



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Tuesday, January 2, 2018  
7:00 PM

Regular

Council Chamber  
Columbia City Hall  
701 E. Broadway

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#### I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Tuesday, January 2, 2018, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members PETERS, TREECE, TRAPP, SKALA, and PITZER were present. Council Members RUFFIN and THOMAS were absent. The City Manager, Deputy City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of December 4, 2017 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Trapp.

Mr. Skala asked that R1-18 to be moved from the consent agenda to new business. Upon his request, Mayor Treece made a motion to allow Mr. Trapp to abstain from voting on R5-18. Mr. Trapp noted on the Disclosure of Interest form that he had a contract with the Downtown Community Improvement District (CID) to provide outreach, coaching, and referral to individuals who were homeless or panhandling downtown. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

The agenda, including the consent agenda with R1-18 being moved to new business, was approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Trapp.

#### II. SPECIAL ITEMS

None.

#### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

#### IV. SCHEDULED PUBLIC COMMENT

None.

#### V. PUBLIC HEARINGS

PH1-18 Voluntary annexation of property located on the northwest and southwest corners of the Brushwood Lake Road and Scott Boulevard intersection (Case No. 17-238).

PH1-18 was read by the Clerk.

Mr. Teddy provided a staff report.

Mr. Skala referred to the council memo, which indicated the site would be located entirely

within the FP-O, Floodplain Overlay District, if already annexed into the corporate limits, and asked what that meant. Mr. Teddy replied the City's floodplain map showed the 100-year base flood elevation was across almost the entire property. There was also a substantial amount of floodway. He noted the property was the subject of a letter of map revision, which was a request directly to FEMA to change the designation. It was being done while under the jurisdiction of Boone County, so they were the community of interest on that pending petition.

Mr. Pitzer asked for the difference between the M-N zoning and some of the other commercial zoning districts. Mr. Teddy replied M-N was designed for generally smaller sites and sites that were closer to neighborhoods, hence the name mix-used neighborhood district. The type of commercial uses excluded in M-N would be allowed in a more general commercial designation and were generally things that would have some outdoor component, such as car sales and car repair. A broad range of uses, such as restaurants and some forms of retail, were allowed in the M-N district. He noted there was a more restrictive height within the district compared to what could be seen along some of the major thoroughfares. It was smaller in scale and more restrictive on allowed uses. He explained some automotive uses, such as a car wash, were allowed with a conditional use permit.

Mayor Treece opened the public hearing.

Phebe LaMar, an attorney with offices at 111 S. Ninth Street, stated she was present on behalf of NGT, Inc., the applicant, and explained this request had been submitted in December while there had been a pending application to change the floodplain designation as had been referred to by Mr. Teddy because the applicant had thought that process would be complete by now. Since it was not yet done, they were requesting the hearing be continued to the February 5, 2018 Council Meeting in hopes it would be completed by then. She commented that it was also their impression that the floodplain designation would not necessarily be determinate for annexation or zoning, but it had become clear at the Planning and Zoning Commission meeting that a number of members felt differently. She stated they were also requesting that the second reading for the rezoning bill be tabled to the same meeting so they could hold the public hearing on all of it together. She understood the Council would have to wait another two weeks to actually vote on the annexation.

Mayor Treece asked Ms. LaMar if she would still want to pursue voluntary annexation if it were zoned agriculture. Mr. LaMar replied she was not sure.

**Mayor Treece made a motion to continue PH1-18 to the February 5, 2018 Council Meeting. The motion was seconded by Ms. Peters and approved unanimously by voice vote.**

There being no further comment, Mayor Treece continued the public hearing to the February 5, 2018 Council Meeting.

Mr. Skala understood they would take up the other item later. Mayor Treece explained it was currently under the introduction and first reading section of the agenda, so he had planned to make a motion to table it to the same date at the end of the meeting with a vote at the second meeting in February.

Ms. Amin understood Ms. LaMar had indicated she wanted B2-18 tabled to the February 5, 2018 meeting as well for second reading, but the Council could not vote on it until the meeting on February 19, 2018. She asked for clarification as to whether B2-18 should be tabled to February 5, 2018 or February 19, 2018. Mr. McManus stated the vote would have to take place on February 19. Ms. Amin explained normally the second reading and vote occurred at the same meeting. Mr. McManus stated he would suggest having them on the same meeting. He did not think there was any reason it needed to be on the day of the continuation of the public hearing. He did not feel it would affect things one way or the other. Mayor Treece stated his intention was to make a motion to table B2-18 to the February 19, 2018 Council Meeting later in tonight's meeting.

**VI. OLD BUSINESS**

B388-17

Authorizing a pole attachment license agreement with MO Network Utility Transport, LLC for the installation and maintenance of communications facilities, distributed antenna systems and associated wireless equipment on City distribution poles.

The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece asked if this agreement would continue to prevail over any future preemption effort at the state level. Mr. McManus replied the minimum term was five years, so that would be the case for a period of at least five years. Each party had the right to cancel with a notice of six months so basically notice could be given at 4 ½ years, which meant the agreement would end after those six months. It assured the first five years, but they did not have assurance for years 6-15.

Mayor Treece asked if the fee was per box or per pole. Mr. McManus replied it was a \$540 fee per pole attachment. He thought that included all of the related equipment. Mr. Johnsen agreed his understanding was that it was a fee per pole. Mayor Treece asked if the City maintained the ability to reject any pole or location for any reason. Mr. Johnsen replied that was the reason for the application process. There were spacing and loading issues that had to be taken into consideration. Mayor Treece asked if a request could be rejected for aesthetic reasons or for no reason at all. Mr. McManus replied he was not sure they could reject for no reason at all as it could be considered arbitrary, but he thought aesthetic reasons were presumed.

Mr. Skala asked if the wireless equipment was for the benefit of the customers of MO Network Utility Transport. Mayor Treece replied his understanding was that they were a wholesaler that leased space on their boxes to U.S. Cellular, Sprint, AT&T, etc. Mr. Johnsen stated his understanding was that they were a communication service provider. Mr. Skala asked if there were interference issues with respect to this kind of equipment. Mr. Johnsen replied not that he was aware of at this time. He explained those were the things they wanted to have the right to look into if needed, and believed this agreement allowed for that flexibility.

Ms. Peters asked if they had heard from any of the wireless service providers as to whether they were in favor or opposed to this. Mr. Johnsen replied he had not. Mr. McManus stated his understanding was that there was interest from other service providers to have similar attachments so this agreement was intended as a model for other agreements in the future. Ms. Peters asked if this would create a problem for Socket, AT&T, or any of the other providers. Mr. McManus replied the initial number requested was relatively small, and that there was the opportunity for others to do the same thing. He commented that for technical reasons, they might not be able to have two on the same pole, and if that was the case, the first company in would have an advantage. He thought the number of poles available in the City was high enough to likely accommodate everyone, and there was an expectation that they would see more.

Mr. Pitzer asked how many attachments this company had planned for initially. Mr. McManus replied he understood they were initially looking at about 26, and that the number was expected to increase. Mr. Pitzer asked if it was capped. Mr. McManus replied no, and understood any limitation would be technical and would be looked into at the time of the application. Mr. Pitzer asked if this firm had any other communication devices elsewhere within the City. Mr. McManus replied he did not know. Mr. Johnsen stated he did not believe they had another agreements or arrangements with MO Network Utility Transport.

