunities.

**The vote on R171-17 was recorded as follows: VOTING YES: THOMAS, PITZER, PETERS, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. 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.

- B361-17 Voluntary annexation of property located on the north side of State Route WW, approximately 900 feet west of Rolling Hills Road; establishing permanent R-1 zoning; authorizing a development agreement with The Brooks at Columbia, LLC (Case No. 17-76).

- B362-17 Approving the Preliminary Plat of Mill Creek Meadows Subdivision located on the east side of Old Mill Creek Road, approximately 3,000 feet south of Nifong Boulevard (4700 S. Old Mill Creek Road); granting a design adjustment to allow a sensitive area to be incorporated into a residential lot (Case No. 17-119).

- B363-17 Approving the Final Plat of The Vineyards, Plat No. 7 located on the south side of Elk Park Drive, approximately 150 feet east of Berkley Drive; authorizing a performance contract (Case No. 17-227).
- B364-17 Repealing Ordinance No. 022850 which authorized a road relinquishment agreement with the Missouri Highways and Transportation Commission; authorizing a revised road relinquishment agreement with the Missouri Highways and Transportation Commission to expand the conveyance of a portion of Business Route 63 from Business Loop 70 southerly to Route 740/Stadium Boulevard and from Route 740/Stadium Boulevard southerly to Route AC.
- B365-17 Authorizing a road relinquishment agreement with the Missouri Highways and Transportation Commission for the conveyance of a portion of Ballenger Lane between the Mexico Gravel Road roundabout and the Clark Lane roundabout, and a portion of Clark Lane between the Clark Lane roundabout and east of Woodland Springs Court, as part of the Ballenger Lane improvement project; appropriating funds.
- B366-17 Amending Chapter 2 of the City Code to establish a parking advisory commission.
- B367-17 Appropriating funds received from donations and miscellaneous revenue to the Parks and Recreation Department.
- B368-17 Accepting funds from the Community Foundation of Central Missouri to be used for FY 2018 annual arts agency funding; appropriating funds.
- B369-17 Appropriating funds from the 2017 Celebration for the Arts event.
- B370-17 Authorizing a software subscription agreement with Milsoft Utility Solutions, Inc. for implementation and hosting services for an Interactive Voice Response (IVR) system to manage incoming electrical and outage reports via phone call.
- B371-17 Authorizing a special service agreement with Union Electric Company, d/b/a Ameren Missouri, for the transportation of natural gas to the Columbia Energy Center.



- B372-17      Accepting a conveyance; authorizing payment of differential costs for construction of a water main serving Discovery Park Plat 3A.
- B373-17      Authorizing an agreement with The Curators of the University of Missouri, on behalf of its Veterinary Medical Teaching Hospital, for emergency veterinary services.
- B374-17      Authorizing an agreement with Columbia Housing Authority Low-Income Services, Inc. for Teen Outreach Program (TOP) activities in Boone County.
- B375-17      Amending Chapter 14 of the City Code as it relates to careful and prudent driving.
- B376-17      Authorizing a memorandum of understanding with the Downtown Community Improvement District as it relates to the construction of a Gateway Plaza on the southeast corner of the Providence Road and Broadway intersection.
- B377-17      Amending the FY 2018 Annual Budget by adding a position in the Law Department - Prosecution Division; appropriating funds.
- B378-17      Authorizing a charitable contribution agreement with Mill Creek Manor, Inc. for the donation of property located adjacent to the Perche Creek near the terminus of Dolly Varden Drive, West Kingston Court and West Fort Sumter Court.

## X. REPORTS

- REP99-17      Downtown Community Improvement District (CID) Board of Directors - Annual Membership.

Mayor Treece explained he had met with the Chairman and the Executive Director of the Downtown CID and had told them he thought they would benefit from some additional diversity and independence on the Board. He also thought he would benefit from having a choice of names, and would like at least ten names instead of just five. He noted he would communicate this to them formally within 30 days as required by ordinance. He stated appointments would likely be made at the December 18 Council Meeting based on the new slate.

- REP100-17      Winter Weather Response for 2017/2018 Winter Season.  
Mr. Nichols provided a staff report.

Mr. Thomas commented that he liked the report and the categorization of the routes. He understood all of it would be on the website. Mr. Nichols stated that was correct.

REP101-17 Intra-Departmental Transfer of Funds Request.

Mayor Treece understood this report had been provided for informational purposes.

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

Eugene Elkin, 3406 Range Line Street, stated he felt he saw democracy at work since the vote was not unanimous.

Mr. Elkin understood the Room at the Inn had opened. Mr. Thomas stated that was correct as it had opened last night. Mr. Elkin assumed the City had helped that effort financially.

Ms. Peters thanked the Community Development Department for its assistance. There had been a question regarding the Kelly Farms to Timberhill Lane connection and when she had gone to the site at 9:30 a.m. this morning, the issue had already been worked out by Shane Creech and others with the City, Tim Crockett with Crockett Engineering, and the concerned neighbors.

Mr. Skala commented that he had been struggling with the idea that he had heard two sides of the same story with regard to the TIF project. He noted Mr. John had indicated people would not support future City ballot issues if the project was not approved, and he had heard exactly the opposite from others. It had been a difficult decision.

Mr. Trapp stated the City had put \$37,000 toward the Room at the Inn. Rather than providing council reserve funds, they had gone through the social services funding process. They were helping more substantially and more quietly than they had in the past. He was proud of the Room at the Inn for expanding their service time to capture more of the cold weather season. He understood they were still looking to add a week in March if anyone that operated a church was listening.

Mayor Treece commented that there was a story in the Columbia Tribune over the weekend about the Mid-Missouri Sports Park at the fairgrounds, and about moving the indoor basketball facility that this Council had directed staff to proceed with at Philips Park to the fairgrounds with a public-private investment with the County Commission and a private not-for-profit. Since the Council was on record directing staff to proceed at Philips Park, he thought staff should come back to Council with an update so they could discuss whether they wanted to redirect those assets and investments as well as what they had represented to voters with the 2015 ballot issue. He asked staff to provide a report as early as possible with regard to any negotiations, barriers, etc. so they could decide how they wanted to proceed.

Mr. Skala thought that was a great idea as a discussion was needed before any commitment was made.

Mr. Matthes stated they would provide a report at the first meeting in January.

## **XII. ADJOURNMENT**

Mayor Treece adjourned the meeting without objection at 11:58 p.m.