Mr. Pitzer asked how they had come up with the \$540 fee. Mr. McManus replied there had been some negotiation and examination of what had been obtained in other cities. Within Missouri, he thought the highest number had been \$400. He understood Clayton

had negotiated \$200. Nationally, some fees were higher. He noted he had been told it was in the range of \$1,000 per pole attachment in San Francisco. Given those numbers, he thought they were in a good spot. Mr. Pitzer asked if it was typical for the increase in fees to occur at the end of each five year term rather than annual increases. Mr. McManus replied he had seen it annually and after a number of years in contracts the City had entered into that were similar, so there was some variation. He thought it likely had been subject to negotiation to obtain the best deal possible.

Mr. Pitzer asked if there was any restriction if the City needed to move a pole or remove a pole. Mr. Johnsen replied he thought they had the right to work with them in terms of relocation or removal of equipment from the pole if they could not physically accommodate their needs any longer. Mr. McManus stated he believed the contract had been written well for that type of issue. The City maintained a lot of control over what happened with the poles. He noted they were able to reserve capacity on the poles and make any permit subject to needs of the City in the future if necessary.

**B388-17 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, TRAPP, SKALA, PITZER. VOTING NO: NO ONE. ABSENT: RUFFIN, THOMAS. Bill declared enacted, reading as follows:**

B396-17

Authorizing a contract for sale of real estate with Columbia Mutual Insurance Company for the purchase of property located on the northeast corner of the White Gate Drive and Towne Drive intersection.

The bill was given second reading by the Clerk.

Mr. Griggs provided a staff report.

Mr. Skala stated they had been having tremendous difficulty in acquiring right-of-way for a bus shelter along this corridor, and understood this would facilitate that process. Mr. Griggs replied it could.

Mr. Trapp commented that he had spent a lot of time in the White Gate Drive area, and there was a real need for parks. He noted his appreciation for the Parks and Recreation Department in looking to support the efforts of the Police Department in this area. He explained this was not one of the three identified Strategic Plan areas, and this fourth area had been created when they had received a community policing grant, but it had not received everything the other areas had received. He believed this was a community-minded sale as it was well below the appraised value. Businesses and institutions having a mind toward improving the community was one of the things that made Columbia great. He commented that a lot of kids lived in the area, and with it being zoned industrial, a lot less amenable use could be allowed. He stated he was very supportive of this.

Mr. Skala agreed with Mr. Trapp in that there was a lot that was attractive, to include the price given the appraisals and the potential for a bus shelter. He commented that this area had received attention because it had been a high intensity crime area. He explained three things had come out of the neighborhood meetings, and those were street lights, sidewalks, and public facilities for kids. He noted parks were a great way to begin the process. He stated he was glad staff had persisted over such a long period of time in capturing this property.

Mayor Treece asked Mr. Griggs how he anticipated the development of that property and for a time frame. Mr. Griggs replied they did not have any money to develop it now. He thought they would hold public meetings during the spring and summer of 2019 to obtain input from the neighbors as to what they might want. He pointed out they would be limited because there was not a lot of space and would have to consider safety since it was along White Gate Drive. He believed input would really drive what they did with the property.

Ms. Peters asked Mr. Griggs if he had concerns of more drug traffic or unsavory things happening in the park. Mr. Griggs replied he did not think it would be any more than they had in the neighborhoods. He felt if there was good activity in the area, bad activity did

not happen. He provided the skate park at Douglass Park as an example as there had not been headlines involving Douglass Park over the last 12-14 months.

**B396-17 was given third reading with the vote recorded as follows: VOTING YES: PETERS, TREECE, TRAPP, SKALA, PITZER. VOTING NO: NO ONE. ABSENT: RUFFIN, THOMAS. Bill declared enacted, reading as follows:**

## VII. CONSENT AGENDA

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

- B379-17 Approving the Final Plat of Sidra Subdivision, Plat No. 3, a Replat of Lot 1, Sidra Subdivision - Plat 1, located on the northwest corner of the Stadium Boulevard and Primrose Drive intersection; authorizing a performance contract (Case No. 17-236).
- B380-17 Vacating utility easements within the former rights-of-way of Locust Street and Second Street and an east-west alley on the east side of Second Street (Case No. 17-200).
- B381-17 Vacating a sanitary sewer easement located on the west side of Bernadette Drive and north of Worley Street (817 Bernadette Drive) (Case No. 17-202).
- B382-17 Vacating portions of the utility and drainage easements on Lot 3 within Rockbridge Subdivision Block IX located on the northwest corner of the Monterey Drive and Providence Road intersection (3901 S. Providence Road) (Case No. 18-16).
- B383-17 Vacating a portion of right-of-way platted for Eugenia Avenue located on the east side of College Avenue (Case No. 18-19).
- B384-17 Authorizing a cost share agreement with the Missouri Highways and Transportation Commission for the proposed Keene Street and I-70 Drive Southeast intersection improvement project; appropriating funds.
- B385-17 Amending Chapter 14 of the City Code to prohibit parking along both sides of Turner Avenue between Tiger Avenue and Providence Road.
- B386-17 Amending Chapter 27 of the City Code relating to energy efficiency loans for commercial properties.
- B387-17 Authorizing the City Manager to execute a grant of easement for water

utility purposes to Consolidated Public Water Supply District No. 1 of Boone County, Missouri for the relocation of a water line along Route H near the Columbia Regional Airport.

- B389-17 Authorizing a contract of obligation with the Missouri Department of Natural Resources to satisfy financial assurance requirements for proper closure and post-closure care with respect to a permit for operation of a solid waste disposal area.
- B390-17 Authorizing the City Manager to execute a temporary construction easement for highway purposes to the Missouri Highways and Transportation Commission for property located on the east side of Route 763 and adjacent to Columbia Terminal Railroad (COLT) right-of-way.
- B391-17 Accepting conveyances for drainage and utility purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B392-17 Authorizing application to the United States Department of Transportation Federal Aviation Administration and the Missouri Department of Transportation for airport capital assistance grants in 2018.
- B393-17 Authorizing a non-federal limited design and implementation reimbursable agreement with the Department of Transportation Federal Aviation Administration for the relocation of equipment in the AFSS building at the Columbia Regional Airport.
- B394-17 Appropriating funds for the work space expansion project in the Community Relations Department.
- B395-17 Appropriating funds from the sale of a 2001 Sutphen Quint fire truck for the purchase of fire apparatus equipment.
- B397-17 Authorizing an agreement for the purchase of services with Boone County, Missouri for the Teen Outreach Program (TOP); appropriating funds.
- R2-18 Setting a public hearing: proposed construction of the FY 2018 sanitary sewer main and manhole rehabilitation project.

- R3-18 Authorizing a lease agreement with Wabash Arms of Columbia, L.L.C. for the placement and maintenance of a trash compactor in the Downtown Community Improvement District.
- R4-18 Determining that the Police Precinct/Municipal Service Center North facility qualifies for funding under the Percent for Art program; authorizing the Commission on Cultural Affairs Standing Committee on Public Art to begin developing the public art component for such facility.

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

### VIII. NEW BUSINESS

- R5-18 Authorizing the installation of a pilot street lighting project along Broadway, between Hitt Street and Waugh Street.

Mr. Trapp stepped out of the meeting room.

The resolution was read by the Clerk.

Mr. Johnsen and Mr. Williams provided a staff report.

Katie Essing, 11 S. Tenth Street, explained she was with the Downtown Community Improvement District (CID) and noted the downtown was a vibrant and dense area that had grown over the last few years as more residents had moved there so there was an increased need for public safety and additional lighting. She commented that in 2014, they had started several public-private partnerships to include undergrounding the electric street light circuits, alley lighting, and replacing street light infrastructure. In 2015, they had worked with the Police Department on a night time lighting audit, which included walking around downtown in the dark and after the bars had closed to determine areas of need, and noted they had identified alley lighting as an issue. The CID had provided the light fixtures, the Water and Light Department had installed the fixtures in the alleys, and the businesses had paid for the electricity. She provided a before and after photo of the alley next to Harpo's to illustrate how dark and unsafe it was previously.

Debbie Sheals explained one of the things they were facing in the downtown was a mismatch of the fixtures they had, and displayed images of cobra lights, which had been there before the 2001 project, acorn lights, and Navion lights. She stated the acorn lights went back to about 2001. They were failing and having trouble obtaining new parts. In addition, it was not a standard street light and was not practical for them to use any more. She noted they also needed new poles as these had been painted black and the paint was now peeling off. She commented that they were recommending powdercoat new poles as those would be much more durable.

Mayor Treece asked who owned the poles. Ms. Sheals replied she believed they were owned by the City. Mr. Johnsen stated that was correct.

Ms. Sheals explained the acorn lights were area lights and were not as effective as they should have been. They were not dark sky compliant. She understood many people believed they were historic, but they were not historically accurate. The new fixtures were the current City standard so it would allow for a uniform stock across the City. They were more energy efficient and brighter than acorn lights, and the smart light technology would allow them to be dimmed or made brighter. She understood the Police Department was excited about the ability to make them brighter.

Mayor Treece noted he had received comments from a couple of constituents with regard to losing the acorn lights and the historic ambiance they contributed, and asked if they

were no longer in stock or if replacement parts could not be found. Ms. Sheals replied there were new LED acorn lights, which they had tested, but they had not worked nearly as well nor did they distribute light as well. She pointed out that many tests were done and they all wanted attractive light fixtures, but noted she had finally got to the point of having something they could all use and where everything would match.

Mayor Treece understood Ms. Sheals was an expert in historic preservation, and asked if there was any detriment to switching out the lights as the Navion fixtures were very modern. Ms. Sheals agreed they were modern, but explained they were frankly modern. Currently, they had a strange mix of a modern light pole with a historic looking fixture. It was not something they found in the 1900s and it was not historically accurate.

Mayor Treece asked Ms. Sheals if there were other historic downtowns she had seen that used the Navion lights. Ms. Sheals replied no. She explained she had seen a real mix and had seen jarring cute light fixtures. The Navion would work well. Mayor Treece understood they would not even see them. Ms. Sheals stated she drove through a town that had spent a lot of money on too many ornamental light fixtures, and it had been a distraction. It had not been an enhancement.

Mr. Skala asked if there had been a pilot project near the Tribune building of another type of light fixture for aesthetic reasons. Ms. Sheals replied the way she remembered it was that the acorn lights had been proposed on a different pole, but they could not afford poles and lights, which was how they had come up with this. Mr. Skala asked if these new lights would be individually controlled. Ms. Sheals replied they could be, but they could also be put on a timer. She commented that they were proposing to make them bright during bar closings, and to dim them later.

Lieutenant Hughes stated he was the commander of southeast Columbia, which included the downtown, and was over the downtown unit. He explained he was involved in downtown lighting because the night time downtown unit had been created due to disturbances in the downtown. In 2009-2010, they had started studying downtown issues, and had learned other places mitigated some of their disturbances by dispersing crowds, and one of the techniques used to disperse crowds was lighting. He pointed out bars turned on the lights inside when they were closing in order to disperse crowds, and they wanted to transfer the same concept to outside of the bar. He explained they had studied this by bringing a fire truck downtown in 2009-2010 and having them shine their big bright lights, and the time to disperse the crowd had been reduced significantly. He noted it was about 40-45 minutes quicker, which saved officers time. He displayed a diagram showing hotspots in terms of calls for police service, and pointed to the Tenth, Hitt, and Broadway areas where there was a large concentration of bars. He explained that was where they wanted to increase lighting in an effort to reduce disturbances.

Sergeant Gooch stated he was the supervisor over the downtown unit and noted he had been able to see the Tempe, Arizona model in person, and thought it was something that could be utilized here. He commented that he believed Columbia would be in a better position if this moved forward because they would utilize smart technology. He explained Tempe had been able to use lighting to make a safer environment for citizens and as a force multiplier by getting the crowds to move along.

Mr. Pitzer asked Sergeant Gooch if he could describe the difference in the intensity of the light when it was brighter. Sergeant Gooch replied he could not on a technical basis, but noted they could adjust the intensity of the light at certain times, like when bars closed. Mr. Pitzer asked if the lighting could be controlled manually in addition to being put on a timer. Sergeant Gooch replied he understood the technology allowed for it, but he was not sure if they would have that ability.

Mr. Skala asked if they had received any feedback from downtown residents. Ms. Essing replied they had been discussing this for several months, and if the Council were to approve the pilot lights, they would hold an interested parties meeting to ensure they gathered feedback. She displayed a diagram showing the requested locations for the lights.



Mr. Pitzer asked Ms. Essing if they had talked to the bar and restaurant owners in the area. Ms. Essing replied they would talk with them and open it up to others as there were several residents that lived in the apartments on that block. She believed this was a good location as it would provide them opportunity for feedback and it was within the high density area.

Ms. Peters stated she thought it was a good idea.

Mayor Treece agreed they should try it. He explained he had been concerned about the aesthetic difference because, in his mind's eye, every light in the downtown was an acorn light, and they were only going to change five of them, but Ms. Sheals had pointed out there was a hodgepodge now.

Mr. Pitzer asked how long the trial would last. Ms. Peters asked when it would start. Mr. Williams replied it would probably take about six months for installation. He suggested they let it run through the summer to obtain feedback, and they could then be before Council in late summer or early fall with a determination as to whether they should move forward.

Mayor Treece asked for the cost per pole. Mr. Williams replied the hope was to bid it out. If they were to piece it together with parts in the storeroom, it would run around \$3,500 per pole. They were hoping to get it cheaper. Mayor Treece asked if that was just the head. Mr. Williams replied no, and explained it was for the entire new pole with two lights. Mayor Treece asked how many poles were in the downtown. Mr. Williams replied over 300. Mayor Treece asked if the City had \$500,000 set aside. Mr. Williams replied they currently had \$295,000 in the project so they would not be able to do all of the lights.

Mr. Pitzer asked how much the Downtown CID was contributing. Mr. Williams replied he thought the CID had \$30,000 set aside, which would pay for the intelligent photocell controller. He explained the lights were already capable of dimming, and they would be purchasing the photocell controllers. Mr. Pitzer asked how much that technology was per pole. Mr. Williams replied about ten percent. Mr. Pitzer asked if the City would have the technology mentioned by Sergeant Gooch and be able to control it manually. Mr. Williams replied a gateway could be put on an iPad or another tablet, but they would need to figure out how it would be distributed as they did not want anyone to have that access. Mr. Pitzer agreed, but thought they could provide it to an officer every night. Mr. Williams agreed.

Mr. Skala understood there had been an issue with the inventory of lights and that these lights would be used throughout the City, and asked for clarification. Mr. Williams replied he thought a surplus inventory of about ten percent had been purchased when they had gone to the acorn lights in case there were problems, and they had consumed the surplus inventory since that time. He noted the acorn lights utilized a 250 watt high pressure sodium bulb, which was easy to replace, but they had noticed the ballasts and fixtures were failing. This meant the fixture had to be taken down, repaired in the shop, and then reinstalled. It was more time consuming and labor intensive than just switching out a light bulb. The beauty of moving toward the LED technology was that they had a much longer life cycle.

**The vote on R5-18 was recorded as follows: VOTING YES: PETERS, TREECE, SKALA, PITZER. VOTING NO: NO ONE. ABSENT: RUFFIN, THOMAS. ABSTAINING: TRAPP. Resolution declared adopted, reading as follows:**

Mr. Trapp returned to the meeting room.

R1-18

Setting a public hearing: proposed construction of the Keene Street and I-70 Drive Southeast intersection improvement project.

The resolution was read by the Clerk.

Mr. Nichols provided a staff report.

Mr. Skala commented that he had asked for this to be removed from the consent agenda because he wanted to highlight it. He understood those in the area were in favor of it, and complimented staff for submitting this application to MoDOT as they were providing matching funds. He stated he was glad to see this moving forward.

**The vote on R1-18 was recorded as follows: VOTING YES: PETERS, TREECE, TRAPP, SKALA, PITZER. VOTING NO: NO ONE. ABSENT: RUFFIN, THOMAS.**

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

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

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

- B1-18      Calling the municipal election to be held on Tuesday, April 3, 2018 to elect council members for Wards 2 and 6.
- B2-18      Voluntary annexation of property located on the northwest and southwest corners of the Brushwood Lake Road and Scott Boulevard intersection; establishing permanent M-N (Mixed-Use Neighborhood District) zoning (Case No. 17-238).
- B3-18      Approving the Preliminary Plat of Bluff Creek Estates Plat 9, a Revision to part of Bluff Creek Estates Phase 1, located on the east side of Bluff Creek Drive and north of Grindstone Parkway; granting a design adjustment to allow more than thirty (30) lots to be platted without a secondary point of access; granting a design adjustment to allow residential drives on a collector street (Case No. 18-29).
- B4-18      Approving the Final Plat of Bluff Creek Estates Plat 9 located on the east side of Bluff Creek Drive and north of Grindstone Parkway; authorizing a performance contract (Case No. 18-7).
- B5-18      Approving the Final Plat of Lenoir Subdivision Plat 2, a Replat of Lots 1 and 2 of Lenoir Subdivision, located on the southeast corner of the New Haven Road and Lenoir Street intersection (3300 New Haven Road); authorizing a performance contract; granting a design adjustment to allow sensitive lands to be incorporated into lots intended for development; accepting a tree preservation easement (Case No. 18-6).
- B6-18      Vacating a sewer easement on Lot C2 and Lots 345-348 within The Vineyards Plat 3 located on the south side of Stone Mountain Parkway and east of Fair Oaks Court (Case No. 18-2).

- B7-18 Authorizing a right of use permit with The Curators of the University of Missouri to allow construction and maintenance of a hot water distribution pipe, chilled water distribution pipe, storm sewer, control conduit, domestic water pipe, electric duct bank and electric manhole in portions of the University Avenue and Hitt Street rights-of-way.
- B8-18 Accepting conveyances for utility, drainage and water, street, pedestrian and sidewalk purposes.
- B9-18 Authorizing construction of a storm water management basin project for the area bounded by Garth Avenue, Sexton Road, Oak Street and Lynn Street; authorizing the Purchasing Division to call for bids and/or issue a contract for the project.
- B10-18 Authorizing construction of the College Avenue sewer replacement project, between Rollins Street and Bouchelle Avenue; authorizing the Purchasing Division to issue a contract for the project.
- B11-18 Authorizing the filing of electronic reports and the execution of agreements with the U.S. Environmental Protection Agency in compliance with the National Pollutant Discharge Elimination System Electronic Reporting Rule.
- B12-18 Accepting a donation from Walt's Bike Shop for the CoMo Bike Co-op program operated by the Parks and Recreation Department; appropriating funds.
- B13-18 Authorizing a memorandum of agreement with the Missouri Department of Health and Senior Services for access to the Missouri State Public Health Laboratory (SPHL) OpenELIS Web Portal.
- B14-18 Accepting grant funds from the United States Food and Drug Administration for employee training for conformance with the FDA Retail Food Program Standards; appropriating funds.
- B15-18 Adopting The City of Columbia, Missouri, Money Purchase Plan; authorizing the City Manager to execute the plan; authorizing the Director of Finance to administer the plan.

- B16-18 Authorizing an amendment to the agreement with Tyler Technologies, Inc. relating to the Columbia Financial Enterprise Resource System (COFERS) project and the purchase of transparency software; appropriating funds.
- B17-18 Amending the FY 2018 Annual Budget by adding and deleting positions in the Police Department.
- B18-18 Appropriating federal forfeiture funds for the purchase of a replacement K-9 officer and canine kennel for the Police Department.
- B19-18 Approving the Final Plat of University Centre Subdivision located on the west side of Providence Road and south of Locust Street; granting a design adjustment relating to street right-of-way width; providing for conveyance of a temporary construction easement for reconstruction of the sidewalk along Providence Road (Case No. 17-199).

**Mayor Treece made a motion to table B2-18 to the February 19, 2018 Council Meeting. The motion was seconded by Mr. Skala and approved unanimously by voice vote.**

## X. REPORTS

- REP1-18 Integrated Electric Resources & Master Planning.

Mr. Johnsen provided a staff report.

Mayor Treece thanked staff for taking another look at the current conditions and projections, and challenging their normal way of thinking in a way that would yield the best result for taxpayers. He asked Mr. Johnsen if he was saying Options A, B, B-2, or E were no longer needed. Mr. Johnsen replied he was saying he would not want to predispose the outcome of restarting this planning process. He believed they needed to step back and look at the current conditions, the resources they had, etc. to ensure they were taking everything into account in terms of the way it existed in the environment they had today, and what they saw was coming in the future. He commented that the forecasts were wrong and they needed to determine how much was wrong. There were some conditions that had pushed load profiles from ten years ago downward. He stated he felt it was fair to say things had changed, and it was good to include distribution planning in the integrated resources plans because the effects on the supply side portfolio were more now than they had ever been in the past.

Mayor Treece referred to the two charts provided and asked if either expressed the actual system peak and the total energy used juxtaposed against the 2008, 2013, and 2017 years. Mr. Johnsen replied the graphs showed the peak and the energy. Mayor Treece asked if those showed the actual usage. Mr. Johnsen replied he believed the 2008 number was close to the actual usage, but the years going out from there were projections. The same was true for 2013 and 2017.

Mayor Treece asked how much had already been spent on Option A or Option B-2, and how much could be reused on other projects if it was a capital cost. Mr. Johnsen replied he thought the planning and design process had cost a little over \$2 million. He pointed out the bond issue had been split into two issuances, and the second portion had not been issued. The result of this process would determine when and if the second bond sale was needed and the associated rate increases. He stated he thought it had been a \$63 million bond and about half of it was tied to the first issuance for which they had

capital needs to use that money. They had intended to fund the transmission project with the first sale, but they would now essentially move that back to the second sale, and this planning effort would dictate when that second issuance would occur and how much money it would involve.

Mayor Treece understood presentations had been made indicating a failure to proceed with the transmission plan might result in NERC or FERC fines, and asked if that was no longer an issue or if that interconnectivity could be ameliorated in another way. Mr. Johnsen replied he thought they could take care of it in a different way in at least the short term. He explained some of those issues were load forecast issues, but they had mitigation plans that could be put in place, such as load shedding activities. He commented that a situation could happen at any time regardless of planning that would require load shedding, so they would use it as mitigation in the short run if the conditions were bad enough. He noted that was always a requirement.

Mayor Treece asked for the current status of Option E. Mr. Williams replied Burns & McDonnell was currently in the process of obtaining PLS models from Ameren and entering into an agreement with Boone County for the use of GIS and parcel information. He noted they were about four weeks behind schedule. He expected their output later this month or in February. Mr. Johnsen explained there were a lot of inputs to the study, and provided the biomass study as an example. He stated this would be an important input in the planning process. He believed the various inputs as part of the overall planning process would allow them to make a well-informed and good decision for the community.

Mayor Treece asked for the process for creating the current projections, and asked how they, as Council, could have confidence that the process proposed by staff or the consultant they might retain would consider a different set of inputs that would create a more accurate projection. Mr. Johnsen replied he could not guarantee any more accuracy than in the past in terms of load forecast. The consultants did the best job they could. They knew the forecasts would be wrong, but they wanted to be close. Since the 2008 forecast, there had been some changes in economic activity, and there would be an impact to the extent there was future economic activity they did not foresee. He noted the energy efficiency of purchases, such as lighting, refrigerators, etc. was improving, and it had impacted projections as well. He also pointed out that he did not believe anyone had foreseen the price of photovoltaic equipment decreasing as much as it had over the last ten years, and its integration into the community had been faster than anyone had projected. He reiterated they would continue to do the best they could, but all forecasts were wrong. It was only a question of how wrong.

Mr. Skala asked if they would delay communications with Ameren regarding Option E until this new planning process was completed. Mr. Johnsen replied the work that Burns & McDonnell was doing on Option E would continue to move forward because it was information they could roll into this planning process.

Mr. Skala understood they had needs for 161 kV lines and 69 kV lines, and asked if that was a part of this calculation. He also understood it was more complicated since they also had capacity needs and peak power needs. He wondered how renewable energy sources could factor into the planning process as related to these long-term and very expensive improvements. Mr. Johnsen explained they would work with the Office of Sustainability on the Climate Action Plan, and the two processes could yield some good information on options and influences.

Mr. Skala understood there were no deadlines in terms of federal guidelines in the interim since this planning process would take a while. Mr. Johnsen replied some of the issues in terms of compliance were related to loads, and those hurdles had come down a little. He pointed out another study being done involved Quanta, and if they found short term fixes needed to be put in place, those would come to Council for consideration prior to the completion of this planning process.

Mr. Skala asked if the City would communicate with the University of Missouri with regard

to its power needs as a customer. Mr. Johnsen replied he hoped a representative of the University would be a participant in the working group.

Mr. Trapp asked about load shedding since Mr. Johnsen had indicated that would be an option if necessary since it was not an attractive option. Mr. Johnsen agreed it was not an attractive option, but pointed out it was always an option. He pointed out they were required to submit a load shedding program because they had an obligation to support the transmission system as a load entity, so they had an obligation to drop their load to keep the grid running. Mr. Trapp asked what that would involve. Mr. Johnsen replied they had circuits identified from a priority or community impact relationship. Depending on where the load needed to be dropped, they would start with the circuits tied to that particular substation. Mr. Trapp asked Mr. Johnsen if this meant brownouts. Mr. Johnsen replied the issues were generally resolved in a short amount of time. If they had to load shed for a sustained period of time, they would choose low priority circuits and circle through them. Mr. Trapp understood that was an emergency plan. Mr. Johnsen pointed out that emergency plan had always been in place as it was required by the reliability regulators.

Mr. Pitzer understood there had been discussions with Ameren with regard to tying into the 345 kV line, and asked if those discussions would continue. Mr. Johnsen replied yes, and explained they would continue with the work the consultants were currently doing. He pointed out Ameren had come forward with some possible solutions that were different than what they had been approached with originally. He felt they needed to take everything into account, and believed now was a good opportunity to revisit it since they were being confronted with more and more options. With that being said, he noted there would be a time when they would need to make a decision as a community to move forward as the issues could be studied forever.

Mr. Pitzer understood Mr. Johnsen had mentioned the possibility of findings in the short term that might need to be addressed before the entire planning process was completed, and asked if staff would bring forward the connection to the 345 kV line if it proved to be attractive and feasible prior to the planning process being completed. Mr. Johnsen replied probably not. He explained connecting the City's current system, which only had 161 kV connections, to a 345 kV system was a huge change from a power flow perspective. He thought short term changes would likely involve the expansion of or changes to existing substations to provide time for them to determine a long term plan.

Mr. Pitzer understood studies on the load had been done every five years or so, and that the master plan was separate from it. Mr. Johnsen stated it had been in the past, and had mostly involved the staff engineers. It would now be elevated to a consultant partnership. The integrated resources planning process would be more complicated now, and it would add time and cost to the process. He pointed out they had not looked at photovoltaics or storage ten years ago because it had not been economically viable, but those were better now. As a result, there was a much closer tie of supply resources at a distribution level than there had been in the past. Mr. Pitzer asked when the last time a master plan had been done. Mr. Johnsen replied a group looked at the substation, distribution, and feeder loads to determine where there might be problems and what changes might need to be made after every summer, so he felt it was done annually to some extent.

Mr. Pitzer understood Mr. Johnsen had indicated they would use some of the proceeds from the first half of the bond financing for some of the capital improvement projects elsewhere in the system, and asked if it had been represented to the voters the funds would be used elsewhere in the system if the transmission project did not go forward. Mr. Johnsen replied they were only shifting the projects that had been on the bond funded list so they would be funded by the first sale instead of the second sale. They were not swapping projects in and out at this time. They were only shifting the time frame and from which issuance it would be funded. Initially, the first issuance was going to be focused on transmission, while the second issuance was going to be focused on the

other projects. They would now fund those projects with the first issuance, and the transmission project would be funded with the second issuance once a decision was made.

Mr. Pitzer asked how the delay in the second issuance of the bond would delay future rate increases. Mr. Johnsen agreed some rate increases were related to bond issuances so the timing of the rate increases to pay the bond would need to be tied together. He explained the only financial issue he was aware of involved the holding of some of the money until the projects were ready to move forward, and in talking to the Finance Department in terms of interest rates, he did not feel there was an issue at this time.

Mr. Pitzer asked Mr. Johnsen how long he believed this entire process would take. Mr. Johnsen replied he believed it would be in the 1-2 year range. Mr. Pitzer asked how much it would cost. Mr. Johnsen replied it had been about \$750,000 the last time they had gone through the integrated resources planning process, so he believed this would cost about \$1.25-\$1.5 million. Mr. Pitzer asked if that was money that had been budgeted. Mr. Johnsen replied no. Mr. Pitzer asked from where the money would come. Mr. Johnsen replied this would likely affect some of the cash they had for planning and contingency items, and it would be included as part of the budget process in terms of a rate impact perspective. Mr. Pitzer asked if there were sufficient reserves in the short term. Mr. Johnsen replied yes in terms of getting them started. He pointed out it would span more than one budget year. Mr. Matthes explained the City only budgeted one year at a time so it was not in the budget now, but could easily be in the next budget. He stated the funds would be available if they chose to move forward.

Mr. Pitzer commented that there could be some outputs of the Climate Action Plan in terms of how supply was generated, and asked if the timelines of the two processes would be aligned. Mr. Johnsen replied they would work with the Office of Sustainability to do what they could to ensure close coordination, but noted timing could be a problem as he did not have a good sense of the two completion dates and the work involved. He could pledge to try to keep the two processes in vision at the same time so they did not lose any benefit of exchanging information. Mr. Pitzer stated he thought they had a pretty firm timeline on the Climate Action Plan so his concern was that an outcome of that to achieve a certain percentage of power from renewable sources within some period of time would not be taken into account in this master plan. Mr. Johnsen explained the integrated resources plan would provide options, and one of the options could be 100 percent renewable sources by a certain time frame with its associated costs, how it could be accomplished, etc.

Ms. Peters asked for the reason for having a representative from the Board of Health and the Columbia Public Schools (CPS) on this working group. Mr. Johnsen replied he had tried to include interested parties, and noted health issues and concerns from CPS had been brought up in the transmission line discussion. He pointed out it was a draft list and noted he would appreciate direction from the Council on the appropriate representation from the community. He commented that in the past it had been an expansion of the Water and Light Advisory Board so it included 3-4 other members. He was proposing a greater representation from the public this time. Ms. Peters asked if there had been any thought about representation from someone with experience in renewable energy. Mr. Johnsen replied they thought the ad hoc Sustainability representative could provide that representation, but stated they could add a renewable energy sector representative if desired. He explained they did not know whether to include someone with photovoltaics, wind, landfill gas, or other energy source expertise as they all had separate interests and concerns. He stated he did not want to drive the type of resources they would consider.

Mayor Treece commented that in order to preserve the autonomy and independence of the working group, he wanted to elevate it to a task force and add representatives, such as someone from the solar industry, the battery technology industry, a neighborhood representative, etc., as he felt they could tell them how many rooftops of photovoltaic

they needed to equal one substation, what the trends had been, etc. He asked if there was any objection to his suggestion to make it a group of the City Council instead of an internal working group. Mr. Pitzer asked if there was a difference in authority between a task force and a working group. Mr. Skala did not believe so. Mayor Treece stated he thought it was dependent on who appointed the members. Mr. Matthes noted they could make that work. He explained the first step was to hire a consultant and define the outcome they wanted them to achieve, and this group was envisioned to work with the consultant, so he was not sure why a task force could not do the same. Mayor Treece stated he would like the task force to help determine the scope of services. He commented that he was concerned about coordination issues. They had a Climate Action Plan consultant, the Quanta study in terms of load, the Burns and McDonnell study in terms of a transmission corridor, etc. He hoped they would not add another layer of consulting to only analyze those reports and incorporate it into a plan. In his mind, he wanted to ensure they had a rate study on potential rate increases to ensure there was better parity between residential, industrial, and commercial ratepayers. He also wanted to consider the electric connection fee proposed by Mr. Thomas to better compensate ratepayers for the \$12 per month they were currently paying for system expansion for which they never saw a benefit. He felt having the task force in place before determining the scope of services would be a good start. Mr. Johnsen stated that was the intent of staff. Mayor Treece noted they had a good draft of the scope of services, and wanted the expertise of a robust task force to look at it. Mr. Johnsen pointed out the scope of services presented was to provide a discussion point. It was a draft and they expected the group that was put together to be involved in the first step.

Mayor Treece asked if there was any scenario where one of the existing consultants could expand on what they were already doing or if this was a more specialized document. Mr. Matthes replied that from a purchasing rules perspective, it would need to be bid with a new scope. Mayor Treece stated he only wondered if there were any economies of scale since some consultants were already looking at this issue. He wanted to ensure they were not doing the same things the same way they always had done it with the expectation of different results. Mr. Matthes commented that the purchasing process was the same, but the intent was to change the approach to have a much wider thought consideration and scope.

Mr. Skala stated he saw this group as a way to tie some of these things together. He understood a work group was over when the work was completed, and a task force had a date certain that could always be extended. He did not see much difference. He commented that there was also some expertise on the Water and Light Advisory Board with respect to renewable energy sources. He noted Mayor Treece had some wonderful ideas with regard to expanding the list, but an expansion beyond 15 or 19 could make it an unwieldy group to manage. He suggested they be judicious in terms of membership.

Mayor Treece stated he thought it would be helpful for this to come back to Council as a task force. He did not feel they needed all five members of the Water and Light Advisory Board represented as they would be involved regardless. He also thought they could switch out the Board of Health member for a neighborhood representative or make some other change.

Mr. Pitzer noted they were putting together a task force for the Climate Action Plan and believed a couple of those members could be appointed to this task force to cover a lot of the items that had previously been mentioned by Mayor Treece and be in lieu of the Board of Health member or the Sustainability representative. He did not feel the number had to grow.

Mayor Treece asked if there was any objection to making this a task force instead of a working group. Mr. Trapp asked if the members would be appointees of the City Council. Mayor Treece replied they could do it the same way as the Climate Action Plan. Mr. Trapp stated he would prefer to make these Council appointments as this affected the entire community and was something he felt the entire Council should weigh in on if they



were not delegating it to staff. Mr. Skala thought the staff could make recommendations on the appointees as well. He believed anyone should be able to make a recommendation, and names could be placed on a matrix grid to determine the final appointees.

Mayor Treece asked for the Law Department and the Finance Department to really look at the bond issue and assess whether they needed to cap future electric rate increases until the task force completed its work. He understood \$36 million of the \$63 million bond issue was for the transmission line project, and if they were not going to proceed with it, he wanted to ensure they were not inadvertently raising electric rates for the project prematurely. He stated he wanted to ensure they were for projects that had already commenced and not ones that had been contemplated.

Mr. Pitzer asked that they take into account the scope of services and costs along with the efficacy of prior work and advice provided previously when looking at consultants. Mr. Skala stated that was an interesting comment because those that knew one another well also knew what to expect and what was anticipated while it took longer in a situation where there were those that did not know one another well so there was a balance.

Mr. Matthes stated they would take in all of the comments to try to provide what they had all requested.

#### REP2-18 Sports Fieldhouse Project History and Status.

Mr. Matthes and Mr. Griggs provided a staff report.

Mayor Treece commented that he had participated in a couple of conversations with Boone County representatives, but did not feel comfortable moving forward since the Council had voted at least three times to proceed with a project at Philips Park. He thought it was important to get a sense from Council before continuing any discussions. He explained he was trying to weigh the representations they had made to voters, the timeline they were on to proceed, and the autonomy of the project against the opportunity to build something greater than what they could on their own and all of the coordination issues between the City, Boone County, and a potential non-profit partner.

Mr. Skala stated he was inclined to see what could develop prior to making a decision, and understood that could involve some delays. He did not believe there would be any abrogation of promises made on behalf of the Philips property. He commented that he viewed this similarly to bond issues whereby they created non-specific language for a bond issue, but described projects for which the bond issue might be used. He noted they had committed to improvements on the Philips Park property and would need to pay some attention to that Park, but explained he had a hard time passing up the opportunity to at least discuss the potential for something greater than they could afford themselves. He also did not feel it would hurt to enter into a memorandum of understanding with Boone County to help that relationship. He favored letting the talks continue to determine what could be done, and to then make a decision as to where the improvements would be made and where the money they had would go.

Ms. Peters noted Philips Park was in her ward, and she had only heard from one person indicating it was a good idea to look into a public-private partnership at the Boone County Fairgrounds. She was not sure if others on the Council had heard from any others. Mr. Skala replied he had heard from Mr. Cardetti, who was advocating for Philips Park based on promises made. He stated that he had explained to Mr. Cardetti that Philips Park would not be neglected and that it would not go away. There might only be a shift as it could become a win-win situation for the City depending on the results of any discussion.

Mr. Pitzer stated he had spoken with Mr. Cardetti as well, and believed it was important to consider the potential for something greater than what they could do on their own. He thought there had been various attempts to do lots of different things at the Fairgrounds, and none of them had come to fruition. In addition, there had not been any discussion thus far as to how the funding would come together and whether further taxes would be needed. There was a lot of uncertainty, and it was a stretch to think this would definitely happen. He felt it was reasonable to take the time to consider it, and if it was a real

possibility, he thought they needed a more robust discussion with more public input to determine what was in the best interest of all of the citizens. He did not believe this was a live enough discussion at this time.

Mayor Treece asked Mr. Griggs for the internal time frame for proceeding with Philips Park. He understood they were ready to break ground. Mr. Griggs replied they were ready to bid it, but had not yet brought to Council an authorization to proceed with the project. That would have been done in December had this not come up, and they would be bidding now with construction in the spring. Mayor Treece asked for a drop dead date to stay on that timeline. Mr. Griggs replied knowing by the end of February or the first of March would allow them time to make it work on the Philips Park property. Mr. Pitzer asked if that had always been the timeline. Mr. Griggs replied no, but that would be the plan. The original plan would have put them in front of Council in December, and it would now be delayed to March.

Jack Cardetti explained he was representing Real Equity Management with offices at 4220 Philips Farm Road, and noted they were the operator of the Marriot TownePlace Suites. He stated the 2015 park sales tax had been supported by 70 percent of the voters in every ward, and believed it had been supported to such an extent because they had followed through on promises in years past. He pointed out the largest project on the list was the fieldhouse, and all news stories indicated the voters were promised a fieldhouse at Philips Park. He believed this had been discussed since 2010, and was needed. He commented that he viewed any further delay a broken promise to taxpayers. In addition, he understood the current plan from Boone County was to raise sales taxes. He felt by changing course, they would be saying they were not going to build the fieldhouse where they had indicated and would only build it with more taxes. He stated that was very troubling as they would be eroding the trust of voters due to some backroom deal involving Boone County. He believed it was better to follow the plan that was currently in place, and reiterated a further delay was a broken promise to taxpayers.

Mayor Treece understood Mr. Griggs had made three presentations with three possible locations and had included a preferred location in one of the presentations, and asked if the other two had always been represented as possible locations. Mr. Griggs replied he had spoken with civic groups, and the presentations referred to were dependent on the amount of time he had been provided to speak. In one of those presentations, he had indicated they had looked at Clary-Shy Park and the Fairgrounds, but were recommending Philips Park because it was a part of the master plan. He stated he was sure there were many quotes of him indicating the fieldhouse would be constructed at Philips Park.

Mr. Cardetti stated he did not recall anyone involved in the campaign saying that if they voted for the park sales tax, the largest portion of it would be used outside of the city limits.

Mr. Skala commented that regardless of a delay of 30-45 days, the fieldhouse could still be built at Philips Park. He did not feel it was prudent to not consider the potential of a larger fieldhouse with some funding from private individuals. He reiterated they would not forget about Philips Park regardless of what happened. Mr. Cardetti pointed out there had been a ballot issue in 2014 by Boone County to build a sports fieldhouse at the Fairgrounds, which had been defeated handily. He commented that his view was to keep the promise made to taxpayers as it had been a transparent and open process. He understood there were sometimes problems with bond issues, such as a project costing more, it no longer being feasible, etc. There was not a problem with the Philips Park project. It was a great project that was supported by the community. It also provided regional diversity since the regional parks were in the north. This would bring something in the southeast. Mr. Skala stated he would not get into where amenities were located in the community, and reiterated his belief was that they should consider all options. Mr. Cardetti commented that he felt further delay would only exacerbate problems as he believed the County had planned to raise taxes for this, which meant it would go to the

vote of the people and be delayed even longer. Mr. Skala noted they had discussed a 30-45 day delay to decide whether any of the discussion was fertile. Mr. Cardetti stated he understood, and pointed out any County sales tax increase would have to go to the vote, which would create a longer delay.

Mayor Treece asked if this could be discussed at the next work session so they had all of the facts and could then decide how they wanted to proceed. Mr. Cardetti replied he thought there would be an issue in terms of the secrecy of the County. He stated they had gone to the County indicating their desire to be a part of the process, and they had been unwilling to provide information.

Mr. Pitzer asked if this discussion could occur in an open session. Mayor Treece thought it should occur in open session. Mr. Matthes pointed out it involved real estate negotiations, and those were closed generally speaking. Typically, they would negotiate and bring something forward when they felt the best interests of the City were met, and make it a public process then. The public process began when there was something to discuss in terms of a product requiring a reaction. As of this point, there was not a negotiated product. He noted he was not sure they would have a product within two weeks, but thought they could have a conversation.

Mr. Cardetti commented that this was a real estate negotiation between two public entities and felt taxpayers should be at the table as a result. Mr. Matthes replied they normally did not negotiate at the table. They discussed the pros and cons of deals that were negotiated.

Mayor Treece stated he preferred to have the discussion in a public setting and was not sure there were any details where the airing of this in a public setting would cause the price to increase or put them at a competitive disadvantage. He believed it would likely enhance the negotiations. He also noted that the work session did not have to include the County. It could only involve Mr. Griggs. He asked if there was any objection to proceeding with a work session as the first step to determining how they might want to proceed. Mr. Skala replied no, but thought they should have a drop dead date, and noted that might focus the negotiations.

Mr. Trapp stated he preferred providing a short pause to allow time for negotiations to develop, and to have the public process if anything came from those negotiations. He agreed this provided an opportunity, but pointed out there was also some risk to the original project if a larger and more robust facility was opened up elsewhere as it might no longer be a viable project. He thought a pause was appropriate and pointed out Mr. Griggs had a good track record for negotiations. He stated he was comfortable allowing staff to continue that process.

John Clark, 403 N. Ninth Street, commented that he was aghast that the Deputy City Counselor did not point out this was the reports section of the meeting and that no one had anticipated public input or a vote. He believed it was a violation of the Sunshine Law, and hoped they did not vote on anything other than saying they would study this a little longer. He thought the City Manager should have included this as part of new business if they wanted vote, and to otherwise treat the reports section as the reports section.

Matt Thornburg explained he would like the opportunity to further discuss this issue with the Council. He noted he had boys that played sports and was a physician that had taken care of a lot of kids involved in sports in the community, and saw this as a tremendous opportunity. He agreed with Mr. Cardetti in that the Philips Park project was a good project and would be good for the City, but stated he thought the other proposal could be great for the City and the County. He explained he had been looking into this for a number of years and had brought in a consulting company that had recently provided an economic impact study that showed bringing in six basketball tournaments and six volleyball tournaments could create a \$7 million impact. This could not be done with four courts. He stated his passion in this was to allow underserved kids to participate in sports, and noted they had \$1.5 million committed to date. He believed this would allow the County, the City, and a non-profit to get together to do something truly amazing for

this and the surrounding communities. He hoped they could discuss it further.

Mayor Treece asked Mr. Thornburg if he would be willing to participate in a work session even if the County could not participate by sharing his vision. Mr. Thornburg replied yes.

Eugene Elkin, 3406 Range Line Street, commented that Mr. Thornburg had mentioned low-income kids and noted they needed to address transportation, especially if it was down south. He understood the property at the Boone County Fairgrounds had ground-source heat pumps and believed it might have other advantages.

Mr. Matthes pointed out the work session topic for January 16 involved the labor groups and they had known about that date for some time. He suggested this topic be discussed at the February 5, 2018 work session. Mayor Treece noted that allowed some time for staff to continue flushing out the issues for discussion at that work session.

Mr. Skala pointed out the Council was not voting on this issue tonight as had been suggested by Mr. Clark. In addition, the Council did not follow Robert's Rules of Order. The meeting was run by the Mayor, and the rest of the Council could overrule the Mayor if they did not agree with his process. He stated this was a discussion in which they invited the public that wanted to speak, and they would likely carry it on to a work session. Mayor Treece agreed, and believed this likely enhanced the transparency of this project by letting everyone see the conversation they were having and the decision with which they were struggling.

Mayor Treece asked if they were comfortable with staff proceeding with discussions and for a work session to be held on the topic on February 5, 2018 at which time they could decide how to proceed.

REP3-18      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**

John Clark, 403 N. Ninth Street, commented that the Council had voted on many things over the last ten years during the reports section, which was why he had mentioned it.

Mr. Clark stated he liked the fact Mr. Cardetti had emphasized the City was transparent and dealt in process.

Mr. Clark explained he had done a great deal of thinking about using the model of the Integrated Water Resources Planning Committee as a basic model in terms of electric. He liked the idea of having a group already established and for that group to develop the scope of services. He did not believe there were minor errors as those errors had been going on for years. He again stated that the basic model of having knowledgeable citizens, which in this case was the Water and Light Advisory Board and 5-7 citizens, made a great deal of sense. He pointed out one of the most important parts of the integrated water resources plan process was the difficult task of projecting demands and needs. He saw the task force with outside consultants and staff as a good process if they could get rid of staff interference problems. He commented that he thought they might want to think carefully about the role of experts and suggested a group including the Water and Light Advisory Board and 5-7 people that were interested in and had some knowledge of capital planning. A problem that had come to light with the integrated water resources planning process was that rates were a major tool in controlling conservation, and he felt that should have been a part of their process since it involved conservation. He believed that type of conceptual rate work needed to be a part of the structure on the electric side. He stated they did not have a good major capital infrastructure planning program in Columbia, and was glad the water and electric utility staff was embracing this much more robust planning process.

Jay Hasheider, 1812 Cliff Drive, understood staff had indicated they would no longer continue counting half of the net metered energy that came from customer owned solar systems. It was the part of the energy that went into the household. He had not found

any such discussion of this decision between staff and the Council, and asked if this had been discussed or endorsed. He felt if it was not counted, it would have to come from someplace else and would have a rate impact of about \$10,000.

Mayor Treece stated he did not recall this discussion, and asked for an example of an energy unit that did not flow through a meter. He wondered if it involved someone that was off of the grid. Mr. Hasheider replied he was a solar customer, and the energy first went into the house. It did not go through a meter before going into the house. Mayor Treece understood Mr. Hasheider was consuming that, and the excess of what was consumed was pushed back into the system. Mr. Hasheider stated that was correct. Mayor Treece understood they were not counting what he totally consumed. Mr. Hasheider noted they had up until this year. He pointed out some of them had objected to the cost attached to it, which was a net of \$38, because it had never touched the utility, and the response from staff was to ignore it entirely. Mayor Treece thought this had been addressed in a work session.

Mr. Skala agreed a work session had been held.

Mr. Pitzer commented that he thought the representation from staff was that they would not use the cost described as an added cost to renewables. He did not recall the discussion in terms of counting the energy.

Mr. Hasheider understood there had not been Council concurrence to ignore those energy units, and pointed out the issue of cost had not yet been resolved.

Mr. Skala suggested the Water and Light Advisory Board continue the discussion, and noted at some point, it would come back to the Council since it was considered a change in policy.

Mr. Hasheider stated he would point out to the Water and Light Advisory Board that the Council had not made a conclusive decision on the matter, and that they would entertain resolutions.

Mayor Treece stated his personal opinion was that it should be counted because that was energy they did not have to purchase as it had been obtained through another source. Mr. Hasheider thought that was the intent, and as a solar customer, he wanted to participate in the renewable energy portfolio compliance.

Mayor Treece understood telephone companies had not wanted people purchasing telephones from other sources before deregulation because they thought it would hurt the system, and as a result, they made it difficult for consumers to acquire their own equipment. He noted he did not subscribe to that philosophy, and thought they should make it easier for people. He pointed out it was to their benefit for the energy units to be counted toward their goal of renewable sources.

Mr. Hasheider stated he believed the Water and Light Advisory Board members should be included in the integrated electric resources and master planning work group.

Eugene Elkin, 3406 Range Line Street, thanked the City for providing \$36,000 for the Room at the Inn.

Mr. Elkin stated he no longer received trash service, and the landlord would pay a varying amount. This meant the residents would no longer receive vouchers for trash bags or newsletters. He wondered if the newsletter could be delivered to the mailbox units of trailer courts. The lack of receiving vouchers created an increased cost to the poor and those on fixed incomes.

Mr. Trapp commented that he was unsure of what happened with trailer courts in terms of trash service, and asked for a report.

Mr. Trapp stated he had met with Melody Whitworth from Unchained Melodies, formally Dogs Deserve Better, and understood she was in the process of trying to schedule meetings with the Council with regard to tethering of dogs. He also understood she had met with Ms. Browning with regard to the inadequacies of the current dog tethering

ordinances, and had indicated some suggested changes had been endorsed by Ms. Browning. He asked for a report on the subject.

Mr. Trapp noted they had referred the medical cannabis issue to the Board of Health at the last council meeting, and suggested they refer it to the Disabilities Commission and the Commission on Human Rights as they had both weighed in on it the last time they had dealt with the cannabis issue. He wanted their perspective again when they dealt with the issue next month.

Mr. Skala understood the ComoGives campaign had been very successful as \$712,500 had been raised for lots of good causes. He thanked everyone who had helped to make it a successful campaign as it had far exceeded expectations. It also showed the kind of community in which they lived.

## **XII. ADJOURNMENT**

Mayor Treece adjourned the meeting without objection at 9:36 p.m.